

**ORDER APPROVING APPROVING HIDALGO COUNTY  
MEMBERSHIP IN NEW NONPROFIT ENTITY TO BE FORMED TO  
OPERATE A FOREIGN TRADE ZONE**

**WHEREAS**, the Commissioners Court deems it to be in the best interest of Hidalgo County, Texas (the “*County*”) for the County to be a member of that certain nonprofit corporation (the “*Entity*”) to be formed by the filing of a certificate of formation in the form attached hereto as Exhibit “A” (the “*Certificate of Formation*”), which entity will operate a foreign trade zone (the “*Zone*”);

**WHEREAS**, the Cities of Weslaco, Edinburg, Pharr and Donna are also expected to be members of the Entity, and an individual from each of the cities and from the County will act as incorporators of the Entity and will constitute the initial board of directors of the Entity, as set forth in the Certificate of Formation;

**WHEREAS**, the City of Weslaco currently operates a foreign trade zone, and will be transferring administration of that, or of a new, foreign trade zone to the Entity once it has obtained all necessary authorizations, including any statutory provisions (collectively, the “**Authorizations**”), for such transfer or formation, and for the County to administer the Zone in accordance with the draft of the bylaws of the Entity, which is attached hereto as Exhibit “B” (the “**Bylaws**”); and

**WHEREAS**, subject to such necessary Authorizations being obtained, the County is willing to assist with the Zone, which assistance will commence after such Authorizations are obtained and in effect;

**NOW THEREFORE:**

***BE IT ORDERED BY THE COMMISSIONERS COURT OF HIDALGO COUNTY,  
TEXAS:***

**SECTION 1. APPROVAL OF CERTIFICATE OF FORMATION.** The Certificate of Formation is hereby approved in the form attached hereto as Exhibit “A”, and the County approves the submission of the Certificate of Formation to the Secretary of State for filing once the Certificate of Formation is signed by Ramon Garcia, the County Judge, and the other incorporators.

**SECTION 2. BYLAWS.** The Bylaws are hereby approved in substantially the form attached hereto as Exhibit “B”, with such changes thereto as are approved by the County Judge of the County, with advice of attorneys for the County, it being understood revisions may be required by or to comply with the Authorizations.

**SECTION 3. DIRECTOR.** Ramon Garcia is hereby confirmed as the director from the County, to serve on the board of directors of the Entity in accordance with the Certificate of Formation and the Bylaws.

**SECTION 4. COUNTY PARTICIPATION IN ZONE.** The County's provision of management services pursuant to the delegation in the Bylaws will not commence until after all appropriate Authorizations have been obtained and are in effect and until membership dues have been determined by the board of directors and approved by the County.

**SECTION 5. EFFECTIVE DATE.** This Order shall become effective immediately upon the passage hereof.

**PASSED, APPROVED, ADOPTED AND ORDERED** this the 5<sup>th</sup> day of September, 2017, by the Commissioners Court of Hidalgo County, Texas.

SIGNED AND ENTERED ON THE ABOVE DATE BY THE FOLLOWING MEMBERS OF THE HIDALGO COUNTY COMMISSIONERS COURT

\_\_\_\_\_  
RAMON GARCIA  
County Judge

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DAVID L. FUENTES  
County Commissioner, Pct. 1

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EDUARDO "EDDIE" CANTU  
County Commissioner, Pct. 2

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JOE M. FLORES  
County Commissioner, Pct.3

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JOSEPH PALACIOS  
County Commissioner, Pct. 4

Attested to:

APPROVED AS TO FORM:  
ATLAS, HALL AND RODRIGUEZ, LLP

\_\_\_\_\_  
ARTURO GUAJARDO, JR.  
County Clerk

By: \_\_\_\_\_  
Stephen L. Crain

**EXHIBIT A**

**FORM OF**

**CERTIFICATE OF FORMATION OF HIDALGO COUNTY FOREIGN TRADE ZONE**

**EXHIBIT D**

**FORM OF**

**BYLAWS OF HIDALGO COUNTY FOREIGN TRADE ZONE**