

**GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT  
RESOLUTION IMPLEMENTING  
AN ELECTRONIC PAYMENT FEE  
RESOLUTION 2020-11-1**

**WHEREAS**, there is an increasing trend toward the use of credit and debit cards to make payments to the Greater Salt Lake Municipal Services District (“MSD”), and this trend is expected to continue;

**WHEREAS**, the MSD incurs significant costs associated with processing credit and debit card transactions and other electronic payments;

**WHEREAS**, Utah Code Ann. § 17B-1-644 authorizes a local district, such as the MSD, to “accept an electronic payment for the payment of funds which the local district could have received through another payment method” and declares that “[a] local district that accepts an electronic payment may charge an electronic payment fee”;

**WHEREAS**, Utah Code Ann. § 17B-1-644 defines “electronic payment” as meaning “the payment of money to a local district by electronic means, including by means of a credit card, charge card, debit card, prepaid or stored value card or similar device, or automatic clearinghouse transaction” and defines an “electronic payment fee” as “an amount of money to defray the discount fee, processing fee, or other fee charged by a credit card company or processing agent to process an electronic payment”; and

**WHEREAS**, the Board of Trustees of the MSD has determined that the MSD should charge an electronic payment fee to offset or defray discount fees, processing fees and any other fees charged by a credit card company or processing agent to process an electronic payment to the MSD.

**NOW THEREFORE**, be it resolved as follows:

1. That, based on information and data reviewed by the MSD, an electronic payment fee equal to 2.75% of the amount of each electronic payment plus \$0.50 per transaction shall be and hereby is established to offset or defray discount fees, processing fees and/or other fees charged by credit card companies and processing agents to process electronic payments made to the MSD.
2. That the electronic payment fee shall apply to all electronic payments received by the MSD.
3. That the Chief Financial Officer of the MSD is instructed and authorized to monitor electronic payment processing fees applicable to electronic payments received by the MSD and adjust the electronic payment fee periodically, without further Board action, as appropriate for the MSD to collect an appropriate amount to offset

discount fees, processing fees, and any other fees and costs charged by a credit card company or processing agent to process an electronic payment to the MSD.

4. That all Resolutions and other enactments of the District in conflict with this Resolution are, to the extent of such conflict, hereby repealed.
5. That the electronic payment fee established by this Resolution shall become effective and operative on or after February 1, 2021.

Passed and adopted by the Board of Trustees of the Greater Salt Lake Municipal Services District this 12<sup>th</sup> day of November, 2020.

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Joe Smolka, Chair

ATTEST:

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Marla Howard, Clerk