

**NOTICE TO THE PUBLIC  
AGENDA  
WINK CITY HALL  
COUNCIL CHAMBERS  
Tuesday, February 13, 2024  
303 EAST HENDRICKS BLVD.  
WINK, TEXAS**

**REGULAR SESSION - 6:00 P.M.**

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- 1. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:**
- 2. INVOCATION:**
- 3. VISITORS/CITIZENS FORUM: At this time any person with business before the Council, not scheduled on the agenda, may speak to the Council. No formal action can be taken on these items at this meeting:**
- 4. DISCUSS AND CONSIDER 2022-2023 AUDIT REPORT:**
- 5. DISCUSS AND CONSIDER CITIZEN REQUEST FOR AN ADJUSTMENT TO WATER BILL FOR TRASH SERVICES:**
  - *Chris McCalib*
- 6. DISCUSS AND CONSIDER A CONTINGENT FEE CONTRACT WITH PERDUE BRANDON FIELDER COLLINS AND MOTT, LLP PURSUANT TO SECTION 6.30 OF THE TEXAS PROPERTY TAX CODE, SAID CONTRACT BEING FOR THE COLLECTION OF DELINQUENT GOVERNMENT RECEIVABLES OWED TO THE CITY OF WINK AND NOTICE OF SAID CONTRACT IS POSTED WITH THE AGENDA IN ACCORDANCE WITH SECTION 2254 OF THE GOVERNMENT CODE:**
- 7. DISCUSS AND CONSIDER CONTRACT WITH WINKLER COUNTY FOR TAX BILLING AND COLLECTION SERVICES:**
- 8. DISCUSS AND CONSIDER ORDER BY RESOLUTION NO. 240 TO CALL THE MAY 4, 2024, GENERAL ELECTION:**
- 9. DISCUSS AND CONSIDER ANNUAL REVIEW OF THE CITY OF WINK'S INVESTMENT POLICY BY RESOLUTION NO. 241:**
- 10. DISCUSS AND CONSIDER APPOINTMENT/REAPPOINTMENT OF A REPRESENTATIVE FOR THE WINKLER COUNTY APPRAISAL DISTRICT:**
- 11. DISCUSS AND CONSIDER PAYMENT APPROVAL OF THE ANNUAL USDA BUILDING LOAN IN THE AMOUNT OF \$75,000 TO BE DEPOSITED TO THE BUILDING LOAN ACCOUNT:**
- 12. DISCUSS AND CONSIDER PAYMENT FOR THE ANNUAL MEMBERSHIP DUE TO PERMAIN BASIN REGIONAL PLANNING COMMISSION:**
- 13. DISCUSS AND CONSIDER ADOPTION OF BUILDING CODES FOR THE CITY OF WINK:**
- 14. DISCUSS AND CONSIDER DEDICATING THE CITY PARK/STAGE AREA AFTER FORMER COUNCILMAN BILLY VOYLES:**
- 15. DISCUSS AND CONSIDER DEPARTMENTAL REPORTS PRESENTATIONS:**
  - *Water/Wastewater-Superintendent Richard Kyle*
  - *Police Department Reports-Chief Jody Soltero*
- 16. DISCUSS AND CONSIDER POLICE DEPARTMENT FLEET AND EQUIPMENT:**
- 17. DISCUSS AND CONSIDER OVERNIGHT TRAVEL:**
  - *Police Chief Jose Soltero*
- 18. DISCUSS AND CONSIDER 2023 RACIAL PROFILING REPORT:**

19. **DISCUSS AND CONSIDER, IF ANY, THE IMPROVEMENTS TO THE WATER SYSTEM FOR THE CITY OF WINK:**
  - *Sign the LCA contract.*
  - *Give Mayor Hawkins authority to make decisions.*
20. **DISCUSS AND CONSIDER IPAD RELEASE ACKNOWLEDGMENT FORM:**
21. **EXECUTIVE SESSION: In accordance WITH THE TEXAS GOVERNMENT CODE, 551.074 (PERSONNEL MATTERS/EMPLOYEE SEPERATION:**
  - *Personnel matters-Willy Finch*
22. **RECONVENE into Regular Session and Consider Action, if Any, on Items discussed in Executive Session:**
23. **DISCUSS AND CONSIDER MINUTES FOR THE FOLLOWING MEETING:**
  - *January 16, 2024*
24. **DISCUSS AND CONSIDER PAYMENT OF BILLS & BUDGET AMENDMENTS:(If any)**
25. **DISCUSS AND CONSIDER DATE FOR THE APRIL 2024 REGULAR MEETING:**
  - *Next meeting-March 5, 2024*
26. **ADJOURNMENT:**

I, the undersigned authority, do hereby certify that the Notice of Meeting was posted in the message board by the front door of City Hall of the City of Wink, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

February 9, 2024 @ 4:00 pm and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Gina Funderburg  
City Secretary, City of Wink

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by The Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. **551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).**

**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS**

**The Wink City Hall and Council Chambers are wheelchair accessible and accessible parking spaces are available. Access to the building and parking are available at the front entrance of the building. Persons with disabilities who plan to attend this meeting, and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (432) 527-3337, or by FAX (432) 527-3413 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.**

Agenda Removal Notice:

**This Public Notice was removed from the official posting place at Wink City Hall on the Following date and time:**

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**By:**

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**City Secretary's Office  
City of Wink, Texas**

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NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, City of Wink (“City”), will consider entering into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. (“Firm”) and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(a)(2) of the Government Code and shall announce the following:

A. The City is pursuing a contract with the Firm for the collection of delinquent ad valorem taxes owed to the City and through this contract the City seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(a)(1)(A).

B. The City believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(a)(1)(B). The Firm has collected delinquent government receivables for 53 years, including the collection of delinquent ad valorem taxes. The Firm currently has 15 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 400 individuals, including over 56 attorneys. It uses a multi-office, fully integrated team approach allowing the City access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need the City may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and workflow.

C. The nature of any relationship between the City and the Firm is as follows. GOVT. CODE § 2254.1036(a)(1)(C).

The Firm has no prior relationship with the City.

D. The City is unable to collect its delinquent ad valorem taxes. GOVT. CODE § 2254.1036(a)(1)(D). The City currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the City.

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E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(a)(1)(E). The Tax Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent ad valorem taxes. This percentage-based fee is assessed only against the debtor and not the City or taxpayers of the City. The collection of delinquent ad valorem taxes is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed amount of delinquent ad valorem taxes due. Moreover, the City will bear the cost of these hourly fees and not the debtor, because the Tax Code does not expressly authorize the City to pay for collection services based on an hourly fee.

F. The City believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(a)(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the City or taxpayers in the City.

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