

10-0-0876

(Do Not Write Above This Line)

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ASSESS FEES TO RECAPTURE THE FULL COST CHARGED TO THE CITY FOR THE USE OF REMOTE PAYMENT SYSTEMS MADE AVAILABLE AS A CONVENIENCE TO THE PUBLIC; TO AUTHORIZE FUTURE ADJUSTMENTS TO THAT FEE STRUCTURE TO REFLECT THE ACTUAL COST TO THE CITY; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH SUCH ACCOUNTS AS MAY BE NECESSARY TO ADMINISTER A SYSTEM TO PROVIDE FOR THE RECEIPT OF SUCH FEES AND THE DISBURSEMENT OF SUCH FEES TO THE SERVICE PROVIDERS; AND FOR OTHER PURPOSES.

ADOPTED BY

JUN 21 2010

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

COUNCIL

Date Referred 5-17-2010

Referred To: Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Finance / Executive  
Date 5-17-10  
Chair James Johnson  
Referred To James Johnson

Committee Finance

Date 6/16/10

Chair

Action Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Other

Members

Refer To

Committee Finance / Executive

Date 6/16/10

Action Hold

Other

Fav, Adv, Hold (see rev. side)

Members

Refer To

Committee

Date

Chair

Action

Other

Fav, Adv, Hold (see rev. side)

Members

Refer To

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED  
JUN 21 2010

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

CERTIFIED  
JUN 21 2010

*Ronald Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 30 2010

WITHOUT SIGNATURE  
BY OPERATION OF LAW



**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ASSESS FEES TO RECAPTURE THE FULL COST CHARGED TO THE CITY FOR THE USE OF REMOTE PAYMENT SYSTEMS MADE AVAILABLE AS A CONVENIENCE TO THE PUBLIC; TO AUTHORIZE FUTURE ADJUSTMENTS TO THAT FEE STRUCTURE TO REFLECT THE ACTUAL COST TO THE CITY; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH SUCH ACCOUNTS AS MAY BE NECESSARY TO ADMINISTER A SYSTEM TO PROVIDE FOR THE RECEIPT OF SUCH FEES AND THE DISBURSEMENT OF SUCH FEES TO THE SERVICE PROVIDERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the use of remote payment systems, including without limitation, interactive voice recognition (“IVR”) systems and on-line electronic credit card processing, is offered by the City and the Municipal Court as a convenience to the public for the payment of fees, taxes and fines; and

**WHEREAS**, the personnel, equipment and other costs required for the City to offer these services directly is too high for such systems to be maintained by the City such that these services are provided by third party vendors who make these services available to the City at a cost which is assessed on each transaction; and

**WHEREAS**, it has been the policy of the City as expressed by Ordinance 06-O-2600 and Ordinance 07-O-1087 to recover those cost through the addition of the amount of the cost charged to the City to the cost billed to the public for each transaction; and

**WHEREAS**, the previous policy as set forth by Ordinance 06-O-2600 and Ordinance 07-O-1087 had been to try to approximate the cost for each transaction and impose a stated fee amount which applied even where it did not cover the costs which were imposed as a percentage of the transactions; and

**WHEREAS**, the per transaction cost billed to the City varies with the type of service and the fee structure of the third party provider such that a stated fee amount cannot be reasonably set at level that will allow the City to be certain that it will recapture the full cost of the convenience fee charged for each type of transaction; and

**WHEREAS**, with the flexibility to allow the convenience fees to adjust to market rates, the City will recover its costs to provide these services in the event that costs rise and be able to pass on to the public any reduction in rates that may be made available through, lower interest rates, less costly technology or competition among service providers.



**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1:** The Chief Financial Officer is hereby authorized to assess, impose and add to any payment to be made to the City, other than those payments made in person or by mail, the amount which the City must pay for the processing of the payment transaction. This authorization shall include, but is not limited to the cost imposed on the City in allowing such payments to be made by interactive voice recognition (“IVR”) systems and on-line electronic credit card processing. Any reference to the City in this ordinance shall specifically include, without limitation, any and all payments to the Municipal Court of Atlanta.

**SECTION 2:** This authorization shall include only such costs which are directly imposed on the City by any service provider that the City has contracted with, or otherwise employed, to provide any type of service which allow payments to be made to the City other than by mail or in person.

