

26 **WHEREAS**, the Governor’s Office of Economic Development and
27 Tourism, through the Economic Development Bank, approved Spansion LLC as an
28 enterprise project pursuant to a nomination and application made by the City on
29 May 12, 2025; and

30 **WHEREAS**, pursuant to Subchapter F of the Act, Spansion Fab 25 LLC has
31 applied to the City for assignment of the enterprise project status; and

32 **WHEREAS**, the City Council desires to approve the assignment of the
33 Spansion LLC enterprise project status to Spansion Fab 25 LLC; and

34 **WHEREAS**, the City Council finds that Spansion Fab 25 LLC meets the
35 criteria for designation as an enterprise project as required by the Act based on the
36 following grounds:

- 37 a) Spansion Fab 25 LLC is a “qualified business” under the Act because
38 it will be engaged in the active conduct of a trade or business at a
39 qualified business site within the City’s jurisdiction located outside an
40 enterprise zone and at least thirty-five percent of Spansion Fab 25
41 LLC’s new permanent jobs will be held by residents of an enterprise
42 zone, economically disadvantaged individuals, or veterans; and
- 43 b) There has been and will continue to be a high level of cooperation
44 between public, private, and neighborhood entities within the area;
45 and
- 46 c) The assignment of the enterprise project status to Spansion Fab 25
47 LLC will contribute significantly to the achievement of the plans of
48 the City for development and revitalization of the area; and

49 **WHEREAS**, the City Council finds that Spansion Fab 25 LLC meets the
50 criteria for local incentives and economic development tools adopted by the City in

51 Ordinance No. 20240829-154, as amended by Ordinance No. 20241107-041, and
52 that the incentives offered are the same as provided in Ordinance Nos. 20240829-
53 154 and 20241107-041; and

54 **WHEREAS**, the City Council finds assignment of the enterprise project
55 status to Spansion Fab 25 LLC is appropriate on the grounds that this Project will
56 be located at the qualified business site and will create a higher level of
57 employment, economic activity, and stability in the area; and

58 **WHEREAS**, the City Council finds that it is in the best interest of the City
59 to assign the enterprise project status from Spansion LLC to Spansion Fab 25 LLC,
60 pursuant to the Act; **NOW, THEREFORE**,

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

62 The City Council assigns the enterprise project status from Spansion LLC to
63 Spansion Fab 25 LLC pursuant to Texas Government Code Chapter 2303.

64 **BE IT FURTHER RESOLVED:**

65 The findings of the City Council and its actions approving this Resolution
66 taken at the City Council meeting are hereby approved and adopted.

67 **BE IT FURTHER RESOLVED:**

68 That Spansion Fab 25 LLC is a “qualified business” as defined in Section
69 2303.402 of the Act and meets the criteria for designation as an enterprise project,
70 as set forth in Chapter 2303, Subchapter F of the Act.

71 **BE IT FURTHER RESOLVED:**

72 This assignment of enterprise project status shall take effect on the date of
73 designation as an Enterprise Project by the Governor’s Office of Economic
74 Development and Tourism and terminates on March 4, 2030.

ADOPTED: _____, 2026 **ATTEST** _____

Erika Brady
City Clerk

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