AGENDA ITEM I-2

# CITY OF LODI
# COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to consider adoption of resolution levying annual (2008) assessment for Downtown Lodi Business Improvement Area No. 1 and confirming the Downtown Lodi Business Partnership 2007-08 Annual Report (as approved by Council on July 18, 2007)

**MEETING DATE:** August 1,2007

**PREPARED BY:** City Manager

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**RECOMMENDED ACTION:** Conduct Public Hearing to consider adoption of resolution levying Annual (2008) assessment for Downtown Lodi Business Improvement Area No. 1 and confirming the Downtown Lodi Business Partnership 2007-08 Annual Report (as approved by Council on July 18, 2007).

**BACKGROUND INFORMATION:** The Downtown Lodi Business Improvement Area No. 1 2007/08 Annual Report was presented and approved by the City Council on July 18, 2007. The Council established August 1, 2007 as the Public Hearing date during which time the public would have an opportunity to present written or oral protests to the assessment being proposed. The Public Hearing is established pursuant to Section 36535 of the California Streets and Highways Code.

Pursuant *to* Lodi Municipal Code chapter/section 12.06.110: The purpose of this process is *to* comply with the Act provisions regarding public notice and hearing prior *to* establishing the benefit fees for the following billing period. City shall not adopt, modify or otherwise amend any billing period budget of the area that is inconsistent in any way with such billing period's budget as agreed *to* and presented by *the* board except in the case of a written majority protest (regarding elimination or modification of any specific budget item) from business owners which will pay *fifty* percent or more of the fees proposed to be levied as *to* any specific budget item pursuant *to* Streets and Highways Code Section *36525(b). In* such case the written protest regarding any specific budget item shall be grounds to eliminate or modify such expenditure from the area's proposed budget pursuant *to* the *written* protest.

Streets and Highway Code 36535 (c) states: At the conclusion of the public hearing, the *City* Council may adopt a resolution *confirming* the report as originally filed or as changed by *if.* The adoption of the resolution shall constitute the levy *of* an assessment for the fiscal year referred to in the report.

**FISCAL IMPACT:** The Downtown Lodi Business Partnership was established in order to create the mechanisms necessary to give Downtown Lodi the ability to compete regionally as a shopping center and entertainment destination. The purpose of the assessment is to pool contributions of individual business owners in order to provide the DLBP with the resources to provide marketing and events coordination.

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APPROVED: _____

Blair King, City Manager

**FUNDING AVAILABLE:** As collected by the City on behalf of the DLBP.

Kirk Evans, Budget Manager

Blair King
City Manager

Attachments

cc: Jairnie Watts, Executive Director, DLBP

When Recorded. Return to:
City of Lodi City Clerk's Office
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2007-163

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI CONFIRMING THE 2008 ANNUAL REPORT FOR THE DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1 AND LEVY OF ASSESSMENT

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WHEREAS, Downtown Lodi Business Improvement Area No. 1 was established December 17, 1997, by Council adoption of Ordinance No. 1654; and

WHEREAS, the Annual Report, as required by Streets and Highways Code 536533, has been submitted to the City Council by the Board of Directors of said Improvement Area: and

WHEREAS, a public hearing was held as required by Streets and Highways Code §36524 on August 1, 2007, in the City Council Chambers at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or as soon thereafter as possible, to consider protests to the assessment levy.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1) The required public hearing was duly held, at which time the public was allowed to present written or oral protests to the levy of assessment for Downtown Lodi Business Improvement Area No. 1.

2) A majority protest as defined in the Streets and Highways Code 536525 was not made.

3) The 2007-08 Annual Report as submitted on July 18, 2007, by the Board of Directors of the Improvement Area to the City Council is hereby confirmed as originally filed and attached hereto.

4) The confirmation of the report and adoption of this resolution constitutes the levy of the assessment as contained in the Annual Report for the calendar year 2007.

Dated: August 1,2007

I hereby certify that Resolution No. 2007-163 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 1, 2007, by the following vote:

| | | |
|---|---|---|
| AYES: | COUNCIL MEMBERS – | Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson |
| NOES: | COUNCIL MEMBERS – | None |
| ABSENT: | COUNCIL MEMBERS – | None |
| ABSTAIN: | COUNCIL MEMBERS – | None |

RANDI JOHL

City Clerk

DOWNTOWN
L·O·D·I
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PARTNERSHIP

May 16, 2007

Mr. Blair King, City Manager
City of Lodi
221 W. Pine Street
Lodi, CA 95241-1910

Re: Annual Report 2007/2008

Dear Blair:

Section 11.0 of the City Ordinance Number 1654, establishing the Downtown Lodi Business Improvement Area, requires that we submit to you by September of each year our annual report and budget.

