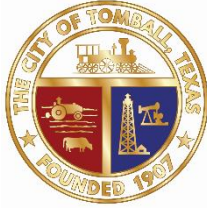


**NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, June 6, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, June 6, 2022 at 6:00 PM, City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR JUNE 6, 2022, 6:00 PM, AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. THIS MEETING AGENDA AND THE AGENDA PACKET ARE POSTED ONLINE AT:

[HTTPS://TOMBALLTX.GOV/ARCHIVE.ASPX?AMID=38](https://tomballtx.gov/archive.aspx?amid=38)

A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): +1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 889 9552 4558, Passcode: 110576. The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. Invocation - Led by Pastor David Hinkle - Tomball Bible Church
- C. Pledges to U.S. and Texas Flags
- D. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a*

matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]

E. Reports and Announcements

1. Announcements

- I. **Tomball City Pool – 2022 Swim Season - Jerry Matheson Park Pool** will be open Memorial Day Weekend, May 28-29, from Noon–8 p.m., and on Memorial Day from 10 a.m.–6 p.m.

The Regular Season begins on May 31 (Tuesday), operating from 10 a.m.–6 p.m., Tuesday through Friday and Noon–8 p.m. on Saturday and Sunday through August 14.

End of Season hours will be: Noon–8 p.m. on August 20-21, August 27-28, and September 3-4; on September 5, the pool will be open 10 a. m. –6 p.m. to close out the Swim Season.

The pool will be closed every Monday during swim season 2022, except Memorial Day (May 30), July 4th, and Labor Day (September 5).

- II. June 11, 2022 – **2nd Saturday at the Depot**

- III. **TOMBALL KID'S CLUB – Activities:** July 7, 12, 14, 19, 21, 26 and 28, then August 2, 4, 9, and 11 from 10:00 a.m. to 12:00 p.m., at the **Juergens Park Pavilion**.

- IV. July 4, 2021 – **July Fourth Celebration & Street Fest** – 6:00 p.m.-10:00 p.m. at Four Corners (Business SH 249 at FM 2920)

- V. July 9, 2022 – **2nd Saturday at the Depot**

- VI. August 5, 2022 – **50th Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**

2. Reports by City staff and members of council about items of community interest on which no action will be taken:

- I. Doug Tippey – Cybersecurity Update

- II. Sasha Smith – Report on the Success of *Texas Deuce Days at the Depot*

F. Approval of Minutes

- [1.](#) Approve the Minutes of the May 16, 2022 Canvass and Regular Tomball City Council Meeting

G. New Business

- [1.](#) Presentation of the Tomball Economic Development Corporation (TEDC) 2021-2022 Annual Report.
- [2.](#) Approve the Tomball Economic Development Corporation (TEDC) 2022-2023 Strategic Work Plan.
- [3.](#) Approve, on First Reading, Resolution No. 2022-20-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and Sip Hip Hooray to make direct incentives to, or expenditures for, advertising, promotion and marketing for monthly Shop and Stroll events held in Old Town Tomball, City of Tomball, as authorized under Section 505.158 of the Texas Local Government Code. The estimated amount of expenditures for such project is \$40,545.00.
- [4.](#) Approve Resolution No. 2022-21, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 49th Annual Tomball Night and Parade, to be held in Tomball on Friday, August 5, 2022
- [5.](#) Authorize the City Manager to Execute an Interlocal Agreement with Waller Harris ESD 200 for the Sale and Transfer of Title of Shop #11-018, a 2011 Chevrolet Tahoe, in the amount of \$10,000.00
- [6.](#) Approve TEDC Grant Expenditure to Paradigm Brewery in the Amount of \$39,295.90, Pursuant to City Purchasing and Payment Policies
- [7.](#) Approve Request from Progreso Multicultural Foundation for City support and in-kind services for the first "*Fiesta de Tomball*" festival in downtown Tomball, on Saturday, September 24, 2022
- [8.](#) Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session

H. Adjournment

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 2nd day of June 2022 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer, City Secretary, TRMC, MMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: June 6, 2022

Topic:

Tomball City Pool – 2022 Swim Season - Jerry Matheson Park Pool will be open Memorial Day Weekend, May 28-29, from Noon–8 p.m., and on Memorial Day from 10 a.m.–6 p.m.

The Regular Season begins on May 31 (Tuesday), operating from 10 a.m.–6 p.m., Tuesday through Friday and Noon–8 p.m. on Saturday and Sunday through August 14.

End of Season hours will be: Noon–8 p.m. on August 20-21, August 27-28, and September 3-4; on September 5, the pool will be open 10 a. m. –6 p.m. to close out the Swim Season.

The pool will be closed every Monday during swim season 2022, except Memorial Day (May 30), July 4th, and Labor Day (September 5).

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Doris Speer</u>	<u>5-27-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

June 11, 2022 – 2nd Saturday at the Depot

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	Doris Speer	5-27-2022	Approved by		
	Staff Member	Date		City Manager	Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

TOMBALL KID'S CLUB – Activities: July 7, 12, 14, 19, 21, 26 and 28, then August 2, 4, 9, and 11 from 10:00 a.m. to 12:00 p.m., at the **Juergens Park Pavilion.**

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Doris Speer</u>	<u>5-27-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

July 4, 2021 – **July Fourth Celebration & Street Fest** – 6:00 p.m.-10:00 p.m. at Four Corners (Business SH 249 at FM 2920)

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Doris Speer</u>	<u>5-11-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

July 9, 2022 – 2nd Saturday at the Depot

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Doris Speer</u>	<u>5-11-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

August 5, 2022 – 50th Annual Tomball Night, Parade of Lights, and Health & Wellness Expo

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	Doris Speer	5-11-2022	Approved by		
	Staff Member	Date		City Manager	Date

Tomball's Shop Local Event

2022
Tomball Night



FRIDAY

AUGUST 5, 2022

5 PM - 10 PM

DOWNTOWN VENDORS

PARADE OF LIGHTS

FIREWORKS

MYSTERY SHOPPERS

HEALTH & WELLNESS EXPO

SALES AT LOCAL BUSINESSES



SPONSORSHIP OPPORTUNITIES

VENDOR SPOTS AVAILABLE

ENTER PARADE OF LIGHTS

FORMS AVAILABLE TODAY!

Greater Tomball Area Chamber of Commerce

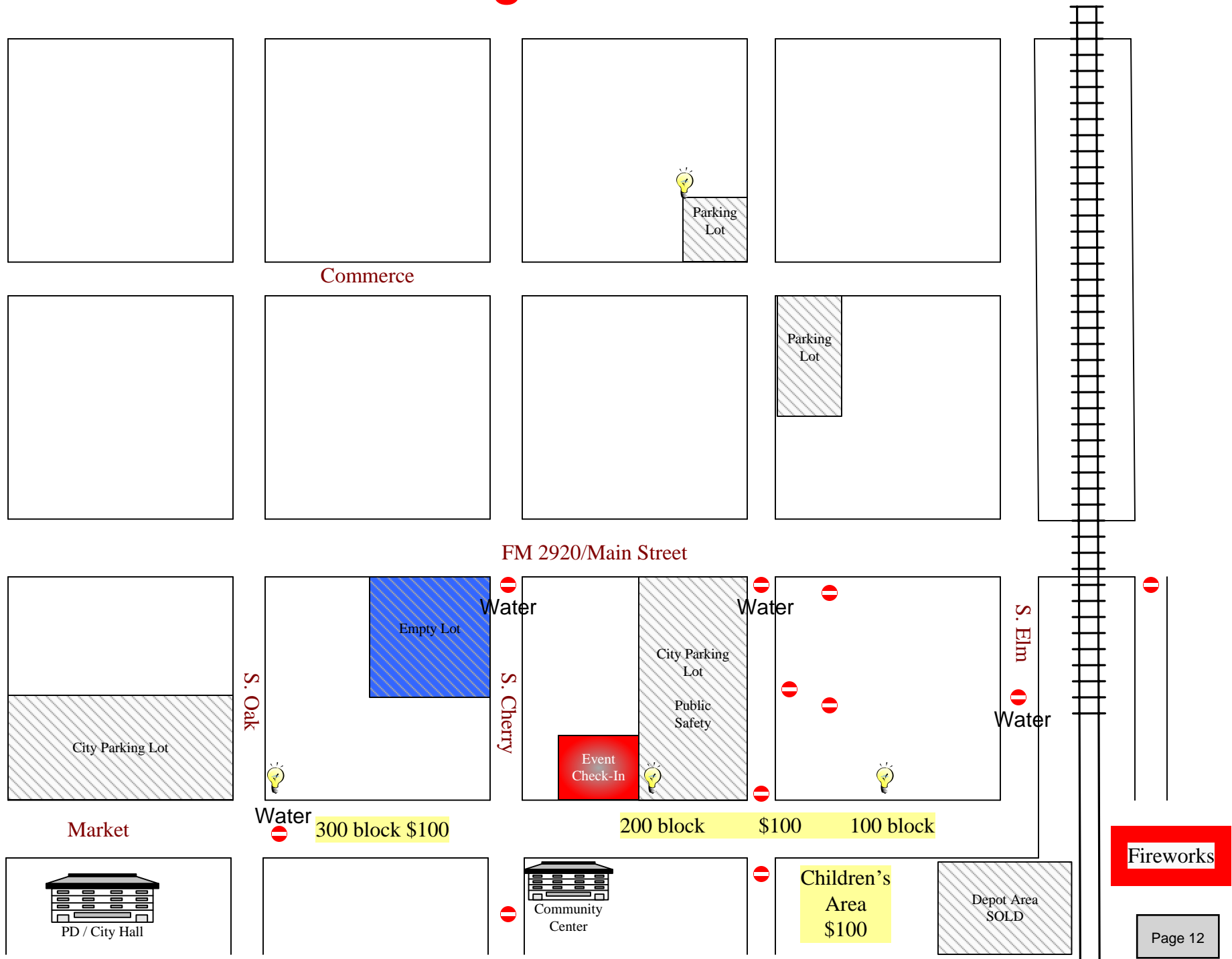
www.tomballchamber.org | 281.351.7222

PRESENTED
BY

HCA  Houston HealthcareSM

Tomball

Tomball Night Downtown



City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

Doug Tippey – Cybersecurity Update
Sasha Smith – Report on the Success of *Texas Deuce Days at the Depot*

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Doris Speer</u>	<u>5-27-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

Approve the Minutes of the May 16, 2022 Canvass and Regular Tomball City Council Meeting

Background:

Origination: City Secretary

Recommendation:

Approve

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

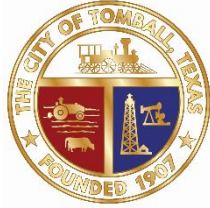
Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	Doris Speer	5-27-2022	Approved by		
	Staff Member	Date		City Manager	Date

MINUTES OF CANVASS & REGULAR MEETING CITY OF TOMBALL, TEXAS



**Monday, May 16, 2022
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for May 16, 2022, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

A. Mayor Fagan called the meeting of the Tomball City Council to order at 6:00 p.m.

PRESENT

Mayor Gretchen Fagan

Council 1 John Ford

Council 2 Mark Stoll

Council 4 Derek Townsend, Sr.

Council 5/Mayor-Elect Lori Klein Quinn

ABSENT:

Council 3 Chad Degges – Excused

OTHERS PRESENT:

City Manager - David Esquivel

Assistant City Manager- Jessica Rogers

City Secretary - Doris Speer

City Attorney - Loren B. Smith

Council 5 Elect – Randy Parr

Director of Community Development - Nathan Dietrich

Finance Director – Katherine DuBose

Police Chief - Jeff Bert

Fire Chief - Joe Sykora

HR Director – Lisa Coe

Marketing Manager – Sasha Smith

Assistant City Secretary - Tracylynn Garcia

Community Center Manager - Rosalie Dillon

Project Manager - Meagan Mageo

Assistant to the City Manager/Communications Coordinator – Rebecca Beahan

CSO Senior Administrative Assistant – Sasha Luna

Assistant Fire Chief – Jeff Cook

Municipal Court Judge – Brett Peabody
Court Administrator – Maria Morris
Police Captain-Patrol – Brandon Patin
Police Captain - Investigations - Ricky Doerre
Police Sergeant – Ken Cole
Presiding Judge-May 7, 2022 Election – Patsy Kinsey

B. Canvas of Election
Escrutinio de la Elección
Kiểm Phiếu của Cuộc Bầu Cử
拉票選舉

Patsy Kinsey, Presiding Judge-May 7 2022 Election, presented the unofficial canvass of the Election.

Patsy Kinsey, Juez Presidente de la Elección del 7 de mayo, presentó el escrutinio no oficial de la Elección.

Patsy Kinsey, Trưởng Ban Điều Hành Cuộc Bầu Cử Ngày 7 tháng Năm, 2022, đã trình bày kết quả kiểm phiếu không chính thức của Cuộc bầu cử.

Patsy Kinsey, 2022年5月7日選舉的主審法官，介紹了選舉的非官方審核。

1. Approve Resolution 2022-18 and Order Canvassing the Returns and Declaring the Results of the General and Special Elections held on May 7, 2022

Aprobar Resolución Nro. 2022-18 y Orden de Escrutinio y Declaración de Resultados de las Elecciones Generales y Especiales celebradas el 7 de mayo de 2022

NGHỊ QUYẾT 2022-18 VÀ LỆNH KIỂM PHIẾU VÀ CÔNG BỐ KẾT QUẢ CÁC CUỘC TỔNG TUYỂN CỬ VÀ BẦU CỬ ĐẶC BIỆT TỔ CHỨC VÀO NGÀY 7 THÁNG NĂM, 2022

第2022-

18號決議和關於審覈選票報告以及宣布2022年5月7日舉行的普通及特別選舉結果的命令。

Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford to accept the results of the canvass of the May 7, 2022 Election and to declare Lori Klein Quinn duly elected as Mayor and Randy Parr duly elected as Council Position 5, with Runoff Election to be held on June 4, 2022 to elect Council Position 3.

Townsend, Sr., Concejal 4, hizo una moción la cual fue secundada por Ford, Concejal 1, para aceptar los resultados del escrutinio de la Elección del 7 de mayo de 2022 y declarar a Lori Klein Quinn debidamente electa como Alcaldesa y declarar a Randy Parr debidamente electo como Concejal, Posición 5, con una Elección de Segunda Vuelta programada para el 4 de junio de 2022 para elegir al Concejal, Posición 3.

Ủy Viên Hội đồng Vị trí 4 Townsend Sr. đưa ra kiến nghị, Ủy Viên Hội đồng Vị trí 1 Ford nhất trí, để chấp nhận kết quả kiểm phiếu của cuộc bầu cử ngày 7 tháng

Năm, 2022 và tuyên bố rằng bà Lori Klein Quinn được bầu chọn hợp pháp làm Thị trưởng và ông Randy Parr được bầu chọn hợp pháp làm Ủy Viên Hội đồng Vị trí 5, với Cuộc bầu cử chung cuộc sẽ được tổ chức vào ngày 4 tháng Sáu, 2022 để bầu ra Ủy Viên Hội Đồng Thành Phố Vị Trí 3.

由議會議員4 Townsend, Sr. 提出動議, 由議會議員1 Ford 附議以接受2022年5月7日選舉的審核結果, 並宣布Lori Klein Quinn正式當選為市長, Randy Parr正式當選議會席位5, 將於2022年6月4日舉行決選, 以選出議會席位3。

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr. Council 5 Klein Quinn

Absent: Council 3 Degges

Votos afirmativos: Concejal 1 Ford, Concejal 2 Stoll, Concejal 4 Townsend, Sr. Concejal 5 Klein Quinn

Consejal ausente: 3 Degges

Bỏ phiếu Đồng thuận: Ủy Viên Hội đồng Vị Trí 1 Ford, Ủy Viên Hội đồng Vị Trí 2 Stoll, Ủy Viên Hội đồng Vị Trí 4 Townsend, Ủy Viên Hội đồng Vị Trí 5 Klein Quinn

Hội đồng vắng mặt 3 Degges

投票贊成: 議會議員1 Ford、議會議員2 Stoll、議會議員4 Townsend、議會議員5 Klein Quinn

缺席議會 3 德格

Motion carried unanimously.

