

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN AGREEMENT WITH SOUTHERN AUTOMATED SYSTEMS, INC., FOR CREDIT CARD PROCESSING SERVICES FOR KINGSPORT CITY COURT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, the Kingsport Police Department currently utilizes software developed by Southern Automated Systems, Inc. to manage citations issued pursuant to the Kingsport Code of Ordinances as well as to manage the city court docket; and

WHEREAS, Southern Automated Systems, Inc., also offers credit card processing services through which fines and court costs may be paid either on-line or in person by credit card with the payments being remitted directly to a participating entities financial account; and

WHEREAS, currently fines and court costs assessed through Kingsport City Court may only be paid by cash, check, or money order which requires payment be made either in person or by mail through the city court clerk's office; and

WHEREAS, the addition of an on-line credit card payment option through Southern Automated Systems, Inc., is not only more convenient for those paying fines but also improves efficiencies as the credit card processing system is tied into the current court management software; and

WHEREAS, a convenience fee of \$4.50 plus 3% of the charge is collected and retained by Southern Automated System, Inc., with no additional charge to the city for use of the system; and

WHEREAS, utilization of the service requires execution of an agreement and the completion of an "*Add Location*" form for routing of the collected fines and court costs.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the credit card payment agreement with Southern Automated Systems, Inc., and "*Add Location*" form for credit card processing services is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the credit card payment agreement for credit card processing services, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said agreement being as follows:

#### Credit Card Payment Agreement

Southern Automated Systems, providing OmniCourt to the City of Kingsport for its Kingsport Municipal court agrees to provide Credit Card Payment services for the court. Credit Card transactions may be made on line, or at the court.

Transactions (upon approval of CC/verification of amount due from OmniCourt) are automatically posted to OmniCourt, requiring no user intervention and immediate update to case/OmniCourt.

There is no charge to the Kingsport Municipal court, and the defendant pay a convenience fee of 4.50 plus 3% to Southern Automated. Funds for defendants' case (charges) are deposited into Courts bank account of choice, and funds for convenience fee are deposited into Southern Automated account. All Credit Card transactions for Kingsport Municipal court are to be processed thru service provided per this agreement.

Agreement is for 60 months, though either party to this agreement may terminate the agreement for convenience upon 90 days written notice and such termination shall not be deemed a breach of this agreement. Additionally, City of Kingsport will complete and submit the World Pay (Bank providing service) "Add Location Request" document with necessary accompanying documentation with agreement.

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose including recreational and educational, and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

---

PATRICK W. SHULL, MAYOR

ATTEST:

---

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

---

RODNEY B. ROWLETT, III, CITY ATTORNEY