

**Regular Meeting Agenda****August 17, 2023****7:00 p.m.****Multipurpose Room, 209 Hudson St., Newark, TX 76071**

1. Call to order and announce quorum is present.
2. Pledge of allegiance and invocation.
3. Mayor Update.
4. Public Comments *This portion of the agenda is the public's opportunity to address the Council about any item listed on the agenda, except public hearings. Comments related to public hearings will be heard when the specific hearing begins. Individuals wishing to make public comment shall sign up to speak before the start of the meeting. Public comments are limited to three (3) minutes per speaker, unless otherwise required by law. Per the Texas Open Meetings Act, the Council is not permitted to take action on or discuss any item not listed on the agenda. Items suggested for action may be placed on a future agenda, at the Council's sole discretion.*

**CONSENT AGENDA**

*(Items listed on the consent agenda allow the Council to approve all items together without discussion or individual motions. Items may be removed from the consent agenda on the request of any one member of the Council. Removed items will be discussed and action taken immediately after the consent agenda.)*

5. Consider and act on the following items:
  - A. Council Meeting Minutes for July 20, 2023.
  - B. Accounts Payables for July 2023
  - C. Financial Statements for July 2023
  - D. Staff Reports- Municipal Court, Building Permits, Code Enforcement, and Public Works for July 2023.

## REGULAR AGENDA (NON-CONSENT)

6. Resolution approving a tax-exempt loan among the Newark Cultural Education Facilities Finance Corporation, New Braunfels Christian Academy and First Financial Bank. N.A. and related matters.
7. Discuss, consider and act on a request from Angela Lowe for relief on the August 2023 utility bill at 511 Rogers Rd.
8. Discuss, consider and act on a request from Jeanine Muhawenimana for relief on her July and August 2023 utility bill at 433 Sandy Bass Ln.
9. Conduct a public hearing, discuss, consider act on Ordinance No. A-546, amending the Code of Ordinances of the City of Newark, Texas, by amending Chapter 3, Building Regulations, Article 3.03, Technical and Construction Codes and Standards, by amending Divisions 3 through 9 to provide for updating the versions of the International Building Code (2021), International Residential Code (2021), National Electric Code (2020), International Plumbing Code (2021), International Mechanical Code (2021), International Fuel and Gas Code (2021), and International Energy Conservation Code (2021) and adopting local amendments to each code; and by creating Article 3.03, Divisions 10 and 11 adopting the International Swimming Pool and Spa Code (2021) and International Existing Building Code (2021) and adopting local amendments to each code; and by creating Article 3.03, Division 12 and 13 adopting the International Property Maintenance Code (2021), and the Public Works Construction Standards, North Central Texas, Fifth Edition (2017); and by amending Article 5.02. Fire Code to provide for updating the version of the International Fire Code (2021) and adopting local amendments to the fire code.
10. **EXECUTIVE SESSION** – In accordance with the Texas Government Code, Section 551.001, et.seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:
  - a. Pursuant to Section 551.071; Consultation with the attorney regarding pending or contemplated litigation, or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, re:
    - i.PUC Application for release of certificate of convenience and necessity from City of Rhome back to the City of Newark.
    - ii.Proposed Amendment to the Development Agreement with PMB Rolling V Land LP.
    - iii.**Interlocal Agreement** with Northwest ISD regarding water tank project.

11. **RECONVENE INTO OPEN SESSION** – In accordance with the Texas Government Code Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.
12. Meeting Adjourn.

**CERTIFICATION** – I certify that the attached agenda was posted on or before 7:00 pm on Monday, August 14, 2023.

  
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Jenni More, City Secretary



***NOTE:** Pursuant to Chapter 551, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting to receive legal advice from its attorney on any posted agenda item as permitted by law or to discuss the following: A. Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter and/or consult with attorney about pending or contemplated litigation or contemplated settlement of the same. Section 551.071. B. Discuss the possible purchase, exchange, lease or sell of value of real property and public discussion of such would not be in the best interests of the City's bargaining position. Section 551.072. C. Discuss negotiated gifts or donations to the City and public discussion at this stage would have a detrimental effect on the City's bargaining position. Section 551.073. D. Discuss the appointment, employment, evaluation, reassignment of duties, discipline, or dismissal of or to hear a complaint against a public officer or employee. Section 551.074. E. Discuss the commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility, or for incentives the City is willing to extend, or financial information submitted by the same. Section 551.087. F. Discuss the deployment or specific occasions for implementation of security personnel or devices. Section 551.076. G. Deliberations regarding economic development negotiations pursuant to Section 551.087. Following the closed Executive Session, the Council will reconvene in open and public session and take any such action as may be desirable or necessary as a result of the closed deliberations.*