

MEMORANDUM

To: City of Seguin Mayor and Council
Steve Parker, City Manager

From: Jack Jones, Director of Parks & Recreation

Through: Rick Cortes, Deputy City Manager

Subject: Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to enter into an Amendment to the Park Development Agreement for the Village of Mill Creek Subdivision; and declaring an effective date.

Date: November 1, 2022

The Village of Mill Creek is a residential development with approximately 442 units generally located east of Highway 46 and north of Rudeloff Road in the City of Seguin. On June 21, 2015, a Park Development Agreement was executed between the City of Seguin and the Developer, Peter Greenblum. In the Agreement, the Developer proposed public parkland dedication of 2.21 acres located at 1931 Highland Street. Park development was required in the amount of, at a minimum, \$88,400 per the Park Plan. Actual public parkland construction costs submitted were \$97,214.30.

On November 5, 2021, the City of Seguin verified completion of the proposed public parkland improvements as written in the Park Development Agreement. The City took over responsibility and maintenance of the proposed public parkland and park amenities from the Developer effective November 1, 2021, assuming completion of deeding the property to the City by the Developer. This was considered a neighborhood park as it mainly serves the residents living in the Village of Mill Creek subdivision given the size of the park and limited park amenities (small playground and small picnic pavilion).

In early September of 2022, the Homeowners Association (HOA) company that manages the Village of Mill Creek subdivision notified the Developer that the proposed public park was still in his name. The Developer notified City staff of the situation. City staff asked the Developer if there is any interest in the HOA taking over ownership and maintenance of the park as this subdivision was an outlier with a proposed public park as other subdivisions in Seguin have HOA owned and maintained parks. The Developer indicated HOA support to accept the ownership and maintenance of the park going forward.

At a special called meeting October 24, 2022, the Parks and Recreation Advisory Board unanimously recommended approval for City Council consideration the City staff recommendation for the park located in the Village of Mill Creek subdivision to become HOA owned and maintained going forward. City staff recommends approval of a Resolution of the City Council of the City of Seguin, Texas authorizing the City Manager to enter into an Amendment to the Park Development Agreement for the Village of Mill Creek Subdivision; and declaring an effective date.