



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Provide Direction Regarding Request of Lodi Chamber of Commerce for Waiver of Remittance of Business License Taxes Collected at the October 2010 Street Faire

MEETING DATE: November 17, 2010

PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: Provide direction regarding request of Lodi Chamber of Commerce for waiver of remittance of Business License Taxes collected at the October 2010 Street Faire.

BACKGROUND INFORMATION: The Lodi Chamber of Commerce sponsors the Lodi Street Faire on the first Sunday in May and October of each year. The Lodi Municipal Code Section 3.01 provides for Business License Taxes for all businesses operating in the city. The Chamber of Commerce collects Business License Taxes of \$10 per vendor from all vendors that participate in the Street Faire that do not currently hold City business licenses. These amounts are included in the registration fees charged by the Chamber. The Chamber of Commerce has requested that the Council waive remittance of the Business License Taxes per section 3.01.030 (H) of the Lodi Municipal Code. The Chamber of Commerce request is attached.

The Chamber reports that the October 2010 Street Faire had a total of approximately 500 vendors. Of these, 276 did not have City of Lodi business Licenses. Business Licenses Taxes due to the City total \$2,760. The Chamber request notes a number of additional costs such as insurance, signage, a golf cart for Fire Department use and lost vendor income. These charges totaling **\$4,480** were incurred for the first time at the October 2010 Faire. Additionally, the Chamber notes a \$3,500 cost for a fire-rated dining tent that will be amortized over numerous Street Faires.

Staff requested that the Chamber provide an operating statement for the event. Staff was advised that the Chamber Board would not release operating results for the event.

FISCAL IMPACT: Business license taxes are General Fund revenue and support General Fund activities. General Fund revenues would be reduced by \$2,760 if the full amount due is waived.

FUNDING AVAILABLE: Not applicable.

Jordan Ayers
Deputy City Manager

JA/ja
Attachment

APPROVED:

Konradt Bartlam, Interim City Manager



October 7, 2010

Mr. Rad Bartlam
Interim City Manager
City of Lodi

Mr. Bartlam,

Following up on our conversation of last week, The Lodi Chamber would like to petition the City of Lodi and City Council to temporarily waive (at least for the October 2010 Faire) the Business License Tax the Chamber always pays the City after each Street Faire.

Our request is for these reasons:

- Provision for such a request is provided under City Ordinance 1607, Chapter 3.01 under Exemptions letter H, "Street Fairs & Special Events.
- Adherence to newly-enforced City mandated codes and fees have substantially increased costs for the Lodi Chamber.

*City Insurance (Increased)	\$1,000 per Fair
*Farwest Road Closure Sign facilitation	2,000 per Fair
*New Dinning Tent (Fire-Rated)	3,500 Amortized
*Lost Vendor Income (Fire Regs)	1,100 October Fair
*No Alcohol Signs	200
*Golf Cart (Fire Dept Use)	180

To be clear, we are not saying the reasons for the city-driven costs are wrong or unjust, we understand their genesis is in strict adherence to the law. While we know other cities enforcement is not as stringent, we live and work in Lodi, and often the cost of doing business is higher here.

In this current economic climate when all businesses are suffering from loss of income the Chamber is no different. The timing of these escalating, city-driven costs and the burden on our balance sheet comes at a bad time. It is these economic facts and past councils' provisions for a waiver that bring us to make this request. The total amount of the Business License Fee for this October's Street Faire is \$2,760. A breakdown by vendor type is attached. Thank you for your consideration.

Sincerely,

Pat Patrick,
President / CEO
Lodi Chamber of Commerce



October 5, 2010

Subject: Lodi Street Faire - October 3, 2010 - City of Lodi Business License

276 one day Business Licenses from the City of Lodi at \$10.00 each total = \$2760.00

88 - Antiques

51 - Commercial

137 - Arts and Crafts

Sandi Somers

Events Manager

Lodi Chamber of Commerce

209.367.7540 x105



Register online at www.LodiChamber.com

LODI STREET FAIRE

Sunday, May 1, 2011 • 8 AM to 4 PM

Business and License Information

Business Name: _____

Contact Name: _____

Address: _____

City, State, ZIP: _____

Email Address: _____

Phone: _____

Fax: _____

Vendor Type: Antiques Green Expo
 Arts and Crafts Commercial

Items to be Sold: _____

CA Resale#¹ _____

City of Lodi Yes, I have one

License: No, please provide one for me at no cost

Application Instructions

- All fields are mandatory. To avoid delays, please double-check each field before submitting your application.
- **Previous Vendor cut off is Feb. 18, 2011** to keep your previous space. Apply early for the best spaces; deadline is April 29, 2011.
- Please include a Self addressed stamped envelope to receive your vendor packet.
- Please do not send application without payment. Please return application and payment to Chamber: Lodi District of Commerce at 35 S. School Street, Lodi, CA 95240, via fax to (209) 369-9344, or email to info@lodichamber.com.
- Questions? You are welcome to call us at (209) 367-7840 or email us.
- Vendor packets will not be mailed until after the Previous Vendor cutoff on March 1, 2011.

