AGENDA ITEM I-02

CITY OF LODI
COUNCIL COMMUNICATION

TM

AGENDA TITLE: **Public Hearing to Consider Resolution Adopting Engineer's Report, Confirming Assessments, Overruling Protests and Declaring Assessment Ballot Results and Annexing Territory into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and Forming Guild Avenue Industrial Zone 13**

MEETING DATE: **April 4, 2007**

PREPARED BY: **Public Works Director**

RECOMMENDED ACTION: Conduct a public hearing to consider a resolution for the following:

1. Adopting the Engineer's Report
2. Confirming assessments
3. Overruling protests and declaring assessment ballot results
4. Annexing territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and forming Guild Avenue Industrial Zone 13

BACKGROUND INFORMATION: On February 21, 2007, the City Council adopted the following resolutions regarding the formation of Zone 13 of the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1.

1. Resolution of Preliminary Approval of the Engineer's Report Regarding the Proposed Annexation of Territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and Levy and Collection of Assessments for Fiscal Year 2007/08

2. Resolution Declaring Intention to Annex Territory into Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and to Provide for the Levy and Collection of Assessments in Such Annexation, Setting a Time and Place for Public Hearing Thereon and Ordering the Initiation of Assessment Ballot Procedures

3. Resolution Initiating Proceedings for the Annexation of Territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and the Levy and Collection of Assessments for Certain Zones for Fiscal Year 2007/08

Ballots have been mailed to the existing property owners to comply with Proposition 218 requirements. The ballots will be tabulated and the results will be announced at the conclusion of the Public Hearing. In order for the assessment to be successful under Proposition 218 requirements, a majority of the landowners who vote (calculated in terms of dollars of assessment) must vote in favor of the proposals. If a majority vote is not received, the district will not be formed.

The developers of the industrial developments located at 350, 495 and 555 North Guild Avenue have elected to annex to the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for

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APPROVED: _____
Blair King, City Manager

the purpose of maintaining and/or replacing certain public improvements to be installed in conjunction with or for the benefit of those projects. The Engineer's Report for the proposed annexation, prepared by NBS of Temecula and attached as Exhibit 1, presents a description of the project, defines the area, describes the improvements to be maintained and provides a cost estimate of the First Year Estimated Assessment and sets the Maximum Annual Assessment amount. The improvements to be maintained include the future traffic signal at Victor Road and Guild Avenue, frontage and median landscaping in Victor Road, and street sweeping of Victor Road and Guild Avenue.

The annexation area, Zone 13, is the first of multiple zone annexations that will occur within the defined Area of Benefit, Exhibit 2. Zone 13 receives approximately 16% of the benefit from the public improvements and will, therefore, provide 16% of the funding for the maintenance of those improvements. Until such time that the balance of the parcels within the Area of Benefit are annexed, the City will be responsible for the balance of the funding for maintenance.

The proposed Zone 13 contains eight (8) lots. Parcel 049-080-17 is expected to subdivide into six (6) lots. The proposed assessment roll for Zone 13 is set forth in Exhibit 1.

Zone 13 is the first proposed annexation of non-residential properties to the District. Staff anticipates that similar annexations of non-residential properties will be presented to the Council in the future to provide funding for the maintenance and replacement of those certain public improvements that meet the criteria set forth in the Landscaping and Lighting Act of 1972 that are installed with or for the benefit of non-residential developments.

Election ballots were distributed to the owners of record as of the date of ballot preparation. Voting is based upon acres and simple majority vote is required to form the district.

The First Year Assessment will be added to the tax roll for Fiscal Year 2007/08 and the first revenues from the district will be received in December 2007. The maximum annual assessment is subject to yearly cost adjustment based on the greater of either 5% or the percentage increase of the Local Consumer Price Index. Subsequent annual assessments will be based on contract bid prices and actual costs, plus the Engineer's Report schedule of replacement costs.

FISCAL IMPACT: The purpose of the District is to collect funds to offset the fiscal impact of the maintenance and replacement of certain public improvements benefiting to each development.

FUNDING AVAILABLE: All costs will be paid by applicant fees and reimbursement from funds collected through the assessment district.

Richard C. Prima, Jr.
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer
RCP/SAW/pmf
Attachments
cc: Sharon Welch, Senior Civil Engineer
NBS

City of Lodi

Lodi Consolidated Landscape Maintenance District No. 2003-1

ZONE 13 – GUILD AVENUE INDUSTRIAL

2007/08 Final Engineer's Report

April 4, 2007

Prepared by

N | B | S

Corporate Office
32605 Highway 79 South, Suite 100
Temecula, CA 92592
(800) 676-7516 phone
(951) 296-1998 fax

Regional Office
870 Market Street, Suite 901
San Francisco, CA 94102
(800) 434-8349 phone
(415) 391-8439 fax

CITY OF LODI
LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1

221 W. Pine Street
Lodi, California 95240
Phone - (209) 333-6706
Fax - (209) 333-6807

CITY COUNCIL

Bob Johnson, Mayor

Joanne Mounce, Mayor Pro Tem

Larry D. Hansen, Council Member

Susan Hitchcock, Council Member

Phil Katzakian, Council Member

CITY STAFF

Blair King, City Manager

James Krueger, Deputy City Manager

Randi Johl, City Clerk

D. Stephen Schwabauer, City Attorney

Richard Prima, Public Works Director

Wally Sandelin, City Engineer

N | B | S

Greg Davidson, Client Services Director

Rick Clark, Project Manager

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1. ENGINEER'S LETTER

WHEREAS, on February 21, 2007, the City Council of the City of Lodi (the "City"), State of California, directed NBS Government Finance Group, DBA NBS ("NBS") to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1, Annexation No. 2 (or the "District") for Fiscal Year 2007/08. The report includes a diagram for the District, showing the area and properties proposed to be assessed, an assessment of the estimated costs of the maintenance, operations and servicing the improvements, and the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received;

NOW THEREFORE, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received:

SUMMARY OF ASSESSMENT

Description	2007/08 Assessment	Maximum Assessment	As Confirmed by Council
Zone 13 – Guild Avenue Industrial	$5,313.44	$9,106.84	$5,313.44
Zone 13 Dwelling Unit Equivalent Factor ("dueF")	94.06	94.06	94.06
Assessment Rate Per dueF	**$ 56.49**	**$ 96.82**	**$ 56.49**

I, the undersigned, respectfully submit the enclosed Engineer's Report and, to the best of my knowledge, information and belief, the Engineer's Report, Assessments, and the Assessment Diagram herein have been prepared and computed in accordance with the order of the City Council of the City of Lodi.

