

NOTICE OF A PUBLIC MEETING

Notice is hereby given that a meeting of the City of Magnolia City Council will be held on January 11, 2022 at 7:00 PM for the purpose of considering and taking action on all matters on the agenda for the meeting, including approval of an agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP as special counsel to perform all legal services necessary to collect unpaid fines, fees and court costs as provided in Tx Code of Criminal Procedure Art. 103.0031, and to perform all legal services necessary to collect unpaid utility accounts and authorizing the execution of such agreement.

The agreement to be considered is necessary for the unpaid fines, fees, court costs and utility accounts owed to the City of Magnolia to be collected in the most effective manner. The City of Magnolia desires that such unpaid fines, fees and court costs be collected as provided in the Texas Code of Criminal Procedure and that such unpaid utility accounts be collected.

The Linebarger Goggan Blair & Sampson, LLP firm is fully qualified to provide this representation, being the largest law firm specializing in the collection of governmental receivables in the State of Texas, as well as the United States, and having been engaged in this specialized legal service for more than 40 years. In addition, the Linebarger Goggan Blair and Sampson, LLP firm possesses infrastructure and technology, such as call center technology, that the City of Magnolia does not currently possess.

Linebarger Goggan Blair & Sampson, LLP will represent the City of Magnolia with competence and professionalism, in the collection of unpaid fines, fees, court costs and unpaid utility accounts.

The specialized legal services required by this agreement cannot be adequately performed by the attorneys and supporting personnel of the City of Magnolia due to the high cost of implementing the appropriate infrastructure and technology and employing sufficient in-house attorneys and staff with the level of experience and competence necessary to perform these activities.

Linebarger will be compensated on a contingent fee basis as provided in Tx Code of Criminal Procedure Art. 103.0031. This Article specifically provides for an additional collection fee in the amount of 30 percent in certain cases to compensate collection attorneys. Also, Linebarger will be compensated 30 percent of the total amount collected on all utility accounts. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the City of Magnolia.

Entering into the proposed agreement is in the best interests of the residents of the City of Magnolia because the unpaid fines, fees, court costs and utility accounts will be professionally and competently collected without the additional costs to the City of implementing infrastructure and technology, and employing in-house personnel or paying outside counsel on an hourly fee basis which would otherwise be required.