

NOTICE PURSUANT TO GOVERNMENT CODE SECTION 2254.1036

WHEREAS, the City Council of the City of McGregor, Texas ("City") will consider entering into a contingent fee contract with the law firm of McCreary, Veselka, Bragg & Allen, P.C. and hereby posts this notice pursuant to Section 2254.1036, Government Code.

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

1. The City is pursuing the legal services of McCreary, Veselka, Bragg and Allen, P.C. ("Firm"), in the collection of delinquent property taxes and municipal assessments due to it. The desired outcome of the legal services would be for the City to collect the delinquent property taxes and municipal assessments in an expeditious and cost-effective manner.
2. McCreary, Veselka, Bragg and Allen, P.C. has been competently collecting delinquent property taxes for over fifty years and currently represents cities, counties and school districts throughout Texas in the collection of delinquent property taxes. The Firm has also represented cities in the collection of municipal assessments. The City has checked on the abilities of the firm in these matters and found that the law firm has an excellent reputation as a competent, qualified, and experienced delinquent property tax collection law firm as well as municipal assessments.
3. The relationship between the City and McCreary, Veselka, Bragg and Allen, P.C. began in 1985, when the City retained the Firm to represent it in the collection of delinquent property taxes. That attorney-client relationship has continued through the present.
4. The legal services desired by the City that are the subject of the contract cannot be adequately performed by the attorneys and supporting personnel of the City. The attorneys and support staff that are already employed by the City are involved with other legal matters and do not have the time and resources to perform collection services.
5. The legal services desired by the City that are the subject of the contract cannot be reasonably obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingency because the City does not have funds in its budget to pay the estimated hourly fees and other costs incurred to implement an effective delinquent property tax collection and assessment program under a contract providing only for the payment of hourly fees and costs. The Texas Property Tax Code allows a city to recover a penalty to defray the costs of collecting delinquent property taxes, only if the City has entered into a contract with a private attorney.
6. The City has determined that a contingent fee contract with the Firm is in the best interest of the residents of the City of McGregor, Texas. The Firm will be paid a percentage-based collection fee, regardless of the number of hours the Firm spends researching, contacting, and mailing to collect the delinquent taxes and assessments due the City. The percentage-based fee will only be assessed against those persons who owe delinquent taxes to the City and will not be an expense to the City or its taxpayers who are not delinquent in the payment of their taxes.