

RESOLUTION NO. 2021-37(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN ANNUAL AGREEMENT BETWEEN LINEBARGER GOOGAN BLAIR & SAMPSON LLP AND THE CITY OF WYLIE PROVIDING FOR FINES AND FEES COLLECTION SERVICES.

WHEREAS, after having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the City of Wylie City Council desires to approve an Agreement for Fines & Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP; and

WHEREAS, after exercising due diligence the City of Wylie City Council finds and determines that: (i) there is a substantial need for the legal services to be provided pursuant to the Agreement for Fines & Fees Collection Services; (ii) these legal services cannot be adequately performed by the attorneys and/or supporting personnel of the City at a reasonable cost; (iii) these legal services cannot reasonably be obtained from attorneys in private practice under an agreement providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the application of the collection fee authorized by TX Code of Criminal Procedure Art. 103.0031 (for delinquent municipal court collections), and because the City of Wylie does not have the funds to pay the estimated amounts required under an agreement only for the payment of hourly fees; (iv) Linebarger Goggan Blair & Sampson, LLP, is well qualified and competent to perform the legal services required to comply with the terms of this agreement; (v) Linebarger Goggan Blair & Sampson, LLP, has provided specialized legal services for delinquent municipal court collections and closed utility accounts collection services to the City of Wylie since 2013 and the City of Wylie has been well satisfied with the quality and outcome of the legal services provided; and (vi) the agreement with Linebarger Goggan Blair & Sampson, LLP, was the result of an arm's length transaction between the City and Linebarger Goggan Blair & Sampson, LLP, and is fair and reasonable; and

WHEREAS, the City of Wylie City Council finds that it is in the public interest to approve the Agreement for Fines & Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP, and the findings set forth above appertaining to the agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

SECTION 1. The recitals set forth above in this Resolution are true and correct and are hereby incorporated herein.

SECTION 2. City of Wylie City Council hereby approves an annual Agreement for Fines & Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP and the findings appertaining to the agreement, and authorizes the Interim City Manager/Mayor to execute the agreement on behalf of the City of Wylie, Texas.

SECTION 3. All Resolutions, current or previous, in conflict with this Resolution are hereby repealed, and all Resolutions or portions thereof not in conflict with this Resolution shall remain in full force and effect.

SECTION 4: This Resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas on this the 26th day of October 2021.

Matthew Porter, Mayor

ATTEST TO:

Stephanie Storm, City Secretary