



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 22-0758, **Version:** 1

Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with MVBA, LLC of Round Rock, Texas to Provide the Collection of Delinquent Fines, Court Costs and Fees

COUNCIL GOAL: Operational Excellence
(2B: Balance available resources to accommodate the growth and maintenance needs of the city)

MEETING DATE: August 16, 2022

DEPARTMENT: Municipal Courts

CONTACT: April Morman, Municipal Courts Administrator
Rosanne Lemus, Contract Administrator

RECOMMENDED CITY COUNCIL ACTION:

- Approval of Resolution.

ITEM SUMMARY:

- This Resolution authorizes the City Manager to execute a contract with MVBA, LLC of Round Rock, Texas for the collections of delinquent fines, court costs and fees.

BACKGROUND INFORMATION:

- MVBA, LLC is the existing legal firm to providing the reporting and collection services of past due fines, courts costs and fees from criminal or civil violations filed in the City of McKinney Municipal Court.
- Per the State of Texas Government Code Chapter 2254.1036. Governing body approval is required to enter into a contingent fee contract for legal services.
- This contract is in compliance with the State of Texas Code of Criminal Procedure, Title 2, Code of Criminal Procedure Chapter 103; Payment, Collection and Recordkeeping; Article 103.0031 Collection Contracts; (b) A commissioners court or governing body of a municipality that enters into a contract with a private attorney or private vendor under this article may authorize the addition of a collection fee in the amount of 30 percent on each item described in Subsection (a) that is more than 60 days past due and has been referred to the attorney or vendor for collection.

FINANCIAL SUMMARY:

- For the collection of Fines and Fees, the City agrees to pay to MVBA, as compensation for the legal services rendered the following fees:
 - For the Fines and Fees against Unadjudicated Offenses that occurred before June 18, 2003, there is no fee due (0%) to MVBA on the amount collected by the Court on those cases.
 - For those Fines and Fees imposed against Adjudicated Offenses regardless of the date of the offense, and against Unadjudicated Offenses that occurred on or after June 18, 2003, a fee of thirty percent (30%) of the Amount of the fines and Fees collected by the Court as provided by Article 103.0031 of the Texas Code of Criminal Procedure and McKinney Code § 66-24.
 - In the any case is disposed of by acquittal or dismissal, or if the fine, costs and/or fees are discharged through performance of community service, credit for jail time served, the discretionary removal of a collection fee by the Court or pursuant to § 45.0491 of the Texas Code of Criminal Procedure, no compensation shall be paid to MVBA by the City.

BOARD OR COMMISSION RECOMMENDATION:

- N/A