SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

For the Agenda of: October 23, 2014

To: Board of Directors
   Sacramento Metropolitan Air Quality Management District

From: Larry Greene, Executive Director/Air Pollution Control Officer and Kathrine Pittard, District Counsel

Subject: Adopt a resolution authorizing legal counsel to execute a contract for legal services to assist in debt collection efforts.

Recommendation

Staff recommends that the Board:

1. Approve the attached Resolution authorizing the District Counsel to sign the attached Attorney-Client Fee Agreement with Serlin & Whiteford, LLP, on behalf of the Sacramento Metropolitan Air Quality Management District (District).

2. Direct the Clerk of the Board to transmit fully executed documents to concerned parties.

Purpose

The purpose of this Contract is to allow SMAQMD to utilize debt collection services of Serlin & Whiteford, LLP to aggressively pursue all general collection matters.

Background

The District refers judgments to the Sacramento County Department of Revenue Recovery for collections. In some instances, where we know or reasonably anticipate that judgments will be hard to collect, the Board has approved referral of collection actions to Mark Serlin, Serlin & White LLP. The intent of the case-by-case process was, in part, to determine whether the District should enter into a general contract allowing District Counsel to refer difficult collection actions to Mr. Serlin.

Mr. Serlin has proven his abilities as a collection attorney by successfully collecting all or portions of these judgments in the actions referred to him by the District. Staff is satisfied with Mr. Serlin’s services, and request that the Board authorize the District Counsel to refer collection matters to Mr. Serlin in select matters where the need to protect the deterrent effect of the penalty process, the size of the judgment, and the likelihood of success justify the cost of using outside collection services.
Conclusion

District staff recommends that the Board approve the attached Resolution authorizing the District Counsel to execute a contract with Serlin & Whiteford, LLP for the firm’s debt collection services.

Fiscal Impact

Sufficient funds are budgeted in FY 14/15 to cover this contract.

Respectfully submitted:

Larry Greene
Executive Director/Air Pollution Control Officer

Approved as to Form:

Kathrine Pittard
District Counsel