File #: 35703, **Version:** 2

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 2013/2014 service period were $785,050.03. The City has paid $468,340.12 for these services. The remaining $316,709.91 for the 2013/14 service period is chargeable to the property owners. This is a 3.88% increase over prior year charges. Payments are budgeted for in the Parks Division 2014 Adopted Operating Budget.

Title

To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2013/14 Maintenance Charges.

Body

Preamble

Since 1982, a portion of the cost to maintain the State Street Mall and Capitol Concourse (Mall Concourse) has been recovered by assessing special charges against properties in proximity to the Mall/Concourse. 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 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 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 City Attorney has determined that the provisions of Wisconsin Statute 66.027 shall be followed in the levying of special charges for said maintenance costs.

NOW, THEREFORE, BE IT RESOLVED:

1. That the 2014 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 of 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, 2015.

Notice
Section 4.09(14) of the Madison General Ordinances provides that, "Any person against whose land a special assessment has been levied under this ordinance shall have the right to appeal therefrom 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."