



**May 10, 2022**

**Ms. Meagan Morris  
Owner & Creative Director  
Sip Hip Hooray  
210 W. Main Street  
Tomball, Texas 77375**

**Re: Event Marketing Grant – Performance Agreement Commitment Letter**

Dear Ms. Morris:

The Board of Directors (the “Board”) of the Tomball Economic Development Corporation (“TEDC”) has received and reviewed your Marketing Grant Proposal (the “Proposal”) regarding the Shop and Stroll events in Old Town Tomball (the “Project”). The Board is limited by State law on the types of projects and events for which it can authorize funding. TEDC funds can be used to fund the Program, but the Board must hold a public hearing, find that the expenditure promotes new or expanded business development, and, the City Council (the “Council”) must approve of the expenditure during two Council meetings. Upon approval of the Project by the Board and the Council, the TEDC will be authorized to financially support the Project by providing an expenditure for advertising, promotion, and marketing of the Project in an amount not to exceed forty thousand five hundred forty-five dollars (\$40,545.00) (the “Funding”), subject to the conditions provided below. The purpose of this Performance Agreement Commitment Letter (this “Letter”) is to provide the terms and conditions of the Funding for the Project.

**The conditions to the Funding are as follows:**

(1) Sip Hip Hooray (the “Applicant”) may request the Funding for the Project upon completion and certification that the Project, or portions of the Project, have been completed, advertising expenses have been incurred, and marketing and promotional materials have been purchased. Proof of payment must be submitted in conjunction with the request for all or a portion of the Funding.

(2) **Project Obligations.** The Applicant shall, at its sole cost and expense:

- a.** create, program, advertise, market, promote, produce, and manage the Project as described in Schedule A;
- b.** notify the TEDC in writing of any planned or anticipated changes to the Project;
- c.** on a timely basis, secure, and throughout the Project period, fully comply with all licenses, permits, and approvals required by applicable law in connection with the Project; and,

d. otherwise comply, and cause its subcontractors and all other Project marketers to comply, with all applicable laws.

**(3) Employment Obligations.** The Applicant shall maintain ten (10) full-time jobs throughout the term of the Project period.

**(4) Refund Obligations.** The Applicant shall be required to refund to the TEDC any portion of the Funding provided to the Applicant under this Letter if the Applicant fails to comply with the terms of this Letter.

The conditions and terms of this Letter will be provided to the Applicant in the form of a Performance Agreement. The Board and the Council may impose other conditions or requirements on the Funding in addition to those provided above. In the case that any addition or amendment to the Funding this Letter is made by the Board or the Council, then such addition or amendment will be incorporated into the Performance Agreement.

If the conditions above are satisfactory to you, please have an authorized officer of Sip Hip Hooray sign below acknowledging that you are in agreement and return this Letter to the TEDC.

**AGREED AND ACCEPTED:**

**FOR: SIP HIP HOORAY:**

**FOR THE TEDC:**

**By:** \_\_\_\_\_  
**Name:** Meagan Morris  
**Title:** Owner and Creative Director

**By:** \_\_\_\_\_  
**Name:** Gretchen Fagan  
**Title:** Board President

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **SCHEDULE A**

### **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***