

THE TOWN OF FOREST HEIGHTS
RESOLUTION 15-13

A RESOLUTION TO APPROVE A CONTRACT ADDENDUM BETWEEN THE TOWN OF FOREST HEIGHTS (THE "TOWN") AND MUNICIPAL COLLECTIONS OF AMERICA, INC. ("MCA") TO PROVIDE CERTAIN DEBT COLLECTION SERVICES FOR THE TOWN; AND TO CLARIFY AND FURTHER ESTABLISH WHEN CERTAIN AUTHORIZED FEES ARE TO BE ASSESSED AND COLLECTED; AND GENERALLY RELATING TO THE COLLECTION OF SPEED CAMERA FINES AND FEES

Introduced By: Mayor Jacqueline Goodall

WHEREAS, Section 33-90 of the Town Charter authorizes the Mayor and Council to pass certain legislation of a non-permanent or administrative nature by formal resolution in lieu of ordinance; and

WHEREAS, the Council has previously passed on May 16, 2012, Ordinance 04-12, thereby amending Section 15.9 of the Town Ordinance Code authorizing a debt collection agency fee not to exceed two (2) times the past due amount or total sum indebted in certain cases where the debts in speed camera cases are left unpaid or uncollected; and

WHEREAS, MCA is a duly licensed collection agency specializing in municipal debt collections, headquartered in the State of Illinois, registered to do business and further licensed in Maryland as a debt collections agency; and

WHEREAS, the Town Council on October 17, 2012 approved Resolution 63-12 authorizing the Mayor to execute on behalf of the Town a "Collections Services Agreement" by and between The Town of Forest Heights, Maryland and Municipal Collections of America, Inc.; and

WHEREAS, the Town Council on November 13, 2012 approved Resolution 78-12 approving a specific debt collection fee of \$39.42 or 61% of the outstanding debt for the collection of unpaid or delinquent speed camera fines and fees; and

WHEREAS, it has been determined that the debt collection agency fee authorized by said Ordinance 04-12 shall apply only to speed camera citations issued since the effective date of said ordinance, and that a different rate structure should be negotiated between the parties in order to properly collect speed camera debts that accrued prior to said Ordinance's effective date; and

WHEREAS, in addition to those debts accrued since June 15, 2012 and previously authorized for collection applying an additional collections fee of 35%, the Mayor and Town Council finds that it is in the best interest of the Town to hereby further authorize MCA to collect for a reduced fee or commission of 30% any debts, fees and/or fines listed for collection and recovered by MCA to be collected and administered pursuant to the terms and conditions of the said existing professional services agreement, as amended and approved by this Resolution.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves and authorizes the Mayor to execute on behalf of the Town an "Addendum to Collection Service Agreement" by and between The Town of Forest Heights, Maryland and Municipal Collections of America, Inc. (the "Addendum"), including any terms, conditions or obligations found or adopted by reference therein, to be

THE TOWN OF FOREST HEIGHTS
RESOLUTION 15-13

dated the 20th day of February, 2013, which is attached hereto and incorporated by reference herein as Exhibit 1; and

BE IT FURTHER RESOLVED, that any debts incurred or arising from speed camera citations and any other applicable and authorized fees that were issued or accrued on or after the effective date of Ordinance 04-12, June 15, 2012, shall include the debt collection fee specifically established and authorized by Resolution 78-12, to wit: \$39.42 for any unpaid speed camera violation or delinquent account having a base debt or delinquency of \$65.00 (i.e., \$40.00 fine plus \$25.00 late fee) as authorized by Section 15.9 of the Ordinance Code of the Town, and that all other speed camera delinquencies accrued after said effective date of June 15, 2012 that otherwise vary from said base debt amount, a debt collections fee equal to 61% of the outstanding debt shall apply; and

BE IT FURTHER RESOLVED, that any debts incurred or arising from speed camera citations and any other applicable and authorized fees that were issued or accrued before the effective date of Ordinance 04-12, June 15, 2012, shall not include any additional debt collection fee but shall be collected and distributed between the Town and its agents in the manner called for by law and the applicable prior agreements, and as otherwise approved and authorized for amendment herein.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

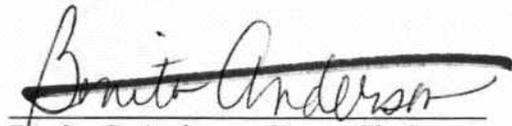
PASSED this 20th day of February 2013.

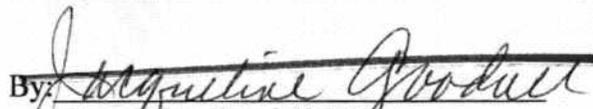
APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

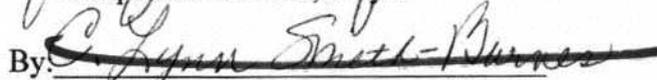
<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
GOODALL	<u>YEA</u>
KENNEDY	<u>YEA</u>
STONER	<u>YEA</u>
BARNES	<u>YEA</u>
CLARKE	<u>YEA</u>
SMITH-BARNES	<u>YEA</u>
REIFSNEIDER	<u>ABSENT</u>

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN OF
FOREST HEIGHTS, MARYLAND


Bonita C. Anderson, Town Clerk

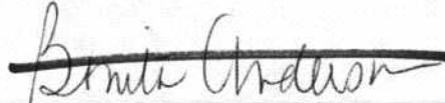
By: 
Jacqueline Goodall, Mayor

By: 
C. Lynn Smith-Barnes, Council President

THE TOWN OF FOREST HEIGHTS
RESOLUTION 15-13

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 20th day of February 2013 with 6 Aye votes and 0 Nay votes the aforesaid Resolution 15-13 passed.

A handwritten signature in cursive script, appearing to read "Bonita Anderson", is written over a solid horizontal line.

Bonita Anderson, Town Clerk