



RESOLUTION NO. 2021-077

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS APPROVING A CONTRACT FOR MUNICIPAL COURT FINES AND FEES COLLECTION SERVICES WITH LINEBARGER GOGGAN BLAIR & SAMPSON, LLP; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after having provided adequate notice as required by Section 2254.1036 of the Texas Government Code, the City Council desires to approve the Contract for Municipal Court Fines and Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP attached hereto; and

WHEREAS, after exercising due diligence the City Council finds and determines that: (i) there is a substantial need for the legal services to be provided pursuant to the Contract for Fines and Fees Collection Services; (ii) these legal services cannot be adequately performed by the attorneys and supporting personnel of the City at a reasonable cost; (iii) 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 application of the collection fee authorized by Texas Code of Criminal Procedure Art. 103.0031 and because the City of Farmers Branch does not have the funds to pay the estimated amounts required under a contract 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 Contract; (v) Linebarger Goggan Blair & Sampson, LLP has provided specialized legal services for delinquent ad valorem tax collections to the City of Farmers Branch for the previous 12 years for which the City of Farmers Branch, Texas has been satisfied with the quality and outcome of the legal services provided, and based on this past performance believe the Linebarger Goggan Blair & Sampson, LLP will perform at the same level with competence and professionalism in providing the legal services pursuant to the Contract for Municipal Court Fines and Fees Collection Services; and (vi) the Contract for Municipal Court Fines and Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP was the result of an arm's length transaction, fair and reasonable; and

WHEREAS, the City Council finds that it is in the public interest to approve the Contract for Municipal Court Fines and Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

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

SECTION 2. The City Council hereby approves the Contract for Delinquent Municipal Court Collections with Linebarger Goggan Blair & Sampson, LLP, attached hereto, and authorizes the City Manager, or designee, to execute the Contract on behalf of the City of Farmers Branch, Texas, and any amendments or instruments related thereto.

SECTION 3. All provisions of the resolutions of the City of Farmers Branch, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

SECTION 4. This Resolution shall become effective immediately upon its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS
BRANCH, TEXAS, THIS 1ST DAY OF JUNE 2021.**

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(PGS:5/2721:122612)