

NOTICE OF MEETING

September 2, 2020 7:00PM

CITY OF KEMAH- CITY COUNCIL

**Council Chambers, Kemah City Hall,
1401 Hwy 146, Kemah, Texas 77565**

VIRTUAL MEETING

Terri Gale-Mayor

Teresa Vazquez-Evans

Wanda Zimmer

Kyle Burks

Robin Collins

Isaac Saldaña

Council Position 1

Council Position 2

Council Position 3

Council Position 4

Council Position 5

Notice is hereby given that a meeting of the City Council of Kemah, Texas will be held on August 26, 2020 at 7:00 p.m. in the Council Chambers of Kemah City Hall, 1401 Hwy 146, Kemah, Texas 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 delinquent ad valorem taxes and also to collect unpaid fines, fees and court costs as provided in Texas Code of Criminal Procedure Art. 103.0031 and authorizing the execution of such agreement.

The agreement to be considered is necessary for the delinquent ad valorem taxes owed to the City of Kemah to be collected in the most effective manner. The City desires that such delinquent tax, penalties and interest be collected as provided in the Texas Tax Code and the City further desires that such unpaid fines, fees and court costs be collected as provided in Texas Code of Criminal Procedure Art. 103.0031.

The Linebarger Goggan Blair & Sampson, LLP firm is fully qualified to provide this representation, being the largest delinquent collection law firm 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 does not currently possess.

Linebarger Goggan Blair & Sampson, LLP has represented the City of Kemah for the past 27 years with competence and professionalism, in the collection of delinquent property taxes.

Linebarger Goggan Blair & Sampson, LLP has represented the City of Kemah for the past 14 years with competence and professionalism, in the collection of unpaid fines, fees and court costs.

The specialized legal services required by this agreement cannot be adequately performed by the attorneys and supporting personnel of the City 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.

For delinquent ad valorem tax collections, Linebarger will be compensated on a contingent fee basis as provided in the Texas Tax Code Sections 6.30, 33.07, 33.08, 33.11, and 33.48. These Texas Tax Code sections specifically provide for an additional penalty on delinquent taxes to compensate collection attorneys. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the City.

For the collection of unpaid fines, fees and court costs, Linebarger will be compensated on a contingent fee basis as provided in Texas 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. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the City.

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

CERTIFICATION

This is to certify that a copy of the Notice of Meeting of the Kemah City Council meeting for September 2, 2020 was posted on the bulletin board at City Hall, 1401 Hwy 146, Kemah, Texas 77565 on this 28st day of August, 2020, prior to 7:00pm.

Melissa Chilcote, City Secretary

In compliance with the Americans with Disabilities Act, the City of Kemah will provide reasonable accommodations for disabled persons attending City Council Meetings. Requests should be received at least 24 hours prior to the scheduled meeting, by contacting the City Secretary's office at 281-334-1611 or 1401 Hwy 146, Kemah, Texas 77565."

Virtual Meeting Information

ONLINE: <https://global.gotomeeting.com/join/625420029>

PHONE: United States (Toll Free): [1 877 309 2073](tel:18773092073)
United States: [+1 \(571\) 317-3129](tel:+15713173129)

ACCESS CODE: 625-420-029