



**It's real.**

## MEMORANDUM

To: City of Seguin Mayor and Council

From: Andy Quittner, City Attorney *AQ*

Date: November 23, 2020

Re: Resolution approving a Capital Improvement and Wastewater Service Agreement with NB Dean, LLC

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NB Dean, LLC is planning to build a four hundred plus single family residential subdivision (Jaro North) east of Highway 123 bordering the northern edge of FM 758. The subdivision is not in the City limits and currently does not lie within the City's certificated area for sanitary sewer service. The area is not within any other entity's certificated sanitary sewer service and lies just across FM 758 from the City's service area; therefore, the subdivision is subject to inclusion in the City's certificated area.

NB Dean plans to build a sanitary sewer line that would cross FM 758 and connect to the sewer line being constructed by the Lennar Homes project. Lennar Homes has constructed a new sewer line from near FM 758 to Link Road and with City participation reconstructing the lines from Link Road at Highway 123 to IH-10 so that those lines could carry the capacity that will be generated from the northern portion of the City bordering Highway 123.

In order to serve potential customers along the southern part of NB Dean's line the City has requested that they oversize the line from 8 inches to 12 inches. Also, as part of an agreement to reserve up to 475 Living Unit Equivalents, the City is requiring NB Dean to construct the line at minimum slope (which increases the depth). As part of the reservation NB Dean will also pay the Wastewater Impact Fees on an accelerated schedule, rather than being paid by the homebuilder as construction occurs.

City staff recommends approval of the Agreement.