In addition, the State **of** California Streets and Highways code, which is the enabling legislation, also specifies that certain additional information be provided. You will find all of the required information contained in our report.

We have provided **you** with seven copies, five for the City Council, one for the City Clerk and one for yourself.

Thank you for your continued support.

Sincerely,

Jaime Watts

Jaime Watts, Executive
Downtown Lodi Business Partnership

P.O. Box 1565 Lodi, Ca 95241-1565 Office 209.369.8052 Fax 209.369.8053 www.downtownlodi.com

2038309
ENDORSED
FILED
In the office of the Secretary of State
of the State of California

MAR 3 1 1996

BILL JONES, Secretary of State

# ARTICLES OF INCORPORATION OF

# DOWNTOWN LODI BUSINESS PARTNERSHIP

## A California *Nonprofit* Mutual Benefit Corporation

**One:** The name of the corporation is Downtown Lodi Business Partnership (A California Nonprofit Mutual Benefit Corporation)

Two: This corporation is a nonprofit mutual benefit corporation organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under such law.

Such purposes for which this corporation is formed are to promote and improve the downtown Lodi business area, to generally improve business conditions in the downtown area, and to generally enhance the downtown area of the City of Lodi. Notwithstanding any other provision of these articles, this corporation shall not engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

Three: The name and address of the corporation's initial agent for service of process is Ronald M. Beckman, Esq., 111 N. Church Street, Lodi, California, 05240.

**Four:** The right to determine the consideration for which memberships will be issued shall be vested in the Regular Members, to be determined by a majority vote of the Regular Members in good standing.

**Five:** No part of the net earnings of the corporation shall inure to the benefit of *any* member or private shareholder, as defined for purposes of Section 501 (c) *(5)* of the Internal Revenue Code of 1954.

Dated: March 31, 1998

Ronald M. Beckman

Ronald M. Beckman, Incorporator

OFFICE OF THE SECRETARY OF STATE

DOWNTOWN
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PARTNERSHIP

# 2007/2008 ANNUAL REPORT

**Items listed below refer to Section 36533(b) of the California Streets and Highway Code:**

No changes in boundaries of benefit zones within the area are proposed.

No physical improvements are planned.

Budget for the budget year July 1,2007 through June 30,2008 is enclosed.

The budget details all sources of income and projected expenses.

A Benefit Fee Schedule and a Map of the Business Improvement Area are enclosed.

P.O. Box 1565 Lodi, Ca 95241-1565 Office 209.369.8052 Fax 209.369.8053 www.downtownlodi.com

Downtown is the heart of Lodi. The Downtown Lodi Business Partnership, comprised of business owners, professionals and merchants, is a non-profit association developed to encourage growth and prosperity in the Downtown Community of Lodi. The value of downtown for its economic benefits, heritage and identity, benefits our entire community. A strong commitment by local government in conjunction with a well organized and active private sector is essential in keeping our efforts moving forward.

The calibration of the City's Finance Department and the Downtown Lodi Business Partnership; who levies annual assessments on businesses who reside within the benefit area, are the financial foundation of the organization. Additional funds are generated through fundraising, events and membership programs. The DLBP elects its own Board of Directors made up of fellow volunteer business owners, and is run by a staff of two, which includes an Executive Director and a part time assistant.

Since its inception, the Downtown Lodi Business Partnership has been instrumental in the tremendous growth and vibrancy of the downtown community. The DLBP plays an important role in economic development by partnering with the public and private-sectors to improve the overall viability of downtown Lodi. Relationships have been built with other Lodi entities and with the city. We have been the voice of downtown on varies committees and contributed to numerous projects. The Downtown Lodi Business Partnership attends ribbon cuttings, events and social gatherings which make the organization more visible and has given us the opportunity to build relationships within the community.

