# Legislation Text

**File #:** 04631, **Version:** 1

**Fiscal Note**

For the fiscal year of September, 2005 through August, 2006, net expenditures have totaled $660,040. Of this amount, $567,881.79 is considered assessable, with the remainder of $92,158.22 accounted for by State-owned properties and which may not be recoverable by the City. Net revenues of $121,300 have been included in the 2006 Adopted Parks Division Operating Budget. There is no anticipated impact upon cost controls or the tax levy.

**Title**

To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2005/06 Maintenance Charges.

**Body**

Preamble

Since 1982, a portion of the cost to maintain the State Street Mall and Capitol Concourse (Mall Concourse) have been recovered by assessing special charges against properties in proximity to the Mall/Concourse. These charges have been generally calculated in accordance with Council Resolution 37,401, which was adopted October 6, 1981.

The attached schedule of special charges does include the special charges calculated for properties of the State of Wisconsin. The State is not obligated to pay these charges and has never been formally invoiced for these related expenses. However, the State may not be prohibited from reimbursing the City for its portion of these costs.

WHEREAS, Resolution No. 35,075 dated October 23, 1979, mandated that a portion of 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 specially charging maintenance costs, and

WHEREAS, The City Attorney has determined that the provisions of Wisconsin Statute 66.60(16) shall be followed in the levying of special charges for said maintenance costs.

NOW, THEREFORE, BE IT RESOLVED:

1. That the 2005/2006 Special Charges for the State Street Mall and Capitol Concourse provided in Schedule A are hereby adopted in accordance with Sections 4.09(13) and 4.09(14) of the Madison General Ordinances;

2. That such Special Charges shall not be payable in installments;

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

4. That the date by which such special charges shall be paid in full is January 31, 2007.

Notice

Section 4.09(14) provides that, "Any person against whose land a special assessment has been levied under this ordinance shall have the right to appeal there from in the manner prescribed in Section 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of final determination by the governing body."