

STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH TEXAS LUTHERAN UNIVERSITY REGARDING THE REIMBURSEMENT AND INSTALLMENT PAYMENT OF WATER CONNECTION IMPACT FEES ASSOCIATED WITH THE VERNE LUNDQUIST STUDENT ATHLETIC CENTER PROJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Texas Lutheran University (TLU) is constructing the Verne Lundquist Student Athletic Center located at 815 Fritz Street within the City of Seguin; and

WHEREAS, the development of the project required the payment of Water Connection Impact Fees totaling One Hundred Ninety-Four Thousand Eight Hundred Fifty-Eight Dollars and Fifty Cents (\$194,858.50); and

WHEREAS, at the time of building permit approval, TLU's general contractor, Koehler Company, remitted the full payment of the required Water Connection Impact Fees to the City on behalf of TLU; and

WHEREAS, TLU has indicated that it was unaware of the timing of the payment made by its contractor and intended to request a payment plan for the impact fees; and

WHEREAS, following the payment, TLU requested that the City consider restructuring the payment into a phased installment plan; and

WHEREAS, City staff and TLU have negotiated a Memorandum of Understanding (MOU) that converts the lump-sum payment into a structured reimbursement and installment payment schedule while ensuring the City ultimately receives the full amount of the required impact fees; and

WHEREAS, under the terms of the MOU, the City will retain one-third of the initial payment in the amount of Sixty-Four Thousand Nine Hundred Fifty-Two Dollars and Eighty-Three Cents (\$64,952.83) as the first installment, refund the remaining balance of One Hundred Twenty-Nine Thousand Nine Hundred Five Dollars and Sixty-Seven Cents (\$129,905.67) to TLU no later than March 31, 2026, and invoice TLU for the remaining balance in two equal installments of Sixty-Four Thousand Nine Hundred Fifty-Two Dollars and Ninety-Three Cents (\$64,952.93) on June 1, 2027, and June 1, 2028; and

WHEREAS, the MOU obligates TLU to the repayment schedule and preserves the City's authority to assess reasonable late fees if payment deadlines are not met, while also allowing TLU to pay the remaining balance early without penalty; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS:

SECTION 1. The City Council hereby approves the Memorandum of Understanding between the City of Seguin and Texas Lutheran University regarding the reimbursement and installment payment of Water Connection Impact Fees associated with the Verne Lundquist Student Athletic Center project.

SECTION 2. The City Manager is hereby authorized to execute the Memorandum of Understanding and any necessary administrative documents on behalf of the City of Seguin.

SECTION 3. If any provision, section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have adopted this Resolution and each provision hereof irrespective of the fact that any one or more provisions may be declared invalid.

SECTION 4. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED on this 17th day of March 2026.

DONNA DODGEN
MAYOR

ATTEST:

Kristin Mueller, City Secretary