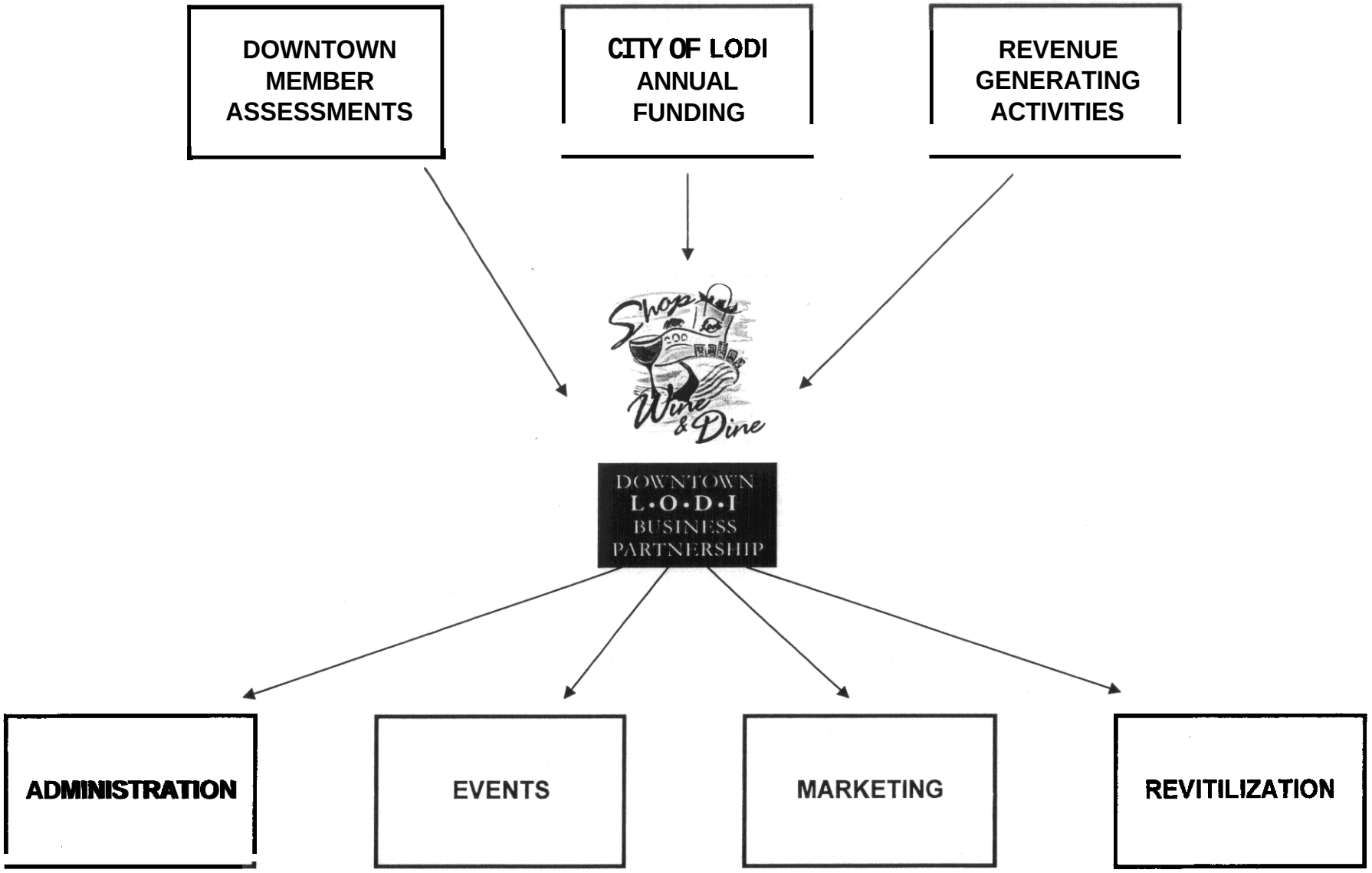
The Downtown Lodi Business Partnership uses marketing tools such as our website, tab insert in the Lodi News-Sentinel, press releases, radio public service announcements and media interviews to promote our signature events; Parade of Lights and Farmer's Market. We also provide community events and promotions such as; photos with the Easter Bunny, car shows, Grape Festival Youth Parade, horse-drawn carriage rides during the holiday season and photos with Santa. We will be adding more retail programs in effort to increase business for the merchants. **A** calendar of proposed events for the remainder of 2007 is enclosed.

The Downtown Lodi Business Partnership strives to make all of our programs and events self supporting **through** sponsorship, donations and fundraising.

