



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: April 26, 2022 and May 10, 2022

35

TO: Board of Supervisors

SUBJECT

NOTICED PUBLIC HEARING: AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT (DISTRICTS: ALL)

OVERVIEW

Today's action requests the San Diego County Board of Supervisors (Board) review and approve an ordinance to amend Article XX of the San Diego County Code of Administrative Ordinance (Admin Code) for certain Credit Card, Debit Card and Electronic Payment fees related to various County departments as authorized by Government Code Section 6159.

As a result of changes to service contracts with existing and new third-party merchant service providers, some of these fees have changed since they were last approved by the Board. These fees are payable by the customer directly to the County's third-party providers responsible for processing these transactions. The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal.

Today's actions would amend the Admin Code to codify all Credit Card, Debit Card, and Electronic Payment fees through the introduction of an ordinance to amend Article XX of the San Diego County Administrative Code to add Section 371 (first reading) so that it may be acted upon at the May 10, 2022 meeting (second reading).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On April 26, 2022:

1. Approve the introduction of the following Ordinance (first reading):

AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT

SUBJECT: NOTICED PUBLIC HEARING: AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT (DISTRICTS: ALL)

If on April 26, 2022, the Board takes action as recommended on Item 1 above, then on May 10, 2022:

2. Consider and adopt the Ordinance (second reading), read title and waive further reading of the Ordinance.

EQUITY IMPACT STATEMENT

Payments made to the County of San Diego correspond to property tax payments, fees, and public services. The ability to accept and process electronic payments allows the County to expand accessibility for people with disabilities to Programs, Services, and Activities (PSAs). Electronic payments can be made by over the phone or on-line, which makes it more convenient for individuals with limited transportation and mobility. Online payments can be made through the County website and translated to over 100 languages reaching a larger community. By facilitating alternate payment methods such as credit card, debit card, and electronic transfers, the County encourages equitable payment opportunities for a broader customer base and a more diverse financial ability to pay. Establishing credit card, debit card, and electronic funds transfer fees enhances transparency of the payment processing fees charged and collected directly by the County's third-party providers responsible for processing these transactions

FISCAL IMPACT

There is no fiscal impact associated with the recommended actions. The credit card and debit card processing and electronic payment fees are paid directly by the customer to the vendor processing the transaction. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The County of San Diego accepts payments via a variety of payment channels and instruments to help facilitate the receipt of goods and services offered by the various departments. Whereas cash and check payments do not require fees for processing, credit card, debit card and electronic fund transfers require a third-party payment processing merchant service provider.

Government Code Section 6159 authorizes a local agency to accept credit card, debit card, or electronic fund transfer for payment of certain obligations. Government Code Section 6159 also authorizes a local agency to impose a fee for the use of a credit or debit card or electronic funds transfer, not to exceed the cost incurred by the agency in providing for the fees or discounts.

SUBJECT: NOTICED PUBLIC HEARING: AN ORDINANCE AMENDING ARTICLE XX OF THE COUNTY OF SAN DIEGO CODE OF ADMINISTRATIVE ORDINANCES RELATED TO FEES FOR CREDIT CARD, DEBIT CARD, AND ELECTRONIC PAYMENT (DISTRICTS: ALL)

Correspondingly, San Diego County Administrative Code Section 76 authorizes County officers to accept credit card, debit card, and electronic payments.

On October 22, 2013 (13), the County of San Diego Board of Supervisors adopted Resolution No. 13-149 which approved certain credit card, debit card and electronic funds transfer fees for County departments. As a result of changes to service contracts with existing and new third-party merchant service providers, some of these fees have changed since they were last approved by the Board. These fees vary by County department based on each department's contract with the various third-party merchant service providers and determined by each department's number of transactions and the dollar amount of the transactions processed. The fees are payable by the customer directly to the County's third-party providers responsible for processing these transactions.

Today's action will ensure all credit card, debit card and electronic funds transfer fees charged to the customer are approved by the Board, and place all adopted fees in the County of San Diego Code of Administrative Ordinance for ease of public reference.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the Sustainability initiative in the County of San Diego's 2022-2027 Strategic Plan by aligning services to available resources to maintain fiscal stability.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

Attachment A: Proposed Ordinance – clean

Attachment B: Proposed Ordinance – informational