_____

Wally Sandelin, P.E., Engineer of Work

Date:_____ _____

Seal

2. OVERVIEW

2.1 Introduction

The City of Lodi ("City") proposes to levy special benefit assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 ("District") for Fiscal Year 2007/08. The City currently has consolidated twelve landscape maintenance districts into a single district, the "Lodi Consolidated Landscape Maintenance District No. 2003-1". In response to the provisions of the California Constitution Article XIIIC and XIIID (Proposition 218), in 2003 a separate Engineer's Report was prepared for each of the first two Zones (Zones 1 and 2) of the Lodi Consolidated Landscape Maintenance District. The City conducted property owner balloting proceedings for the assessments in Fiscal Year 2004/05. After approval of the assessment by the property owners, the City began to levy and collect special assessments on the County tax rolls to provide continued funding for the costs and expenses required for maintenance of the improvements within the District. In 2004 a separate Engineer's Report was prepared for each of the next five Zones (Zones 3 thru 7) of the Lodi Consolidated Landscape Maintenance District. The City conducted property owner balloting proceedings for Zones 3 and 4 for the assessments in Fiscal Year 2004/05 and the City conducted property owner balloting proceedings for Zones 5 through 7 for the assessments in Fiscal Year 2005/06. For Fiscal Year 2006/07, the City conducted property owner balloting proceedings for the annexation of Zones 8 through twelve into the District. For Fiscal Year 2007/08, the City is proposing the annexation of Zone 13 into the District. After approval of the assessment by the property owners, the City will levy and collect special assessments on the County tax rolls to provide continued funding for the costs and expenses required for maintenance of the improvements within the District. The District is levied pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the Act), and in compliance with the substantive and procedural requirements of the California Constitution Article XIIID.

This Engineer's Report ("Report") describes the proposed annexation (the "Annexation") of Zone 13 into the District and assessments to be levied against properties within the Annexation for Fiscal Year 2007/08. The assessments described herein are based on the estimated cost to operate service and maintain improvements that will provide a direct and special benefit to properties within the District. All improvements to be operated, serviced and maintained through annual assessments were or will be constructed and installed in connection with the development or for the benefit of these properties. The annual costs and assessments described herein include all estimated direct expenditures, incidental expenses, deficits, surpluses, revenues, and reserves associated with the maintenance and servicing of the improvements.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number by the County of San Joaquin Assessor's Office. The County of San Joaquin Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

2.2 Effect of Proposition 218

On November 5, 1996, California voters approved proposition 218 by a margin of 56.5% to 43.5%. The provisions of the Proposition, now California Articles XIIIC and XIIID, add substantive and procedural requirements to assessments, which affect the City of Lodi landscape maintenance assessments.

The proposed assessments for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1, for Fiscal Year 2007/08 are not proposed to increase over the annual rate escalation factor of the annual San Francisco Bay Area C.P.I. or 5%, which ever is greater, which was approved by property owners following the assessment balloting procedures set forth in Section 4 SEC. 4 of the Proposition.

3. PLANS AND SPECIFICATIONS

During the installation period for each Zone within the Lodi Consolidated Landscape Maintenance District No. 2003-1, the installer of the improvements will maintain the new improvements until the following June 30, or such time as funds are available for maintenance, at which time the new areas shall be incorporated into the areas already being maintained by the District.

3.1 Description of Facilities for Zone 13

Zone 13 is comprised of 8 industrial parcels; the facilities within Zone 13 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

A. A traffic signal at the intersection of Highway 12 (Victor Road) and Guild Avenue.
B. A 15.0 foot irrigated, landscaped strip in a 16.0 foot median in Victor Road (Highway 12) south of the Zone 13 boundary, extending west from the current City limits for a distance of 700 feet.
C. A 28.5 foot irrigated landscape strip on the north side of Victor Road (Highway 12), extending westerly from the current City limits to 231 feet west of the Guild Avenue intersection centerline and having a total length of 1,485 feet.
D. Street sweeping along the north and south side of Victor Road (Highway 12) and along the median and curbing from 231 feet west of the Guild Avenue intersection centerline to the current City limits.

Zone 13 consists of 8 industrial parcels located on Guild Avenue, north of Lockeford Street. The benefit from facilities within Zone 13 for each lot has been determined based on an acreage basis. Zone 13 includes 95.28 Dwelling Unit Equivalents (DUE). Please refer to Section 4 of this Report for a more complete description.

4. METHOD OF APPORTIONMENT

4.1 Method of Apportionment

Pursuant to the 1972 Act the costs (assessments) of the District are apportioned by a formula or method that fairly distributes the net amount to be assessed among all parcels in proportion to benefits received from the improvements. The provisions of Article XIIIC and XIIID of the California Constitution (Proposition 218) require the agency to separate the general benefit from special benefit, whereas only special benefits may be assessed.