Additionally, the Downtown Lodi Business Partnership implements visual streetscape improvements such as holiday décor, banners and signage. Recently we replaced all of **the** banners with **a** fresh look incorporating downtown's new image; Shop, Wine and Dine.. .downtown Lodi.

With our efforts and the city's continued support, downtown will continue to flourish and become a key destination that compares to no other.

# Downtown Lodi Business Partnership Overview



**Downtown Lodi Business Partnership**
**Proposed Budget**
***July** 1, 2007 **through June** 30,2008*

| | |
|---|---|
| **Income** | |
| Assessment Fees | 48500.00 |
| City of Lodi | 35300.00 |
| Event Revenue | |
| Farmers Market | 64000.00 |
| Parade of Lights | 10000.00 |
| Banner Sponsorship Program | 7000.00 |
| Friends of Downtown | 1500.00 |
| Easter Promotion | 600.00 |
| Grape Festival Youth Parade | 600.00 |
| Octoberfest | 1500.00 |
| Winterfest | 1000.00 |
| Miscellaneous Events & Sales | 5000.00 |
| **Total Income** | **175000.00** |
| | |
| **Expenses** | |
| Event Expenses | |
| Farmers Market | 23000.00 |
| Parade of Lights | 3000.00 |
| Banner Sponsorship Program | 1000.00 |
| Friends of Downtown | 500.00 |
| Easter Promotion | 200.00 |
| Grape Festival Youth Parade | 200.00 |
| Octoberfest | 700.00 |
| Winterfest | 700.00 |
| Miscellaneous Events & Sales | 1000.00 |
| Marketing Expenses | |
| Merchant Brochure & Kiosk Map | 4000.00 |
| Advertising & Promotions | 15000.00 |
| Mileage & Meetings | 2600.00 |
| Public Relations | 3000.00 |
| Marketing Campaigns | 1600.00 |
| Seminars | 1500.00 |
| Website | 1500.00 |
| Membership Expenses | |
| Newsletters | 2500.00 |
| Quarterly Mixers | 500.00 |
| Plaques & Trophies | 500.00 |
| Sunshine Committee | 1500.00 |
| Administrative | |
| Salaries & Wages | 63000.00 |
| Payroll Taxes | 6000.00 |

| | |
|---|---|
| Contract Labor | 3000.00 |
| Insurance | 12000.00 |
| Professional Fees | 1000.00 |
| Rent | 6000.00 |
| Storage | 2000.00 |
| Office Supplies | 8000.00 |
| Office Equipment | 2500.00 |
| Bank Fees | 1000.00 |
| Postage | 1500.00 |
| Telephone & Internet | 4500.00 |
| **Total Expenses** | **175000.00** |
| **Net Income** | **0.00** |

DEV CPA David E. Vaughn CPA (209) 957-8806, fax (209) 957-9559
2495 W. March Lane, Suite 75, Stockton, Ca. 95207-8207

# INDEPENDENT ACCOUNTANT'S REPORT

To the Board of Directors
Downtown Lodi Business Partnership
(A Nonprofit Corporation)
Lodi. California

I have compiled the accompanying statement of financial position of Downtown Lodi Business Partnership, (A Nonprofit Corporation) as of December 31, 2006, and the related statements of activities and cash flows for the year then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. I have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

David E. Vaughn

March 14,2007
Stockton, California

# DOWNTOWN LODI BUSINESS PARTNERSHIP

( A Nonprofit Corporation)

.See Accountant's Compilation Report

## STATEMENT OF FINANCIAL POSITION

December 31,2006 .

| | | |
|---|---|---|
| **ASSETS** | | |
| Current assets | | |
| Cash in bank | $ | 5,365 |
| A\R -Assessments & other | | 11,200 |
| A\R • City of Lodi support | | 0,025 |
| Total current assets | $ | 25,390 |
| Furniture & equipment, net of accumulated depreciation of $7.141 | | 6.407 |
| Total assets | $ | 31,877 |
| LIABILITIES AND NET ASSETS | | |
| Current liabilities | | |
| Accounts payable | $ | 2,762 |
| Accrued payroii a taxes | | 1,216 |
| Total current liabilities | $ | 3.970 |
| Net assets | | |
| Net investment in furniture & equipment | $ | 6.407 |
| Unrestricted | | 21.412 |
| Total net assets | $ | 27.099 |
| Total liabilities and net assets | $ | 31,877 |

See Notes lo Financial Statements.

