

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 5 FFF

Council Meeting Date: November 21, 2023

ITEM TITLE: RESOLUTION

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: E. Michael Leonard, CAO *em*

Peter Abide, City Attorney

SUMMARY EXPLANATION:

Resolution authorizing assessment of collection costs for debts owed to the City of Biloxi

Resolution Ordinance _____ Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify):

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Lawrence	___	___	___	___	Tisdale	___	___	___	___
	Gines	___	___	___	___	Glavan	___	___	___	___
	Newman	___	___	___	___	Barrett	___	___	___	___
	Deming	___	___	___	___					

ACTION TAKEN:

Resolution No.

RESOLUTION AUTHORIZING ASSESSMENT OF COLLECTION COSTS FOR DEBTS
OWED TO THE CITY OF BILOXI

WHEREAS, from time to time, it becomes necessary that the City of Biloxi (the “City”) engage the services of attorneys and/or collection companies to collect upon unpaid debts to the City;

WHEREAS, in accordance with Miss. Code Ann. §21-7-1 (6), “The governing authority of any municipality may contract with a private attorney or private collection agent or agency to collect any type of delinquent payment owed to the municipality, including, but not limited to, past-due fees, fines and other assessments, . . .to collect any delinquent fees, fines and other assessments. . . the municipality may charge an additional fee for collection of the delinquent payment provided the payment has been delinquent for ninety (90) days. The collection fee may not exceed twenty-five percent (25%) of the delinquent payment if the collection is made within this state and may not exceed fifty percent (50%) of the delinquent payment if the collection is made outside this state”; and

WHEREAS, it is necessary and advisable that the City authorize all such private attorneys employed by the City to assess collection fees in accordance with Miss. Code Ann. §21-7-1 (6).

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, AS FOLLOWS:

SECTION ONE: The findings, conclusions, and statements of fact contained in the preamble of this Resolution are adopted and ratified.

SECTION TWO: It is hereby found and determined that any attorneys or attorney firms under current engagement with the City are authorized to assess collection fees on delinquent payments in accordance with Miss. Code Ann. 21-7-1(6).

SECTION THREE: This Resolution shall take effect and be in force from and after adoption.