



Legislation Details (With Text)

**File #:** 79611      **Version:** 1      **Name:** Approving the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2022/23 Maintenance Charges. (District 2, District 4, and District 8)

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

**File created:** 8/29/2023      **In control:** FINANCE COMMITTEE

**On agenda:** 10/3/2023      **Final action:** 10/3/2023

**Enactment date:** 10/6/2023      **Enactment #:** RES-23-00624

**Title:** Approving the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2022/23 Maintenance Charges. (District 2, District 4, and District 8)

**Sponsors:** Michael E. Verveer

**Indexes:**

**Code sections:**

**Attachments:** 1. Special Charges Schedule A.pdf, 2. Notice of Special Charges 2023.pdf, 3. Notice to Property Owners.pdf

Date	Ver.	Action By	Action	Result
10/3/2023	1	COMMON COUNCIL	Adopt Unanimously	Pass
9/26/2023	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/21/2023	1	DOWNTOWN COORDINATING COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
9/19/2023	1	FINANCE COMMITTEE	Refer	
9/19/2023	1	COMMON COUNCIL	Refer	Pass
8/29/2023	1	Parks Division	Referred for Introduction	

**Fiscal Note**

The proposed resolution approves the State Street Mall Capitol Concourse 2022/23 schedule of special charges for maintenance service. The City and property owners share these costs equally. The cost for Total expenditures for the 2022/23 service period were \$1,404,224.49 with the City and property owners each paying \$702,122.24. This amount is calculated based on a twelve (12) month billing cycle. The average monthly cost of \$58,509 for 2022/23 is comparable to the 2021/22 average monthly cost of \$58,371. Receipt of payments from the property owners is included in the 2023 Parks Division Adopted Operating Budget.

**Title**

Approving the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2022/23 Maintenance Charges. (District 2, District 4, and District 8)

**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 all remaining years shall be calculated for the full 12 months; 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 2022/23 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, 2024; and,

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