# DOWNTOWN LODI BUSINESS PARTNERSHIP

(A Nonprofit Corporation)

See Accountant's Compilation Report

## STATEMENT OF ACTIVITIES

Year Ended December 31.2006

| | | |
|---|---|---|
| **REVENUES** | | |
| Member assessment fees | | $ 36,160 |
| City of Lodi support | | 39,975 |
| Event revenue | | |
| Farmers Market | $ 68,588 | |
| Parade of Lights | 9.560 | |
| Banner program | 4,675 | |
| Other | 6.805 | 89,628 |
| Advertising revenue | | 7,000 |
| Other income | | 1,415 |
| Investment income | | 51 |
| Total revenue | | $ 174,229 |
| **EXPENSES** | | |
| Event expense | | |
| Farmers Market | $ 38,599 | |
| Parade of Lights | 3.066 | |
| Banner program | 3,565 | |
| Other | 9,777 | $ 55,007 |
| Salaries & wages | | 55.494 |
| Advertising | | 12,005 |
| Insurance | | 9,825 |
| Supplies | | 8.353 |
| Other expenses | | 7,806 |
| Penalties | | 6,207 |
| Rent | | 5,960 |
| Payroll taxes | | 5.515 |
| Repairs & maintenance | | 3,371 |
| Telephone | | 2,959 |
| Promotions | | 2,937 |
| Internet | | 2.080 |
| Postage & delivery | | 1,502 |
| Meetings | | 1,073 |
| Depreciation | | 1,218 |
| Total expenses | | $ 181.312 |
| Change in net assets | | $ (7.083) |
| **NET ASSETS AT BEGINNING OF YEAR** | | 34.962 |
| **NET ASSETS. END OF YEAR** | | $ 27.899 |

See Notes to Financial Statements.

## DOWNTOWN LODI BUSINESS PARTNERSHIP

(A Nonprofit Corporation)

See Accountant's Compilation Report

## STATEMENT OF CASH FLOWS

Year Ended December 31, 2006

| | | |
|---|---|---|
| Cash flows from operating activities | | |
| Change in net assets | $ | (7,083) |
| Adjustments to reconcile operating income to net cash provided by operating activities | | |
| Depreciation | | 1.218 |
| Changes in assets and liabilities | | |
| (increase) Decrease in receivables & prepaids | | 12.735 |
| increase (Decrease) in accounts payable & accruals | | (4,903) |
| Net cash provided by Operating activities | S | 1.987 |
| Cash flows from investing activities | | |
| Increase in fixed assets | $ | (4.593) |
| Other investing activities | | |
| Net cash used in investing activities | S | (4,593) |
| Net increase (decrease) in cash | S | (2,626) |
| Cash | | |
| Beginning | | 7.991 |
| Ending | $ | 5,365 |

See Notes to Financial Statements.

# Downtown Lodi Business Partnership

(A Nonprofit Corporation)
See Accountant's Compilation Report

## NOTES TO FINANCIAL STATEMENTS

Note 1. Nature of Business and Significant Accounting Policies

Operations and Program Description:

The Downtown Lodi Business partnership is a nonprofit membership corporation established in 1998 that manages the Downtown Business Improvement Area. The mission of the Organization is to encourage the development of new businesses, revitalize existing businesses, promote retail activity, and serve as an advocate for downtown Lodi businesses.

Basis of Accounting:

The accompanying financial statements have been prepared on the accrual basis of accounting. Members are assessed yearly and the support from the City of Lodi may vary from year to year.

Basis of Presentation:

me Organization has adopted (FAS-I17) 'Financial Statements of Not-for-Profit Organizations." Under FAS 117, the Organization is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets. In addition, the Organization is required to present a statement of cash flows. At December 31,2006 there were no restricted net assets. The unrestricted operating net assets represent revenues and expenses related to the operation and management of the Organization's primary programs and supporting services.

Furniture and Equipment:

Furniture and equipment are stated at cost Donated equipment is stated at the estimated fair market value at the date of donation. Expenditures for improvements and equipment costing over $500 are capitalized. Depreciation is computed on the straight-line method over the estimated useful lives of the assets as follows:

| | Years |
|---|---|
| Furniture | 7 |
| Equipment | 5 |

Estimates:

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that effect the reported amounts of assets and liabilities and disclosure of contingent liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Taxes:

The Downtown Lodi Business Partnership is exempt under IRC Sec. 501(c)(6) of the IRS Code.

