

**LRB – RESEARCH AND ANALYSIS SECTION**

**PUBLIC WORKS COMMITTEE**

**ITEM 38, FILE 050347**

**JUNE 7, 2006**

**ANGELYN WARD**

File #050347 is a substitute resolution relating to the establishment of a scheduled maintenance of City-owned lots.

**BACKGROUND AND DISCUSSION**

1. This resolution directs city departments to establish and enforce regular scheduled maintenance of City-owned lots as indicated in vendor contracts.
2. There are over 2,500 vacant city-owned lots. The Department of City Development (DCD) handles the management of vacant lots. The Department of Neighborhood Services (DNS) oversees the maintenance. The Department of Administration (DOA) through Procurement handles the bidding process for contracts of the vacant lot maintenance.
3. Vacant lot maintenance includes grass cutting, lot cleaning and snow plowing.
  - A. Grass Cutting - The vendors perform 8 cuttings per season or as many as may be necessary or requested. They clean debris from lots prior to any cutting, mowing of weeds and grass to a 2-3 inch cutting; trimming of areas around trees, fences, etc., Debris will be hauled to an appropriate dump site. The cuttings are completed in a 14 day cycle.
  - B. Lot Cleaning – Cleaning is comprised of removing and hauling away furniture, construction materials, mattresses, brush, tree limbs, concrete, rocks, paper, glass and other debris, hauled away to a licensed dumpsite. Cleaning may also include installing signs and concrete bollard barricades.
  - C. Snow Plowing – Vendors remove all snow and ice from public sidewalks fronting and/or adjacent to vacant lots within 24 hours of a snowfall or ice precipitation.
4. The DNS is responsible for inspections of the work performed. If a contractor fails to perform the work, DNS has the authority to retain the services of another contractor to complete the work. The original contractor will be held financially liable for the costs of services performed by another contractor. The cost is deducted from the contractor’s outstanding invoice.
5. In the 2006 Approved Budget, vacant lot maintenance was funded by two sources: a new special purpose account, Vacant Lot Maintenance, at \$711,735, and through CDBG at \$218,755. The new SPA funds the tax-levy supported costs of maintenance for city owned vacant lots. This service had been funded entirely as a grant by CDBG. Federal guidelines stipulate that grant funds can only be used for maintenance activities following the acquisition of property for a maximum of the first three years. Total funding for 2006 is \$930,490.
6. A June 6, 2006 letter from City Attorney’s Office indicated in that Wisconsin law public contracts may not contain a “penalty clause”, and such clauses are void and are not enforceable. But language can be added to a contract to provide a remedy for non-compliant contractors.

**FISCAL IMPACT**

1. There is no fiscal impact.

Cc: Marianne Walsh                      Martin Collins  
W. Martin Morics                      Tracy Williams  
Mark Nicolini

Prepared by: Angelyn Ward, (286-8661)  
LRB-Research and Analysis Section  
June 7, 2006