

RESOLUTION NO. 050113-52

WHEREAS, Council adopted Resolution No. 030612-15 on June 12, 2003; and

WHEREAS, Council has determined that certain amendments to the resolution are required; **NOW, THEREFORE**,

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

Resolution No. 030612-15 is amended as follows:

1. Subparagraph 2.i is amended to read:

i. Applicants will be ineligible for incentives if they are not complying with City of Austin current water quality regulations on all current projects, unless the applicant has negotiated or negotiates an agreement with the City in which it complies with current impervious cover limits overall and agrees to build with current [~~currently required~~] water quality controls and waive any claim to grandfathering to prior water quality regulations.

2. Subparagraph 2.j. is amended to read:

j. By accepting incentives as part of an economic development agreement with the City of Austin, recipients agree to comply with City of Austin water quality regulations (as defined in paragraph 2.i above) on all their future development within Austin's planning jurisdiction, during the term of that economic development agreement. Failure to do so will result in cancellation

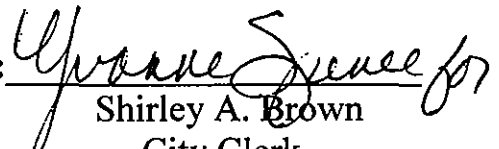
of the incentives package [~~and will require the return of all incentive funds already received~~].

3. A new Subparagraph 2.k. is added to read:

k. Paragraph 2.j. does not apply to an economic development agreement for a data center or call center facility, unless the primary business of the company receiving the incentives is the operation of a data center or call center.

ADOPTED: January 13, 2005

ATTEST:


Shirley A. Brown
City Clerk