Allocation of Expenses:

The Organization allocates its expenses on a functional basis between Its program and support services. Expenses that can be identified with specific programs and support services are allocated directly according to their natural classification. Any expenses that are common to several functions are allocated among the program and support services benefited. Approximately 19.7% of the expenses are general 8 administrative expenses and 80.3 % are program services expenses.

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## DOWNTOWN LODI BUSINESS PARTNERSHIP BENEFIT FEE SCHEDULE

| BUSINESS TYPE | ZONE A | ZONE B |
|---|---|---|
| Retailers/Restaurants* | $240 (1-3 Employees) | $120 |
| | $360 (4-6 Employees) | $180 |
| | $480 (7+ Employees) | $240 |
| Service Businesses | $180 | $90 |
| Professional Businesses | $120 | $60 |
| Financial Institutions | $600 | $600 |

***Note: Reiail and restaurant businesses are assessed based on ihe number of employees - either full-time, or ihe equivalent made up of multiple employees.***

**BUSINESS TYPE DEFINITIONS:**

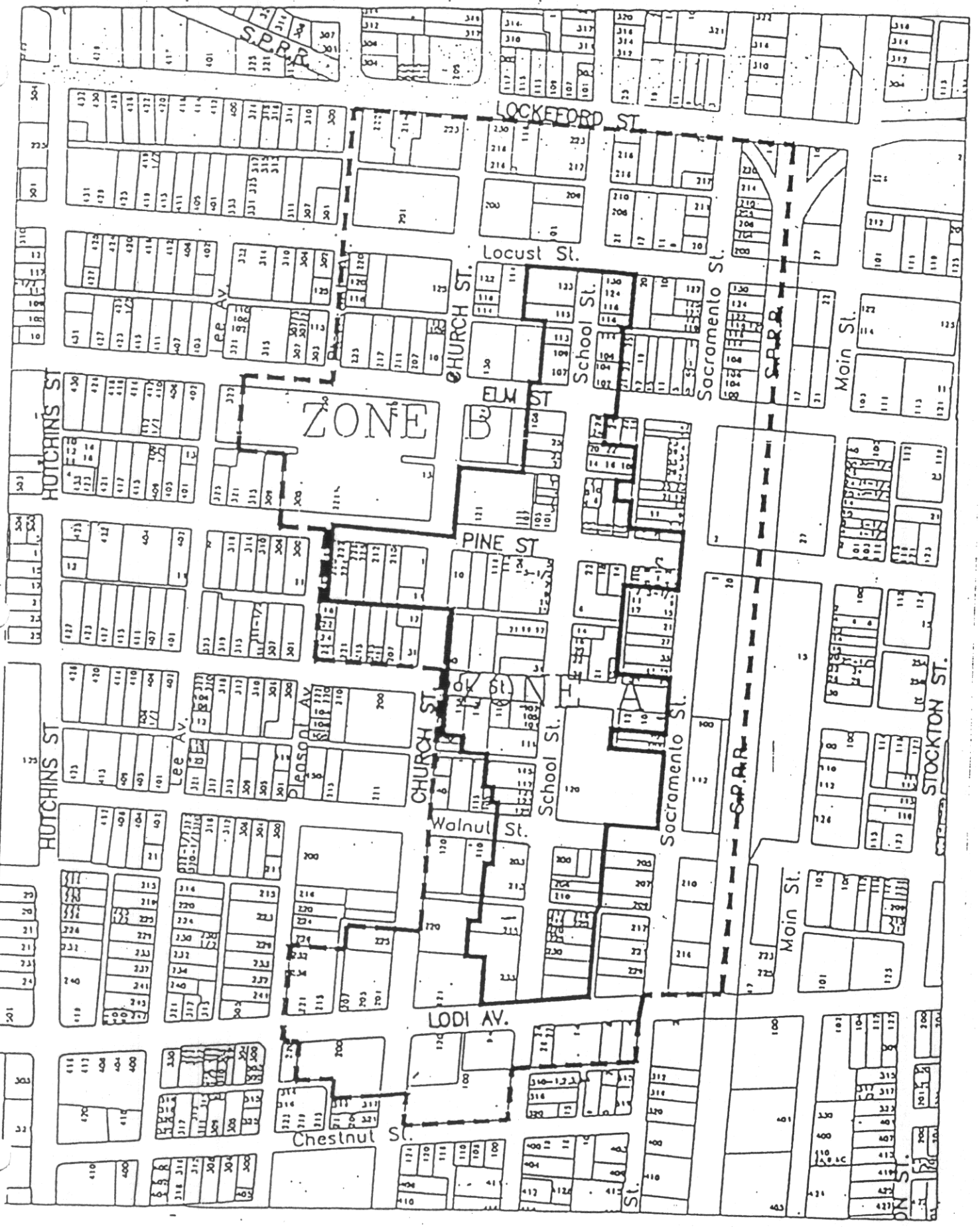
**Retail and Restaurant –** Businesses that buy and resell goods. Examples would be clothing stores, shoe stores, office supplies, as well as businesses that sell prepared food and drinks.