Moción aceptada por unanimidad.

Kiến nghị được nhất trí thông qua.

動議無異議地通過。

2. Administer Oath of Office to Elected Officials

Administrar el juramento al cargo de los funcionarios electos

Làm lễ Tuyên Thệ Nhậm Chức cho các Viên Chức Được Bầu Chọn

管管理選舉官員宣誓就職

Oaths of Office for Mayor Lori Klein Quinn and for Council Position 5 Randy Parr were administered by Judge Peabody

Los juramentos al cargo de Alcaldesa de Lori Klein Quinn y al cargo de

Concejal, Posición 5, de Randy Parr, fueron oficiados por el Juez Peabody

Tuyên thệ nhậm chức cho Thị trưởng Lori Klein Quinn và cho Ủy Viên Hội đồng Vị Trí 5 Randy Parr do Thẩm phán Peabody tiến hành

市長Lori Klein Quinn和議會席位5 Randy Parr的就職宣誓儀式由Peabody法官主持

David Esquivel, City Manager, presented out-going Mayor Gretchen Fagan with a plaque.

David Esquivel, Administrador de la Ciudad, presentó una placa a la Alcaldesa saliente Gretchen Fagan.

David Esquivel, Giám đốc Thành phố, trao tặng Thị trưởng nhiệm kỳ trước Gretchen Fagan một tấm bằng khen ngợi.

市政官David Esquivel向即將離任的市長Gretchen Fagan贈送了一塊牌匾。

3. Recess for Reception
Recreo para Recepción
Giờ giải lao cho Lễ tân
接待休息時間

Upon reconvening, the following action was taken:

Al volver a reunirse, se tomó la siguiente acción

Sau khi triệu tập lại, hành động sau đã được thực hiện
重新召集後，採取了以下措施

4. Consideration to Elect Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter
Considerar elegir un Alcalde Interino, de acuerdo con la Sección 6.08 de la Carta Orgánica de Gobierno Local de la Ciudad de Tomball
Xem xét Bầu Chọn Thị Trưởng Tạm Thời, chiếu theo Mục 6.08 của Hiến Chương Điều Lệ Địa Phương Thành Phố Tomball
考慮選出暫替市長 根據Tomball市自治憲章6.08節

Motion made by Council 2 Stoll, Seconded by Council 5 Parr, to Elect Council 1 Ford as Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter.

El Concejal 2 Stoll hizo una moción, secundada por el Concejal 5 Parr, para elegir al Concejal 1 Ford como Alcalde Pro Tempore, en conformidad con la Sección 6.08 de la Carta Orgánica de Gobierno Autónomo de la Ciudad de Tomball.

Ủy Viên Hội đồng Vị trí 2 Stoll đưa ra kiến nghị, Ủy Viên Hội đồng Vị trí 5 Parr nhất trí, bầu Ủy Viên Hội đồng Vị trí 1 Ford là Thị Trưởng Lâm Thời, theo Quy Định của Mục 6.08, Hiến Chương Quy Chế Nội Bộ của Thành Phố Tomball.
根據Tomball市自治憲章第6.08條，議會議員2 Stoll提出動議，議會議員5 Parr附議，選舉議會1 Ford為臨時市長。

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr. Council 5 Parr

Absent: Council 3 Degges

Votos afirmativos: Concejal 1 Ford, Concejal 2 Stoll, Concejal 4 Townsend, Sr. Concejal 5 Parr

Consejal ausente: 3 Degges

Bỏ phiếu Đồng thuận: Ủy Viên Hội đồng Vị Trí 1 Ford, Ủy Viên Hội đồng Vị Trí 2 Stoll, Ủy Viên Hội đồng Vị Trí 4 Townsend, Ủy Viên Hội đồng Vị Trí 5 Parr

Hội đồng vắng mặt 3 Degges

投票贊成：議會議員1 Ford、議會議員2 Stoll、議會議員4 Townsend、議會議員5 Parr

缺席議會 3 德格

Motion carried unanimously.

Moción aceptada por unanimidad.

Kiến nghị được nhất trí thông qua.

動議無異議地通過。

- C. Invocation - Led by Pastor Greg Jenkins – Tomball Assembly of God
- D. Pledges to U.S. and Texas Flags – Led by Assistant Fire Chief – Jeff Cook
- E. No Public Comments were received.
- F. Presentations

Mayor Klein Quinn presented the following Proclamation:

- May 15-21, 2022 is “**2022 Peace Officers Memorial Day and Tomball Police Week**”
- May 15-21, 2022 is “**National Public Works Week, “Ready & Resilient” – Tomball, Texas**”
- May 15-21, 2022 is “**Northwest Community Health, and National Emergency Medical Services Week - "Rising to the Challenge" – Tomball, Texas**”

- G. Reports and Announcements

- 1. Announcements

I. May 23 through May 31, 2022 – **Early Voting** for the **June 4, 2022 Runoff Election**, at City Hall, 401 Market Street

II. **June 4, 2022 – Tomball Runoff Election Day** – 7:00 a.m. to 7:00 p.m. at City Hall, 401 Market Street

- III. **Tomball City Pool – 2022 Swim Season - Jerry Matheson Park Pool**
will be open Memorial Day Weekend, May 28-29, from Noon–8 p.m., and on Memorial Day from 10 a.m.–6 p.m.
The Regular Season begins on May 31 (Tuesday), operating from 10 a.m.–6 p.m., Tuesday through Friday and Noon–8 p.m. on Saturday and Sunday through August 14.
End of Season hours will be: Noon–8 p.m. on August 20-21, August 27-28, and September 3-4; on September 5, the pool will be open 10 a. m. –6 p.m. to close out the Swim Season.
The pool will be closed every Monday during swim season 2022, except Memorial Day (May 30), July 4th, and Labor Day (September 5).

- IV. July 4, 2021 – **July Fourth Celebration & Street Fest** – 6:00 p.m.-10:00 p.m. at Four Corners (Business SH 249 at FM 2920)

- V. July 9, 2022 – **2nd Saturday at the Depot**

- VI. August 5, 2022 – **50th Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**

2. Reports by City staff and members of Council about items of community interest on which no action will be taken:

- I. Sasha Smith – Report on the Success of ***Rails & Tails Mudbug Festival*** on May 7, 2022

H. Approval of Minutes

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the May 2, 2022 Regular Tomball City Council Meeting.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr. Council 5 Parr

Absent: Council 3 Degges

Motion carried unanimously.

- I. Old Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

1. Adopt, on Second Reading, Ordinance No. 2022-06, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include all of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball all of the Territory within Such Limits and Boundaries; Approving a Service Plan for all of the Area within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause (*Being a Tract or Parcel containing 3.070 Acres of Land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, Being all of that Certain Called 3.070 Acres of Land Described in Deed and Recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359*) (21830 Hufsmith Kohrville, HCAD 0352900000525 and 0352960000529)
2. Adopt, on Second Reading, Ordinance No. 2022-07, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the Zoning District Classification of approximately 3.07 acres of land out of the Jesse Pruitt Survey, Abstract Number 629 (described in "Exhibit A"), within the City of Tomball, Harris County, Texas, from the Agricultural (AG) District to the General Retail (GR) District, said property being generally located within the 21700-21800 Blocks (East Side) of Hufsmith-Kohrville Road, providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll to approve Old Business Consent Agenda Items in one motion.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion carried unanimously.

J. New Business

1. Consideration to Approve **Case P22-016**: Request by Harrisburg Homes, Inc. to amend the City of Tomball's Comprehensive Plan to update the Major Thoroughfare Plan Map. Removing the **proposed east-west extension of Medical Complex Drive extending approximately 0.9 miles from the eastern right-of-way boundary of Hufsmith-Kohrville Road to the southern right-of-way boundary of Mahaffey Road.**

Mayor Klein Quinn opened the Public Hearing on **Case P22-016** at 7:13 p.m.

The following public comment was received:

Dane Dunagin - Expressed his opposition to the proposed
535 E. Hufsmith, 77375 update.

Receiving no additional public comments, Mayor Klein Quinn closed the public hearing at 7:15 p.m.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-04 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2022-04, an ordinance of the City of Tomball, Texas, amending the Tomball Comprehensive Plan by changing the Major Thoroughfare Plan Map; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Voting Yea: None

Voting Nay: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion FAILED unanimously.

2. Consideration to Approve **Zoning Case P22-106**: Request from the collective owners of properties have requested to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 0.64 acres of land legally described as being all of Lots 21 through 24 of Block 32, in Revised Map of Tomball, as well as Lots 25 and 27 in Grandinetti Tract from Single-Family Residential 6 (SF-6) District to the Old Town and Mixed-Use (OT and MU) District. Being generally located in the 500 block of James Street (north side), between S. Pine Street and S. Magnolia Street, within the City of Tomball, Harris County, Texas

Mayor Klein Quinn opened the Public Hearing on **Case P22-106** at 8:05 p.m.

The following public comments were received:

- | | | |
|---|---|--|
| Scott Moore
404 S. Pine, 77375 | - | Expressed his opposition to the proposed rezoning. |
| Kevin & Donna Labbe
515 Clayton, 77375 | - | Expressed their opposition to the proposed rezoning. |
| Cathy Paulson
606 S. Pine, 77375 | - | Expressed her opposition to the proposed rezoning. |
| Laurence Paulson
606 S. Pine, 77375 | - | Expressed his opposition to the proposed rezoning. |
| Jeff McCann
504 James, 77375 | - | Expressed his opposition to the proposed rezoning. |

Receiving no additional public comments, Mayor Klein Quinn closed the public hearing at 8:15 p.m.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-11 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2022-11, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinance by changing the Zoning District Classification of approximately 0.64 acres of land legally described as being all of Lots 21 through 24 of Block 32, in Revised Map of Tomball, as well as Lots 25 and 27 in Grandinetti Tract from Single-Family Residential 6 (SF-6) District to the Old Town and Mixed Use (OT & MU) District, being generally located in the 500 block (north side) of James Street, within the City of Tomball, Harris County, Texas; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact, and providing for other related matters.

Voting Yea: None

Voting Nay: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion FAILED unanimously.

Mayor Klein Quinn called a recess at 8:33 p.m.; upon reconvening at 8:40 p.m., the following actions were taken:

3. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution No. 2022-19, a Resolution of the City Council of the City of Tomball, Texas, calling for a public hearing on the creation of a Public Improvement District and Being Located within the City of Tomball - Public Hearing Date: June 20, 2022 for Tomball Public Improvement District No. 14 (Seven Oaks)

Voting Yea: Council 1 Ford

Voting Nay: Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion FAILED, 1 vote Aye, 3 votes Nay.

4. Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr., to approve the execution of an Agreement for Professional Services with Gunda Corporation for E&P Project 2014-10031 for the FM 2920 Improvement Project in the amount of \$49,685.00.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion carried unanimously.

5. Executive Session: The City Council recessed at 9:30 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney's duty requires to be discussed in closed session
- Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Public Works Director

Upon reconvening at 10:23 p.m., the following action was taken:

6. Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr., to confirm the Appointment by the City Manager of Drew Huffman as the Director of Public Works.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion carried unanimously.

- K. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Parr

Absent: Council 3 Degges

Motion carried unanimously.

PASSED AND APPROVED this the 6th day of June 2022.

Doris Speer
City Secretary, TRMC, MMC

Lori Klein Quinn
Mayor

City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

Presentation of the Tomball Economic Development Corporation (TEDC) 2021-2022 Annual Report.

Background:

The Bylaws of the Tomball Economic Development Corporation (TEDC) require that an annual report detailing the Corporation's activities and achievements in carrying out the goals outlined in its Strategic Work Plan be submitted to City Council for review.

Origination: Tomball Economic Development Corporation Board of Directors

Recommendation:

As per the TEDC Bylaws, this annual report is for review by the City Council. No action is required.

Party(ies) responsible for placing this item on agenda: Kelly Violette

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Kelly Violette</u>	Approved by	_____
	Executive Director-TEDC		City Manager
	Date		Date



281.401.4086 • 29201 QUINN ROAD, SUITE B
TOMBALL, TX 77375 • TOMBALLTXEDC.ORG

Shaped by Culture.
Driven by Commerce.
Connected by Community.

2021-2022
ANNUAL REPORT

ABOUT TEDC

Formed in 1994 as a Type B corporation, the **Tomball Economic Development Corporation (TEDC)** is governed by a seven-member Board of Directors appointed by Tomball City Council.

The TEDC focuses on attracting new businesses and industry, promoting business retention and expansion, and coordinating economic development efforts in Tomball. These efforts strengthen the overall economic environment of Tomball and help the community thrive through measured growth which generates jobs, boosts revenue, and enhances the quality of life for Tomball.

The TEDC utilizes multiple tools to attract and retain businesses. Developed infrastructure, tax incentives, and grants can defray costs of purchasing land, buildings, equipment, and improvements for relocation or expansion in the City of Tomball. The Corporation collaborates with existing companies and local partners on key initiatives to address critical business and community needs.

Tomball’s premier location and business-friendly mindset make it an ideal place for economic investment and ensures Tomball is a place where corporate industry and family-owned and operated businesses can prosper.



BOARD OF DIRECTORS



Gretchen Fagan, President
Mayor, City of Tomball



Steven Vaughan
Vice-President



William E. Sumner
Secretary



Richard Bruce
Treasurer



Chad Degges
Tomball City Council



Clete Jaeger



Randy Parr

MISSION

To promote economic development in the City of Tomball through the attraction of new business and industry and the retention of existing businesses by providing the resources that enhance the general well-being of the community.

VISION

Tomball is the community of choice for businesses, residents, and visitors, offering a dynamic economy, strong labor force, and unmatched living and working environment.

TEDC STAFF



Kelly Violette
CEcD, PCED, AICP
Executive Director



Tiffani Wooten
CEcD
Assistant Director



Tori Gleason, PCED
Economic Development Coordinator



Jessica Irwin
Administrative Assistant

EXECUTIVE DIRECTOR'S MESSAGE

The 2021-22 Tomball Economic Development Corporation annual report demonstrates how we achieved our goals to attract companies and help businesses thrive through measured and planned growth that creates jobs, raises revenue, and enhances the quality of life for Tomball. I am proud that our team continues to exhibit the hard work and professionalism required to make Tomball a thriving economic hub.

In 2022, Business Facilities named Tomball Business & Technology Park the 10th best industrial park in the U.S. In addition to international manufacturers, the Park created a “wow” factor when successful start-up Paradigm Brewing opened its venue nestled amid Tomball's trees.

Interchange 249 is our newest mixed retail and industrial park being developed on 240 acres along the Grand Parkway near Highway 249. Macy's, Inc. will move its Houston distribution center into a new 900,000 square-foot space, the anchor for three million square feet of class A industrial and retail space. Grants to restore charming buildings and add cozy new spaces for food venues and local shops fashions Tomball as a “Shop Local” destination, attracting visitors to enjoy Tomball's unique charm.

TEDC partners graciously supplement our economic development work. The city and county continue to add infrastructure, including parks and trails amid some 600 acres of woods and preserve. Schools and colleges, in collaboration with local companies, develop qualified workforce. The fast-growing entrepreneurial market continues to evolve. Retail and healthcare are expanding to serve the population migrating to master-planned, as well as urban and rural communities. It is clear that Tomball is uniquely positioned for lasting success.

Sincerely,
Kelly Violette
Kelly Violette, CEcD, PCED, AICP
Executive Director

OPERATING REVENUE

FY2022 ADOPTED



BEGINNING FUND BALANCE
\$20,308,470



INTEREST INCOME
\$350,000



SALES TAX
\$4,100,000



TOTAL AVAILABLE RESOURCES
\$24,766,470

EXPENDITURES



ADMINISTRATIVE
\$663,932



CITY DEBT SERVICE
\$1,129,885



TOTAL EXPENDITURES
\$12,894,631



INDIRECT ECONOMIC DEVELOPMENT EXPENSES
\$689,965



GRANTS, LOANS, & OTHER EXPENDITURES
\$10,410,850



ENDING FUND BALANCE
\$11,871,839

TEDC ANNUAL WORK PLAN

DEVELOPMENT AND EXECUTION OF TEDC GOALS

The TEDC 2021-22 Strategic Work Plan outlines specific actions the organization followed to enhance economic development in Tomball. Formed from the broader 2020-23 Strategic Plan, the annual blueprint presented measurable targets to fulfill larger goals. The TEDC staff executed the plan through engagement with existing businesses, exploration of new opportunities, collaboration with local stakeholders, a commitment to Tomball’s culture, and a vision to develop a talent pipeline.



