

CITY OF SEGUIN

RESOLUTION NO. ____

STATE OF TEXAS

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS
AUTHORIZING A FIRST AMENDMENT TO THE ECONOMIC DEVELOPMENT
PERFORMANCE AGREEMENT WITH ACEROTECA METALS, LLC.**

WHEREAS, the Seguin Economic Development Corporation (the “SEDC”) is a public instrumentality and non-profit industrial development corporation duly established and operating under Texas Local Government Code, Chapters 501 and 504, *et seq.*, as amended, known as the Development Corporation Act of 1979 (the “Act”); and

WHEREAS, the SEDC and Aceroteca Metals, LLC (hereinafter “Aceroteca”; collectively, the SEDC and Aceroteca are referred to as the “Parties”) entered into an Economic Development Performance Agreement dated August 3, 2023 (the “Agreement”), wherein the SEDC agreed to provide certain incentives to Aceroteca for constructing and operating a new manufacturing facility in the City of Seguin, Texas, subject to the terms, obligations, and conditions outlined in the Agreement; and

WHEREAS, the Parties acknowledge that Aceroteca has met the Agreement’s capital investment obligations, as well as the business operations commencement deadline outlined within their approved Agreement; and

WHEREAS, due to unforeseen delays in getting necessary equipment delivered, installed, and operational within the facility, an essential requirement to being able to hire workers and begin producing product for sale, Aceroteca has requested more time in order to meet their job creation and annual salary obligations as outlined within their approved Agreement; and

WHEREAS, the Parties now wish to enter into the First Amendment to the Economic Performance Agreement to extend the time allowed for Aceroteca to fulfill the job creation and annual payroll requirements specified in Article IV(2)(c) of the Agreement; and

WHEREAS, on May 15, 2025, the SEDC Board of Directors approved Resolution NO. 2025-06, authorizing a First Amendment to the Economic Development Performance Agreement with Aceroteca Metals, LLC;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Seguin, Texas:

SECTION 1. The Seguin City Council hereby finds that all the recitals above are true and correct and are incorporated herein as if restated in full.

SECTION 2. The Seguin City Council hereby approves the First Amendment to the Economic Development Performance Agreement included as Exhibit “A”.

SECTION 3. The Seguin City Council hereby authorizes the Executive Director to take all

necessary actions to execute the Amendment as approved by the SEDC attorney, and any necessary subsequent documents to effectuate the performance of this Resolution.

SECTION 4. This Resolution is effective upon passage.

PASSED AND APPROVED on this **3rd day of June 2025**, by the City Council of the City of Seguin, Texas.

DONNA DODGEN, MAYOR

ATTEST:

Kristin Mueller
City Secretary