IMPROVEMENT BENEFIT FINDINGS

The annual assessments outlined in the Budget section of this Report are proposed to cover the estimated costs to provide all necessary service, operation, administration and maintenance within the District, by Zone. It has been determined that each assessable parcel within the District receives proportional special benefits from the improvements. The benefit from the improvements to be maintained through annual assessments from Zone 13 has been determined to be 16.09% of the total, based on the acreage and land use zoning of all parcels on Guild Avenue north of Victor Road (Highway 12) and two parcels having frontage on the south side of Victor Road east of Guild Avenue. The individual benefit for each parcel with Zone 13 has been determined based on acreage. The balance of the costs of operating, servicing and maintaining the improvements shall be borne by the City until such time as the remaining parcels on Guild Avenue, north and south of Victor Road (Highway 12) are developed or are otherwise required to annex into the District. All improvements to be maintained and funded through annual assessments were constructed and installed in connection with or for the benefit of the development of properties within the District, and each parcel's close and relatively similar proximity to the improvements makes each parcel's special benefit from the improvements similar and proportionate.

SPECIAL BENEFITS

The method of apportionment (method of assessment) is based on the premise that each of the assessed parcels within the District receives special benefit from the improvements maintained and financed by District assessments. Specifically, the assessments associated with each Zone are outlined in Section 3 of this Report.

DESCRIPTION OF THE METHOD OF APPORTIONMENT

The District provides operation, service and maintenance to all the specific local improvements and associated appurtenances located within the public right-of-ways in each of the various Zones throughout the District. The annual assessments are based on the historical and estimated cost to operate, to service and to maintain the improvements that provide a special benefit to properties within the District and Zones. The various improvements within each Zone are identified and budgeted separately, including all expenditures, deficits, surpluses, revenues, and reserves.

The assessments outlined in this section represent the proportionate special benefit to each property within the District and the basis of calculating each parcel's proportionate share of the annual costs associated with the District/Zone improvements. The costs associated with the maintenance and operation of special benefit improvements shall be collected through annual assessments from each parcel receiving such benefit. The funds collected shall be dispersed and used for only the services and operation provided to the District.

The basis of determining each parcel's special benefit utilizes a weighting formula commonly known as a Dwelling Unit Equivalent Factor (dueF). The developed single-family residential parcel is used as the base unit for calculation of assessments and is defined as one (1.00) dueF. All other property types are assigned a dueF that reflects their proportional special benefit from the improvements as compared to the single-family residential parcel (weighted comparison).

To determine the dueF for industrial parcels, a Benefit Unit Factor (BUF) is assigned to each property type. This BUF multiplied by the parcel's specific acreage determines the parcel's specific dueF. Industrial parcels have been assigned a BUF of 4.00 per acre. The following table provides a listing of the various land use types and the corresponding BUF used to calculate a parcel's dueF and proportionate benefit:

4.2 Land Use Benefit Factors

PROPERTY TYPE LAND USE	ASSIGNED BENEFIT UNIT FACTOR
Industrial	4.00 per Acre
Exempt	0.00
Other Uses	The dueF Will Be Established As Required

Exempt – Certain parcels, by reason of use, size, shape or state of development, may be assigned a zero dueF which will consequently result in a zero assessment for those parcels for that fiscal year. All parcels having such a zero dueF for the previous fiscal year shall annually be reconsidered to determine if the reason for assigning the zero dueF is still valid for the next fiscal year. Parcels which may be expected to have a zero dueF assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

Area Adjustments – Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the dueF, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

As noted previously, the District is divided into Zones. These Zones encompass specific developments where the properties receive a direct and special benefit from the operation, service and maintenance of those improvements. The basis of benefit and proportionate assessment for all properties within the District is established by each parcel's calculated dueF and their proportionate share of the improvement costs based on their proportionate dueF within the Zone. The method used to calculate the assessments for each Zone is as follows:

Total Balance to Levy / Total dueF = Levy per dueF (Levy Rate)

Parcel's dueF x Levy per dueF (Levy Rate) = Parcel Levy Amount

ASSESSMENT RANGE FORMULA

Any new or increase in assessments require certain noticing and meeting requirements by law. Prior to the passage of Proposition 218, legislative changes in the Brown Act defined the definition of "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through SB919 (Proposition 218 implementing legislation).

The purpose of establishing an assessment range formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments.

Generally, if the proposed annual assessment (levy per unit or rate) for the current fiscal year is less than or equal to the "Maximum Assessment" (or "Adjusted Maximum Assessment"), then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment approved by property owners adjusted annually by the following criteria:

1. Beginning in the second fiscal year (Fiscal Year 2008/09) and each fiscal year thereafter, the Maximum Assessment will be recalculated annually.

2. The new adjusted Maximum Assessment for the year represents the prior year's Maximum Assessment adjusted by the greater of:

   (a) Five percent (5.0%); or,
   (b) The annual increase in the Consumer Price Index (CPI).

Each year the annual increase in the CPI shall be computed. The increase in CPI is the percentage difference between the CPI of December of any given year and the CPI for the previous December as provided and established by the Bureau of Labor Statistics (example: Fiscal Year 2005/06 CPI increase is 2.2% over December 2004). This percentage difference (annual difference) shall then establish the allowed increase based on CPI. The Consumer Price Index used shall be based on the CPI established by the Bureau of Labor Statistics for all urban consumers for the San Francisco-Oakland-San Jose Area. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

If CPI is less than five percent (5.0%), then the allowable adjustment to the Maximum Assessment is five percent. If CPI is greater than five percent (5.0%), then the allowable adjustment to the Maximum Assessment is based on CPI. The Maximum Assessment is adjusted annually and is calculated independent of the District's annual budget and proposed annual assessment. Any proposed annual assessment (rate per levy unit) less than or equal to this Maximum Assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

The following table illustrates how the assessment range formula shall be applied. For example, if the percentage change in CPI is greater than five percent (5.0%), as in Example 1, then the percentage adjustment to the Maximum Assessment will be by CPI. If the percentage change in CPI is less than five percent (5.0%), as in Example 2, then the percentage adjustment to the Maximum Assessment will be five percent (5.0%).

