

**GAINESVILLE POLICE DEPARTMENT**  
**Inter-Office Communication**

**Chief Norman B. Botsford**

**To:** Russ Blackburn, City Manager

**Date:** 10/3/05

**From:** Norman B. Botsford, Chief of Police

**Subject:** Request for Increase in Tow Rates

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I have reviewed the letter sent to you on September 28, 2005 from Attorney Smaha, representing Ultimate Towing and their request for an increase in maximum trespass towing fees. GPD has never been involved in recommending or approving rate increases and probably would not be an appropriate forum for this type of issue. Historically, when these requests are presented, the City Commission has referred the review to the Public Safety Committee. In the past two years, the Public Safety Committee has ultimately given that review to the Towing Advisory Board for their recommendation.

Trespass towing fees are established annually by City Commission resolution, if a request is made prior to the September 30<sup>th</sup> deadline. Section 14.5-27 of the Code of Ordinances, states in part, ..."Maximum trespass towing fees shall be established no more than annually by the city commission after receiving a request for fee modification by the towing company owners and staff recommendations based on financial information submitted by the trespass towing companies as to their costs for the removal of vehicles and on other information. The required information shall be submitted by the towing company owners by September 30 of each year. The maximum fees shall be set by resolution to be adopted by the city commission prior to December 31 of each year in which a request for modification has been made. Such maximum fees shall be effective during the following calendar year and until changed by subsequent resolution."

Last year, Ultimate Towing submitted a request for an increase in towing fees. The Commission referred it to the Public Safety Committee (PSC), who in turn, assigned it to the Towing Advisory Board (TAB). The TAB held a special meeting and returned with a majority recommendation for the PSC. A compromised \$4.00 increase was recommended to the Commission by the PSC,

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RE: Trespass Towing Fee Increase  
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but was ultimately denied. Therefore, the towing fees remained at \$76 as was adopted by resolution on December 2003.

I would recommend that you ask the City Commission at their October 10<sup>th</sup> meeting, to refer this to the PSC so that it can be placed on their next meeting agenda of October 20. As a reminder, the Towing Advisory Board is in limbo, pending re-appointments by the Office of the City Manager. If it is the desire of the PSC for the TAB to review this in time to allow the Commission to adopt the rates by December 31<sup>st</sup> (as required by ordinance), you would need to have staff attend to that.

Let me know if you wish to discuss this further.

NBB/mrh

Attch: 2004 Information on Trespass Towing Rate Request