BUSINESS RETENTION & EXPANSION (BRE)

Continually Engage and Assist in the Success of Tomball Businesses

ATTRACTION AND RECRUITMENT

Recruit and Secure New Businesses and Industry Suitable for Tomball



DEVELOPMENT/REDEVELOPMENT OF OLD TOWN

Encourage Quality Investment in Tomball’s Old Town

INNOVATION AND ENTREPRENEURSHIP

Create Innovative Solutions to Support Emerging Entrepreneurs



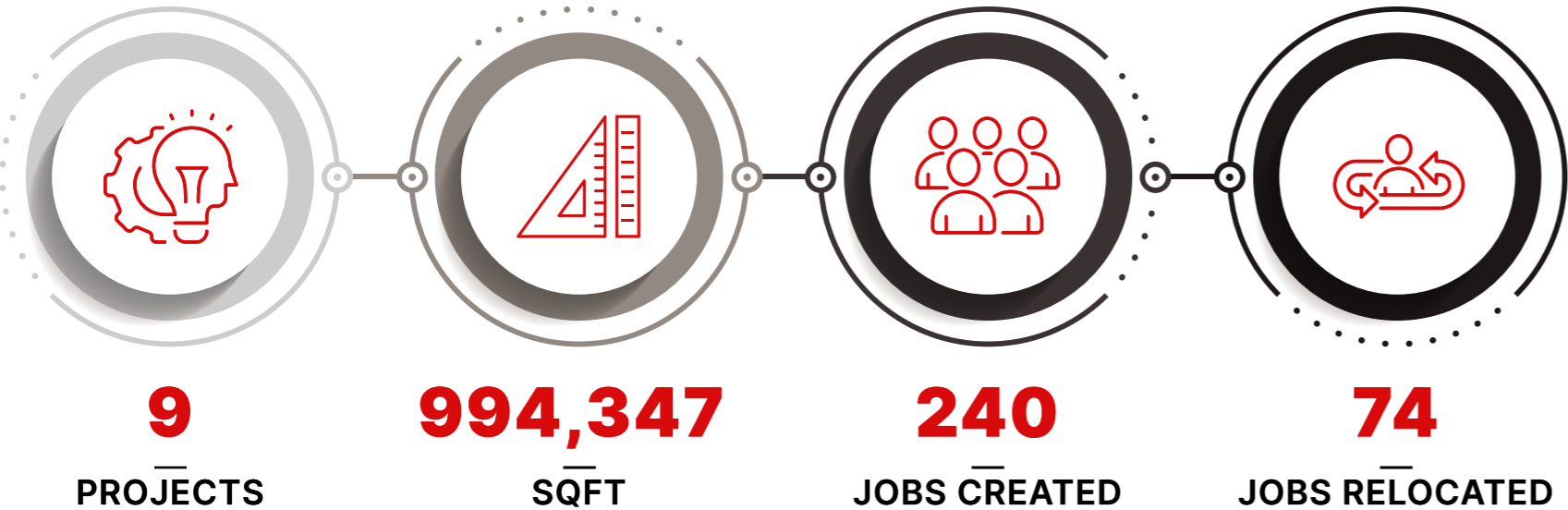
EDUCATION AND WORKFORCE DEVELOPMENT

Partner With Local and Regional Education Institutions, City of Tomball, Greater Tomball Area Chamber of Commerce, and Local Industries to Further Develop Workforce Initiatives

PROJECT GRANTS

ECONOMIC DEVELOPMENT BY THE NUMBERS

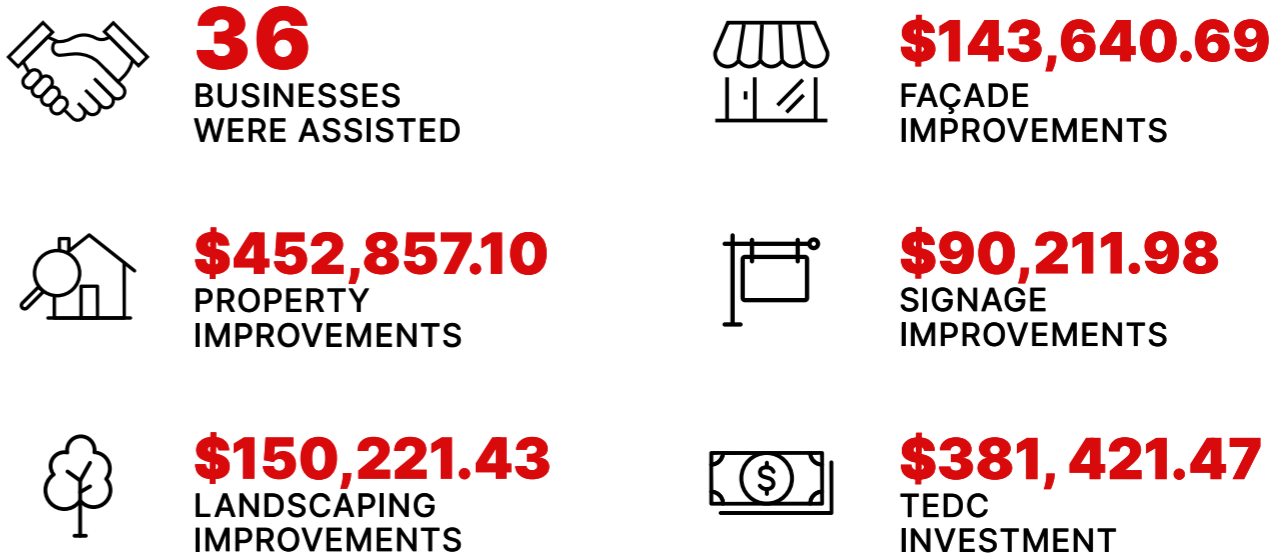
2021-2022



BUSINESS PROJECTS:
DICAR, INC.
JONAH'S MOVERS, LLC
BEEFY MARKETING, LLC
SILVER ACCOUNTING GROUP, LLC

TECHSICO WIRELESS
GK HOSPITALITY DEVELOPMENT, LLC
FRIENDS OF TOMBALL COMMUNITY LIBRARY
DECATUR PROFESSIONAL DEVELOPMENT, LLC
PROJECT HANKS/MACY'S INC.

BUSINESSES IMPROVEMENT GRANTS (BIG)



OLD TOWN FAÇADE IMPROVEMENT GRANTS (FIG)



TOMBALL BUSINESS & TECHNOLOGY PARK

TOP RANKED AND THRIVING

Operated by the TEDC, the Tomball Business & Technology Park received national acclaim in 2021. Ranked as the 10th best industrial park in the nation by Business Facilities, the Park was recognized for its size, growth potential, recent expansions, and unique assets.

The success of the Park is evidenced by the demand for business creation and relocation. As of April 2022, more than **544,000 square-feet** has been constructed or is planned for construction in the 99.5 acre Park. Projects in the Park are responsible for nearly \$47 million in capital investment.

99.5 TOTAL ACRES
47 MILLION CAPITAL INVESTMENT
544K TOTAL SQUARE FEET
362+ JOBS CREATED
414 RELOCATED JOBS



362 new jobs have been created in the Tomball Business & Technology Park, with an additional **414 jobs relocated** to Tomball by companies operating inside the Park.

In order to meet the demand, the TEDC works closely with its partners to manage infrastructure in and around the Park.

The TEDC and the City of Tomball partnered together to extend South Persimmon Street from FM 2920 through the Park. Additionally, the pair partnered to extend Medical Complex Drive from South Persimmon to Hufsmith-Kohrville Road. This extension creates a direct connector from Hufsmith-Kohrville to Highway 249.

BIG IMPROVEMENTS



ALOHA BEAUTY LOUNGE

Via matching grants from the TEDC, the Business Improvement Grant (BIG) Program encourages investments, such as property improvements, signage, facades, and landscaping, that enhance the aesthetics of the Tomball community.

With the assistance of a BIG, Aloha Beauty Lounge opened a 5,000 square-foot salon and training facility at 107 N. Sycamore Street in downtown Tomball. Aloha's new building will help drive commerce to the heart of Tomball.

FIG IMPROVEMENTS



BEFORE



AFTER

THE BOOK ATTIC

The Old Town Façade Improvement Grant (FIG) Program furthers the TEDC's strategic goal to encourage redevelopment in Old Town Tomball by offering matching funds to assist commercial renovations that enhance facades and structures in the Old Town district. Property owner, Renee Leslie-Buckhoff, renovated The Book Attic to match the charm of Old Town. Leslie-Buckhoff worked with the TEDC to obtain a FIG for a new roof, doors, windows, porch, siding, and other outdoor improvements.

BUSINESS RETENTION & EXPANSION



The TEDC also hosted several events for existing businesses to network and collaborate on business issues. “Chat & Cheers” for Tomball Business & Technology Park companies and “Tomball Together Mix & Mingle” for the hospitality industry were well attended and highly successful.

The team exceeded its goal for business visits, eclipsing more than 50, and has highlighted nearly a dozen Tomball businesses via Success Stories on the TEDC website.

TEDC staff made it a priority to provide business retention and expansion support through structured plans to connect with and promote existing businesses. These connections led to initiatives to enhance workforce development opportunities that assist existing and new businesses in finding skilled employees.

Guided by the strategic plan, the TEDC sent a survey to Tomball businesses to gauge needs and establish initiatives. The survey results showed a need to find and keep skilled workers. The TEDC has made it a priority to work with Tomball businesses and area workforce partners to fill the pipeline, beginning with youth initiatives in the classroom.

TOMBALL ISD & YOUTH INITIATIVES

TOMBALL ISD INNOVATION CENTER & WORKFORCE DEVELOPMENT

Tomball Independent School District, a key partner for the TEDC, has transformed the former BJ Services campus into the Tomball ISD Innovation Center. Students learning at the facility will work closely with Tomball business and industry for hands on learning experiences to create a bright future for Tomball.

With education and workforce development being one of the TEDC's key goals, the organization looks forward to continuing opportunities to collaborate with TISD on the initiatives that will be housed at the Innovation Center. TEDC staff serves on TISD's industry focus group and advisory committees to facilitate the important relationship between education and business. With workforce being such a critical need, this collaboration is critical to Tomball's economic success.

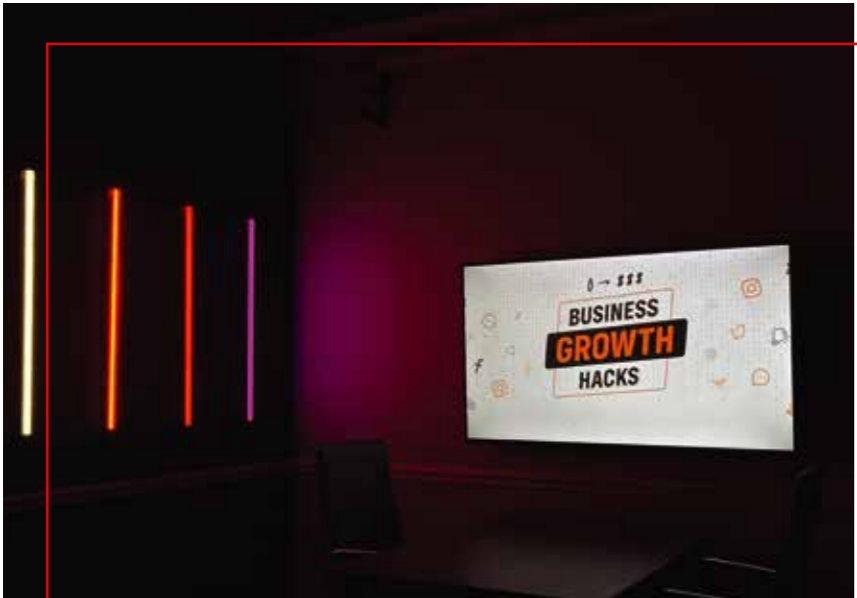


“Adding a large industrial park and cutting-edge laboratory space will enable Tomball ISD to expand our Career and Technical Education programs and provide students with the hands-on training and facilities that are representative of those used in industry, as well as support our goal of ensuring that students have the technical, academic and employability skills that lead to successful careers,”

Tomball ISD CTE Director, Karla Sandoval

PROJECTS & DEVELOPMENTS

BEEFY MARKETING



Beefy Marketing, specializing in web design and development, social media, branding, and other components of digital marketing, made Tomball its new home in 2021.

The six-person team serves a diverse range of clients with its unique relational marketing approach. The Rental Incentive Grant from the TEDC assisted Beefy to build out its 1,400 square-foot space at 994 Village Square Drive. It includes offices, a podcast studio, video studio, and conference room.

LOVETT GROUP (INTERCHANGE 249)



A joint venture between Lovett Industrial and Clarion Partners, Interchange 249 is being developed on 240 acres near Highway 249 and the Grand Parkway.

The development, to be built in phases, is expected to include more than three million square feet of class A industrial and retail space. Macy's, Inc. announced plans to expand operations from its current Houston distribution center into a 900,000 square-foot distribution center in Interchange 249. Construction on the Macy's facility began in March 2022.

SMITTY'S



Smitty's Meat Market and Smokehouse opened for business at their new 8,000 square foot location on Hufsmith-Kohrville Road in March 2022.

Equipped with several refrigerated cases for various meat selections, produce, locally made dry goods, and three times the amount of cooler space to store game for processing, Smitty's can better serve its growing customer base. Smitty's utilized a TEDC grant to help with infrastructure costs and offset the rising cost of construction.

THE FIELD



Located at 1431 Graham Drive, The Field, delivers flexible, coworking space which opened in 2022.

The first floor is traditional office space and the second floor is flex space, with suites and pods to accommodate one person or up to twenty people. The Field also has four conference rooms and a common area kitchen. The TEDC partnered with The Field on a grant for building renovations and has assisted tenants through Rental Incentive Grants.

AWARDS & RECOGNITIONS

The International Economic Development Council (IEDC) awarded two 2021 Excellence in Economic Development Awards to the TEDC at their Annual Conference in October. A Silver Excellence Award was presented to the TEDC for its 2019-2020 Annual Report. The TEDC earned a Bronze Excellence Award for the Tomball Economic Development Update.

The TEDC was also a recipient of the Texas Economic Development Council's 2021 Economic Excellence Recognition. The award was presented in February honoring the TEDC for meeting the desired threshold of professionalism.



Speaking of professionalism, the TEDC was recognized by Trade & Industry Development in Who's Who- Economic Development Leadership. Published in June, the piece highlighted a select number of economic development professionals from around the United States.

Finally, Executive Director, Kelly Violette, and Assistant Director, Tiffani Wooten, were honored for their dedication to Tomball and economic development. The pair were presented with proclamations in September from United States Congressman Michael McCaul, Texas State Representative Tom Oliverson, and Tomball Mayor Gretchen Fagan. Violette celebrated her 10th year as Executive Director of the TEDC, while Wooten marked 20 years as an economic development professional.

STAFF DEVELOPMENT & NEWS

The Tomball Economic Development Corporation staff continued to develop and grow to meet the needs of the community it serves.

Economic Development Coordinator, Tori Gleason, passed the Professional Community and Economic Developer certification exam in November. Gleason trained for the exam by participating in Community Development Institute (CDI) Texas.



The Professional Community and Economic Developer exam measures the understanding of community development content and the ability to apply appropriate methods and tools to specific community situations. Gleason joins Executive Director, Kelly Violette, as a Professional Community and Economic Developer.

Jessica Irwin was hired as Administrative Assistant in November. Magnolia ISD's 2020-21 paraprofessional of the year, Irwin is responsible for administrative, clerical, financial and bookkeeping duties, in addition to supporting the TEDC with reports and tasks that assist in business recruitment and retention efforts.

