



Legislation Details (With Text)

**File #:** 67609      **Version:** 1      **Name:** To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2020/21 Maintenance Charges.

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

**File created:** 9/29/2021      **In control:** DOWNTOWN COORDINATING COMMITTEE

**On agenda:** 10/5/2021      **Final action:** 11/2/2021

**Enactment date:** 11/5/2021      **Enactment #:** RES-21-00743

**Title:** To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2020/21 Maintenance Charges.

**Sponsors:** Satya V. Rhodes-Conway, Michael E. Verveer, Yannette Figueroa Cole

**Indexes:**

**Code sections:**

**Attachments:** 1. Schedule A.pdf, 2. Charge Letter with Map.pdf, 3. Notice of Special Charges 2021.pdf

Date	Ver.	Action By	Action	Result
11/2/2021	1	COMMON COUNCIL	Adopt	Pass
10/25/2021	1	FINANCE COMMITTEE	Return to Lead with the Following Recommendation(s)	Pass
10/21/2021	1	DOWNTOWN COORDINATING COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/5/2021	1	DOWNTOWN COORDINATING COMMITTEE	Referred	
10/5/2021	1	COMMON COUNCIL	Referred	
9/29/2021	1	Parks Division	Referred for Introduction	

**Fiscal Note**

The proposed resolution adopts the State Street Mall Capitol Concourse 2020/21 schedule of special charges for maintenance service. These charges are assessed to support the additional level of services provided to this high-traffic area, including operation of water fountains, maintenance of flower planters, and frequent trash and snow removal. This charge does not cover any expenses related to emergency public services, such as those services provided during the protests in the summer of 2020. The City and property owners share the cost of the State Street Mall/Capitol Concourse Maintenance service 50/50.

Total expenditures for the 2020/21 service period were \$1,381,026. The City portion for these services is \$690,513, and the remaining \$690,513 is chargeable to the property owners. While this is an increase of 24% over the prior year, 2019/20 was calculated for a 9-month billing period. The average monthly cost of \$57,543 for 2020/21 is comparable to the 2019/20 average monthly cost of \$58,141. Payments are budgeted in the 2021 Parks Division Adopted Operating Budget.

**Title**

To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2020/21 Maintenance Charges.

**Body**

WHEREAS, the State Street Mall and Capitol Concourse area (the Mall Concourse) serves as the heart of

downtown Madison, and is a treasured part of the community. In recognition of the importance of this area, and in the interest of supporting continued economic development downtown and maintaining the quality of life in the area and the City itself, the City has a dedicated maintenance team (Mall Maintenance) that is responsible for providing additional services to this heavily used area, including, but not limited to, daily trash collection, snow removal, sidewalk cleaning, landscaping services, and other general maintenance needs; and,

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, since 1982, a portion of these extra costs incurred by the City to maintain the Mall Concourse area have been recovered by imposing special charges against the properties within the Mall Concourse area served by the City's Mall Concourse program. The costs are recovered on an annual basis based upon the actual services provided in the preceding period; and,

WHEREAS, Resolution No. RES-08-00931 dated October 10, 2008, adopted a policy for determining 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 2019 Adopted Operating Budget Resolution included the addition of services of the 1)Mall Concourse Flower Planter Program and 2) Mall Concourse Fountains and Amenity Improvements, which is an increase to the expenses funded by the special charges; and,

WHEREAS, the size and scope of the Mall Maintenance Area and corresponding of administration of the special charge process has grown significantly over the years; and,

WHEREAS, the administrative burden of the special charge process increased significantly over the decades on with a multitude of incremental changes creating inefficiencies and lack of clarity; and,

WHEREAS, the 2020 Adopted Operating Budget included a modification to the cost share between the City and property owner from an 63% City /37% Property Owner effective 2019 to 50% Property Owner/50% City in 2020 with the intention of establishing a transparent and understandable process to apportion special charges to the benefiting properties; and,

WHEREAS, Resolution No. 62434, Dated November 17, 2020, amended the billing cycle from September 1st to August 31st to June 1st to May 31st and amended the apportionment policy to apportion eligible service costs 50% to the property owners and 50% to the City as a whole. For 2019-2020 only, the billing time period

was approved to include 9 months from September 1, 2019 to May 31, 2020; and,

WHEREAS, the City Attorney has determined that the provisions of Wisconsin Statute 66.0627 shall be followed in the imposition of special charges for said maintenance costs.

NOW, THEREFORE, BE IT RESOLVED: That the 2021 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; and,

BE IT FURTHER RESOLVED that the 2020/21 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; and,

BE IT FURTHER RESOLVED that such Special Charges shall not be payable in installments and shall be paid in full by January 31, 2021; and,

BE IT FINALLY RESOLVED that these Special Charges shall represent an exercise of the police power of the City of Madison.