

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2014-091

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JEL	1-21-14	RECEIVED FEB 04 2014 WHATCOM COUNTY COUNCIL	2/11/14	Introduction
Division Head:	JEL	1-21-14		2/25/15	Hearing
Dept. Head:	JEL	1/22/2014			
Prosecutor:	JEL	01/23/14			
Purchasing/Budget:	BA	1/30/14			
Executive:	JEL	2/4/14			

TITLE OF DOCUMENT:

Ordinance amending the 2014 Unified Fee Schedule

ATTACHMENTS:

Exhibit A 2014 Unified Fee Schedule

SEPA review required? () Yes (<input checked="" type="checkbox"/>) NO	Should Clerk schedule a hearing? () Yes (<input type="checkbox"/>) NO
SEPA review completed? () Yes (<input checked="" type="checkbox"/>) NO	Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Consideration of the attached ordinance that amends the 2014 Unified Fee Schedule to authorize the Ferry fund to absorb credit/debit card convenience fees associated with accepting electronic payments on single-ride Lummi Island Ferry fares sold aboard the Whatcom Chief and incorporate credit/debit card convenience fees on multi-ride Lummi Island Ferry passes sold aboard the Whatcom Chief.

COMMITTEE ACTION:

COUNCIL ACTION:

2/11/2014: Introduced

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT

FRANK M. ABART
DIRECTOR



FERRY DIVISION
CIVIC CENTER ANNEX
322 N. Commercial Street, Suite 210
Bellingham, WA 98225-4042
Telephone: (360) 676-6692
FAX: (360) 738-4561
www.whatcomcounty.us

MEMORANDUM

TO: The Honorable Jack Louws, Whatcom County Executive, and
Honorable Members of the Whatcom County Council

THROUGH: Frank M. Abart, Director *FMA*

FROM: James E. Lee, P.E. Bridge and Hydraulic Manager *JEL 1-22-14*

SUBJECT: Ordinance regarding Credit/Debit Card Convenience Fees for Ticket
Sales Onboard the Whatcom Chief

DATE: January 22, 2014

Requested Action:

Public Works requested direction from the County Council through Public Works, Health, and Safety Committee on December 10, 2013 regarding the disposition of credit/debit card convenience fees for ticket sales onboard the Whatcom Chief. The Council accepted the recommendations outlined below, and Public Works has prepared the attached ordinance corresponding to these recommendations for consideration by the County Council.

Background and Purpose:

Public Works began accepting credit/debit card payments for multi-ride Lummi Island Ferry passes over the internet on July 23, 2013. Beginning August 23, 2013, credit/debit card payments were also accepted for multi-ride passes at Public Works Administration's front counter. Between July 23, 2013 and October 14, 2013, a total of sixty-seven (67) ferry multi-ride passes were sold between the two credit/debit card payment options. The total sales were \$13,437.00. The total fees collected by the vendor, Point and Pay (PNP), on those sales were \$319.52. The current credit/debit card convenience fee charged by PNP as allowed by their contract with Whatcom County is 2.35% of total purchase price. The credit/debit card convenience fee is automatically calculated and passed onto the customer by PNP at the time of the sale. Whatcom County does not receive any part of the convenience fees.

Starting on January 1, 2014, Public Works began accepting credit/debit card payments onboard the Whatcom Chief. We contacted six different vendors regarding the need to obtain a rugged handheld credit card machine so that credit/debit card payments can be accepted onboard the ferry. Only one vendor, North American Bancard, had a device that appears to meet our specifications for outdoor use. However, this device is not able to automatically calculate and

add the correct credit/debit card convenience fee into the sale price. This poses a challenge for the purser on the ferry, who only has approximately five minutes to collect all single-ride ferry fares from all of the customers on the Gooseberry Point to Lummi Island ferry run. Requiring the purser to calculate and add in the fees may result in delays in loading and unloading the Chief on runs when several customers use credit cards. Public Works is continuing to work with North American Bancard and the County Treasurer to determine whether an application-based payment system on a smartphone may streamline the collection of fees.

In addition to the time challenge associated with calculating and adding the fees, there is also uncertainty as to whether the internet fee rate of 2.35% will be appropriate to cover the fees charged by North American Bancard. In our pilot testing of the onboard payment system, we found that fees varied depending on the type of credit card used, and that additional monthly fees are charged depending on the level of activity.

Recommendations

Based on the considerations above, Public Works recommends that we temporarily waive convenience fees on single-ride transactions from Gooseberry Point to Lummi Island until the technology becomes available to automatically calculate and add the fees into the fare. Further, Public Works recommends that the current convenience fee rate of 2.35% be applied to multi-ride fares purchased on the Ferry, as these are only sold on the return trip to Gooseberry Point when the purser has sufficient time to calculate the fees.