GIVE US A CALL

Whether you are looking to make the move to Tomball or you are an existing business trying to expand, the TEDC is eager to help. You can access information on available properties, resources, opportunities, and more by scanning the QR codes below.

For additional assistance and to learn what the TEDC can do for your business,

Please contact the TEDC staff at 281-401-4086

BUSINESS IMPROVEMENT GRANT

The Business Improvement Grant (BIG) is a grant program designed to help commercial property owners and businesses make high quality exterior improvements to buildings and property in Tomball.



OLD TOWN FAÇADE IMPROVEMENT GRANT

The Old Town Façade Improvement Grant (FIG) program promotes economic development by offering economic incentives for renovation, rehabilitation, restoration, and enhancement of facades and structures in Old Town Tomball.



TOMBALL BUSINESS & TECHNOLOGY PARK

The Tomball Business & Technology Park, a 99.5 acre master-planned and deed restricted development, is a Business Facilities, top 10 ranked industrial park. The Park is fully served with all utilities and provides off-site detention. The Park is experiencing strong land sales, with companies from across the world choosing the Tomball Business & Technology Park as their next home.



INCENTIVES

Tomball offers competitive incentive programs for existing companies looking to expand and new businesses looking to locate in the city. The City of Tomball has an attractive tax abatement program and the TEDC provides performance-based cash incentives for job creation, targeted infrastructure, and other improvements. The State of Texas also has programs for new and existing businesses.



WORKFORCE

The TEDC has a strategic commitment to develop and maintain a talented workforce in Tomball. Working with business, education, and community partners, the TEDC provides opportunities to develop and attract premium talent to Tomball.



TOMBALL ECONOMIC DEVELOPMENT QUARTERLY eNEWSLETTER UPDATE

The TEDC keeps you updated on the latest happening around economic development in Tomball. Sign up for the TEDC's quarterly newsletter to learn about new projects, workforce development initiatives, and staff updates.



City Council Meeting Agenda Item Data Sheet

Meeting Date: June 6, 2022

Topic:

Approve the Tomball Economic Development Corporation (TEDC) 2022-2023 Strategic Work Plan.

Background:

The TEDC Bylaws require that the Corporation prepare an annual work plan outlining its goals and objectives and present the work plan to City Council for approval.

The 2022-2023 Strategic Work Plan further defines the goals that are outlined in the 3-Year Plan and includes applicable action steps for each goal. Additionally, metrics/key performance indicators are included to gauge the Corporation's progress in achieving its goals.

Origination: Tomball Economic Development Corporation Board of Directors

Recommendation:

Approve the 2022-2023 TEDC Strategic Work Plan.

Party(ies) responsible for placing this item on agenda: Kelly Violette

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____


If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Kelly Violette</u>	Approved by	_____
	Executive Director-TEDC		City Manager
	Date		Date



TOMBALL

ECONOMIC DEVELOPMENT CORP.



BUSINESS & TECHNOLOGY PARK

Strategic Work Plan 2022-2023

MISSION

To promote economic development in the City of Tomball through the attraction of new business and industry and the retention of existing businesses by providing the resources that enhance the general well-being of the community.

VISION

Tomball is the community of choice for businesses, residents, and visitors, offering a dynamic economy, strong labor force, and unmatched living and working environment.

The following Strategic Work Plan outlines the items from the 2020-2023 Strategic Plan that are to be accomplished in the third year: 2022-2023.

Tomball EDC 2020-2023 Goals:

1. BUSINESS RETENTION & EXPANSION (BRE)
2. ATTRACTION & RECRUITMENT
3. DEVELOPMENT/REDEVELOPMENT OF OLD TOWN
4. EDUCATION & WORKFORCE DEVELOPMENT





BUSINESS RETENTION & EXPANSION (BRE)

To continually engage and assist in the success of Tomball businesses.

1. Conduct 12 BRE on-site or virtual visits per quarter and report feedback from visits to board.
2. Conduct an annual online business survey to identify and manage business needs.
3. Develop a Grow Tomball initiative to highlight and promote local businesses.
 - (a) Share success stories on the Tomball EDC website.
 - (b) Create Tomball EDC podcasts.
 - (c) Develop video stories to be added to the Tomball EDC website.
4. Produce programming that meets the needs of the existing industry in Tomball.
 - (a) Host business networking events to continually engage community stakeholders.
5. Provide resources/access to information to assist local businesses with demographic and market data.

How will Goal #1 be Measured in 2022-2023?

- # of Tomball businesses visited in 2022-2023 (Goal is 48)
- Did we conduct an online business survey?
- Did we develop a Grow Tomball initiative?
 - Success Stories (Goal is 6) - Podcast (Goal is 2) - Video stories (Goal is 2)
- # of business events produced f in 2022-2023 (Goal is 4)
- # of Project Grants approved for business expansions in 2022-2023



ATTRACTION AND RECRUITMENT

Recruit and secure new businesses/industry that are suitable for Tomball.

1. Enhance Tomball's image as a community of choice through marketing and branding efforts.
2. Continue developing and strengthening ties with business allies, site selectors, brokers, and developers.
3. Support infill and redevelopment opportunities to attract new private sector investment.
4. Support local and emerging entrepreneurs.
 - (a) Partner with local landowners, developers, and investors to create co-working spaces.
 - (b) Provide training opportunities.
5. To have 100% of available Business & Technology Park property sold or under contract.
6. Explore needed infrastructure in target areas: identify where TEDC need to invest and entities with which to partner.

How will Goal #2 be Measured in 2022-2023?

- Did we continue to promote Tomball as a community of choice through marketing and branding efforts?
- Did we support infill and redevelopment opportunities?
- Did we support entrepreneurs and encourage co-working spaces?
- Did we provide entrepreneurial training opportunities?
- % of Business & Technology Park sold or under contract by end of 2022-2023
- # of Project Grants approved for new businesses?
- Did we explore infrastructure opportunities?





DEVELOPMENT/REDEVELOPMENT OF OLD TOWN

To encourage quality investment in Tomball's Old Town.

1. Partner with the City of Tomball on targeted infrastructure improvements (alleyways, parking, wayfinding, etc.) that enhance Old Town's tourism readiness and experience, starting with alleyway assistance.
 - a. Partner with stakeholders to help minimize construction disruption and to provide additional marketing assistance for those businesses who do experience disruption.
2. Initiate the redevelopment of the South Live Oak Business Park Project.
3. Continue to promote incentives and explore additional ways to encourage upgrades to properties in Old Town.
4. Invest in strategic anchor projects that have the potential to catalyze development in Old Town.
5. Continue to partner with the Greater Tomball Area Chamber of Commerce to further develop and support a shop local initiative.

How will Goal #3 be Measured in 2022-2023?

- Did we support or provide targeted infrastructure improvements in Old Town?
- Did we help minimize construction disruptions and provide marketing assistance?
- Did we pursue redevelopment plans for the South Live Oak Business Park site?
- Did we provide assistance and/or incentives to encourage upgrades to properties in Old Town?
- Did we invest in anchor projects?
- Did we partner with the Chamber to support a shop local initiative?





EDUCATION AND WORKFORCE DEVELOPMENT

Partner with local/regional education institutions, City of Tomball, Greater Tomball Area Chamber of Commerce, and local industries to further develop youth workforce initiatives.

1. Research and evaluate workforce programs and partner with local organizations to define areas of need and interest.
2. Enhance existing STEM initiative to reach more industry partners.
3. Continue to work with local/regional education institutions to support a Grow Tomball - Youth Program.
 - (a) Work with education institutions to host job/career fairs
 - (b) Create a job board for High School Students on the TEDC Website
 - (c) Continue to work with industry partners to create pathways for CTE students to enter the workforce.
 - (d) Create an apprenticeship/internship program.

How will Goal #4 be Measured in 2022-2023?

- Did we evaluate workforce programs and partner with others to identify areas of need/interest?
- Did we expand our reach through STEM initiative?
- Did we support job/career fairs?
- Did we create a high school job board?
- Did we create a youth workforce pathway program?
- Did we create an apprenticeship/internship program?



City Council Meeting

Agenda Item

Data Sheet

Meeting Date: June 6, 2022

Topic:

Approve, on First Reading, Resolution No. 2022-20-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and Sip Hip Hooray to make direct incentives to, or expenditures for, advertising, promotion and marketing for monthly Shop and Stroll events held in Old Town Tomball, City of Tomball, as authorized under Section 505.158 of the Texas Local Government Code. The estimated amount of expenditures for such project is \$40, 545.00.

Background:

All expenditures of the Tomball Economic Development Corporation (TEDC) sales tax revenue must first be approved as a "Project". At its Regular meeting on May 10, 2022, the TEDC Board of Directors did take formal action to approve, as a Project of the TEDC, an agreement with Sip Hip Hooray, for advertising, promotion and marketing expenses related to nine Shop and Stroll events to be held in Old Town Tomball. The Tomball City Council has final approval authority over all projects and agreements of the TEDC.

Origination: Meagan Morris, Owner and Creative Director, Sip Hip Hooray

Recommendation:

Approval of Resolution No. 2022-20-TEDC on first reading.

Party(ies) responsible for placing this item on agenda: Kelly Violette

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # Project Grants _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Kelly Violette</u>	Approved by	_____
	Executive Director-TEDC		City Manager
	Date		Date



TO: Honorable Mayor and City Council

FROM: Kelly Violette
Executive Director

MEETING DATE: June 6, 2022

SUBJECT: Sip Hip Hooray

ITEM TYPE: Action

Meagan Morris, Owner and Creative Director of Sip Hip Hooray, has formally requested financial assistance from the TEDC in an amount not to exceed \$40,545.00 to help assist Sip Hip Hooray and the Old Town businesses with expenses related to Shop and Stroll events to be held in Old Town Tomball.

Sip Hip Hooray was founded in 2011 and opened a gift, home, and party store at 210 W. Main Street in Tomball in 2021. At the urging of customers and other Old Town business owners, Sip Hip Hooray organized its first Shop and Stroll event in August 2021. The success of that event led to five additional Shop and Stroll events.

Currently, each event costs approximately \$1,800 to produce and market. Sip Hip Hooray has asked each participating business to contribute \$35 per event to help defray some of the costs being incurred including custom event cups, posters, ads, and digital marketing. The company is currently absorbing \$900 - \$1,200 per event.

In order to continue the events and grow its reach, Sip Hip Hooray has put together a budget of approximately \$4,500 per event and proposes to coordinate nine Shop and Stroll events over the next year. The increase in the event budget is to cover additional promotional items as well as increase social media advertising from \$500 to \$2,500 per event.

This is an eligible project under the legislation that governs Type B sales tax corporations, which enables the TEDC to fund marketing and promotional expenses for Sip Hip Hooray. If you approve this Project and Letter of Agreement, it will go to the City Council for final approval by resolution.

RESOLUTION NO. 2022-20-TEDC

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS,
APPROVING A PROJECT OF THE TOMBALL ECONOMIC DEVELOPMENT
CORPORATION UNDER TEXAS LOCAL GOVERNMENT CODE SECTION 505.158.**

* * * * *

WHEREAS, the City Council of the City of Tomball, Texas (the “Council”) finds that Tomball Economic Development Corporation (the “TEDC”) is a duly formed organization in the State of Texas and that its purpose is to enhance the economic well being of the City of Tomball (the “City”) and its citizens; and

WHEREAS, the Council finds that the TEDC’s proposed project that includes the TEDC’s provision of expenditures in an amount not to exceed forty thousand five hundred thirty-five dollars (\$40,535) to reimburse Sip Hip Hooray, LLC for its costs to initiate and operate a marketing project regarding the Shop and Stroll events in Old Town Tomball would promote new or expanded business development in and around the City (the “Project”), and

WHEREAS, the Council supports the TEDC’s involvement with the Project and supports the actions that the TEDC Board of Directors may take to effectuate the Project; and **NOW THEREFORE**,

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

THAT the City Council of the City of Tomball hereby finds and approves the Tomball Economic Development Corporation’s (the “TEDC”) project that includes the TEDC’s provision of expenditures in an amount not to exceed forty thousand five hundred thirty-five dollars (\$40,535) to reimburse Sip Hip Hooray, LLC for its costs to initiate and operate a marketing project regarding the Shop and Stroll events in Old Town Tomball would promote new or expanded business development in and around the City (the “Project”), with the Project being more particularly described in Exhibit A attached to and incorporated into this Resolution for all purposes.

PASSED, APPROVED, and RESOLVED on first reading on _____.

PASSED, APPROVED, and RESOLVED on second reading on _____.

LORI KLEIN QUINN, MAYOR

ATTEST:

Doris Speer, City Secretary

EXHIBIT A: PROJECT DESCRIPTION

2022 Fiscal Year Events

Summer Party - June 18th (Saturday)
Back To School - August 25th (Thursday)
Total request for 2022 | \$9,010

2023 Fiscal Year Events

Halloween - October 29th (Saturday)
Christmas - December 3rd (Saturday)
Galentines - February 9th (Thursday)
St. Patricks Day - March 11th (Saturday)
Mothers Day - May 11th (Thursday)
Summer Party - June 17th (Saturday)
Back to School - August 24th (Thursday)
Total request for 2023 | \$31,535



Marketing Grant Proposal

Presenting May 10th
City of Tomball
Council Chambers
401 W. Market Street
Tomball, TX 77375

PREPARED FOR:

Tomball Economic Development Corporation
29201 Quinn Rd B, Tomball, TX 77375
(281) 401-4086

PREPARED BY:

Meagan Morris
Owner + Creative Director
Sip Hip Hooray
832-655-7956
meagan@siphiphooray.com
www.siphiphooray.com

SIP HIP HOORAY
PARTY • GIFTS • HOME



Recipient / Grantee Details

To whom it may concern;

Thank you for reviewing and considering this Marketing Grant Proposal.

We are Sip Hip Hooray and our company was founded in 2011. We are one of the top design and printing companies for custom wedding goods in the United States and are proud to have opened a Gift, Home and Party geared store front right here in Tomball in June of 2021.



In this proposal, you'll learn more information about Sip Hip Hooray, our goals, objectives, mission and vision and the details of how this grant could serve many small businesses right here in Old Town Downtown Tomball, Texas.

I am honored to have the opportunity to submit this request and look forward to working together!

Sincerely,

Meagan Adair Morris
Owner + Creative Director
Sip Hip Hooray

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Recipient / Grantee Details

ABOUT SIP HIP HOORAY

At Sip Hip Hooray we offer an incredible selection of personalized party favors, custom artwork, luxe invitations and stationery, curated home goods, and more. Adding creative touches to the most important and memorable events in your life is our greatest passion! Some of our Specialty Products and Services include Personalized Party Favors, Monogram and Logo Design, Hand Drawn Portraits, Custom Watercolor, Full-Service Printing and Packaging. All of our design and printing is done in the USA and we proudly employ a team of 5 in house artists and a full support staff at our corporate office, also located in Tomball.

Sip Hip Hooray has been featured in print in publications like Bride Magazine, Buzzfeed, Martha Stewart Weddings, Style Me Pretty, House Beautiful and more!

In 2020, when a pivot was necessary as we are an event based business, Sip Hip Hooray launched a wholesale line of fun, non-customized, party goods. Within 18 months the product line was being sold in over 1,040 retailers nationwide. A few examples can be seen below.



ABOUT THE FOUNDER

Meagan is a Tomball High School graduate, class of 2007. She began her career after doing corporate party planning and marketing and noticed a definite need for couture-designed, quality invitations and party goods. After that, a few brave friends commissioned her to design and print invitations for their weddings, and later that year, at their urging, she officially opened Sip Hip Hooray in 2011.

Her favorite part of her work is helping others' dreams become reality, be it in party printing or a perfect letter-pressed business card.

Today, Meagan lives in Tomball with her husband, and business partner, Luke, and their two sons, Maverick (5) and Stratton (4).

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Grant Request Background

When Sip Hip Hooray began talks about a store front in Tomball I began getting more involved in town to see what the potential was for our business model was here. I started attending Chamber meetings and events, meeting with other business owners and really exploring town. The one thing that I kept hearing over and over was talk about needing a Shop and Stroll of some form or fashion.

