



Legislation Details (With Text)

**File #:** 100629.      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Second Reading  
**File created:** 4/2/2013      **In control:** City Attorney  
**On agenda:** 4/18/2013      **Final action:** 5/2/2013  
**Title:** REAL PROPERTY POLICIES (B)

Ordinance No. 100629

An ordinance of the City of Gainesville, Florida, amending the City Code of Ordinances, relating to real property; by amending Section 2-435 to change the point in time at which an appraisal must be obtained by the City; by deleting in its entirety existing Section 2-436 concerning sale of land obtained by the City through foreclosure; by creating a new Section 2-436 which provides for acquisition and disposition of real property in accordance with the City's adopted Real Property Policies; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 100629\_draft ordinance\_20130418.pdf, 2. 100629\_Ordinance\_20130502.pdf

Date	Ver.	Action By	Action	Result
5/2/2013	1	City Commission	Adopted on Final Reading (Ordinance)	Pass
4/18/2013	1	City Commission	Adopted on First Reading (Ordinance)	Pass

**REAL PROPERTY POLICIES (B)**

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The City Commission adopt the proposed ordinance.

**PUBLIC WORKS DEPARTMENT STAFF REPORT**

This ordinance is related to Resolution #100630, adopting policies for the City's acquisition and disposition of real property. This ordinance amends existing City Code to require that the Real Property Policies be followed when acquiring and disposing of real property.

In addition, this ordinance revises existing City Code concerning the point at which an appraisal is obtained for property valued at \$100,000 or more. Current Code requires the City to obtain an appraisal prior to signing a contract. This requires the expenditure of significant funds before the City has any written assurance that the

Seller will actually sell the property. Staff recommends a better practice is to allow City staff to negotiate and sign a contract with the Seller, contingent on obtaining an appraisal prior to Commission approval. This ordinance will allow for that practice.

This ordinance also deletes an obsolete portion of City Code regarding sale of land obtained by the City by virtue of foreclosure for delinquent taxes and/or special assessments. Pursuant to state law, these proceedings are now handled through the tax certificate process by the County Tax Collector. In the event any property escheats to the City by virtue of such proceedings, the City will dispose of such property in accordance with these policies.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.