



AGENDA MEMORANDUM

Future Item for the City Council Meeting of August 16, 2016
Action Item for the City Council Meeting of August 23, 2016

DATE: July 28, 2016

TO: Margie C. Rose, City Manager

FROM: Gilbert Hernandez, Director, Municipal Court Administration
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<p>Motion to Execute Collection Fee Contract</p>
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CAPTION:

Motion to authorize the City Manager or designee to execute a contract for the collection of delinquent Municipal Court fees, fines and court costs with the law firm of Linebarger, Goggan, Blair, & Sampson, LLP for a fee of 30% of amounts collected on delinquent accounts turned over to law firm, with collection fee to be paid by defendants. This is a one-year contract and may be extended for up to three additional one-year terms.

PURPOSE:

The Collections Program was established by Article 103.0031 of the Texas Code of Criminal Procedures, followed by City Code of Ordinances Sec. 29-51. This authorizes the Municipal Court to contract with a third-party vendor to perform collections, and add a 30% fee to every case delinquent 60 days or more payable by the defendant. It was established to assist municipal courts with the adjudication of unresolved cases in delinquent status and collections of delinquent fines.

BACKGROUND AND FINDINGS:

The Municipal Court's current contract with the law firm of Linebarger, Goggan, Blair, & Sampson, LLP expired on September 1, 2011. The contract was approved for a one-year term with the ability to extend for three additional one-year terms upon written request. Verbiage in the contract states "If the City has not awarded a new Municipal Court Collection Services Contract at the end of the contract, the City Manager may extend the contract on a month-to-month basis until a new contract is awarded."

At this time, the contract is on a month-to-month basis.

ALTERNATIVES:

Go through the RFP/RFQ process.

OTHER CONSIDERATIONS:

Not applicable.

CONFORMITY TO CITY POLICY:

City Council must authorize the City Manager to execute a contract or agreement that authorizes the collection of a 30% fee payable by the defendant and to the vendor, but administered by the court.

EMERGENCY / NON-EMERGENCY:

Non-emergency.

DEPARTMENTAL CLEARANCES:

Legal, Finance

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital X Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Comments: No financial impact is expected due to defendants incurring the 30% delinquent fee

RECOMMENDATION:

Staff recommends the City Council approve the proposed motion.

LIST OF SUPPORTING DOCUMENTS:

Corpus Christi Municipal Court Collection Services Contract – Final
Form 1295 – Linebarger Goggan Blair Sampson, LLP.