

# NEWTON INDEPENDENT SCHOOL DISTRICT

Michelle Barrow, Superintendent of Schools

## AGENDA

The Newton Independent School District Board of Trustees will hold a Regular Meeting on Monday, August 15, 2022 at 6:00 PM in the Administration Building- 720 RUSK ST, NEWTON TX 75966  
720 RUSK STREET  
NEWTON, TX 75966.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. Call to Order
2. Prayer and Pledge of Allegiance
3. Public Forum
4. Reports from Administrators
  1. Superintendent's Comments
5. Employee Handbook 2022-23
6. Delinquent Tax Report
7. Budget Workshop #3
8. Report From District Facility Planning Committee
9. Regular Action Agenda
  1. Approve Hiring Norton Rose Fulbright as Bond Counsel
10. Executive Session

This closed session will be held in accordance with Section 551.001-551.084 of the Texas Government Code. (The Open Meetings Act) Should final vote be required with regard to any action, final decisions or vote will be taken in public open meeting.

**\*\*551.071, 551.074, 551.082, and 551.0821**

This closed session will be held in accordance with Sections 551.001 and 551.084 of the Texas Government Code (The Open Meetings Act). Should a final vote be required with regard to any action, final decision, or vote, such shall be taken in public open meeting.

\* Consultation with Legal Counsel (551.071) on matters related to a bond election

11. Regular Action Agenda
  1. 1. CONSIDERATION AND APPROVAL OF A RESOLUTION APPROVING AN ENGAGEMENT AGREEMENT FOR BOND COUNSEL LEGAL SERVICES WITH NORTON ROSE FULBRIGHT US LLP; AND OTHER MATTERS IN CONNECTION THEREWITH
    - A. Newton Independent School District (the "District") intends to engage Norton Rose

Fulbright US LLP to provide the District with bond counsel legal services pertaining to the District's issuance of public securities, including advising the District on its "official statement" to potential investors pursuant to Federal securities law and issuing a legal opinion as to the same.

- B. Norton Rose Fulbright US LLP has consistently demonstrated its competence, qualifications, and experience as an industry leader in public finance matters through the provision of bond counsel legal services, the representation of local governments on federal income tax matters, the publication of disclosure policies and the representation of state agencies and political subdivisions within the State of Texas on public finance matters.
- C. Accessing the public markets through the issuance of public securities and providing an "official statement" of the District to potential investors is governed by Federal securities law requires the advice of legal advisors that specialize in public finance matters and are well versed in Federal securities law.
- D. Engaging an attorney in private practice who specializes in public finance matters and is well versed in all aspects of public finance matters (including state law, federal income tax law and federal securities law) pursuant to an hourly fee arrangement would likely result in higher fees paid by the District and such fees incurred would be payable by the District through amounts in the District's General Fund, whether or not the public securities is issued.
- E. Fees for professional services in public finance matters, including bond counsel services, have traditionally been paid pursuant to a contingent fee contract, where such fees become payable only upon the successful issuance of the public securities and out of the public securities proceeds. Entering into a contract for bond counsel legal services with Norton Rose Fulbright US LLP (a firm that specializes in public finance matters and is well versed in Federal tax and securities law) payment of which is contingent on the District's successful issuance of public securities and payable out of public securities proceeds, provides the District a superior level of bond counsel legal services and fee(s) payable under the contract is reasonable in the public finance market and would likely be less than if such services were conducted pursuant to an hourly rate contract with an attorney specializing in public finance matters. This high level of bond counsel legal services pursuant to a contingent fee contract is in the best interest of the District.

2.

- 2. CONSIDERATION AND APPROVAL OF AN ORDER CALLING A BOND ELECTION TO BE HELD BY THE NEWTON INDEPENDENT SCHOOL DISTRICT, MAKING PROVISION FOR THE CONDUCT OF THE ELECTION, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

## 12. Executive Session

This closed session will be held in accordance with Section 551.001-551.084 of the Texas Government Code. (The Open Meetings Act) Should final vote be required with regard to any action, final decisions or vote will be taken in public open meeting.

**\*\*551.071, 551.074, 551.082, and 551.0821**

This closed session will be held in accordance with Sections 5512-001 and 551.084 of the Texas Government

Code (The Open Meetings Act). Should a final vote be required with regard to any action, final decision, or vote, such shall be taken in public open meeting.

\* Consultation with Legal Counsel (551.071) on matters related to a bond election

1. Resignations
2. Contracts

# **NEWTON INDEPENDENT SCHOOL DISTRICT**

Michelle Barrow, Superintendent of Schools  
720 Rusk Street Newton, TX 75966  
PH (409) 420-6600 FAX (409) 379-2189

## **BOARD BRIEFS**

The Newton Independent School District Board of Trustees held a regular meeting Monday, August 15, 2022 at 6:00 p.m. at NISD Administration Building, located at 720 Rusk Street, Newton, Texas 75966.

Board Members present were Donnie Meek, Johnny Westbrook, Edwina Lewis, Conley Todd, Shane Couey, Brent Noble, and Misti Spacek.

Administrators present were Michelle Barrow, Tabor Westbrook, Lydia Bean, Cathy Marshall, Bonetha Christopher, Malinda Ortolon, and Joni Miller.

## **ACTION ITEMS:**

Approved: An Engagement Agreement For Bond Counsel Legal Services With Norton Rose Fulbright US LLP

Approved: To Adopt An Order Calling A Bond Election

## **PERSONNEL:**

None