Examples of Percentage Increases

Example	CPI Calculated Percentage Increase	Standard 5% Increase	Maximum % Increase Without Re-Balloting	Prior Years Maximum Rate Per dueF	Allowed Adjustment Per dueF	Allowed New Maximum Rate Per dueF
1	5.25%	5.00%	5.25%	$347.00	18.22	$365.22
2	2.20%	5.00%	5.00%	$347.00	17.35	$364.35

As previously illustrated, the Maximum Assessment will be recalculated and adjusted annually. However, the City Council may reduce or freeze the Maximum Assessment at any time by amending the Engineer's Annual Report.

Although the Maximum Assessment will normally increase each year, the actual District assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on District assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment, nor does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year does not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment then the assessment is considered an increased assessment. To impose an increased assessment the City Council must comply with the provisions of Proposition 218 (Article XIIID Section 4c of the California Constitution). Proposition 218 requires a Public Hearing and certain protest procedures including mailed notice of the Public Hearing and property owner protest balloting. Property owners, through the balloting process, must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for the District. If the proposed assessment is not approved, the City Council may not levy an assessment greater than the adjusted Maximum Assessment previously established for the District.

5. ESTIMATE OF COSTS

5.1 Description of Budget Items

The following items make up the Estimate of Costs used in determining the Annual Assessments of the District. The specific Zones within the District are shown in Section 3 of this Report. Definitions of maintenance items, words and phrases are shown below:

Fiscal Year – One year period of time beginning July 1st of a given year and ending June 30th of the following year.

Landscape Areas – The estimated cost of labor, material, supplies, water and electric energy necessary for maintaining and servicing the trees, shrubs, turf, ground cover, etc within the median and landscaped strip of the District.

Traffic Signals – The estimated costs to provide maintenance, repair and electric energy to the traffic signals and street lights within the District.

Street Sweeping – The estimated cost provide street sweeping services within the District.

Consultants – Costs associated with outside consultant fees in order to comply with Assessment Law and placement of assessments onto the San Joaquin County Tax Roll each year.

Publication – Costs associated with the publishing, posting and mailing of any required notices each year.

City Administration – Costs attributable to the City of Lodi related to District administration and management each year.

County Administration – Costs of the County of San Joaquin related to the placement of assessments on the tax roll each year.

Landscape Reserves/Contingencies – An amount of 50% of the maintenance costs may be included to build a Reserve and Contingency Fund. The Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500, allows the District assessments to "…include a reserve which shall not exceed the estimated costs of maintenance and servicing to December 10 of the fiscal year, or whenever the city expects to receive its apportionment of special assessments and tax collections from the county, whichever is later."

Total Dwelling Unit Equivalent Factor – Dwelling Unit Equivalent Factor (dueF) is a numeric value calculated for each parcel based on the parcel's land use. The dueF shown in the District/Zone budget represents the sum total of all parcel dueF's that receive benefit from the improvements. Refer to Section III for a more complete description of dueF's.

Estimated Assessment per DUE – This amount represents the rate being applied to each parcel's individual dueF. The Levy per Dwelling Unit Equivalent Factor is the result of dividing the Total Estimated Assessment, by the sum of the District dueF's, for the fiscal year. This amount is always rounded down to the nearest even penny for tax bill purposes.

5.2 District Budget

Zone 13 – Guild Avenue Industrial Budget

DESCRIPTION	MAXIMUM ASSESSMENT	2007/08 BUDGET
Operation Costs: (1)		
Landscape Areas		
Landscape Maintenance – Median	$2,500	$0
Landscape Maintenance – Strip	4,612	4,612
Repair/Replacement	12	8
Water	10	7
Electricity	7	5
Sub-Total Landscape Costs:	***$7,141***	***$4,632***
Traffic Signals		
Repair/Maintenance	$641	$0
Electricity – Signal	41	0
Electricity – Street Light	83	0
Sub-Total Traffic Signal Costs	***$ 765***	***$ 0***
Street Sweeping	$142	$0
Sub-Total Operations Costs	***$8,048***	***$4,632***
Administration Costs: (2)		
Consultants	$48	$48
Publication	7	7
City Administration Fee	101	101
County Administration Fee	10	10
Contingency	813	468
Sub-Total Administration Costs:	*$ 979*	*$ 634*
BUDGET TOTAL	**$9,027**	**$5,266**
Replacement Reserve (3		
Landscape	**$80**	**$48**
TOTAL ESTIMATED ASSESSMENT	**$9,107**	**$5,314**
TOTAL dueF	**94.06**	**94.06**
ESTIMATED ASSESSMENT PER DUE	**$ 97**	**$ 56**

(1) Includes landscape maintenance, repair, replacement, water, installation and electricity costs.
(2) Includes Consultants, City & County administration, publication costs and contingency.
(3) Includes landscape and irrigation equipment replacement costs.

