



**CITY OF UMATILLA  
AGENDA ITEM STAFF REPORT**

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**DATE:** August 31, 2017

**MEETING DATE:** September 5, 2017

**SUBJECT:** Ordinance 2017 – H, Second Reading

**ISSUE:** Service or Convenience Fee for payments made using credit or debit cards or e-check

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**BACKGROUND SUMMARY:** City customers have requested a means by which the city can offer processing of credit or debit cards for utility deposits and payments, processing of building permits, planning applications, and the payment for the right of interment in city cemeteries.

Florida Statute 215.322(5) authorizes local governments to accept payments by use of credit cards, bank debit cards, and electronic funds transfers and allows collection of a surcharge in an amount sufficient to pay the service fees charged by the company.

City staff was able to work with Edmunds, the company that provides our municipal software programs, to establish a partnership between the city and Data Pointe processing. Data Pointe has provided the city with card sliders which can be used for point of sale card processing in City Hall. The information will be transmitted to their company for processing. The city will be able to accept MasterCard, Visa, American Express, and Discover credit cards and bank or credit union issued debit cards.

On-line payments and in-house transactions made using the customer's debit or credit card will be assessed a 2.95% service fee for processing the transaction. If a customer desires to make a payment using an on-line e-check the fee is \$1.05 per transaction.

**STAFF RECOMMENDATIONS:** Approval of Ordinance 2017-H, Convenience Fee, Second Reading

**FISCAL IMPACTS:** N/C

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**COUNCIL ACTION:** August 15, 2017

**MOTION by Purvis; SECOND by Olson; to approve Ordinance 2017-H Convenience Fee, First Reading.**

**AYES: ADAMS, OLSON, PURVIS, BUTLER, WRIGHT**

**Nos:**

**Motion carried.**

<b>Reviewed by City Attorney</b>	<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>N/A</b>
<b>Reviewed by City Engineer</b>	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>	<input checked="" type="checkbox"/> <b>N/A</b>

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3 **ORDINANCE 2017 - H**

4 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA,**  
5 **ESTABLISHING CODE OF ORDINANCES CHAPTER 2, SECTION 2.2 FEE**  
6 **SCHEDULE FOR COLLECTION OF SERVICE OR CONVENIENCE FEE; PROVIDING**  
7 **FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR**  
8 **SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

9 **WHEREAS,** Florida Statute 215.322(5) authorizes units of local government to accept  
10 payments by use of credit cards, charge cards, bank debit cards, and electronic funds transfers for  
11 financial obligations to such units of local government, and further allows the collection of a  
12 surcharge in an amount sufficient to pay the service fees charged by the financial institution,  
13 vending service company, or credit card company for such services; and

14  
15 **WHEREAS,** the City of Umatilla is desirous of offering its customers the option to pay  
16 amounts due to the City for various services by use of credit cards, charge cards, bank debit cards,  
17 and electronic funds transfers and to provide that the service fees are borne by the customer by  
18 imposing a surcharge, and

19  
20 **WHEREAS,** such service or convenience fees are variable based on the amount of revenue  
21 remunerated using the stated methods of payment; and

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23 **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Umatilla,  
24 Lake County, Florida, as follows:

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26 **Section 1. Recitals.** The foregoing findings are incorporated herein by reference and  
27 made a part hereof.

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29 **Section 2.** The City Council of the City of Umatilla hereby authorizes the City to accept  
30 payment of amounts due to the City by use of credit cards, charge cards, bank debit cards, and  
31 electronic funds transfers.

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33 **Section 3.** The City Council of the City of Umatilla hereby authorizes the collection of  
34 surcharges, which may be referred to as service or convenience fees, equal to the amount assessed  
35 by the financial institution, vending service company, or credit card company for the transaction  
36 arising from use of credit cards, charge cards, bank debit cards, and electronic funds transfers.

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38 **Section 4. Inclusion in the Code.** It is the intention of the City Council of the City of  
39 Umatilla and it is hereby provided that the provisions of this Ordinance shall be made a part of the  
40 Umatilla Code of Ordinance; that the sections of this ordinance may be renumbered or relettered  
41 to accomplish such intention; and that the word “ordinance” may be changed to “section,”  
42 “article,” or other appropriate designation.

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44 **Section 5. Severability.** The provisions of this Ordinance are declared to be separable  
45 and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be

46 invalid or unconstitutional, such decision shall not affect the validity of the remaining section,  
47 sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the  
48 legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.  
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50 **Section 6. Effective Date.** This Ordinance shall become effective immediately upon its  
51 passage by the City Council.  
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53 **PASSED AND ORDAINED** in regular session of the City Council of the City of Umatilla, Lake  
54 County, Florida, this 5<sup>th</sup> day of September, 2017.  
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58 Mary C Johnson, Mayor  
59 City of Umatilla, Florida  
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62 ATTEST:

Approved as to Form:  
STONE & GERKEN, P.A.

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67 Karen H. Howard, CMC  
68 City Clerk  
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Kevin Stone/Grant Watson/Lewis Stone  
City Attorney

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72 Passed First Reading August 15, 2017  
73 Passed Second Reading September 5, 2017  
74 (SEAL)  
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NOTICE OF PUBLIC HEARING  
ORDINANCE 2017 - H

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, ESTABLISHING CODE OF ORDINANCES CHAPTER 2, SECTION 2.2 FEE SCHEDULE FOR COLLECTION OF SERVICE OR CONVENIENCE FEE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

Readings of the proposed ordinance will be considered at the Umatilla City Council meetings on August 15, 2017 and September 5, 2017 at 7:00 p.m. The meetings will be held in the City Council Chambers at 1 S. Central Avenue, Umatilla, Florida.

The proposed Ordinance may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at City Hall. For further information call (352) 669-3125.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

A person who decides to appeal any decision made by any board, agency, or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105).

The City of Umatilla is an equal opportunity provider and employer.

Karen H. Howard, CMC  
City Clerk

nb-1-8-10