

RESOLUTION #2019-02

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, ESTABLISHING A MERCHANT FUNDED FEE MODEL, AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH AUTOMATED MERCHANT SYSTEMS, INC., IN CONJUNCTION WITH BRIDGEPAY NETWORK SOLUTIONS, LLC, FOR THE SECURE PROCESSING OF ELECTRONIC CHECKS AND DEBIT CARDS AND CREDIT CARDS.

WHEREAS, the Town Council for the Town of Lake Clarke Shores, Florida desires to provide enhanced utility account access and payment transmittal for its utility customers; and,

WHEREAS, the Town Council acknowledges that changes in technology, cash management practices, and banking industry structure necessitates periodic evaluation of financial functions, in order to serve our customers in the most efficient way possible; and

WHEREAS, accepting credit and debit cards for payments of utility bills and other general government services, is consistent with the practices of many government agencies; and

WHEREAS, the merchant processor previously utilized by the Town of Lake Clarke Shores does not meet the needs or security requirements of the Town; and

WHEREAS, the Town Council desires to use a merchant processing company that is fully integrated with the Town's current financial software and future advancements; and

WHEREAS, it is the recommendation of the administrative staff of the Town of Lake Clarke Shores that Automated Merchant Services, Inc. ("AMS") be retained to provide merchant processing services in conjunction with BridgePay Network Solutions, LLC. (BridgePay") for the provision of gateway services; and

WHEREAS, in accordance with the merchant processing agreement application and the Pricing Schedule, attached hereto as Exhibit "A", AMS in conjunction with BridgePay will provide services enabling the Town of Lake Clarke Shores to accept and process debit and credit cards as payment; and

WHEREAS, in accordance with the merchant processing agreement application and the Pricing Schedule, attached hereto as Exhibit "B", AMS in conjunction with BridgePay will provide services enabling the Town of Lake Clarke Shores to accept electronic checks as payment; and

WHEREAS, the Town will no longer require the credit and debit card holders to pay processing fees, because the Town will adopt a merchant funded fee model which will absorb the payment of credit and debit card fees, in accordance with annual card brand interchange rates as detailed in the Payment Brand Interchange Rate Schedules attached hereto as Exhibit "C", and in accordance with the per item

authorization, compliance and transaction fees, as detailed in the Pricing Schedules attached hereto as Exhibits "A" and "B".

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA:

- Section 1.** The Town Council hereby accepts, approves and establishes a Merchant Funded Fee Model.
- Section 2.** The Town Council hereby approves and authorizes execution of the Agreement with Automated Merchant Services, Inc. in conjunction with BridgePay Network Solutions, LLC. for the secure processing of electronic checks and debit and credit cards.
- Section 3.** The Town Council hereby authorizes the Town Manager to sign, coordinate and implement the payment process with Automated Merchant Services, Inc. in conjunction with BridgePay Network Solutions, LLC, and, also authorizes the Town Manager to execute any further documents routinely necessary to accept and process payments, by the Town of Lake Clarke Shores, without further resolution of the Town Council.

PASSED AND ADOPTED by the Town Council of the Town of Lake Clarke Shores, Florida, this 12th day of February, 2019.

	<i>FOR</i>	<i>AGAINST</i>
By: _____ <i>Gregory Freebold, Mayor</i>	_____	_____
_____	_____	_____
<i>Valentin Rodriguez, Jr., Vice Mayor</i>	_____	_____
_____	_____	_____
<i>Paul R. Shalhoub, President Pro Tem</i>	_____	_____
_____	_____	_____
<i>Robert M. W. Shalhoub, Council Member</i>	_____	_____
_____	_____	_____
<i>John Studdard, Council Member</i>	_____	_____

ATTESTED

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Mary Pinkerman, Town Clerk

Charles F. Schoech, Town Attorney

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SPONSORED BY: THE TOWN COUNCIL