5.3 Landscape Reserve Information

Zone 13 Landscape Reserve Information

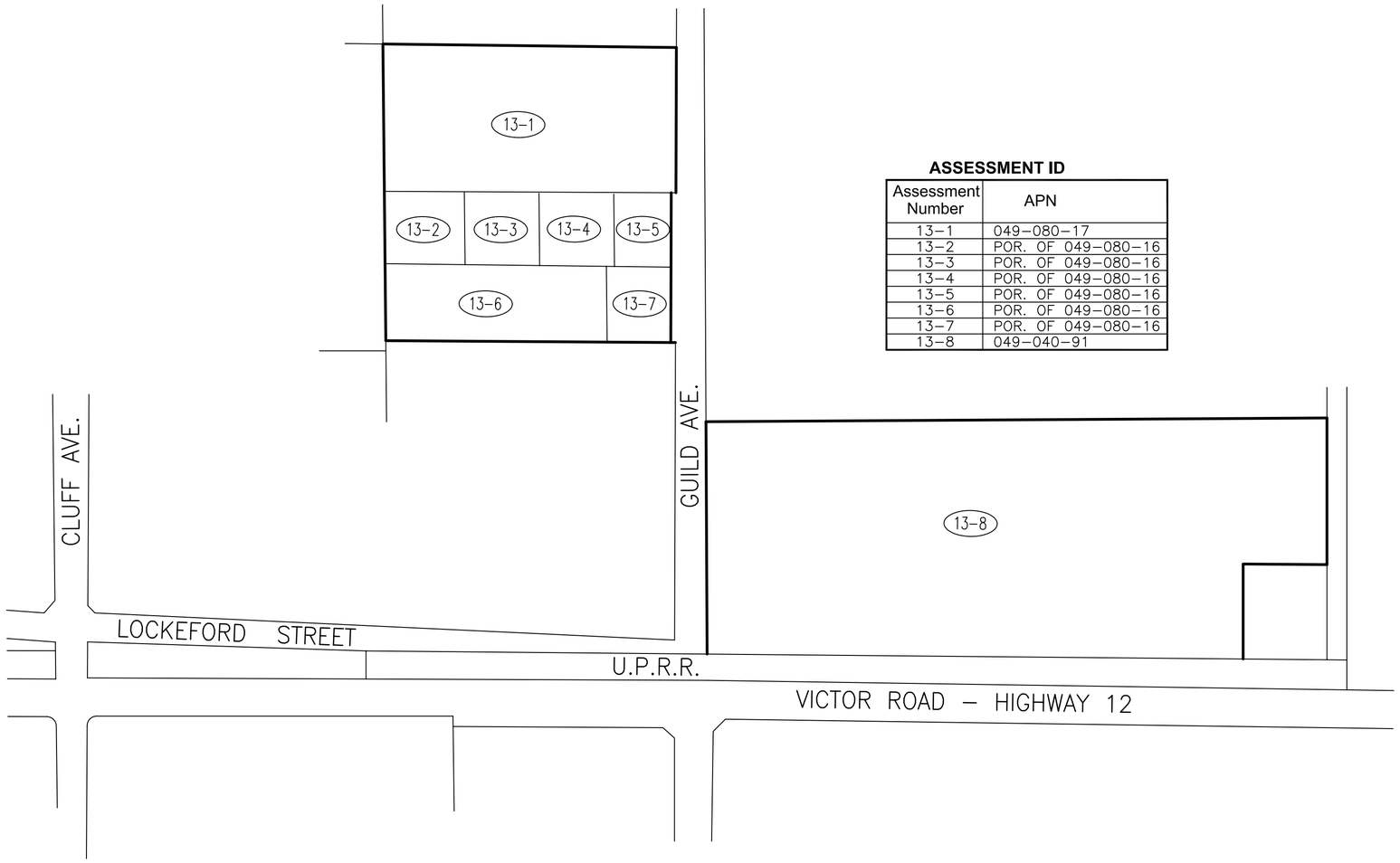
DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance – June 30, 2007	$0.00
Contribution to Landscape Reserves	300.00
LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2008	**$ 300.00**

6. ASSESSMENT DIAGRAM

An Assessment Diagram for Zone 13 of the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 has been submitted to the City Clerk in the format required under the provisions of the Act. Enclosed a copy of said submittal. The lines and dimensions shown on maps of the County Assessor of the County of San Joaquin for the current year are incorporated by reference herein and made part of this Report.

ASSESSMENT DIAGRAM
LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1
ZONE 13 - GUILD AVENUE INDUSTRIAL

CITY OF LODI
SAN JOAQUIN
STATE OF CALIFORNIA



ASSESSMENT ID

Assessment Number	APN
13–1	049–080–17
13–2	POR. OF 049–080–16
13–3	POR. OF 049–080–16
13–4	POR. OF 049–080–16
13–5	POR. OF 049–080–16
13–6	POR. OF 049–080–16
13–7	POR. OF 049–080–16
13–8	049–040–91

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS _____ DAY OF _____, 200__.

_____
CITY CLERK
CITY OF LODI
SAN JOAQUIN COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN DIAGRAM SHOWING THE PROPOSED ANNEXATION INTO THE CITY OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003–1, CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LODI AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF_____, 200__, BY IT'S RESOLUTION NO. _____.

_____
CITY CLERK
CITY OF LODI
SAN JOAQUIN COUNTY, CALIFORNIA

FILED THIS _____ DAY OF _____, 200__, AT THE HOUR OF _____ O'CLOCK ___.M., IN BOOK _____ AT PAGE _____ OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

_____
DEPUTY
COUNTY RECORDER
COUNTY OF SAN JOAQUIN

NOTE: FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL WITHIN THE DISTRICT REFER TO THE COUNTY OF SAN JOAQUIN ASSESSOR'S MAPS.

LEGEND

ANNEXATION BOUNDARY
PARCEL LINES
13–6 ASSESSMENT NUMBER

GRAPHIC SCALE

200 100 0 200

SCALE: 1" = 200'

REGISTERED PROFESSIONAL ENGINEER
MICHAEL J. STEARNS
No. 26406
Exp. 3/31/08
CIVIL
STATE OF CALIFORNIA

N | B | S
32605 Highway 79 South, Suite 100
Temecula, CA 92592
Local Government Solutions

7. ASSESSMENT ROLL

The parcel listing of assessments is provided below. The description of each lot or parcel as part of the records of the County Assessor of the County of San Joaquin are, by reference, made part of this Report.

