



### Legislation Details (With Text)

**File #:** 44754      **Version:** 1      **Name:** To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2015/16 Maintenance Charges.

**Type:** Resolution      **Status:** Passed

**File created:** 10/12/2016      **In control:** DOWNTOWN COORDINATING COMMITTEE

**On agenda:** 11/1/2016      **Final action:** 11/1/2016

**Enactment date:** 11/2/2016      **Enactment #:** RES-16-00836

**Title:** To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2015/16 Maintenance Charges.

**Sponsors:** Paul R. Soglin, Michael E. Verveer

**Indexes:**

**Code sections:**

**Attachments:** 1. Mall Charges 2016.pdf, 2. 2016 Mall Special Charges Letter and Map.pdf, 3. Notice of Special Charges.pdf

Date	Ver.	Action By	Action	Result
11/1/2016	1	COMMON COUNCIL	Adopt	Pass
10/24/2016	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/20/2016	1	DOWNTOWN COORDINATING COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
10/19/2016	1	BOARD OF ESTIMATES (ended 4/2017)	Referred	
10/18/2016	1	COMMON COUNCIL	Refer	Pass
10/12/2016	1	Parks Division	Referred for Introduction	

#### Fiscal Note

The City and property owners share the cost of the State Street / Capitol Square Mall Maintenance service. Total expenditures for the Fiscal Year 2015/2016 service period were \$1,207,424.22. The City has paid \$767,233.90 for these services. The remaining \$440,190.32 for the 2015/16 service period is chargeable to the property owners.

This is a \$120,892.66 increase over the prior year, which is \$39,809.68 less than budgeted. In 2015/2016 the district was expanded to provide service to approximately 25% more parcels. The expansion increased the property base of the special charge by 20%. As a result the increased base, the special charge to most owners is approximately 15% higher this year than the prior year. The cost drivers of the expansion included adding 3.3 FTE's in mall concourse parks section. Payments are budgeted for in the 2016 Parks Adopted Operating Budget.

#### Title

To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2015/16 Maintenance Charges.

#### Body

Since 1982, a portion of the cost to maintain the State Street Mall and Capitol Concourse (Mall Concourse) has been recovered by imposing special charges against properties within the Mall/Concourse District. The Mall Maintenance special charges imposed do not include imposition of special charges against properties of

the University or State of Wisconsin. The State is not legally obligated to pay such charges. However, the State is not prohibited from reimbursing the City for its proportion of these costs.

WHEREAS, Resolution No. 35,075 dated October 23, 1979, mandated that a portion of the City's annual Mall/Concourse maintenance costs be specially charged to properties within the State Street Mall/Capitol Concourse District, and

WHEREAS, Resolution No. 37,401 dated September 29, 1981, adopted a policy for calculating such special charges as current services rendered at the conclusion of the service year, pursuant to what is now Section 66.0627, Wisconsin Statutes, and

WHEREAS, Resolution No. RES-08-00931 dated October 10, 2008, adopted a policy for calculating such charges based upon a combination of parcel square footage and effective service frontage length, and

WHEREAS, the 2011 Adopted Operating Budget Resolution, created a new permanent staff position to be funded exclusively by the special charges, and

WHEREAS, the 2012 Adopted Operating Budget Resolution, established a State Street Mall / Capitol Concourse landscaping program to be funded exclusively by the special charges, and

WHEREAS, the 2015 Adopted Operating Budget Resolution included an expansion of the State Street Mall / Capitol Concourse service area; and

WHEREAS, The City Attorney has determined that the provisions of Wisconsin Statute 66.027 shall be followed in the imposition of special charges for said maintenance costs.

NOW, THEREFORE, BE IT RESOLVED:

That the 2016 Special Charges for the State Street Mall and Capitol Concourse provided in Schedule A are hereby adopted in accordance with Sections 4.09(13) of the Madison General Ordinances and Wis. Stat. Sec. 66.0627;

That such Special Charges shall not be payable in installments;

That these Special charges shall represent an exercise of the police power of the City of Madison; and,

That the date by which such special charges shall be paid in full is January 31, 2017.