SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

AQMD Resolution No. ________________

AUTHORIZING THE DISTRICT COUNSEL TO ENTER INTO AN ATTORNEY-CLIENT FEE AGREEMENT WITH SERLIN & WHITEFORD, LLP FOR DEBT COLLECTION SERVICES.

Whereas, SMAQMD is authorized under Health and Safety Code section 40701 to sue in the name of the District to enforce contracts or seek other appropriate legal remedies in the interests of the District;

Whereas, SMAQMD is also authorized under Health and Safety Code section 42403 to assess and recover civil penalties for violations of the Health and Safety Codes and the District’s regulations;

Whereas, SMAQMD has obtained monetary judgment in some matters, but has been unable to collect payment on the debts owed, despite diligent efforts;

Whereas, SMAQMD does not have the staff or resources to devote additional efforts to debt collection and is in need of an outside service to perform collection services;

Whereas, the law firm of Serlin & Whiteford, LLP will provide debt collection services on those outstanding judgments where the District has been unable to collect the judgment, and the need to protect the deterrent effect of the penalty system, the size of the judgment, and likelihood of success justify the cost of using outside services;

Whereas, Serlin & Whiteford, LLP is ready, willing and able to perform collection services on behalf of the SMAQMD on the terms and conditions given under a contract;

Now, therefore, be it resolved and ordered by the SMAQMD Board of Directors that the District Counsel is authorized to sign a contract with Serlin & Whiteford, LLP on behalf of SMAQMD for debt collection services.

Be it further resolved that the District Counsel is authorized and directed to perform all actions necessary to carry out the purpose of this resolution and is further authorized to make minor amendments to the contract that may be necessary to fully implement the intent of the resolution.
ON A MOTION by Director __________________________, seconded by Director __________________________, the foregoing Resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District, State of California, this 23rd day of October 2014, by the following vote, to wit:

AYES: Directors

NOES: Directors

ABSENT: Directors

Chair, Board of Directors
Sacramento Metropolitan
Air Quality Management District

(SEAL)

ATTEST:
Clerk of the Board of Directors