The County Council, through the Public Works, Health, and Safety Committee, accepted these recommendations on December 10, 2013. Public Works has prepared the attached ordinance corresponding to these recommendations for consideration by the County Council. We anticipate that the recommended fee waiver will be necessary for approximately six (6) months. At that time, Public Works will provide an updated report to Council.

Financial Analysis

Temporarily waiving the convenience fees for single-ride fares sold onboard the Chief will have an impact on Ferry Fund revenue, since North American Bancard charges the fees to Whatcom County regardless of whether we pass the fees on to customers. The degree of this impact is difficult to estimate, since we have no way to predict the volume of credit card use on the Chief. The fares for single-ride Ferry fares range from \$7.00 for a pedestrian/passenger to \$133.00 for the largest size truck. The current convenience fee of 2.35% would range from \$0.16 to \$3.12 per transaction. Using historic ridership numbers, it is estimated that if fifty percent (50%) of all single-ride ferry fares sold on the ferry are purchased with a credit/debit card, the annual loss to the Ferry Fund would be approximately \$7,000.

If you have any questions regarding this information, please contact James Lee at extension 50617.

1
2 PROPOSED BY: James Lee

3 SPONSORED BY: BY: Public Works

4 INTRODUCTION DATE: _____

5
6
7 **ORDINANCE NO. _____**

8
9 **AMENDING WHATCOM COUNTY 2014 UNIFIED FEE SCHEDULE TO AUTHORIZE THE FERRY**
10 **FUND TO ABSORB CREDIT/DEBIT CARD CONVENIENCE FEES ON SINGLE-RIDE FERRY**
11 **FARES AND INCORPORATE CREDIT/DEBIT CARD CONVENIENCE FEES ON MULTI-RIDE**
12 **FERRY PASSES**
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15 **WHEREAS**, the Whatcom County 2014 Unified Fee Schedule addresses rate schedules, including
16 rates for passage on the county-operated ferry; and
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18 **WHEREAS**, the Whatcom County Ferry, the Whatcom Chief, has an approximately five-minute
19 one-way ferry run time between Lummi Island and Gooseberry Point; and
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21 **WHEREAS**, the pursers on the Whatcom Chief have to collect all single-ride ferry fares on the
22 Gooseberry Point to Lummi Island run within the approximately five-minute time frame; and
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24 **WHEREAS**, there is not enough time for the purser to calculate and then add the credit/debit card
25 convenience fee on multiple transactions in that time frame; and
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27 **WHEREAS**, the Whatcom County Council has also expressed interest in accepting credit/debit
28 card payments aboard the Whatcom Chief; and
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30 **WHEREAS**, the state legislature through RCW 36.29.190 authorized county treasurers to accept
31 credit and debit cards for fees and rates; and
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33 **WHEREAS**, state law also authorizes county treasurers to absorb fees charged by electronic
34 payment processing companies for electronic transactions (credit and debit cards) for nontax payments if
35 the county's legislative body finds that it is in the best interest of the county to do so; and
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37 **WHEREAS**, the County Council desires to extend the logic of the state law pertaining to county
38 treasurers to charging or not charging convenience fees on money collected by the County's Public Works
39 Department for single-ride ferry fares; and
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41 **WHEREAS**, on the Lummi Island to Gooseberry Point ferry run no single-ride fares are collected;
42 instead the purser is available to sell multi-ride ferry passes; and
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44 **WHEREAS**, these are the same multi-ride ferry passes that are currently sold on the Lummi Island
45 Ferry website and over-the-counter at Public Works Administration, and
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WHEREAS, the customers who purchase these multi-ride ferry passes with a credit/debit card are charged an associated convenience fee by the electronic payment processing companies for processing these electronic transactions; and

WHEREAS, the volume for multi-ride ferry passes is significantly less than the single-ride fares collected on the Gooseberry Point to Lummi Island ferry run; and

WHEREAS, charging the customers the associated convenience fee is consistent with the convenience fee that is automatically calculated and charged by the electronic payment processing company at Public Works Administration;

WHEREAS, charging the associated convenience fee on all multi-ride ferry passes will help offset the loss of revenue to the Ferry fund that would otherwise occur; and

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the ferry fund will absorb fees charged by electronic payment processing companies for electronic transactions (credit/debit cards) for all single-ride ferry fares collected on the Gooseberry Point to Lummi Island ferry runs, and

BE IT FURTHER ORDAINED by the Whatcom County Council that the customers shall be charged the associated convenience fee charged to the County by the electronic payment processing companies on all multi-ride ferry punch cards sold on the Lummi Island to Gooseberry Point ferry runs, and

BE IT FURTHER ORDAINED that the Unified Fee Schedule be amended as set forth in the attached Exhibit A to this ordinance, and

BE IT FURTHER ORDAINED that this change will become effective thirty (30) days after the date of signature of this ordinance by the Whatcom County Executive.

