

**NOTICE OF MEETING
OF
BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 6**

NOTICE is hereby given that the Board of Commissioners of the **BRAZORIA COUNTY EMERGENCY SERVICES DISTRICT NO. 6** ("District") will hold a meeting on **October 10, 2019**, at **6:00 p.m.** located at 201 S. Main Street, Brazoria, Texas 77422, at the Brazoria City Hall. At said meeting the Board will deliberate, discuss, consider and/or take final action on any or all of the following matters:

The District will consider and act upon the following matters:

1. Call meeting to order.
2. Invocation
3. Pledge of Allegiance & Texas Pledge
4. Roll call of Board of Commissioners.
5. Approve minutes from prior meeting.
 - a. June 6, 2019, meeting
 - b. September 12, 2019, meeting
6. Public comment.
7. Presentation by Service Provider, who may also participate in other agenda items.
8. Discuss and consider approval of District insurance.
9. Consider and approve professional service agreement with Myrtle Cruz, Inc. for bookkeeping services.
10. Discuss and consider approval of a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP pursuant to Sec. 2254.1036 of the Government Code, said contract being for the collection of delinquent government receivables owed to District. Notice required by Sec. 2254.1036 of the Government Code is attached to this agenda.
11. Approve payments of District's bills.
12. Closed Meeting – Executive Session.

Section 551.071, Subsection 2, Texas Government Code – Consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Texas Government Code:

Consultation with Attorney regarding legal issues arising out of Dispatch Contract with City of Brazoria and Sweeny Hospital District.

Consultation with Attorney regarding legal issues arising out of Emergency Medical Services Agreement with Sweeny Hospital District.

13. Discuss and consider approval of Dispatch Contract with City of Brazoria and Sweeny Hospital District.
14. Discuss and consider approval of Interlocal Agreement with Sweeny Hospital District.
15. Discuss and consider items which are to be placed on the agenda for the next meeting.
16. Reports by Commissioners.
17. Adjournment.

Brazoria County Emergency Service District No. 6 reserves the right to meet in closed session on any of the items listed above should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code: 551.071 Consult with Attorney, 551.072 Deliberations about Real Property, 551.073 Deliberations about Gifts and Donations, 551.074 Personal Matters, 551.076 Deliberations about Security Devices, and 551.087 Deliberations Regarding Economic Development Negotiations.

The meeting will be open to the public at all times during which such subjects are discussed, considered and formally acted upon in compliance with the open meetings law (Chapter 551, Texas Government Code).

Dated: October 7, 2019

BRAZORIA COUNTY EMERGENCY SERVICES
DISTRICT SERVICES NO. 6

By: _____


Tim Morrison, Secretary

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, the Brazoria County Emergency Services District No. 6 (“District”), will consider entering into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. (“Firm”) and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(2) of the Government Code and shall announce the following:

A. The District is pursuing a contract with the Firm for the collection of delinquent taxes/fines owed to the District and through this contract the District seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(1)(A).

B. The District believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(1)(B). The Firm has collected delinquent government receivables for nearly 50 years, including years of collecting delinquent taxes/fines. The Firm currently has 12 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 400 individuals, including 52 attorneys. It uses a multi-office, fully integrated team approach allowing the District access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need the District may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and work-flow.

C. The nature of any relationship between the District and the Firm is as follows GOVT. CODE § 2254.1036(1)(C):

The Firm has no previous relationship with the District.

D. The District is unable to perform and collect its delinquent taxes/fines. GOVT. CODE § 2254.1036(1)(D). The District currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the District.

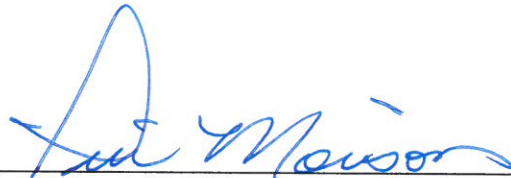
E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(1)(E). The Tax Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent taxes/fines. This percentage-based fee is assessed only against the debtor and not the District or taxpayers of the District. The collection of delinquent taxes/fines is a high volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely

exceed amount of delinquent taxes/fines due. Moreover, the District will bear the cost of these hourly fees and not the debtor, because the Tax Code does not expressly authorize the District to pay for collection services based on an hourly fee.

E. The District believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the District or taxpayers in the District.

NOW THEREFORE, be it resolved, the Brazoria County Emergency Services District No. 6 hereby approves the contingent fee contract between District and the law firm of Perdue, Brandon, Fielder, Collins and Mott, LLP for the collection of delinquent taxes/fines.

Executed this the 7th day of October, 2019.



On Behalf of the Brazoria County Emergency
Services District No. 6

Brazoria County, Texas