

STATE OF TEXAS

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE A MUTUAL
TERMINATION AGREEMENT FOR AN EXISTING PERFORMANCE
AGREEMENT BETWEEN THE SEGUIN ECONOMIC DEVELOPMENT
CORPORATION AND PREMIUM WATERS, INC.**

WHEREAS, on April 18, 2023, the City of Seguin ("City") approved Resolution 2023R-075, authorizing the Seguin Economic Development Corporation (SEDC) to execute a Performance Agreement for economic development incentives with Premium Waters, Inc.; and,

WHEREAS, the SEDC and Premium Waters, Inc. (hereinafter "Premium Waters"; collectively, the SEDC and Premium Waters are referred to as the "Parties") then entered into an Economic Development Performance Agreement dated April 19, 2023 (the "Agreement"), wherein the SEDC agreed to provide certain incentives to Premium Waters 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 the Premium Waters has failed to meet the obligations outlined in the Agreement, specifically those related to a minimum capital investment and minimum creation of new jobs by the required date, and the Parties have found that there is no remedy or foreseeable cure for either of these items that could be reasonably considered; and

WHEREAS, Premium Waters intends to continue working diligently to grow their operations in a manner that positive for the Seguin community and will work with the City and SEDC on future expansion opportunities and needs; however, at this time the Parties wish to enter into a Mutual Termination Agreement which would effectively end all current Performance Agreement terms and obligations between the City, the SEDC, and Premium Waters.

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

SECTION 1. The City Council authorizes the City Manager to execute the Mutual Termination Agreement on behalf of the City.

SECTION 2. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED this 7th day of July 2026.

**DONNA DODGEN
MAYOR**

ATTEST:

Kristin Mueller, City Secretary