ADOPTED this ____ day of _____, 20____.

ATTEST:


**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Dana Brown-Davis, Clerk of the Council

Kathy Kershner, Council Chair

APPROVED AS TO FORM:

**WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON**



Daniel L. Gibson, Chief Civil Deputy Prosecutor

Jack Louws, County Executive

() Approved () Denied

Date Signed: _____

Exhibit A – 20143 Unified Fee Schedule Amendment

Department Fees and Charges

Public Works - Ferry & Docks

UF#	Description	20132 Rate	20143 Rate	Rate Basis	Authorization	Authority
<u>Pedestrians</u>						
1.	5043 Passenger/Pedestrian	\$ 4.00	\$ 4.00	1 Round Trip	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
2.	5045 Passenger/Pedestrian – Multiride	\$ 40.00	\$ 40.00	25 Round Trips	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
3.	5046 Children under 12 W/ Parent	\$ 0.00	\$ 0.00	1 Round Trip	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
4.	5047 Children 12 to Under 19 yrs –	\$ 0.00	\$ 0.00	1 Round Trip	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
6.	5049 Needs Based Passenger/Pedestrian (Senior/Disabled/Income)	\$ 17.00	\$ 17.00	25 Round Trips	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
7.	5050 Post-High School Full-time Students	\$ 23.00	\$ 23.00	25 Round Trips	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
8.	5051 Lummi Tribe W/ I.D.	\$ 0.00	\$ 0.00	Foot Passage Only	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
<u>Passenger Vehicles</u>						
9.	5052 Bicycle W/Rider	\$ 4.00	\$ 4.00	1 Round Trip	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
10.	5053 Motorcycle W/Driver	\$ 5.00	\$ 5.00	1 Round Trip	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
11.	5053PC Motorcycle W/Driver	\$ 80.00	\$ 80.00	25 Round Trips	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
12.	5054 Vehicle W/Driver < 8,001 lbs.	\$ 10.00	\$ 10.00	1 Round Trip	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
13.	5055 Vehicle W/Driver <8,001 lbs. – Multiride	\$ 72.00	\$ 72.00	10 Round Trips	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>
14.	5056 Vehicle W/Driver <8,001 lbs. – Multiride	\$ 160.00	\$ 160.00	25 Round Trips	WCC 10.34	Ordinance 2008-052 <input type="checkbox"/>

Exhibit A – 2014 Unified Fee Schedule Amendment

Department Fees and Charges

Public Works - Ferry & Docks

UFS#	Description	2013 Rate	2014 Rate	Rate Basis	Authorization	Authority	
15. 5057	Needs Based Vehicle W/Driver Senior/Disabled/Income	\$ 36.00	\$ 36.00	10 Round Trips	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
Larger Vehicles							
16. 5058	Vehicle W/Driver 8,001 - 20,000 lbs.	\$ 29.00	\$ 29.00	1 Round Trip	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
17. 5059	Vehicle W/Driver 8,001 - 20,000 lbs.	\$ 207.00	\$ 207.00	10 Round Trips	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
18. 5060	Vehicle W/Driver 20,001 - 36,000 lbs.	\$ 65.00	\$ 65.00	1 Round Trip	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
19. 5061	Vehicle W/Driver 20,001 - 36,000 lbs.	\$494.00	\$ 494.00	10 Round Trips	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
20. 5062	Vehicle W/Driver 36,001 - 50,000 lbs.	\$ 130.00	\$ 130.00	1 Round Trip	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
21. 5063	Vehicle W/Driver 36,001 - 50,000 lbs.	\$ 1040.00	\$ 1040.00	10 Round Trips	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
22. 5064	Trailer under 16 feet	\$ 15.00	\$ 15.00	1 Round Trip	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
23. 5065	Trailer 16 – 30 feet	\$ 31.00	\$ 31.00	1 Round Trip	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
24. 5066	Trailer over 30 feet	\$ 60.00	\$ 60.00	1 Round Trip	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
25. 5067	Over width Vehicle/Trailers > 1 Lane	50%Surcharge	50%Surcharge	Surcharge	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
Special Trips							
26. 5068	Special Trips after regularly scheduled runs	\$575.00	\$575.00	Per trip surcharge	WCC 10.34	Ordinance 2008-052	<input type="checkbox"/>
Surcharge							
27. 5044	Per Trip Surcharge	\$0.00	\$3.00	1 Round Trip	WCC 10.34	Ordinance 2010-054	

Additional Fees

28. 5069	Credit/Debit Card Convenience Fee	\$0.00	Current fee as set by electronic payment processing company/Whatcom County contract	Multi-Ride Ferry Passes	RCW 36.29.190	Ordinance	
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