ORDINANCE NO.

AN ORDINANCE CREATING AN ECONOMIC DEVELOPMENT PROGRAM AND AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT WITH FREESCALE SEMICONDUCTOR, INC.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The city council finds that:

(A) Freescale Semiconductor, Inc. ("Freescale"), a corporation engaged in high technology production, has determined to maintain its global headquarters and other facilities in Austin, Texas.

(B) Freescale has represented to the City that it will maintain existing jobs, and create at least an additional 200 permanent jobs in Austin within 4 years.

(C) Freescale may expand facilities and will purchase additional equipment, and has requested a rebate of property tax which will be owed on its property.

(D) Freescale will invest an additional $414 million in new capital equipment at the facilities over a four year period.

(E) The Freescale facilities and jobs will provide economic benefits to the City, be a catalyst for economic development benefiting the entire community, promote local economic development, and stimulate business and commercial activity in the City.

(F) Chapter 380 of the Texas Local Government Code (*Miscellaneous Provisions Relating to Municipal Planning and Development*) authorizes the City to establish local economic development programs.

PART 2. An economic development program for Freescale is created under Chapter 380 (*Miscellaneous Provisions Relating to Municipal Planning and Development*) of the Texas Local Government Code.

PART 3. As part of the City's economic development program, the city manager is directed and authorized to negotiate and execute a performance based economic development agreement with Freescale that includes the terms and conditions attached as Exhibit A, and incorporated as part of this ordinance.

PART 4. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

§
§
_____, 2005   §   _____
                                                   Will Wynn
                                                   Mayor

APPROVED: _____   **ATTEST:** _____
         David Allan Smith   Shirley A. Brown
         City Attorney   City Clerk