

**ORDER ADOPTING AMENDMENT TO COUNTY OF HIDALGO
ECONOMIC DEVELOPMENT INCENTIVES PROGRAM
GUIDELINES & CRITERIA UNDER CHAPTER 381 OF
THE TEXAS LOCAL GOVERNMENT CODE**

WHEREAS, the Commissioners Court of Hidalgo County, Texas, established an economic development program (the "381 Program") to unify public and private entities within and outside of Hidalgo County for the purpose of communicating, collaborating and coordinating efforts that promote a sustainable and healthy economic future for Hidalgo County and to stimulate business and commercial activity in the county under Texas Local Government Code, Section 381.004, and other statutes.

WHEREAS, the Commissioners Court of Hidalgo County desires to amend the 381 Program in order to better provide for the simulation of business and commercial activity in Hidalgo County.

NOW, THEREFORE IT IS HEREBY ORDERED that the Commissioners Court of Hidalgo County, Texas, hereby adopts the Amedment to Economic Development Incentives Program Guidelines & Criteria attached as Exhibit A.

PASSED, APPROVED, ADOPTED AND ORDERED, this the ___ day of December, 2008 by the Commissioners Court of Hidalgo County, Texas.

Juan D. Salinas III
County Judge

Hector "Tito" Palacios
Commissioner, Pct. 2

Sylvia S. Handy
Commissioner, Pct. 1

Oscar Garza, Jr.
Commissioner, Pct. 4

Joe M. Flores
Commissioner, Pct. 3

ATTEST:

APPROVED AS TO FORM:

ATLAS & HALL, L.L.P.

Arturo Guajardo, Jr.
County Clerk

By: _____
Stephen L. Crain

EXHIBIT A

AMENDMENT TO

ECONOMIC DEVELOPMENT INCENTIVES PROGRAM

**GUIDELINES & CRITERIA FOR PARTICIPATION IN PROJECTS UNDER
CHAPTER 381 OF THE TEXAS LOCAL GOVERNMENT CODE**

1. The first paragraph of Section V of Hidalgo's Economic Development Incentives Program Guidelines and Criteria for Participation in Projects Under Chapter 381 of the Texas Local Government Code (the "381 Program Guidelines and Criteria") is amended to read in its entirety as follows:

The decision to provide any economic development incentives will be considered on a project-by-project basis, in accordance with the criteria set forth in this policy, and at the discretion of the Hidalgo County Commissioners Court who, with respect to:

- (i) applicants who submitted a written request for incentives prior to November 13, 2007; and
- (ii) applicants concerning projects within any existing or proposed Hidalgo County transportation reinvestment zone in accordance with Section 222.107 of the Texas Transportation Code.

may waive some or all of the criteria set forth in this policy if reasonable proof is shown of why the waiver is needed and of the benefit to the County of granting the economic development incentive.

2. Except as expressly amended hereby, the 381 Program Guidelines and Criteria are hereby ratified and confirmed.