

EXHIBIT 2

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING COMPETITIVE PROPOSALS AND AWARDING A THREE (3) YEAR AGREEMENT FOR COLLECTION SERVICES FOR MUNICIPAL COURT FINES (PART C), BY AND BETWEEN THE CITY OF DENTON, TEXAS AND LINEBARGER, GOGGAN, BLAIR, AND SAMPSON, LLP; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (RFP 6133 PART C—AWARDED TO LINEBARGER, GOGGAN, BLAIR, AND SAMPSON, LLP IN AN AMOUNT WHICH IS CONTINGENT UPON ITS MONETARY RECOVERIES FROM PERSONS, IN ACCORDANCE WITH THE PERCENTAGES EXPRESSED IN ATTACHED CONTRACT).

WHEREAS, Article 103.0031 of the Code of Criminal Procedure provides that the governing body of a municipality may enter into a contract with an attorney or private vendor for collection services and may also authorize the addition of collection fees in the amount of 30% on each debt or account receivable such as fines, fees, restitution and other debts and costs, not including forfeited bonds, that are more than 60 days past due and that have been referred to the private vendor or attorney; and

WHEREAS, by Ordinance No. 2001-295, approved by the City Council on August 21, 2001, the City Council authorized the additional 30% collection fee allowed by Article 103.0031 of the Code of Criminal Procedure on each debt or account receivable such as fines, fees, restitution, and other debts or costs, not including forfeited bonds, that are more than sixty days past due and that have been referred to a private vendor or attorney; and

WHEREAS, the City Manager's staff has determined from an evaluation of responses to the City's Request for Proposal (RFP) for Municipal Court Collection Services that Linebarger, Goggan, Blair & Sampson, LLP, is the best qualified firm; and

WHEREAS, the City Council hereby finds and concludes that Linebarger, Goggan, Blair & Sampson, LLP, is appropriately qualified under the provisions of the law to be retained as a municipal court collection agency for the City; and

WHEREAS, the Code of Criminal Procedure provides for payment of the 30% additional collection fee for the foregoing services and the City Council deems it in the public interest to enter into a Contract For The Collection of Municipal Court Fines with Linebarger, Goggan, Blair & Sampson, LLP, for municipal court collection services; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The recitations in the preamble are true and correct, and are incorporated herewith as part of this Ordinance.

SECTION 2. The City Manager is hereby authorized to execute a Contract For The Collection Of Municipal Court Fines with Linebarger, Goggan, Blair & Sampson, LLP, relating to municipal court collection services as set forth above and authorized by Article 103.0031 of the Code of Criminal Procedure, in substantially the form of the Contract attached hereto and incorporated herein by reference.

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SECTION 3. The award of this Agreement is on the basis of the demonstrated competence and qualifications of Linebarger, Goggan, Blair & Sampson, LLP, and the ability of Linebarger, Goggan, Blair & Sampson, LLP, to perform the services needed by the City for a fair and reasonable price in accordance with the fees authorized by the Code of Criminal Procedure.

SECTION 4 This Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2017.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY



BY: _____