ASSESSMENT ROLL

ZONE	APN	Acreage	Type	AMT PER dueF	dueF	FY 2007/08 ASSESSMENT
13	049-040-091	13.820	Industrial	$56.49	55.28	$3,122.76
13	049-080-016	5.000	Industrial	$56.49	20.00	$1,129.80
13	Por. of 049-080-017	0.459	Industrial	$56.49	1.84	$103.94
13	Por. of 049-080-017	0.571	Industrial	$56.49	2.28	$128.80
13	Por. of 049-080-017	0.570	Industrial	$56.49	2.28	$128.80
13	Por. of 049-080-017	0.606	Industrial	$56.49	2.42	$136.70
13	Por. of 049-080-017	1.917	Industrial	$56.49	7.67	$433.28
13	Por. of 049-080-017	0.572	Industrial	$56.49	2.29	$129.36
	Sub-Total	**23.515**			**94.06**	**$5,313.44**
Future	049-040-92	0.832	Industrial	$56.49	3.33	0
Future	049-080-05	13.500	Industrial	$56.49	54.00	0
Future	049-080-07	4.490	Industrial	$56.49	17.96	0
Future	049-080-18	5.000	Industrial	$56.49	20.00	0
Future	049-080-19	5.000	Industrial	$56.49	20.00	0
Future	049-080-28	5.000	Industrial	$56.49	20.00	0
Future	049-080-74	2.590	Industrial	$56.49	10.36	0
Future	049-080-77	4.790	Industrial	$56.49	19.16	0
Future	049-080-81	5.190	Industrial	$56.49	20.76	0
Future	049-080-82	0.551	Industrial	$56.49	2.20	0
Future	049-080-83	38.530	Industrial	$56.49	154.12	0
Future	049-040-19	**10.000**	Industrial	$56.49	**40.00**	0
Future	049-040-47	**27.130**	Industrial	$56.49	**108.52**	0
	TOTAL:	**122.603**			**490.41**	**$ 0.00**

MAXIMUM ASSESSMENT ROLL

ZONE	APN	Acreage	Type	AMT PER dueF	dueF	FY 2007/08 MAX ASSESSMENT
13	049-040-091	13.820	Industrial	$96.82	55.28	$5,352.20
13	049-080-016	5.000	Industrial	$96.82	20.00	$1,936.40
13	Por. of 049-080-017	0.459	Industrial	$96.82	1.84	$178.14
13	Por. of 049-080-017	0.571	Industrial	$96.82	2.28	$220.74
13	Por. of 049-080-017	0.570	Industrial	$96.82	2.28	$220.74
13	Por. of 049-080-017	0.606	Industrial	$96.82	2.42	$234.30
13	Por. of 049-080-017	1.917	Industrial	$96.82	7.67	$742.60
13	Por. of 049-080-017	0.572	Industrial	$96.82	2.29	$221.72
	Sub-Total	**23.515**			**94.06**	**$9,106.84**
Future	049-040-92	0.832	Industrial	$96.82	3.33	0
Future	049-080-05	13.500	Industrial	$96.82	54.00	0
Future	049-080-07	4.490	Industrial	$96.82	17.96	0
Future	049-080-18	5.000	Industrial	$96.82	20.00	0
Future	049-080-19	5.000	Industrial	$96.82	20.00	0
Future	049-080-28	5.000	Industrial	$96.82	20.00	0
Future	049-080-74	2.590	Industrial	$96.82	10.36	0
Future	049-080-77	4.790	Industrial	$96.82	19.16	0
Future	049-080-81	5.190	Industrial	$96.82	20.76	0
Future	049-080-82	0.551	Industrial	$96.82	2.20	0
Future	049-080-83	38.530	Industrial	$96.82	154.12	0
Future	049-040-19	10.000	Industrial	$96.82	40.00	0
Future	049-040-47	27.130	Industrial	$96.82	108.52	0
	TOTAL:	**122.603**			**490.41**	**$0.00**

RESOLUTION NO. _____

RESOLUTION OF THE LODI CITY COUNCIL, COUNTY OF SAN JOAQUIN, DECLARING THE RESULTS OF THE ASSESSMENT BALLOT TABULATION, TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1, ORDERING MAINTENANCE WORK THEREIN AND CONFIRMING THE REPORT, DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT THEREIN

==========

WHEREAS, the City Council of the City of Lodi, has initiated proceedings for the annexation of territory and levy of annual assessments in a special maintenance district created pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIIID of the Constitution of the State of California ("Article XIIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIIID and the Implementation Act may be referred to collectively herein as the "Assessment Law"), such special assessment district annexation known and designated as City of Lodi, "Lodi Consolidated Landscape Maintenance District No. 2003-1, (the "District"). The areas proposed to be annexed will become Zones within the District. Such Zones shall be known and designated as:

ZONE 13 – GUILD AVENUE INDUSTRIAL

WHEREAS, the City Council did order and subsequently receive a report prepared by NBS (the "Assessment Engineer") prepared in accordance with the Assessment Law (the "Engineer's Annexation and Annual Levy Report"); and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and is satisfied with the proposed annexation, each and all of the budgets items and documents as set forth therein, and is satisfied that the levy amounts have been spread in accordance with the special benefit received from the improvements, operation, maintenance and services to be performed within the District, as set forth in said Report; and,

WHEREAS, the City Council did set the time and place for a Public Hearing to consider the proposed District and the authorization to levy annual assessments therein and did order that notice of such Public Hearing accompanied by assessment ballots be given to the record owners of property within the proposed District in accordance with the provisions of the Assessment Law; and

WHEREAS, notice of such Public Hearing accompanied by assessment ballots were mailed to the record owners of property within the proposed District in accordance with the provisions of the Assessment Law; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. RECITALS: The above recitals are all true and correct.

SECTION 2. PROCEDURES: This City Council hereby finds and determines that the procedures for the consideration of the levy of the assessments have been undertaken in accordance with the Assessment Law.

SECTION 3. ASSESSMENT BALLOT PROCEDURES: Assessment ballots were mailed as required by Assessment Law to the record owners of all properties within the District, which are proposed to be assessed. The assessment ballots that were completed and received by the City Clerk prior to the close of the Public Hearing have been tabulated in accordance with the procedures established by Assessment Law and this City Council, and the results of such tabulation have been submitted to this City Council.

This City Council hereby finds that the assessment ballots submitted in favor of the levy of assessments as weighted in accordance with Assessment Law exceed the

assessment ballots submitted in opposition to such levy also as weighted in accordance with Assessment Law. Therefore, no majority protest to the levy of assessments within the District has been found to exist.