We opened in June and were approached by another business owner to do a “Back To School Moms Night Out” in August of 2021. We agreed to participate and really enjoyed it, and it was successful, but knew that there needed to be more organized marketing behind it to really reach, what I know to be, great potential. In October of 2021 Sip Hip Hooray headed up the “Halloween Party” Sip and Stroll. We provided digital marketing images to any store that wanted to participate, ran and paid for paid ads through social media, printed posters and postcards with shopping maps, and covered all costs associated to see how it would go. After the event we got amazing feedback from the other stores and started planning for the next.

In December of 2021 we hosted our second, the “Sip, Stroll and Shop” event for Christmas. This time we asked stores to contribute \$35 to cover custom party cups with all stores names listed, 2 Posters for their windows, postcards to pass out prior to and the day of the event, and \$500 in paid ad spend. This event was another huge success and the stores were all very encouraging of keeping this going. Since Christmas we have hosted two more events, Galentines and St. Patricks Day, both trending up on digital engagement and foot traffic every time.

We average 26-30 stores for each event and on St. Patrick’s Day we were able to include 13 different food and beverage establishments in Tomball with a passport program. Each store had a different shaped stamp and every attendee was given a passport to stamp at the stops they made along the way. After 5 stamps on their postcard they were able to redeem for an offer at any of the participating location. I was told be a few locations that they had close to German Fest numbers with Fire Ant Brewery having over 300 cards turned in just there alone. I spoke with some stores in regards to revenue and it wasn’t uncommon to hear 6-10x in revenue compared to those days of the week the week prior and following the events. I feel we have proven that these events work well, with over 200,000 impressions online in the last 6 months, for everyone and we must find a way to keep them happening, and growing, here in Tomball!



Grant Request Background

The reason for my Marketing Grant Request is that I feel we have maxed out what we can ask from some of the small businesses in town and that these regular events still have growth potential to bring more people, awareness, and business to town. To keep this growing we must scale it. I have been able to scale the feedback, and the foot traffic on the ad spend without increasing the budget by turning management of that over to a Digital Marketing Firm. At this point I feel that to scale this further, to the scale I truly believe possible, we need to bump ad spend significantly to draw in more “new comers” to Tomball. This is in hopes that they will come out, see what we have to offer, and return thus having this grant pay for it for itself in tax dollars. I can’t expand geographical area ad spend without increasing the ad spend significantly.

At this time, Sip Hip Hooray has been absorbing between \$900-\$1200 for the marketing of the event, after the \$35 contribution from the other businesses. My hope is to be able to use this grant to subsidize the fee we charge the other stores, cover the extra that Sip Hip Hooray absorbs, and grow this city wide event even larger.

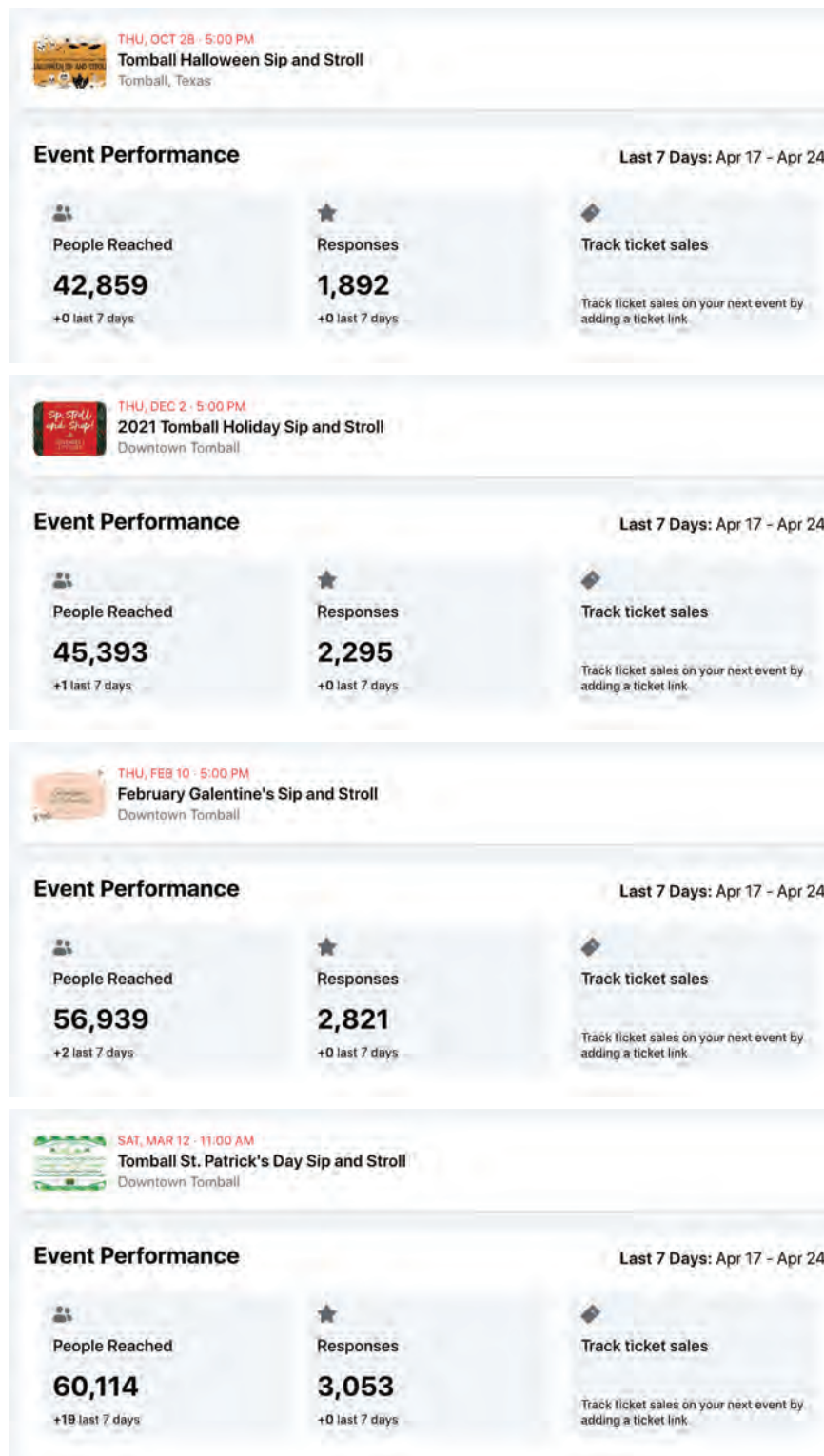
I have a cost breakdown below of what the past budgets have been, and what my proposed budget to scale would look like...

Sip and Stroll Costs for City Wide Events			
<i>Assuming 28-30 Stores Per Event</i>			
Paid Marketing	\$2,500		Ad Spend on Social Media
Digital Marketing Firm	\$300	3 Hours at \$100 Per Hour	Digital Marketing Firm to properly manage Ad Spend
Public Relations Firm	\$300	3 Hours at \$100 Per Hour	PR Firm to draft Press Release to media for marketing
Postcard Printing	\$200		Postcard printing with participating stores and map
Poster Printing	\$75		Poster printing for posting in windows at stores
Yard Signs	\$70		Yard signs to place outside of participating locations
Chamber Email Blast	\$60		Email blast to all Tomball Chamber of Commerce List
Custom Printed Party Cups	\$1,000	Provides approximately 1500 Cups	50 Cups Per Store
Social Media Management	-	In House at Sip Hip Hooray	Posting, Resharing, Getting all stores the graphics
Graphic Design	-	In House at Sip Hip Hooray	In house graphic team provides all artwork and designs
	\$4,505		
<i>Costs for Last Event</i>			
Paid Marketing	\$500		
Digital Marketing Firm	\$275		
Postcard Printing	\$157.74		
Poster Printing	\$61.29		
Yard Signs	\$50.59		
Chamber Email Blast	\$60		
Custom Printed Party Cups	\$705		
	\$1,810		

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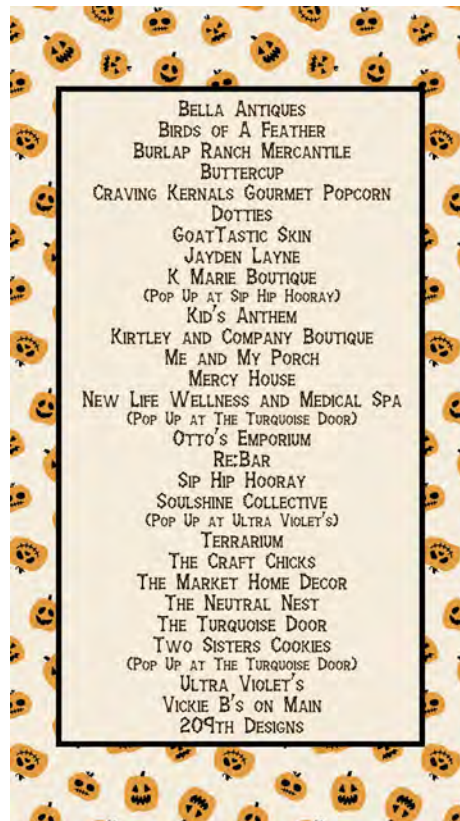
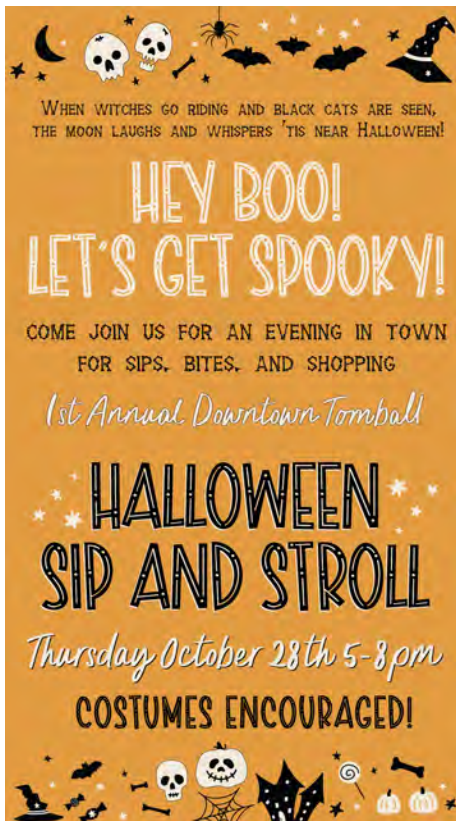
Stats for Paid Ads on Prior Events



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Halloween Marketing Examples



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Christmas Marketing Examples



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Mothers Day Marketing Examples



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Valentines Day Marketing Examples



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St. Patrick's Day Marketing Examples



403 Eats | One Complimentary Margarita
 Bexar Barbecue | Choice of a Side with any sandwich purchase
 Bonfire Grill | Happy Hour Menu from 11am - 6pm
 Cisco's Salsa Company | Small Queso with purchase of an entree
 Every-Bellies | Complimentary Cookie
 Fire Ant Brewing Company | One Pint of Beer
 Gianna Italian Kitchen | Two Complimentary Glasses of House Red or White Wine
 Newsome Vineyards | \$5 off Tasting + 10% off glasses or bottles of wine
 The Empty Glass | Wine Specials
 Whistle Stop Tearoom | Complimentary Dessert with purchase of an entree
 Graze | Complimentary Dessert
 Tejas Burger Joint | \$1 French Fries with purchase of any burger



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Full Grant Proposal Requested Budget

Proposed Events and Dates Broken Down by Fiscal Year

2022 Fiscal Year Events

Summer Party - June 18th (Saturday)

Back To School - August 25th (Thursday)

Total request for 2022 | \$9,010

-

2023 Fiscal Year Events

Halloween - October 29th (Saturday)

Christmas - December 3rd (Saturday)

Galentines - February 9th (Thursday)

St. Patricks Day - March 11th (Saturday)

Mothers Day - May 11th (Thursday)

Summer Party - June 17th (Saturday)

Back to School - August 24th (Thursday)

Total request for 2023 | \$31,535

****Dates and Event Titles are subject to change based on business owner feedback.*



In Closing

We hope that you all are as enthusiastic about our vision for these shopping and strolling events here in Tomball. I believe that these events have added a renewed spark to town and have brought camaraderie within the community and between all of the business owners, especially in Old Town. Our goal, as always, is to bring new faces and existing residents alike to support the small businesses right here at home.

I again want to thank you for your time and consideration for this Marketing Grant request. Sip Hip Hooray looks forward to continuing to plan and design these events for the greater good of all here and to help showcase all that Tomball has to offer!

Sincerely,

Meagan Adair Morris
Owner + Creative Director
Sip Hip Hooray

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TOMBALL ECONOMIC DEVELOPMENT CORPORATION PERFORMANCE AGREEMENT

This Performance Agreement (this “Agreement”) is made by and between the Tomball Economic Development Corporation, a State of Texas Type B Economic Development Corporation (the “TEDC”), and Sip Hip Hooray, LLC, a State of Texas limited liability company (the “Company”) (with the TEDC and the Company each being a “Party”, and collectively the “Parties”), and is entered into by the Parties on the date of execution below (the “Effective Date”).

RECITALS

WHEREAS, the TEDC’s Board of Directors (the “Board”), at its meeting on May 10, 2022, after conducting a public hearing that was properly published in accordance with applicable State law and TEDC, found that a project that included the TEDC’s provision of land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements to the Company would promote new or expanded business development (the “Project”); and

WHEREAS, through the Project, the TEDC will assist the Company in promoting and expanding business development in the City of Tomball, Texas (the “City”) by providing expenditures to the Company in an amount not to exceed forty thousand five hundred thirty-five dollars (\$40,535) (the “Funding”) so the Company may be reimbursed for its costs to initiate and operate its marketing project regarding the Shop and Stroll events in Old Town Tomball as provided in the Marketing Grant Proposal (the “Proposal”) that is attached to and incorporated in this Agreement as “Exhibit A” for all intents and purposes; and

WHEREAS, as consideration for the Funding, the Company has agreed to satisfy and comply with certain terms and conditions provided in this Agreement; and

NOW, THEREFORE, in consideration of mutual benefits and obligations set forth herein, including the recitals set forth above, the Parties agree as follows:

AGREEMENT

Section 1. Term.

This Agreement shall become enforceable upon the Effective Date and shall remain in effect for two (2) years, unless terminated or cancelled earlier (the “Term”). The Term may be extended through a written amendment to this Agreement executed by the Parties.

Section 2. Company Obligations.

A. Continued Operation. The Company hereby covenants and agrees that it will continue to operate and maintain its business in the City throughout the Term.

B. Jobs Creation. By the end of the Term, the Company shall provide evidence to the Board that the Project is directly responsible for the creation or retention of ten (10) full-time jobs in the City (the “Jobs”). A Job shall be any position that requires at least thirty (30) hours of work to be performed in one (1) calendar week.

C. Capital Investment. In addition to the Jobs to be created under this Agreement, the Company shall provide evidence to the Board that, by the end of the Term, the Company has made a capital investment of an amount equal to or greater than the amount of reimbursement provided to the Company through the Funding. The Capital Investment may include, but is not limited to, any cost provided in the Proposal.

D. Reporting. Throughout the Term, within sixty (60) days following the anniversary date of the Effective Date of this Agreement, the Company will provide a report to the TEDC showing that it is in compliance with this Agreement and that gives an update on the progress of the Training (the “Annual Report”). The Annual Report shall include an update on the Company’s progress on satisfying the Job Creation and Capital Investment requirements of this Agreement, if applicable. Upon the written request of the TEDC or the City, the Company will promptly provide any additional information related to this Agreement.

Section 3. TEDC Obligations.

A. Project Payment. In consideration of the Company’s representations, promises, and covenants provided in this Agreement, the TEDC hereby agrees to grant to the Company an amount not to exceed forty thousand five hundred thirty-five dollars (\$40,535) (the “Funding”) so the Company may be reimbursed for its costs to initiate and operate its marketing project regarding the Shop and Stroll events in Old Town Tomball as provided in the Marketing Grant Proposal (the “Proposal”) that is attached to and incorporated in this Agreement as “Exhibit A” for all intents and purposes. The TEDC may provide the Funding in a lump sum or in installments, depending on manner in which the Company presents its reimbursable costs to the TEDC.

