

RESOLUTION NO. 2023-10-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 THE CITY OF TOMBALL, TEXAS TO MAKE
DIRECT INCENTIVES TO, OR EXPENDITURES FOR,
IMPROVEMENTS TO JERRY MATHESON PARK; CONTAINING
OTHER PROVISIONS RELATING TO THE SUBJECT; AND
PROVIDING FOR SERVABILITY.**

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WHEREAS, the Tomball Economic Development Corporation (the "TEDC"), created pursuant to the Development Corporation Act, now Chapter 501 of the Texas Local Government Code, as amended (the "Act"), desires to adopt projects and provide incentives for economic development within the City; and

WHEREAS, the Board of Directors of the TEDC had adopted as a specific project the expenditure of the estimated amount of Two Hundred Thousand Dollars (\$200,000.00) found by the Board to be required or suitable for improvements to Jerry Matheson Park located at 1240 Ulrich Rd., Tomball, Texas 77375; and

WHEREAS, pursuant to the Act, the TEDC may not undertake such project without the approval of Tomball City Council; and

WHEREAS, City Council finds and determines that such project is authorized by Section 505.152 and 505.154 of the Act; now, therefore,

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

Section 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. The City Council hereby authorizes and approves the adoption, by the Board of Directors of the Tomball Economic Development Corporation, as a specific project for the economic development of the City, an expenditure of the estimated amount of Two Hundred Thousand Dollars (\$200,000.00) to the City of Tomball, in accordance with an economic development agreement by and between the TEDC and The City of Tomball, to make direct incentives to, or expenditures for, improvements to Jerry Matheson Park.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this ____ day of _____, 2023.

PASSED, APPROVED, AND RESOLVED on second and final reading this ____ day of _____, 2023.

GRETCHEN FAGAN, President

ATTEST:

TRACY GARCIA, City Secretary