

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Resolution No. 18-008

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BOARD OF PUBLIC WORKS OF THE CITY OF LEWES REGARDING SURCHARGE FEES ON CREDIT CARD TRANSACTIONS TOTALING AT LEAST \$5,000

WHEREAS, Section 4.11, *inter alia*, of the Charter for the Board of Public Works of the City of Lewes (the "Lewes BPW"), being Chapter 10, Volume 77, Laws of Delaware, as amended (the "Lewes BPW Charter"), grants the Lewes BPW authority to fix rents, rates, fees, and assessments for utility systems within the Lewes BPW Service Area; and

WHEREAS, the Board of Directors of the Lewes BPW (the "Board of Directors") recognizes that changes in technology and cash management practices have made the use of credit cards more frequent; and

WHEREAS, the Lewes BPW incurs and pays for transaction processing costs on each customer credit card transaction; and

WHEREAS, the transaction processing cost is a percentage of the total customer credit card transaction amount; and

WHEREAS, the Lewes BPW currently does not pass any transaction processing costs on to customers on customer credit card transactions; and

WHEREAS, the Board of Directors recognizes that, especially over time, payment of transaction processing costs for large transactions burdens the Lewes BPW; and

WHEREAS, the Board of Directors deems it in the best interests of the Lewes BPW utility system and customers, both current and future, to impose a surcharge fee on credit card transactions that total at least five thousand dollars (\$5,000) in order to pay for transaction processing costs.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LEWES BOARD OF PUBLIC WORKS, IN SESSION MET THIS 13TH DAY OF DECEMBER, 2018, THAT:

Section 1. For customer credit card transactions that total at least five thousand dollars (\$5,000), transaction processing costs shall be the responsibility of the paying customer in the form of a surcharge payable to the Lewes BPW in the amount of 2.95-percent of the total transaction amount.

Section 2. This Resolution shall take effect immediately upon its adoption by the Board of Directors of the Lewes Board of Public Works.

47 Adopted by the Board of Directors
48 Of the Lewes Board of Public Works

49

50

51

52

53

54

55

56

57

58

59

60

61

I, Robert J. Kennedy, III, Secretary of the Board of Public Works of the City of Lewes, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the Board of Directors of the Lewes BPW at its meeting on December 13, 2018, at which meeting a quorum was present and voting throughout and the same is still in full force and effect.


Secretary