B. Additional Incentive Payment. To the extent allowed by law, the Board may amend this Agreement to allow for additional provisions of land, buildings, equipment, facilities, expenditures, targeted infrastructure, or improvements to the Company that would promote new or expanded business development.

C. Contingency. The Parties understand and acknowledge that the funding of this Agreement is contained in the TEDC’s annual budget and is subject to the approval of the Board in each fiscal year. The Parties further agree that should the Board fail to approve a budget which includes sufficient funds for the continuance of this Agreement, or should the Board fail to certify funds for any reason, then and upon the occurrence of such event, this Agreement shall terminate as to the TEDC and the TEDC shall then have no further obligation to the other Party. When the funds budgeted or certified during any fiscal year by the TEDC to discharge its obligations under this Agreement are expended, the Company’s sole and exclusive remedy shall be to terminate this Agreement.

Section 4. Termination.

A. This Agreement shall terminate upon the expiration of the Term, unless terminated earlier as the result of a default by the Company under one of the following provisions:

1. General Default. Either Party may terminate this Agreement during the Term as provided in this paragraph if the other Party is in default by failing to comply with the obligations of this Agreement. The Party alleging the default will give the other Party notice of the default in writing. If the Party in default fails to cure the default within sixty (60) days of the date of the notice, then the Party giving the notice may terminate this Agreement by written notice to the other Party, specifying the date of termination. However, neither Party may be deemed to be in default of this Agreement if performance of this Agreement is delayed, disrupted, or becomes impossible because of any act of God, war, earthquake, fire, strike, accident, civil commotion, epidemic, act of government, its agencies or offices, or any other cause beyond the control of the Parties (the “force majeure”) during the Term, but only for so long as the event of force majeure reasonable prevents performance.

2. Funding Agreement Default. In the event Company enters into any type of funding agreement with the City and such funding agreement terminates because of default of the Company, then this Agreement shall terminate.

3. Undocumented Worker Employment Default. According to Chapter 2264 of the Texas Government Code (the “Code”), the Company will not knowingly employ an individual who, at the time of employment: (i) is an undocumented workers as that term is defined in the Code; and, (ii) is not lawfully admitted for permanent residence to the United States or, is not authorized under the law to be employed in that manner in the United States. Additionally, if the Company is convicted of a violation under 8 U.S.C. Section 1324a(f), then the conviction is a breach of this Agreement and the TEDC will send the Company written notice that the Company has violated this paragraph and that the Agreement terminates thirty (30) days from the date of the notice.

B. It is understood and agreed by the Parties that, in the event of a default by the TEDC on any of its obligations under this Agreement, the Company’s sole and exclusive remedy shall be limited to either the termination of this Agreement, or a suit for specific performance.

Section 5. Reimbursement For Default.

If this Agreement terminates because of the Company’s default, then the Company shall refund the TEDC for all expenses that the TEDC has made to the Company related to this Agreement, excluding any previous reimbursement payments made by the Company under this Agreement (the “Refund”). The Refund shall be in accordance with the following provisions:

1. The Refund shall be made for all direct expenses paid by the TEDC to the Company along with interest at the rate equal to the 90-day Treasury Bill plus one-half percent ($\frac{1}{2}$ %) per annum, within one hundred twenty (120) days after the TEDC notifies the Company of the default;
2. The Refund shall include any and all reasonable attorney’s fees and costs incurred by the TEDC as a result of any action required to enter into this Agreement and to obtain the Refund; and,
3. The Refund obligation survives termination of this Agreement.

Section 6. Miscellaneous.

A. Liability. To the extent permitted by law, no director, officer, employee, or agent of the TEDC, and no officer, employee, or agent of the City, shall be personally responsible for any liability arising under or related to this Agreement.

B. Assignability. This Agreement may not be assigned by the Company to any other person or entity unless the TEDC consents in writing to such assignment.

C. Jurisdiction and Venue. This Agreement shall be performable and enforceable in Harris County, Texas, and shall be construed in accordance with the laws of the State of Texas.

D. Amendment. Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment, or modification only in writing, and by the signatures and mutual consent of the Parties.

E. No Waiver. The failure of either Party to insist in any one or more instances on the performance of any of the terms, covenants, or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance. However, the TEDC hereby reserves and retains any and governmental immunities that it might now have or possess in the future.

F. Notice. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by: (i) depositing the same in the United States mail, addressed to the Party to be notified, postage prepaid, registered or certified mail, return receipt requested; (ii) by delivering the same in person to such Party; (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or, (iv) by facsimile or other electronic transmission; provided a copy of such notice is sent within one (1) day thereafter by another method provided above. The initial addresses of the Parties for the purpose of notice under this Agreement shall be as follows:

To the TEDC:

Tomball Economic Development Corporation
Attn: President, Board of Directors
401 West Market Street
Tomball, Texas 77375

To the Company:

Sip Hip Hooray, LLC
Attn: Ms. Meagan Morris, Owner
201 West Main Street
Tomball, Texas 77375

G. Severability. In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement, or the application thereof to any person, firm, corporation, or circumstance, shall be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity, or unconstitutionality of such words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement shall be deemed to be independent of and severable from the remainder of this Agreement, and the validity of the remaining parts of this Agreement shall not be affected thereby.

SIGNATURES

THIS AGREEMENT is hereby executed by the Parties on this _____ day of _____ 2022.

FOR: THE TEDC

By: _____

Name: Gretchen Fagan

Title: President, Board of Directors

ATTEST:

By: _____

Name: _____

Title: Secretary, Board of Directors

FOR: THE COMPANY

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT – FOR THE COMPANY

THE STATE OF TEXAS §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2022,
by _____, _____ of _____,
for and on behalf of said Entity.

(SEAL)

Notary Public in and for the State of Texas

My Commission Expires: _____

ACKNOWLEDGMENT – FOR THE TEDC

THE STATE OF TEXAS §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____ 2022,
by Gretchen Fagan, President of the Board of Directors of the Tomball Economic Development
Corporation, for and on behalf of said Corporation.

(SEAL)

Notary Public in and for the State of Texas

My Commission Expires: _____

EXHIBIT A – MARKETING GRANT PROPOSAL WITH PROJECT DESCRIPTION

2022 Fiscal Year Events

Summer Party - June 18th (Saturday)
Back To School - August 25th (Thursday)
Total request for 2022 | \$9,010

2023 Fiscal Year Events

Halloween - October 29th (Saturday)
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Summer Party - June 17th (Saturday)
Back to School - August 24th (Thursday)
Total request for 2023 | \$31,535

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: June 6, 2022

Topic:

Approve Resolution No. 2022-21, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 49th Annual Tomball Night and Parade, to be held in Tomball on Friday, August 5, 2022

Background:

The Greater Tomball Area Chamber of Commerce requests the support and endorsement of the City of Tomball for the Chamber's 50th Annual Tomball Night and Parade, to be held on Friday, August 5, 2022. The estimated number of attendees is 10,000 visitors.

GTACC requests the assistance of the Tomball Fire, Police, and Public Works Department personnel; furnishing of electrical service on Walnut Street, by the Depot, at the 100 and 200 blocks of Market Street, the alley on the south side of Main between Cherry and Oak, and at 200 South Walnut; and closure of the following streets on Friday night only:

- from 12:00 p.m. until 11:00 p.m. – the 100, 200, and 300 blocks of Market Street and the 100 block of South Elm; and
- from 5:00 p.m. until 11:00 p.m. – South Walnut, between Market and Main Streets, and Sycamore, from Main Street south.

Tomball Night will begin at 2:00 p.m. on Friday with a night parade, fireworks, and other festivities on Friday night and extended shopping sales events through Sunday. The Health and Wellness Fair continues this year, in the Tomball Community Center, from 4:00 p.m. to 8:00 p.m. on August 6.

GTACC also requests permission from the City of Tomball to ignite fireworks out of season, under the insurance and guidance of Illumination Fireworks, LLC, and approval for the use, with waiver of fees, of the Tomball Community Center, both as a "cool zone" and for the Health and Wellness EXPO.

The Chamber's request, a map of the requested street closures, Illumination Fireworks' permit, and GTACC's insurance certificate are presented, along with Resolution No. 2022-21.

Estimated Fire Department expenses are minimal, approximately \$150 in fuel and support provided by volunteer firefighters. Estimated Public Works expenses to support Tomball Night include personnel time, refuse management, and fuel, are approximately \$1,500. Waiver of the rental fee and personnel expenses for the use of the Community Center for the Health and Wellness Fair and as a "cool zone" after hours is approximately \$500-\$600, depending on the number of hours the Chambers uses the facility. Police Department expenses should also be minimal.

This project aligns with the City's Strategic Plan goals of building our economy through partnerships with tourism and marketing organizations, such as the GTACC.

Recommendation: N/A

Party(ies) responsible for placing this item on agenda: David Esquivel, City Manager

RESOLUTION NO. 2022-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL,
TEXAS, SUPPORTING THE 50TH ANNUAL TOMBALL NIGHT AND
PARADE, TO BE HELD IN TOMBALL ON FRIDAY, AUGUST 5, 2022.**

* * * * *

WHEREAS the Greater Tomball Area Chamber of Commerce will present the *49th Annual Tomball Night* on Friday, August 5, 2022, beginning at 2:00 p.m., including a Health and Wellness EXPO and “cool zone” in the Tomball Community Center, and ending with a night parade and fireworks display under the direction of Illumination Fireworks’ highly trained and licensed pyrotechnicians; and

WHEREAS *Tomball Night* is a unique way to showcase Tomball’s many attractions and an opportune time to encourage citizens to shop Tomball throughout the rest of the year; and

WHEREAS *Tomball Night* has become Tomball’s biggest shopping night, drawing shoppers from surrounding areas including Magnolia, Spring, Houston and The Woodlands to enjoy the sales, discounts, other great values and many planned activities sponsored by Tomball’s retail community; and

WHEREAS *Tomball Night* includes many cash and merchandise prizes from participating Tomball businesses for *Tomball Night* shoppers; and

WHEREAS the Greater Tomball Area Chamber of Commerce desires and requests the support and endorsement of the City of Tomball in this city-wide effort, through the assistance of the Tomball Fire, Tomball Police, and Tomball Public Works Department personnel; furnishing of electrical service; and the closure of the following streets on Friday night only:

- * from 12:00 p.m. until 11:00 p.m. – the 100, 200, and 300 blocks of Market Street and the 100 block of South Elm Street; and
- * from 5:00 p.m. until 11:00 p.m. – South Walnut, between Market and Main Streets, and Sycamore Street, from Main Street south; and

WHEREAS the Chamber also requests permission from the City of Tomball to ignite fireworks out of season, under the insurance and guidance of Illumination Fireworks, and use of electricity on Walnut Street, by the Depot, the 100 and 200 blocks of Market Street, the alley on the south side of Main between Cherry and Oak, and at 200 South Walnut; and

WHEREAS the Chamber also requests the use of the Tomball Community Center, both as a “cool zone” to offset some of the heat-related issues of past years and for the annual Health and Wellness EXPO, to be held from 4 p.m. to 8 p.m., and requests waiver of the rental fee;

NOW, THEREFORE, BE IT RESOLVED that the City of Tomball and its governing body endorses and supports the efforts of the Greater Tomball Area Chamber of Commerce in promoting and undertaking the *50th Annual Tomball Night* and pledges to encourage this effort to showcase Tomball;

PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 6TH DAY OF JUNE 2022.

LORI KLEIN QUINN, Mayor

ATTEST:

Doris Speer, City Secretary



June 1, 2022

City of Tomball
401 Market Street
Tomball, Texas 77375

RE: Tomball Night Street Closures, Electricity and Community Center Usage

Dear David,

We are anticipating a fabulous 50th Annual **Tomball Night**, Friday, August 5, 2022 with help from our city, police and fire departments, as well as from numerous volunteers. The popular attraction of a night parade with a fireworks display ending the night's festivities has been met with overwhelming enthusiasm over the past several years. This year we are planning to add a Health and Wellness Fair to the festivities. We are looking forward again to the expertise of the Tomball Police Department for crowd control and as visual deterrents from any negative activity.

The Greater Tomball Area Chamber of Commerce is requesting permission from the City of Tomball to ignite fireworks out of season, under the insurance and guidance of Illumination Fireworks, a highly trained and licensed pyrotechnician.

To insure the safety of the many visitors that will be in Tomball on Friday, August 5, 2022 and the multiple number of vendors we are expecting, we are asking for street closures for the following streets on Friday night only from

12:00 p.m. until 11:00 p.m.

- Market St. – 100, 200 and 300 blocks
- S. Elm – 100 Block

And from 5:00 p.m. until 11:00 p.m.

- S. Walnut – between Market and Main
- Sycamore from Main St. South

Enclosed is a map for your review. We are also requesting permission for the use of electricity on Walnut Street, by the Depot, 100 & 200 blocks of Market Street, the alley on south side of Main between Cherry and Oak and at 200 S. Walnut.

Finally, we would like to use the Tomball Community Center as a “cool zone” and for the Health and Wellness EXPO. The Health and Wellness EXPO would take place from 4pm to 8pm. The Chamber’s committee, the Health and Wellness Alliance, will be working in conjunction with the Tomball Community Center staff, Chamber staff and the Tomball Night committee to coordinate both events. Any proceeds received from the Health & Wellness EXPO will go to the Chamber to continue its mission.

We appreciate the City of Tomball, its special partnership with the chamber and the assistance always offered for our events. Should you have any questions or concerns, please contact Brandy Beyer or myself at 281-351-7222.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Hillegeist', with a stylized flourish at the end.

Bruce Hillegeist
President



SPECIAL EVENT GUIDELINES & APPLICATION

CITY OF TOMBALL, TEXAS

Effective Date:

INTRODUCTION: Any organized activity or event and open to the general public that involves the use of, or having an impact upon, public property, facilities, public parks, sidewalks, or street areas in the City of Tomball require prior approval and must meet certain requirements for consideration.

PROCEDURES: Several procedures and guidelines must be followed before any non-city staged event may take place. Those include, but are not limited to, the following:

1. A completed Special Event application must be submitted to the Tomball Department of Marketing & Tourism at least 180 days prior to any proposed festival or event. Tomball City Council approval is required if event meets one of the following criteria: sale of alcohol, street closures or contains a request for in-kind donations from the City of Tomball.
2. A written proposal must accompany the application. The proposal should include the overall event concept, a detailed site map, a list of planned activities, hours of operation, proposed vendors, food and beverage, entertainment and any other relevant aspects of the event.
3. If a charity is involved, or is the beneficiary of funds raised, information about the charity needs to be included as a part of the application process, as well as proof of non-profit status. If requesting in-kind services, preference will be given to organizations providing donations to agencies within the city limits of Tomball.
4. A fee equal to the actual cost of city services to host the event will be required of for-profit event planners to be paid no less than ten business days before the event. Non-profit organizations may request city services as an in-kind donation.
5. A meeting will be scheduled with the Tomball Events Team (representatives of Tomball Police, Fire, Public Works, Marketing and Northwest EMS) to discuss the merits and feasibility of the proposed event. The applicant is required to be at this meeting to answer questions regarding the application. Failure to attend will result in the event being cancelled by the City of Tomball.
6. If approved by the Tomball Events Team, the proposed event will be presented to City Council for final approval. The applicant is required to be at this meeting to answer questions regarding the application if necessary.
7. Ten days prior to the event, proof of general liability insurance (\$1,000,000 minimum) must be provided by the event organizer naming the City of Tomball as additional insured.
8. Event coordinators must provide their own volunteers or staff; oversee food and beverage permits, vendors, site clean-up and other aspects of staging a festival/special event.
9. Failure to comply with the guidelines listed above will preclude applicant from staging future events.

For additional information, or to submit an event application, please contact:

Denise Fiore - Community Events Coordinator
401 Market Street
Tomball, Texas 77375
281-351-5484 | Email - dfiore@tomballtx.gov



SPECIAL EVENT APPLICATION

CITY OF TOMBALL, TEXAS | 401 Market Street | Tomball, Texas 77375 | 281-351-5484

An application to stage an event within the City of Tomball shall be filed with the Community Events Coordinator at least 180 days prior to the event. This application is not to be construed as authorizing or agreeing to any event until formally approved by Tomball City Council.