**SECTION 3:** The Chief Financial Officer is authorized to increase or decrease the amount of any processing fee charged to the public for payments made to the City so as to adjust to that fee charged to the City by third parties for the processing of payment transactions; provided however that the amount of the increase or decrease shall not exceed or be less than that amount actually charged by the third party provider.

**SECTION 4:** The Chief Financial Officer is authorized to set up such accounts as are necessary to accrue and disburse the funds associated with the authorization granted herein.

**SECTION 5:** In the event that the amount of any payment transaction for which a processing fee was imposed, must be repaid, returned or refunded by the City, for any reason, the amount to be repaid, returned or refunded shall not include the cost which the City paid for the processing of the payment transaction unless such cost was or will be repaid to the City by the service provider.

**SECTION 6:** This ordinance does not authorize the Chief Financial Officer to increase or decrease any fee, tax, fine or other payment that is to be paid to the City in that this ordinance is solely for the purpose of authorizing the Chief Financial Officer to impose additional fees at a level that will allow the City to recapture its actual cost to provide alternative methods for the public to make payments to the City other than by mail or in person.

**SECTION 7:** This ordinance shall become effective after it is signed by the Mayor or as otherwise provided in Sec. 2-403 of the City Charter.

A true copy,  
*Shonda Daughon Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

JUN 21, 2010  
JUN 30, 2010

RCS# 320  
6/21/10  
3:00 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1166,10-O-0875

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	NV Bottoms	NV Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

CONSENT I

		06-21-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-1178	43. 10-R-1179	77. 10-R-1103
2. 10-O-1165	44. 10-R-1072	78. 10-R-1104
3. 10-O-0876	45. 10-R-1073	79. 10-R-1105
4. 10-O-0945	46. 10-R-1074	80. 10-R-1106
5. 10-O-0946	47. 10-R-1075	81. 10-R-1107
6. 10-O-0947	48. 10-R-1076	82. 10-R-1108
7. 10-O-0948	49. 10-R-1077	83. 10-R-1109
8. 10-O-0949	50. 10-R-1078	84. 10-R-1110
9. 10-O-0950	51. 10-R-1079	85. 10-R-1111
10. 10-O-1041	52. 10-R-1080	86. 10-R-1112
11. 10-O-1176	53. 10-R-1081	87. 10-R-1113
12. 10-O-0897	54. 10-R-1082	88. 10-R-1114
13. 10-O-0924	55. 10-R-1083	89. 10-R-1115
14. 10-O-0932	56. 10-R-1084	90. 10-R-1116
15. 10-O-0933	57. 10-R-1085	91. 10-R-1117
16. 10-O-1057	58. 10-R-1086	92. 10-R-1118
17. 10-R-1139	59. 10-R-1087	93. 10-R-1119
18. 10-R-1140	60. 10-R-1088	94. 10-R-1120
19. 10-R-1141	61. 10-R-1089	95. 10-R-1121
20. 10-R-1154	62. 10-R-1182	96. 10-R-1122
21. 10-R-1180	<b>ITEMS ADVERSED</b>	97. 10-R-1123
22. 10-R-1181	<b>ON CONSENT</b>	98. 10-R-1124
23. 10-R-1143	63. 10-R-0839	99. 10-R-1125
24. 10-R-1144	64. 10-R-1090	100. 10-R-1126
25. 10-R-1146	65. 10-R-1091	101. 10-R-1127
26. 10-R-1060	66. 10-R-1092	102. 10-R-1128
27. 10-R-1061	67. 10-R-1093	103. 10-R-1129
28. 10-R-1062	68. 10-R-1094	104. 10-R-1130
29. 10-R-1155	69. 10-R-1095	105. 10-R-1131
30. 10-R-1156	70. 10-R-1096	106. 10-R-1132
31. 10-R-1157	71. 10-R-1097	107. 10-R-1133
32. 10-R-1158	72. 10-R-1098	108. 10-R-1134
33. 10-R-1159	73. 10-R-1099	109. 10-R-1135
34. 10-R-1160	74. 10-R-1100	110. 10-R-1136
35. 10-R-1164	75. 10-R-1101	111. 10-R-1137
36. 10-R-1172	76. 10-R-1102	112. 10-R-1138
37. 10-R-1177		
38. 10-R-1183		
39. 10-R-0931		
40. 10-R-1070		
41. 10-R-1071		
42. 10-R-1175		