

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING AN AGREEMENT FOR DELINQUENT TAX COLLECTION WITH LINEBARGER GOGGAN BLAIR & SAMPSON; PROVIDING FOR CERTAIN FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the City Council desires to approve the Agreement for Delinquent Tax 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 Agreement for Delinquent Tax 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 nature of delinquent tax penalties provided by Texas Tax Code Sections 6.30, 33.07, 33.08, 33.11, and 33.48 and because the City of Allen 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 will provide specialized legal services to the City of Allen beginning September 24, 2019 and will do so with competence and professionalism; and (vi) the agreement with Linebarger Goggan Blair & Sampson, LLP is 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 Council finds it to be in the public interest to approve the Delinquent Tax Collection Agreement with Linebarger Goggan Blair & Sampson, LLP.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The facts and the recitals set forth above in this Resolution are hereby found and declared to be true and correct.

SECTION 2. After having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the City Council hereby approves the Delinquent Tax Collection Agreement with Linebarger Goggan Blair & Sampson, LLP attached hereto, and authorizes the City Manager to execute the agreement on behalf of the City of Allen, Texas.

SECTION 2. This Resolution shall become effective from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 24th DAY OF SEPTEMBER 2019.

APPROVED:

Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY

Shelley B. George, CITY SECRETARY