

February 26, 2025

**The Honorable Mayor and City Council
City of Tomball
401 West Market Street
Tomball, Texas 77375**

Re: Letter of Agreement for Funding of Main Street Utility Relocations

Dear Mayor and Councilmembers:

The City of Tomball (the “City”), by letter dated February 10, 2025 (the “Request Letter”), which is attached hereto as “Exhibit A”, requested financial assistance from the Tomball Economic Development Corporation (the “TEDC”) for the relocation of city utilities (water, sewer, and gas) in conjunction with the FM 2920 Main Street Reconstruction Project (the “Project”). Through the Request Letter, the City has requested that the TEDC provide One Million Dollars (\$1,000,000) to fund a portion of the utility relocations for the Project (the “Funds”).

The TEDC hereby agrees to provide the Funds subject to the City’s acknowledgement and compliance with the following conditions:

1. The transfer of Funds contemplated in this Letter of Agreement are subject to all applicable rules associated with a project of the TEDC as provided in Chapter 505 of the Texas Local Government Code;
2. The Funds shall be deposited in a separate TEDC account dedicated to the Project and shall not be commingled with any other TEDC funds;
3. The City may request the funds from the TEDC as it incurs expenses related to the design and/or construction of the Project;
4. The Funds shall only be used for the Project as provided herein;
5. The City shall keep a complete and accurate accounting of all expenditures of the Funds and make such records available to the TEDC; and
6. In the event the total amount of the Funds transferred by the TEDC to the City are not used to fund the utility relocations for the Project as provided herein, then upon completion of the Project, the City shall remit the remaining portion of the Funds to the TEDC.

If the above terms and conditions are acceptable to the City, please have an authorized officer of the City sign below acknowledging the City's agreement and return this Letter of Agreement to the undersigned. Upon receipt of this signed Letter of Agreement, the TEDC's Treasurer will be directed to transfer the Funds as provided above.

Yours very truly,

By: _____
Gretchen Fagan, President
Board of Directors

AGREED AND ACCEPTED:

CITY OF TOMBALL, TEXAS

Lori Klein Quinn, Mayor

ATTEST:

DATE:

EXHIBIT A: City's Request for Funding