

PUBLIC NOTICE

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036(a)

WHEREAS, the City of Bandera (the “City”) will consider approving a contingent fee contract with the law firm of Perdue Brandon Fielder Collins & Mott, L.L.P. (“Firm”) and hereby posts this notice pursuant to Sec. 2254.1036(a) of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting as described by Sec. 2254.1036(a)(1) of the Government Code and shall announce the following:

A. The City is pursuing a contract with the Firm for the collection of its delinquent utility fees owed to the City. Through this contract the City seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(a)(1)(A).

B. The City believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(a)(1)(B). The Firm has collected delinquent government receivables for over 50 years. The Firm currently has 15 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 400 individuals, including over 58 attorneys. It uses a multi-office, fully integrated team approach allowing the City access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes a proprietary collection software that can be tailored to meet any special need the City may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, messaging, mailings and phone calls, return mail and address updates, payment notification and processing and workflow.

C. The nature of any relationship between City and the Firm is as follows. GOVT. CODE § 2254.1036(a)(1)(C). The Firm represents the City in its collection of delinquent municipal court fine and fees.

D. The City is unable to collect its own delinquent utility accounts. GOVT. CODE § 2254.1036(a)(1)(D). The City currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the City.

E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(a)(1)(E). This percentage-based fee is an add-on fee of thirty percent (30%), on the total amount of delinquent utility fees due the City that are turned over to Firm. The collection of delinquent utility accounts is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed amount of the delinquent utility accounts due. Moreover, the City will bear the cost of these hourly fees and not the debtor, because Texas law does not expressly authorize the City to pay for collection services based on an hourly fee.

F. The City believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(a)(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent utility account.

Agenda Items for Discussion and possible action on the following items:

on the current contract for delinquent municipal utility collections and approval of a contingent-fee contract with Perdue Brandon Fielder Collins & Mott LLP.

Written Findings as to the Collections Contract with Perdue, Brandon, Fielder, Collins & Mott, LLP:

The City Council for the City of Bandera, (the “City”) pursuant to Section 2254.1036(b), of the Government Code, hereby finds the following to be true: 1) there is a substantial need for the legal services specified in said contract; 2) these legal services cannot be adequately performed by the attorneys and supporting personnel of the City; and 3) these legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which these services will be obtained or because the City does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

Therefore, this City Council hereby approves the contract by and between the City of Bandera and Perdue Brandon Fielder Collins & Mott, LLP, for professional legal services regarding the collection of utility fees services to be paid in accordance with Texas Code of Criminal Procedure.

APPROVED and EXECUTED this the ____ day of _____, 2026.

Hon. Denise Griffin
Mayor, City of Bandera, Texas