Your Street Faire Space

Payment and Agreement

	Early Registration	After April 15th
<input type="checkbox"/> Antiques One Space.....	\$125.....	\$135
Arts & Crafts and Commercial Vendors		
<input type="checkbox"/> One Space	\$145.....	\$165
<input type="checkbox"/> Double Space.....	\$265.....	\$285
<input type="checkbox"/> Triple Space ²	\$380.....	\$405
<input type="checkbox"/> End Space ²	\$180.....	\$200
<input type="checkbox"/> Reg. Space & End Space ²	\$300.....	\$320

- Check Enclosed (after April 10, 2011, payment must be made via credit card)
- No refunds will be made after April 10, 2011 (\$25 fee on all refunds)
- A \$25 fee will be assessed for all returned checks.
- I authorize you to charge my Visa or MasterCard:

Card Number: _____

Exp Date: _____ CSV _____

- By signing below I will indemnify, defend, and hold the Lodi District Chamber of commerce, its officers, agents, servants, and employees harmless from any and all claims for loss, damage, injury, or liability of whatsoever nature and howsoever the same may be caused or may arise resulting directly or indirectly from their participation in this event.

Signed and Dated:

Main Vendor: _____

2nd Vendor: _____

3rd Vendor: _____

Apply early to get the best spaces or to be the next one in line to get a preferred location!

My preferred spaces:

#1 _____

#2 _____

Office Use Only:

Check: _____	Previous: _____
Space: _____	Returning: _____
CC MS: _____	New Vendor: _____
	Mailed: _____

¹ A California Resale Permit is required for all Street Faire exhibitors.

² For triple spaces and end spaces, please verify availability before submitting your application.

Street Faire Rules

READ BELOW CAREFULLY – YOUR SIGNATURE AT THE BOTTOM IS REQUIRED AND ACKNOWLEDGES THAT YOU UNDERSTAND AND WILL ABIDE BY THE RULES AND REGULATIONS OF THE LODI STREET FAIRE. NO EXCEPTIONS

These instructions are in place to protect everyone participating

- 1.) In case of inclement weather, the Chamber is unable to have rain dates or give refunds or credits for booth space. The Faire will still go on.
- 2.) All vendors must unload, park their vehicle outside of the barricaded area (in a valid parking spot) and be set up by 7:00 AM. The Chamber is not responsible if you get a parking ticket. You may not drive in or out after 7:00 AM. If you are not set up by 7:00 AM your space will be subject to resale without notice and you will not receive a refund. No exceptions. No exhibitor will be allowed to tear down their booth before 4 PM and must be packed up by 6 PM.
- 3.) Pre-registered vendors who have paid in advance and have received their vendor packet are allowed to set up after 2:30 AM. They may go directly to their space to set up. However, if you need help finding your space, you may go to our vendor check-in area between 4 and 7 AM, located at the intersection of Church and Walnut Streets, or their will be additional people to help you at each entrance to the Street Faire. All space numbers are located on the curbs of the streets. The space number is located at the center of your assigned area.
- 4.) All vendors are required to hold a valid California Resale Number. There is no charge for the permit and it can be obtained by calling 800-400-7115 or online at www.boe.ca.gov.
- 5.) Spaces **must** be paid for when a Street Faire application is submitted to the Lodi Chamber of Commerce office, 35 S. School Street Lodi, CA 95240.
- 6.) There are to be **NO BEVERAGE SALES IN YOUR BOOTH. FOOD ITEMS MUST BE PRE-PACKAGED AND PRE-APPROVED FOR SALES. THIS APPLICATION IS NOT FOR OTHER FOOD VENDING.**
- 7.) The Lodi Chamber sells all drinks. No free face painting is allowed. Vendors are **NOT** permitted to solicit or sell outside of their booth(s). Vendors must stay within their assigned space and no one is to put anything in the tree wells. All vendors **MUST** keep the sidewalk clear and not block entrances of businesses.
- 8.) **No** animals are allowed! No electricity is available and generators are not permitted. No silly string is to be used or sold at this event.
- 9.) Vendors must supply their own awnings, tables, display boards, etc. and must keep within their spaces(s). The Chamber only provides the space.

Although the organizers of the Lodi Street Faire attempt to place the Antique Vendors on School Street, the Arts and Crafts on Church Street and the commercial vendors on the cross streets. Exceptions are made and no refund will be issued for that reason. The Street Faire organizers will do what they can, not to mix vendor types but make no promises not to do **so**.

We also accommodate those multiple vendors such as Sunglasses, Candles and other items that have many vendors. We can't put them all in commercial and it is not our policy to turn them away, we just spread them out. You will see them throughout the Faire.

Vendors who register late may also be put in a mixed area depending on the number of spaces available. Vendors will not be allowed to move the **day** of the event, those requesting to do **so** will **be** asked not to return. Our staff is made up of volunteers and it is far too difficult to be moving vendors the morning of the event. Those requesting to move will be asked not to return to the Lodi Street Faire. No exceptions.

I acknowledge that I have read and agree to the rules and regulations.

Signature _____ Date _____