SECTION 4. ANNEXATION OF TERRITORY: This City Council hereby orders the annexation of territory into the District.

SECTION 5. DETERMINATION AND CONFIRMATION: Based upon the Assessment Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed for Fiscal Year 2007/2008 and the maximum annual assessments proposed to be imposed to pay for the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance of thereof:

a. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.

b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.

c. Only the special benefits have been assessed.

The assessments for the District contained in the Assessment Engineer's Report for Fiscal Year 2007/2008 are hereby confirmed and levied upon the respective lots or parcels in the District in the amounts as set forth in such Final Assessment Engineer's Report. Subsequent annual assessments in amounts not to exceed the maximum annual assessment of the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance thereof as set forth in the Final Assessment Engineer's Report may be subsequently confirmed and levied without further assessment ballot proceedings pursuant to the Assessment Law. As of December of each fiscal year after the base year (Fiscal Year 2007/2008), the maximum amount of each assessment (the "Maximum Assessment") shall be increased by the greater of 5% or C.P.I. without further compliance with the assessment ballot procedures required under the Assessment Law.

SECTION 6. ASSESSMENT ENGINEER'S REPORT: The "Report" as presented, consists of the following:

A. Description of Improvements.
B. The Annual Budget (Costs and Expenses of Services, Operations and Maintenance)
C. The District Roll containing the Fiscal Year 2007/08 Levy for each Assessor Parcel within the District.

This City Council hereby finds the Engineer's Report to be satisfactory, approved and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 7. ORDERING OF MAINTENANCE: The public interest and convenience requires and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Final Assessment Engineer's Report.

SECTION 8. FILING WITH CITY CLERK: The above-referenced diagram and assessment shall be filed in the Office of the City Clerk. Said diagram and assessment, and the certified copy thereof, shall be open for public inspection.

SECTION 9. FILING WITH THE COUNTY AUDITOR: The City Clerk is hereby ordered and directed to immediately file a certified copy of the diagram and assessment with the County Auditor. Said filing to be made no later than the 3rd Monday in August.

SECTION 10. ENTRY UPON THE ASSESSMENT ROLL: After the filing of the diagram and assessment, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the assessment.

SECTION 11. COLLECTION AND PAYMENT: The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.

SECTION 12. FISCAL YEAR 2007/2008: The assessments as above confirmed and levied for these proceedings will provide revenue to finance the maintenance of authorized improvements in the fiscal year commencing July 1, 2007 and ending June 30, 2008.

Dated: April 4, 2007
==========

I hereby certify that Resolution No. 2007-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 4, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

4/4/07

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: **RESOLUTION/NOTICE OF PUBLIC HEARING DECLARING INTENTION TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1 AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ASSESSMENTS IN SUCH ANNEXATION, SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON, AND ORDERING THE INITIATION OF ASSESSMENT BALLOT PROCEDURES**

PUBLISH DATE: **SATURDAY, FEBRUARY 24, 2007**

LEGAL AD

TEAR SHEETS WANTED: **One (1) please**

SEND AFFIDAVIT AND BILL TO:
RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, FEBRUARY 22, 2007

ORDERED BY:
RANDI JOHL
CITY CLERK

Jennifer M. Perrin

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 _____(time) on _____(date) _____(pages)
LNS _____ Phoned to confirm receipt of all pages at _____(time) ____JLT ____DRC____JMP (initials)

forms\advins.doc

DECLARATION OF POSTING

RESOLUTION/NOTICE OF PUBLIC HEARING DECLARING INTENTION TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1 AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ASSESSMENTS IN SUCH ANNEXATION, SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON, AND ORDERING THE INITIATION OF ASSESSMENT BALLOT PROCEDURES

On Friday, February 23, 2007, in the City of Lodi, San Joaquin County, California, a Resolution/Notice of Public Hearing declaring intention to annex territory into the Lodi Consolidated Landscape Maintenance District No. 2003-1 and to provide for the levy and collection of assessments in such annexation, setting a time and place for a public hearing thereon, and ordering the initiation of assessment ballot procedures 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 February 23, 2007, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

N:\Administration\CLERK\Forms\DECPOSTPW1.DOC

DECLARATION OF MAILING

RESOLUTION/NOTICE OF PUBLIC HEARING DECLARING INTENTION TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1 AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ASSESSMENTS IN SUCH ANNEXATION, SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON, AND ORDERING THE INITIATION OF ASSESSMENT BALLOT PROCEDURES

On February 22, 2007, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing Resolution/Notice of Public Hearing declaring intention to annex territory into the Lodi Consolidated Landscape Maintenance District No. 2003-1 and to provide for the levy and collection of assessments in such annexation, setting a time and place for a public hearing thereon, and ordering the initiation of assessment ballot procedures, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

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

Executed on February 22, 2007, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK, CITY OF LODI

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

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EXHIBIT A

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2007-28

A RESOLUTION OF THE LODI CITY COUNCIL, COUNTY OF SAN JOAQUIN, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1 AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ASSESSMENTS IN SUCH ANNEXATION, SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON, AND ORDERING THE INITIATION OF ASSESSMENT BALLOT PROCEDURES

==========

WHEREAS, the City Council of the City of Lodi, pursuant to the terms of the *Landscape and Lighting Act of 1972, Part 2, Division 15, of the California Streets and Highways Code (commencing with Section 22500) (the "1972 Act"), Article XIIID of the Constitution of the State of California ("Article XIIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act")* (the 1972 Act, Article XIIID, and the Implementation Act are referred to collectively as the "Assessment Law"), did by previous Resolution initiate proceedings to annex territory into a special assessment district and ordered the preparation of an Engineer's Report for the levy of assessments within such proposed annexation, such special assessment district annexation known and designated as "Lodi Consolidated Landscape Maintenance District No. 2003-1" (the "District"). The areas proposed to be annexed will become zones within the District. Such zone shall be known and designated as:

ZONE 13 – GUILD AVENUE INDUSTRIAL

WHEREAS, at this time, the City Council desires to declare its intention to annex such territory into the District and to provide for the levy of assessments for the next ensuing fiscal year to provide for the costs and expenses necessary to pay for the maintenance of the improvements (defined below) in such District; and

WHEREAS, there has been presented and preliminarily approved by this City Council the Engineer's Report, as required by the Assessment Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1: Recitals: The above recitals are all true and correct.