**Service Businesses –** Businesses that sell services. Examples are beauty and barber shops, repair shops, lodging, most automotive-oriented businesses, entertainment businesses such as theaters, etc.

**Professional Businesses** – Includes architects, engineers, attorneys, dentists, doctors, accountants, optometrists, realtors, insurance offices, mortgage brokers and most other businesses which require advanced or specialized licenses, and/or advanced academic degrees.

**Financial Institutions –** Includes banking and savings and loan institutions, as well as credit unions, etc.

**Downtown Lodi Business Partnership**
**4 West Pine Street, Lodi, California 95240**
**209.369.8052 phone 209.369.8053 fax**
**www.downtownlodi.com**




DOWNTOWN LODI BUSINESS PARTNERSHIP

EXHIBIT D

DOWNTOWN
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# MISSION STATEMENT

The Downtown Lodi Business Partnership, comprised of business owners, professionals and merchants, is a non-profit association developed to encourage growth and prosperity in the Downtown Community of Lodi, and to maintain its economic health on an on-going basis.

This will be accomplished by:

- Encouraging development of new businesses, while retaining and revitalizing existing businesses
- Promoting retail activity by creating and maintaining a quality environment through coordinated advertising and Downtown events
- Serving as an advocate for Downtown businesses in dealing with local government, maintenance projects, the media and general public

4 West Pine Street, Lodi, Ca 95240
209.369.8052 phone 209.369.8053 fax
www.downtownlodi.com

# DOWNTOWN LODI BUSINESS PARTNERSHIP
# 2008 MARKETING PLAN

**Objective:**
Through advertising, events, and special merchant promotions that highlight our businesses and historic buildings and streets, the Downtown Lodi Business Partnership's marketing goal is to bring visitors and residents to Downtown.

**Goals:**
The main goal of the DLBP is to bring more customers and businesses to the downtown, therefore, increasing the tax base. The DLBP will work together with organizations such as the Conference and Visitors Bureau, Chamber of Commerce, Hutchins Street Square, Lodi-Woodbridge Wine Grape Commission, and the City of Lodi to develop collaborative events and promotions that will help market and promote not only Downtown Lodi, but the City of Lodi as well. The DLBP will continue to work on strengthening its relationship with the downtown merchants by offering a full program of services to ow members:

- Quarterly newsletters
- Quarterly Member Meetings
- New Business Information Packets
- Parking and Safety Committee
- Marketing Committee
- Events Committee
- Sunshine Committee
- DLBP office staff to serve the membership and public
- Serve as an advisory advocate for the membership with the City of Lodi

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# 2007 Downtown Calendar of Events

| EVENT | DATE |
|---|---|
| Spring Sidewalk Sale | Saturday, March 31 |
| Photos with Easter Bunny | Saturday & Sunday, March 31 & April 1 |
| Cruisin' Lodi Rooftop Rumble | Saturday, June 2 |
| Farmers Market & Festival | Thursdays, June 7 through September 27 |
| Lodi Bike Show & Rally | Saturday, July 28 |
| "Stuck in Lodi" Car Show | Saturday, August 4 |
| 70th Annual Grape Festival Youth Parade | Saturday, September 15 |
| Octoberfest | Saturday, October 6 |
| Downtown Trick-or-Treat | Saturday, October 27 |
| Winterfest<br>Photos with Santa<br>Free Carnage Rides<br>Merchant Window & Lighting Display Contest | Saturdays, November 24 through December 15 |
| Downtown Holiday Open House & Bizarre | Saturday, December 1 |
| 12th Annual Parade of Lights | Thursday, December 6 |