Date: 08/05/2022 Is this event Co-City sponsored? Yes ☐ No ☒

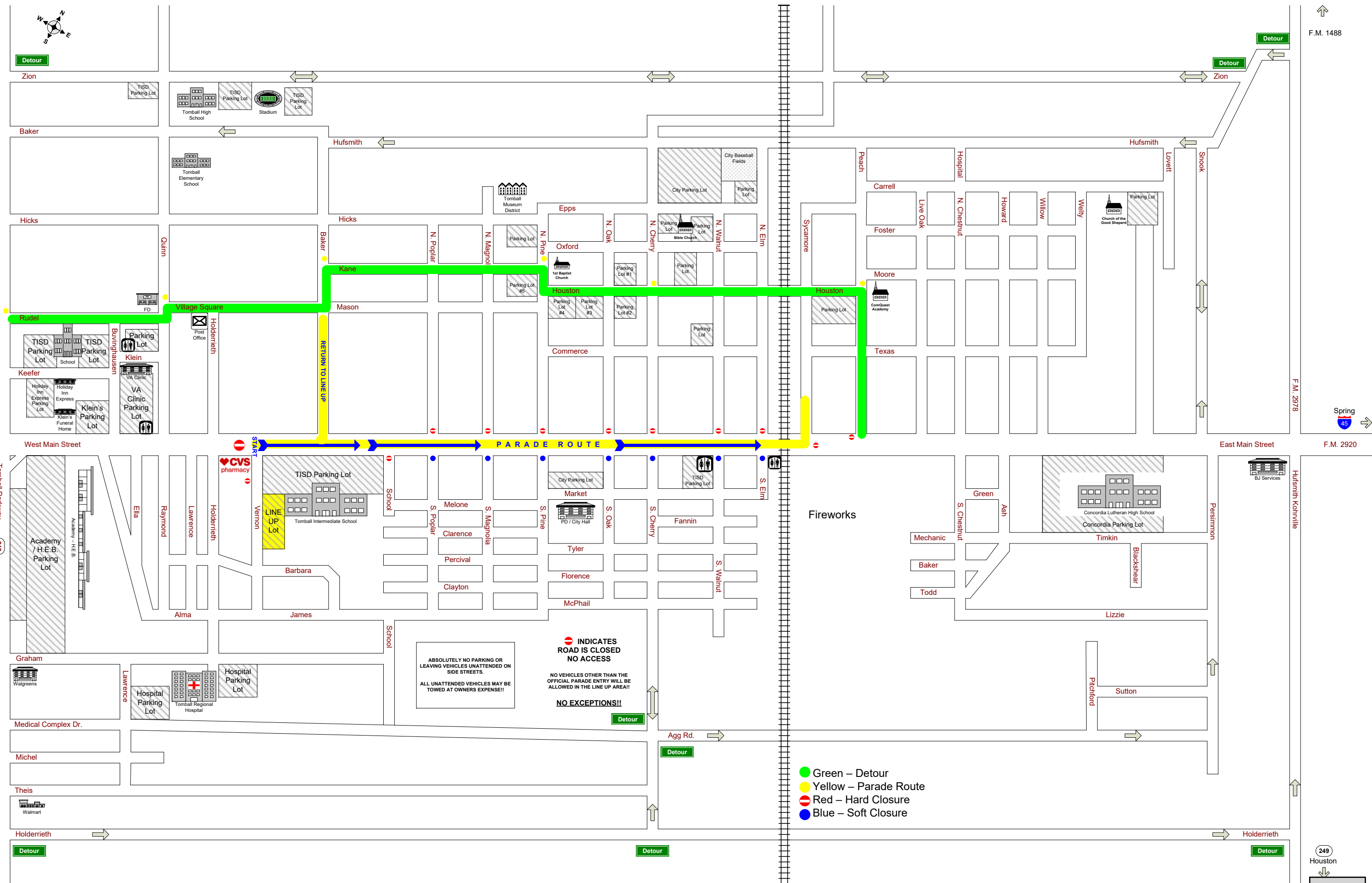
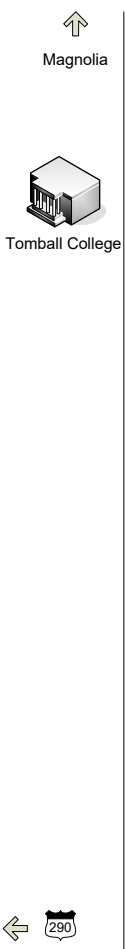
Request for permission to use a public venue for the following type of event (please check one):

Festival ☒ Community Event ☐ Arts & Crafts Event ☐ Music Event ☐ Other (specify) ☐

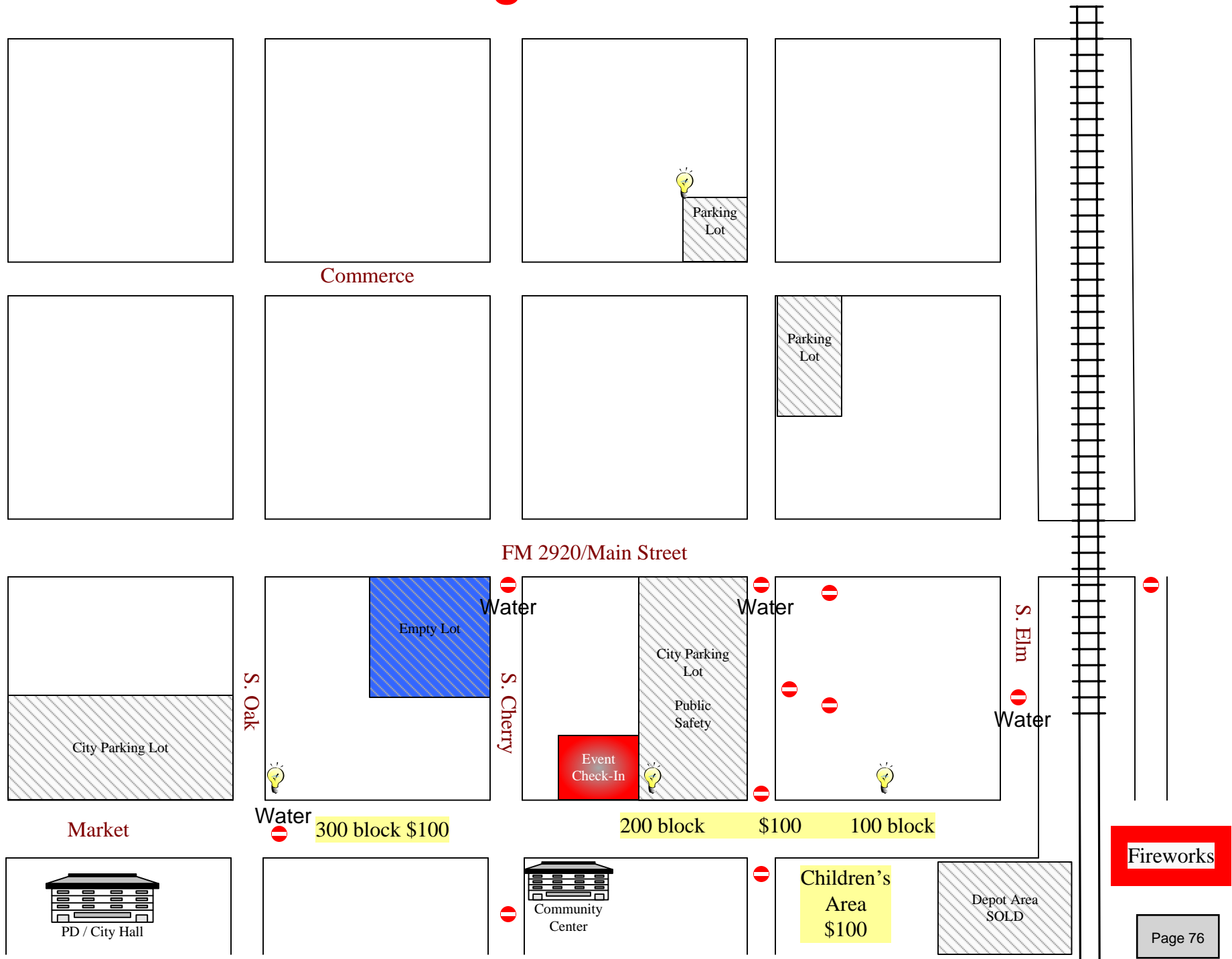
1. Event title: Tomball Night
2. Sponsoring entity: Greater Tomball Area Chamber of Commerce
3. Is this organization based in Tomball: Yes ☒ No ☐ *we are a 501 c 6
4. Is this organization *non-profit* ☒ or *for-profit* ☐ *Attach 501 (c) (3) tax exemption if applicable
5. Contact: Brandy Beyer Phone: 281.351.7222
6. Contact address: 29201 Quinn Road, Ste. B
7. Contact email: bbeyer@tomballchamber.org
8. Event date: 08/05/2022
9. Event times: Start 5pm Finish 10:00pm Set-up 12pm Breakdown 10:30pm
10. Is this event for charity? Yes ☒ No ☐
11. If yes, what charity? Greater Tomball Area Chamber of Commerce Tax ID 74-1495125
12. If yes, what percentage of net proceeds will be donated to the charity? 100%
13. On-site contact: Brandy Beyer Mobile Phone: 713.594.3449
14. Estimated number of attendees: 10,000
15. Detailed site map in attached: Yes ☒ No ☐
16. Is this event open to the public: Yes ☒ No ☐
17. Admission fee: \$ Free ☒
18. Time at which event staff will begin to arrive: 7am
19. The applicant will defend and hold harmless the City of Tomball from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such application including attorney fees and expenses.
Initial BB
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured.
Initial BB
21. Name of insurance carrier: Higginbotham IAS Group
22. Organization has secured date with the Public Works Dept. and has paid deposit.

Signature: Brandy Beyer

FOR OFFICIAL USE - Fee required: Yes ☐ No ☐ Amount Due: \$



Tomball Night Downtown



Registered Location(s):

1605 CRESCENT CIR STE 200
CARROLLTON TX 75006-3500

Registration Number

FWD-2402278

Expiration Date: 04-30-2023

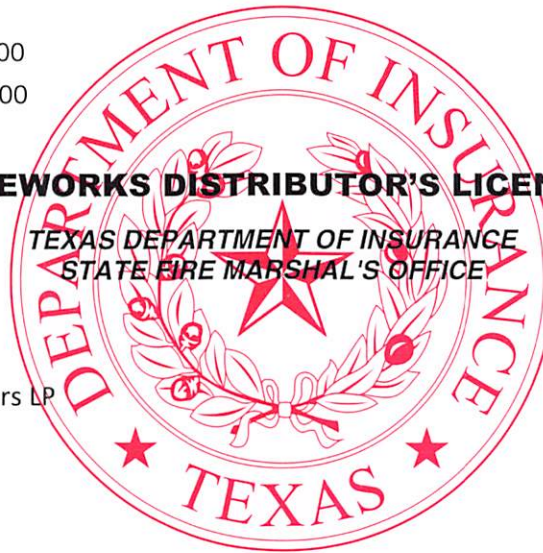
EFFECTIVE DATE: 04-30-2019

FIREWORKS DISTRIBUTOR'S LICENSE

TEXAS DEPARTMENT OF INSURANCE
STATE FIRE MARSHAL'S OFFICE

Issued To:

Illumination Fireworks Partners LP



DATE ISSUED: March 24, 2022

SF081|1119

Orlando P. Hernandez, State Fire Marshal

To receive news and updates from the SFMO concerning Fire Industry Licensing, sign up for the SFMO Licensing eNews Update at <http://www.tdi.texas.gov/alert/esfmolicensing.html>



Illumination Fireworks Partners LP
1605 CRESCENT CIR STE 200
CARROLLTON TX 75006-3500



THE HARTFORD
BUSINESS SERVICE CENTER
3600 WISEMAN BLVD
SAN ANTONIO TX 78251

June 1, 2022

City of Tomball
401 MARKET ST
TOMBALL TX 77375

Account Information:



Contact Us

Need Help?

Start a live chat online or call us at
(866) 467-8730.

We're here weekdays from 8:00 AM to
8:00 PM ET.

Enclosed please find a Certificate Of Insurance for the above referenced Policyholder. Please contact us if you have any questions or concerns.

Sincerely,

Your Hartford Service Team



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/01/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HIGGINBOTHAM INS AGENCY INC/PHS 61611737 The Hartford Business Service Center 3600 Wiseman Blvd San Antonio, TX 78251	CONTACT NAME: PHONE (866) 467-8730 FAX (888) 443-6112 (A/C, No, Ext): (A/C, No): E-MAIL ADDRESS:																						
INSURED GREATER TOMBALL AREA CHAMBE OF COMMERCE 292201 QUINN STEB TOMBALL TX 77375	<table border="1"> <thead> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC#</th> </tr> </thead> <tbody> <tr> <td>INSURER A :</td> <td>Hartford Lloyd's Insurance Company</td> <td>38253</td> </tr> <tr> <td>INSURER B :</td> <td></td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE		NAIC#	INSURER A :	Hartford Lloyd's Insurance Company	38253	INSURER B :			INSURER C :			INSURER D :			INSURER E :			INSURER F :		
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INSURER B :																							
INSURER C :																							
INSURER D :																							
INSURER E :																							
INSURER F :																							

COVERAGES

CERTIFICATE NUMBER:
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/Y YYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY	X		61 SBA VM8139	12/20/2021	12/20/2022	EACH OCCURRENCE	\$1,000,000
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$300,000
	<input checked="" type="checkbox"/> General Liability						MED EXP (Any one person)	\$10,000
							PERSONAL & ADV INJURY	\$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$2,000,000
	POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG	\$2,000,000
	OTHER:							
A	AUTOMOBILE LIABILITY			61 SBA VM8139	12/20/2021	12/20/2022	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	ANY AUTO						BODILY INJURY (Per person)	
	ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/>						BODILY INJURY (Per accident)	
	HIRE AUTOS <input type="checkbox"/>						PROPERTY DAMAGE (Per accident)	
	UMBRELLA LIAB EXCESS LIAB						EACH OCCURRENCE	
	OCCUR CLAIMS-MADE						AGGREGATE	
	DED <input type="checkbox"/> RETENTION \$							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE -EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	
A	EMPLOYMENT PRACTICES LIABILITY			61 SBA VM8139	12/20/2021	12/20/2022	Each Claim Limit	\$5,000
							Aggregate Limit	\$5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Those usual to the Insured's Operations. Certificate holder is an additional insured per the Business Liability Coverage Form SS0008 attached to this policy.

CERTIFICATE HOLDER

City of Tomball
401 MARKET ST
TOMBALL TX 77375

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Susan L. Castaneda

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City Council Meeting

Agenda Item

Data Sheet

Meeting Date: June 6, 2022

Topic:

Authorize the City Manager to Execute an Interlocal Agreement with Waller Harris ESD 200 for the Sale and Transfer of Title of Shop #11-018, a 2011 Chevrolet Tahoe, in the amount of \$10,000.00

Background:

Chapter 791 of the Texas Government Code authorizes political subdivisions to enter into intergovernmental agreements and Section 791.025 specifically provides for the purchase of goods by one political subdivision from another. This request is to authorize the City Manager to Execute an Interlocal Agreement with Waller Harris Emergency Services District 200 for the Sale and Transfer of Title of Shop # 11-018, a 2011 Chevrolet Tahoe, in the amount of \$10,000.00.

Origination: Fire Department

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Joe Sykora, Fire Chief

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Joe Sykora</u>	<u>05/19/2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

**INTERLOCAL AGREEMENT FOR PURCHASE OF VEHICLES
BETWEEN
WALLER-HARRIS ESD 200
AND
THE CITY OF TOMBALL**

THIS AGREEMENT is hereby entered into on this the _____ day of _____, 2022, by and between THE CITY OF TOMBALL (hereinafter called "CITY"), a municipal corporation, and WALLER-HARRIS EMERGENCY SERVICES DISTRICT 200 (hereinafter called "ESD 200"), a Texas political subdivision, acting by and through its duly authorized officers, hereinafter called the "commissioners." Pursuant to its actions of a Commissioners meeting held on _____, 2022.