SECTION 2: Declaration of Intention: The public interest and convenience requires, and it is the intention of the City Council, to order the annexation of the above described territory into the District and to levy and collect assessments to pay the annual costs and expenses for the maintenance and/or servicing of all of the improvements for the District. Such improvements and the maintenance and servicing of such improvements are generally described as:

The improvements include: landscaping, planting, shrubbery, trees, turf, irrigation systems, lighting systems, street lighting, traffic signals, street sweeping, hardscapes, and associated appurtenant facilities.

The maintenance of the improvements shall include the furnishing of services and materials for all necessary service, operations, administration, and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.

SECTION 3: Boundaries of District: The improvements are of special benefit to the properties within the boundaries of the District. The City Council previously declared the boundaries to encompass the area specially benefited by such improvements, and for particulars, reference is made to the assessment diagram as previously approved by the City Council, a copy of which is on file in the Office of the City Clerk and open for public inspection, and is designated by the name of this District.

SECTION 4: Report of Assessment Engineer: The Engineer's Report, as preliminarily approved by the City Council is on file with the City Clerk and open for public inspection. Reference is made to such Report for a full and detailed description of the Improvements to be maintained, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

SECTION 5: Public Hearing: Notice is hereby given that a Public Hearing is hereby scheduled to be held at the **Carnegie Forum, 305 West Pine Street, Lodi, California, on Wednesday, April 4, 2007, at 7:00 p.m.**, or as soon thereafter as the matter may be heard.

All interested persons shall be afforded the opportunity to hear and be heard. The City Council shall consider all oral statements and all written communications made or filed by any interested persons. The City Council shall, at the conclusion of the Public Hearing, also determine whether assessment ballots submitted pursuant to the Assessment Law in opposition to the proposed assessments within the district exceed assessment ballots submitted in favor of such proposed assessments.

RIGHT TO SUBMIT ASSESSMENT BALLOT

Pursuant to the provisions of the Assessment Law, each record owner of property proposed to be assessed has the right to submit an assessment ballot in favor of or in opposition to the proposed assessment.

Assessment ballots will be mailed to the record owner of each parcel located within the District and subject to a proposed assessment. Each such owner may complete such assessment ballot and thereby indicate their support for or opposition to the proposed assessment. All such assessment ballots may be delivered by mail or personal delivery to the City Clerk at the following address at or before 5:00 p.m. on April 4, 2007:

City Clerk
City of Lodi
221 West Pine Street
Lodi, California 95240

After 5:00 p.m. on April 4, 2007, assessment ballots may be delivered to the City Clerk only at the location of the Public Hearing given above (305 West Pine Street, Lodi, California).

All assessment ballots must be received by the City Clerk prior to the time that the Public Hearing is closed. An assessment ballot which is delivered by mail with a postmark which is prior to the date and time of the Public Hearing but which is not received by the City Clerk until after the Public Hearing is closed will not be counted.

At the conclusion of the Public Hearing, the City Council shall cause the assessment ballots timely received to be tabulated. If a majority protest exists, the City Council shall not impose an assessment within the District. A majority protest exists if, upon the conclusion of the Public Hearing, assessment ballots submitted in opposition to the assessments within the District exceed the assessment ballots submitted in favor of such assessments. In tabulating the assessment ballots, the assessment ballots shall be weighted according to the proportional financial obligation of the affected property.

SECTION 6: Notice: The City Clerk is hereby directed to mail notice pursuant to the Assessment Law of the Public Hearing and assessment ballot proceedings and the adoption of the Resolution of Intention and of the filing of the Assessment Engineer's Report, together with the assessment ballot materials, to the record owners of all real property proposed to be assessed.

SECTION 7: Proceedings Inquiries: The following staff person is designated to respond to all inquiries for any and all information relating to the proposed District and these proceedings, including the assessment ballot procedure:

RICK CLARK
NBS
32605 HIGHWAY 79 S. #100
TEMECULA, CA 92592
TELEPHONE: 800-676-7516

Dated: February 21, 2007

==========

I hereby certify that Resolution No. 2007-28 was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 21, 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

EXHIBIT B Landscape Dist.

APN	OWNER	MAILING ADDRESS
049-040-91	ARCHER DANIELS MIDLAND CORP	PO BOX 1470 DECATUR IL 62525
049-080-16	BATCH DELMAR & DORIS	11174 N DAVIS RD LODI CA 95242
049-080-17	CLARKSON CALIFORNIA PROP	405 W PINE ST LODI CA 95240
049-040-92	VIERRA VERNON & JENISE	151 W TADDEI RD ACAMPO CA 95220
049-080-05	ATWOOD EDWARD L TR ETAL	13179 MCDOLE ST SARATOGA CA 95070-4620
049-080-07	METTLER OLE & DOROTHY TR	17900 N CHERRY RD LODI CA 95240
049-080-19	MORELAND ROBERT & SANDRA	775 N GUILD AVE LODI CA 95240-0861
049-080-18	MORELAND ROBERT & SANDRA	17611 N GUILD AVE LODI CA 95240
049-080-28 049-080-83	PARINEHS EXCHANGE 2004 LLC	370 WOODCLIFF DR STE 300 FAIRPORT NY 14450
049-080-74 049-080-77 049-080-81 049-080-82	LODI STORAGE ASSOCIATES LP	4701 SISK RD STE 101 MODESTO CA 95356
049-040-19	OAK RIDGE WINERY LLC	33 E TOKAY ST LODI CA 95240
049-040-47	DART CONTAINER CORP	500 HOGSBACK RD MASON MI 48854