**Downtown Lodi Business Partnership**
**4 West Pine Street, Lodi, California 95240**
**209.369.8052 phone 209.369.8053 fax**
**www.downtownlodi.com**

***Please immediately confirm receipt of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

## ADVERTISING INSTRUCTIONS

**SUBJECT** **PUBLIC HEARING NOTICE TO CONSIDER ADOPTION OF RESOLUTION LEVYING ANNUAL (2008) ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1 AND CONFIRMING THE DOWNTOWN LODI BUSINESS PARTNERSHIP 2007-08 ANNUAL REPORT**

**PUBLISH DATE:** **SATURDAY, JULY 21,2007**

**LEGAL AD**

**TEAR SHEETS WANTED:** **Three (3) please**

**SEND AFFIDAVIT AND BILL TO:**

RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi. CA 95241-1910

**DATED:** THURSDAY, JULY 19,2007

**ORDERED BY:**

RANDI JOHL
CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

Faxed to the Sentinel at 369-1084 at 3:20 (time) on 7/19/07 (date) 2 (pages)
LNS _____ **Phoned** to **confirm receipt** of **all pages at** _____(time) ____JLT ____DRC____JMP (initials)

forms\advins.doc

# DECLARATION OF POSTING

**PUBLIC HEARING NOTICE TO CONSIDER ADOPTION OF RESOLUTION LEVYING ANNUAL (2008) ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1 AND CONFIRMING THE DOWNTOWN LODI BUSINESS PARTNERSHIP 2007-08 ANNUAL REPORT**

On Friday, July *20, 2007,* in the City of Lodi, San Joaquin County, California, a Public Hearing Notice to consider adoption of resolution levying annual *(2008)* assessment for Downtown Lodi Business Improvement Area No. 1 and confirming the Downtown Lodi Business Partnership *2007-08* Annual Report (attached and marked as Exhibit A) was posted at the following locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July *20, 2007,* at Lodi, California.

ORDERED BY:

**RANDI JOHL**
**CITY CLERK**

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

N:\Administration\CLERK\Forms\DECPOSTCM.DOC

**NOTICE OF PUBLIC HEARING**

EXHIBIT A

RESOLUTION NO. 2007-147

A RESOLUTION OF INTENTION TO LEVY ANNUAL ASSESSMENT FOR DOWNTOWN LODI BUSINESS IMPROVEMENT AREA NO. 1, ESTABLISHING PUBLIC HEARING DATE, AND APPROVING ANNUAL REPORT

==========

WHEREAS, Downtown Lodi Business Improvement Area No. 1 was established December 17, 1997, by Council adoption of Ordinance 1654; and

WHEREAS, the Annual Report, as required by Streets and Highways Code §36533, has been submitted to the Council by the Board of Directors of said improvement area.

NOW, THEREFORE, the City Council of the City of Lodi does hereby resolve, determine, and find as follows:

1. Approved the Annual Report as submitted, said Report being on file with the City Clerk.

2. Establishes **August 1, 2007,** in the City Council Chambers, at Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:00 p.m., or soon thereafter as possible, as the date, place, and time to hold the public hearing required by Streets and Highway Code §36534.

3. It is the intention of the City Council to levy and collect assessments within the parking and business improvement area for calendar year 2008 (the Area's fiscal year).

4. The boundaries of the entire area to be included in the Area and the boundaries of each separate benefit zone within the area are set forth in a Map, Exhibit D, incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Lodi.

5. The types of improvements and activities proposed to be funded by the levy of assessments on businesses in the Area include marketing and promotional efforts; event coordination; and other activities with the goal to promote retail activities. A detailed description of activities is included in the Annual Report, Exhibit A, and incorporated by reference.

6. At the time of the public hearing, written and oral protests may be made. The form and manner of protests shall comply with Streets and Highways Code §§36524 and 36525.

Dated: July 18,2007

---

I hereby certify that Resolution No. 2007-147 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 18, 2007, by the following **vote:**

AYES: COUNCIL MEMBERS – Hansen, Katzakian, Mounce, and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock

ABSTAIN: COUNCIL MEMBERS – None

RANDI JOHL
City Clerk