1. PREAMBLE:

WHEREAS, ESD 200 desires to acquire certain goods presently owned by the CITY consisting of one (1) 2011 Chevy Tahoe ("Tahoe") and accessories for use by ESD 200; and,

WHEREAS, the CITY desires to sell the Tahoe; and,

WHEREAS, the CITY and ESD 200 desire to maximize their financial and tangible resources; and,

WHEREAS, Chapter 791 of the Texas Government Code authorizes political subdivisions to enter into intergovernmental agreements and Section 791.025 specifically provides for the purchase of goods by one political subdivision from another; and,

WHEREAS, the CITY and ESD 200 are each political subdivisions of the State of Texas; and

NOW, THEREFORE, in consideration of the covenants, conditions and provisions set forth herein, the parties hereto agree as follows:

2. MUTUAL OBLIGATIONS: CITY agrees to sell and ESD 200 agrees to purchase the goods listed below at the corresponding price identified below:

<u>Vehicle</u>			
<u>Unit Number</u>	<u>VIN Number</u>	<u>Make & Model</u>	<u>Price</u>
Shop #11-018	1GNLC2E07BR304733	2011 Chevy Tahoe	\$10,000.00
TOTAL PURCHASE PRICE			\$10,000.00

3. FORM OF PAYMENT: ESD 200 shall pay the CITY the total purchase price of Ten Thousand Dollars (\$10,000) in the form a check made payable to the City of Tomball. Payment made by ESD 200 pursuant to this Agreement must be made from current

revenues available to ESD 200 in accordance with Texas Government Code §791.011(d)(3).

4. DELIVERY OF GOODS: The goods made the subject of this sale shall be released into ESD 200's possession upon CITY's receipt of the payment specified in paragraph 2, above.
5. ASSIGNMENT: This agreement shall not be assigned by either party unless written authorization is first obtained from other party.
6. ENTIRE AGREEMENT: This agreement contains the final and entire agreement between the parties hereto and contains all of the terms and conditions agreed upon to date, and no other agreements of prior date, oral or otherwise, regarding the subject matter of this agreement shall be deemed to exist or to bind the parties hereto. It is the intent of the parties that neither party shall be bound by any term, condition or representation not herein written.
7. AMENDMENT: No amendment, modification or alteration of the terms of this agreement shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the parties hereto and approved by the governing parties.
8. NON-DISCRIMINATION: Any discrimination by ESD 200 or CITY or their agents or employees, on account of race, color, sex, age, religion, handicap, or national origin in employment practices or in the properties made the basis of this Agreement is prohibited and approved by the governing bodies.
9. TEXAS LAW TO APPLY: This agreement shall be construed under and in accordance with the law of the State of Texas and all obligations of the parties created hereunder are performable in Harris County, Texas.
10. FORCE MAJEURE: Neither party to this agreement shall be required to perform any term, condition, or covenant in this agreement so long as performance is delayed or prevented by force majeure, which shall mean acts of God, strikes, lockouts, material or labor restrictions by a governmental authority, civil riots, floods, and any other cause not reasonably within the control of either party to this agreement and which by the exercise of due diligence such party is unable, wholly or in part, to prevent or overcome. If by reason or force majeure, either party is prevented from full performance of its obligations, under this agreement, written notice shall be provided to the other party within three (3) days.
11. CAPTIONS: The captions contained in the agreement are for the convenience of references only and in no way limit or enlarge the terms and conditions of this agreement.
12. AUTHORITY: The signers of this agreement hereby represent and warrant that they have authority to execute this agreement on behalf of each of their governing bodies.

WITNESS, the signatures of the parties, hereto, in duplicate originals of the _____ day of _____, 2022.

ATTEST: **CITY OF TOMBALL**

By: _____
David Esquivel, City Manager

WALLER-HARRIS ESD 200

By: _____
Tim Gibson, ESD Director

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: 06/06/2022

Topic:

Approve TEDC grant expenditure to Paradigm Brewery in the amount of \$39,295.90 pursuant to City purchasing and payment policies.

Background:

Tomball Economic Development Corporation Board approved BIG (Business Improvement Grant) refunding for Paradigm Brewery. The original approval of the funding was done on August 28, 2020 however those funds were never received by the applicant.

As per City policy, any expenditure exceeding \$50,000 must be approved by city council. The total amount spent, if this item is approved, will be \$78,591.80.

Origination: City Management

Recommendation:

Party(ies) responsible for placing this item on agenda: David Esquivel

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: X No: _____ If yes, specify Account Number: #TEDC funds

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>David Esquivel</u>	<u>06/02/22</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: June 6, 2022

Topic:

Approve Request from Progreso Multicultural Foundation for City support and in-kind services for the first “Fiesta de Tomball” festival in downtown Tomball, on Saturday, September 24, 2022.

Background:

The Progreso Multicultural Foundation would like to host “Fiesta de Tomball” on Saturday, September 24, to promote the diverse Latino cultures throughout Tomball and our surrounding cities by coming together and sharing the various food, music, art forms, and history.

The organization is dedicated to the development of culturally diverse small businesses while empowering our culturally diverse youth to succeed.

Origination: Marketing & Tourism

Recommendation:

- Waive the Depot rental fee
- Use the Tomball Depot as the location of the event
- Provide barricades to block S. Walnut St.
- Trash receptacles and trash pick-up
- 2 Police Officers
- 6 Public works employees
- Use of Electrical Outlets
- Potential use of additional parking lots

Party(ies) responsible for placing this item on agenda: Sasha Smith, Marketing and Tourism Manager

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____

If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date



SPECIAL EVENT APPLICATION

CITY OF TOMBALL, TEXAS | 401 Market Street | Tomball, Texas 77375 | 281-351-5484

An application to stage an event within the City of Tomball shall be filed with the Community Events Coordinator at least 180 days prior to the event. This application is not to be construed as authorizing or agreeing to any event until formally approved by Tomball City Council.

Date: 08 April 2022 Is this event Co-City sponsored? Yes ☐ No ☒

Request for permission to use a public venue for the following type of event (please check one):

Festival ☒ Community Event ☐ Arts & Crafts Event ☐ Music Event ☐ Other (specify) ☐

Event title: Fiesta de Tomball

1. Sponsoring entity: Progreso Multicultural Foundation
2. Is this organization based in Tomball: Yes ☒ No ☐
3. Is this organization *non-profit* ☒ or *for-profit* ☐ *Attach 501 (c) (3) tax exemption if applicable
4. Contact: Amy Lopez Phone: 346-322-7663
5. Contact address: 1100 S. Cherry St. Apt 1301 Tomball, Tx 77375
6. Contact email: my2ds1s@gmail.com
7. Event date: 24 September 2022
8. Event times: Start 1100 Finish 1700 Set-up 0800 Breakdown 1800
9. Event location: Tomball Depot
10. Is this event for charity? Yes ☒ No ☐
11. If yes, what charity? Progreso Multicultural Foundation Tax ID
12. If yes, what percentage of net proceeds will be donated to the charity? 10%
13. On-site contact: Amy Lopez Mobile Phone: 346-332-7663
14. Estimated number of attendees: 200+
15. Detailed site map in attached: Yes ☒ No ☐
16. Is this event open to the public: Yes ☒ No ☐
17. Admission fee: \$ Free ☒
18. Time at which event staff will begin to arrive: 0800
19. The applicant will defend and hold harmless the City of Tomball from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such application including attorney fees and expenses.
Initial AL
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured.
Initial AL
21. Name of insurance carrier: Kaiff Insurance
22. Organization has secured date with the Public Works Dept. and has paid deposit.

Signature: 

FOR OFFICIAL USE - Fee required: Yes ☐ No ☐

Amount Due: \$

Please complete the following application. As special events vary, some questions may not be applicable. Please indicate "N/A" where necessary.

General Information

Please print or type

Name of Applicant

Amy Lopez

Address of Applicant (including city, state, zip)

1100 S. Cherry St. Apt 1301
Tomball, TX 77375

Phone Number

346-332-7663

Email Address

my2ds1s@gmail.com

Dates and Times of Event

24 September 2022 1100-1700

Set Up/Tear Down Dates and Times if Different

0800-1800

Name of Event

Tomball Latino Festival

Location of Event

Tomball Depot
201 South Elm,
Tomball, TX 77375

Does the Facility Carry Liability Insurance?

☐ YES ☐ NO

Estimated Daily Attendance

200+

Estimated Total Gross Receipts (\$)

\$1000+

Detailed Description of Event Including list of activities and attractions

Coverage desired (choose all that apply)

☒ General Liability ☒ Liquor Liability ☒ Accident Coverage ☒ Excess Liability

Total Liability Limits Required (excluding liquor liability)

Per Occurrence

General Aggregate

To Be Completed if Event Includes AlcoholIs Alcohol to be Sold at this Event? ☒ YES ☐ NODoes Applicant (Insured) have a valid liquor license or permit? ☐ YES ☒ NO
(Note: If yes, a copy will be requested to have on file)Have all servers and bartenders completed a certified alcohol training course/alcohol awareness program such as TIPS, TAMS or other state accepted courses? ☒ YES ☐ NO

Estimated Number of Attendees Consuming Alcohol Daily 100+

Is Applicant the Sole Vendor of Alcohol at the Event? ☐ YES ☒ NO

If No, Please List Number of Vendors Serving Alcohol

NONPROFIT INFORMATION			
1. Type of Organization:	<input type="checkbox"/> Fraternal	<input type="checkbox"/> Religious	<input type="checkbox"/> Charitable
	<input type="checkbox"/> Nonprofit Historic Preservation	<input type="checkbox"/> Civic	<input type="checkbox"/> Political Party/Association
2. Organization/Corporation/Candidate Name:	Progreso Multicultural Foundation		
3. Federal Employer's ID# (FEIN):			
TEMPORARY EVENT INFORMATION			
4. Event Dates and Times (Dates and times must include delivery and/or storage of alcohol.)			
Start Date: 24 Sept 2022 Time: 1100 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/> End Date: 24 Sept 2022 Time: 1700 AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>			
5. Type of Event (festival, picnic): Festival			
6. Event Address Street #:	Street Name:		
201	South Elm		
City:	County:	Zip Code:	
Tomball	Harris	77375	
7. Description of Event Location: (Ex: parking lot, north side of park, booth no., etc. Note: Submit site map.) Tomball Depot			
8. Does this event involve a promoter or an organizer?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If "YES," Name of promoter or primary organizer: _____			
9. Does this event involve sponsorship from a license/permit holder?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If "YES," enter license/permit number and tradename: _____			
License/Permit # _____ Trade Name: _____			
10. Other than the permission to sell alcohol on this property (question 13), do you have any other contracts and/or agreements (either verbal or in writing) associated with this event, such as sponsorship and/or third-party agreements? If "YES," attach copy, as applicable.			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. By checking "Yes" you confirm the event location address is wet for the sale of alcoholic beverages for which you are applying for in this application. This must be confirmed with the County Clerk.			<input type="checkbox"/> Yes
12. By checking "Yes" you confirm you have obtained all necessary authorizations from your municipality and county that may be required for your event.			<input type="checkbox"/> Yes
13. By checking "Yes" you have obtained permission to sell/serve alcohol from the owner of premise and have attached a copy from property owner.			<input type="checkbox"/> Yes
If "YES," attach copy.			
IF THIS EVENT IS AT A LOCATION WITH A PENDING ORIGINAL APPLICATION THAT IS REQUIRED TO POST A 60-DAY SIGN, STOP. CONTACT YOUR LOCAL TABC OFFICE.			
CONTACT INFORMATION			
By signing below, you affirm, and represent to TABC, that the above information is true and correct, and that you have the legal authority to request the privilege identified in this application on behalf of the organization named in this application.			
14. Name of Contact for this Application:		Position/Title:	
Amy Lopez		Founder/President	
Contact Phone No.:		Contact Email Address:	
346-332-7663		my2ds1s@gmail.com	
Mailing Address:	City:	County:	Zip Code:
1100 S. Cherry St. Apt 1301	Tomball	Harris	77375
WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."			
I, <u>Amy Lopez</u> swear that I have legal authorization to apply for and receive this permit.			
SIGN HERE		TITLE <u>Founder and President of Progreso Multicultural Foundation</u>	
Before me, the undersigned authority, on this _____ day of _____, 20____, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.			
SIGN HERE		SEAL	
NOTARY PUBLIC			

Farmers Market
9am- 1pm
Festival
11am – 5pm

Alley

Tax
Office

Barns at the Depot
Market Street

JOES

S. Elm Street

Market St

Vendors

Vendors

Stage

DEPOT

Food trucks

S. Walnut

Depot driveway

W

Restroom

Vendors

Gazebo

Event participant and band parking along north side of street

Caboose

Washers

Pond

Fannin Street

Fiesta de Tomball September 24th, 2022

Event participant
parking in raised
grassed area
weather permitting

- △ Wood Barrier
- ▲ Water Barrier
- ⚡ Electricity
- Porta Cans
- Water

CONTACT: Sasha Smith
Phone: (832) 657-6759

We are Progreso Multicultural Foundation, in the process of becoming a 501(c)3 nonprofit.

The Progreso Multicultural Foundation members are: Founder and President (Amy Lopez), Chief Director of Operations (Gregoria Cardenas), Chief Director of Logistics (Vicky Wharton), Chief Director of Community Relations (Troy Garza), Secretary (Mandy Garza), Treasurer (Jeff Wharton), and Manager of Operations (Gustavo Cardenas).

The mission is dedicated to the forward development of culturally diverse small businesses while empowering our culturally diverse youth to succeed.

The Progreso Multicultural Foundation would like to host “Fiesta de Tomball”, to promote the diverse Latino cultures throughout Tomball and our surrounding cities by coming together and sharing the various food, music, art forms, and history.

We would like to have it at the Depot, September 24th, 2022. A one day event just to get started and see how well it does so we may continue to expand throughout the years.

The long vision is an established foundation which will provide a culmination of resources throughout the community and its surrounding areas to benefit and enhance the lives of our culturally diverse community.

As for the Fiesta de Tomball, attached you will find documents with a map layout of the festival, list of food trucks, vendors, and entertainment. In addition, we will be acquiring our event license and alcohol event permit. Furthermore, we are actively seeking interested parties for event sponsorship.

Respectfully,

Founder and President
Amy Lopez
Progreso Multicultural Foundation
My2ds1s@gmail.com
346-332-7663

Fiesta de Tomball

Non food truck vendors

1. A bit of everything party (Angela & Marie)
2. Mike Vaugh & RC Calvo (Camp Gladiator)
3. Larissa Tucker (The Brownie experience)
4. Scentsy (Lindsey)
5. Michelada 76 (Anthony)
6. Geomilas- face painting/light up toys (Kenia Guerin)
7. Patrick Morales (Mortgage)
8. Elizabeth Minjares (Realtor)
9. Sara Mata (Realtor)
10. Yesenia (Caspian team/mortgage)
11. D.Creativedesigns (T-shirt Claudine)
12. Norma Castillo (Farmasi cosmetics)
13. Ignite Nutrition Club
14. Denise Nelms (travel agent)
15. I Bake, you take (Ginnie & Rene)
16. Patrick Morales (mortgage)
17. Raspado xperts
18. Yuly Ojeda- light up toys & face painting
19. Jennifer Velasquez - Color me street
20. Wiltz- candles & art
21. Cultura Mia - Mexican shoes & dresses
22. Carolyn Ramirez - arts & crafts
23. Merlan construction
24. Toothsome texas BBQ
- 25.
- 26.
- 27.
- 28.

FOOD TRUCKS

1. El Fiero
2. Benny's bites
3. Benny's corn taqueria
4. Latin + 58
5. Tommy & Jane BBQ
6. Puckett's sno-cone

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: June 6, 2022

Topic:

Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney's duty requires to be discussed in closed session

Background:

Origination: David Esquivel, City Manager

Recommendation:

Party(ies) responsible for placing this item on agenda: David Esquivel, City Manager

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Doris Speer</u>	<u>5-27-2022</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date