



# Delinquent Property Tax Collection Services

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CITY COUNCIL

MAY 4, 2026

# Delinquent Tax Collection Services

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## History of Delinquent Tax Collection Services

# Delinquent Tax Collection Services

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- The City of Burleson has contracted with Perdue Brandon Fielder Collins & Mott, LLP for delinquent property tax collection services since 1989.
- In July of 2025, a City Council member requested the City Manager bring the City's delinquent property tax collection services to the City Council for review.
- In preparation for the City Council review, City staff released RFQ 2025-002, Delinquent Tax Collection Services, which was posted to the City's Bonfire e-Procurement portal on August 17, 2025 and closed September 11, 2025.
- Two highly qualified firms submitted Statements of Qualifications responsive to RFQ 2025-002, Perdue Brandon Fielder Collins & Mott, LLP, and Linebarger Goggan Blair & Sampson, LLP.
- The RFQ evaluation results from the City staff evaluation committee were exceptionally close.
- City staff sought direction from both the Finance Committee and, later, the City Council.

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- On December 17, 2025, the Finance Committee discussed the issue of selecting a delinquent tax collection firm and requested staff to bring the item to the full City Council without a recommendation from the committee.
- On January 20, 2026, the City Council discussed the issue as a report and presentation item and heard from both law firms.
- At the January 20<sup>th</sup> meeting, the City Council directed City staff to bring back future agenda items to terminate the contract with Perdue and to secure the services of Linebarger for delinquent tax collection services.
- On March 2, 2026, the City Council discussed the issue and did not take action to begin the process of terminating its contract with Perdue Brandon Fielder Collins & Mott, LLP. At that meeting the City Council directed staff to bring back the item for additional remarks from both vendors before determining how to proceed.
- On April 6, 2026, the City Council heard a presentation from both firms and directed City staff to retain the services of Perdue.

# Delinquent Tax Collection Services

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Proposed Contract with  
Perdue Brandon Fielder Collins and Mott, LLP  
for Delinquent Tax Collection Services

# Delinquent Tax Collection Services

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- The City of Burleson has contracted with Perdue Brandon Fielder Collins & Mott, LLP, for delinquent property tax collection services since 1989.
- The proposed contract updates the current contract with Perdue with the following provisions:
  - Term. The current contract with Perdue is an evergreen contract, meaning it has no specific termination date. The term of the proposed contract is three (3) years. The three-year term is consistent with the RFQ put forth by the City in 2025.
  - Collection Fee. The current contract with Perdue allows for a collection percentage of 15%. Under the proposed contract, the collection percentage for tax year 2024 and all prior years remains at 15%, but for tax year 2025 and all subsequent years the collection percentage is 20%. The collection percentage is paid not by the City but by the delinquent taxpayers. The 20% collection fee is consistent with the RFQ put forth by the City in 2025. In 1989, the highest collection rate allowed was 15%; however, in 2001 the state legislature amended the law to allow a collection rate of 20%. The proposed contract allows Perdue to collect the maximum collection fee allowed by law.
  - Business Personal Property Tax. The current contract with Perdue does not allow for collection costs for the early collection of business personal property taxes. The proposed contract allows for this collection cost which will practically allow the City to begin the early collection of business personal property taxes.
  - Termination. Under the current contract, either party may terminate the contract by giving thirty days' notice to the other party, though the firm will have an additional six months to reduce to judgment all tax suits filed prior to termination. Under the proposed contract, during the initial three year term, the City can terminate essentially after 90 days, though the firm will have an additional six months to reduce to judgment all tax suits filed prior to termination.

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Written Findings as to the Contract with  
Perdue Brandon Fielder Collins and Mott, LLP  
for Delinquent Tax Collection Services

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- In accordance with Chapter 2254 of the Texas Government Code, if the City Council approves the proposed contract with Perdue, the City Council must also approve written findings regarding the contract as follows:
  1. There is a substantial need for the legal services specified in the proposed contract with Perdue; and
    - *This is because the City needs to collect delinquent ad valorem taxes.*
  2. The legal services set forth in the proposed contract with Perdue cannot be adequately performed by the attorneys and supporting personnel of the City of Burleson; and
    - *This is because 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.*
  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 of Burleson does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.
    - *This is because the Tax Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent ad valorem taxes. This percentage-based fee is assessed only against the debtor and not the City or taxpayers of the City. An hourly fee for such work will likely exceed the amount of delinquent ad valorem taxes due. Moreover, the City will bear the cost of these hourly fees and not the debtor, because the Tax Code does not expressly authorize the City to pay for collection services based on an hourly fee.*
- City staff prepared written findings consistent with the requirements under Chapter 2254.
- City staff also prepared and posted the required public notices under Chapter 2254.

# Action Item

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Consider and take possible action to approve a contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP, pursuant to Section 6.30 of the Texas Property Tax Code and written finding related to said contract, said contract being for the collection of delinquent government receivables owed to the City of Burleson and notice of said contract was posted with the agenda in accordance with Section 2254 of the Texas Government Code.

- Staff Recommendation: None.

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# Questions or Comments