

PUBLIC NOTICE PUBLIC NOTICE PUBLIC NOTICE

Notice of Public Hearing

RESOLUTION APPROVING THE 2023 DOWNTOWN PETALUMA BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT AND RELATED BUDGET; DECLARING THE INTENTION TO LEVY THE 2023 ANNUAL ASSESSMENT FOR THE DISTRICT; AND SETTING A PUBLIC HEARING ON THE PROPOSED 2023 ANNUAL ASSESSMENT

WHEREAS, on November 20, 2000, in accordance with California Streets and Highways Code Section 36500 et seq. ("the Act"), the Petaluma City Council adopted Ordinance 2104 N.C.S., later codified as Chapter 6.04 of the Petaluma Municipal Code, establishing the Downtown Business Improvement District ("DBID"), within the area described in Exhibit 1, which is attached to and made a part of this Resolution; and

WHEREAS, Section 6.04.050 of the Petaluma Municipal Code lists the types of improvements and activities that may be funded by the levy of assessments on businesses within the DBID as follows:

A. The acquisition, construction, installation or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following improvements:

1. Benches
2. Trash Receptacles
3. Decorations
4. Façade Improvements
5. Permanent Landscaping

B. Activities including, but not limited to, the following:

1. Promotion of public events which benefit businesses in the area and which take place on or in public places within the area.
2. Furnishing of music in any public place in the area.
3. Activities which benefit businesses located and operating in the area, including but not limited to, commercial shopping and promotional programs; and

WHEREAS, under Section 6.04.100 of the Petaluma Municipal Code, the Board of Directors established to govern the affairs of the DBID must present the City Council with an annual report and budget for review and approval prior to the City Council consideration of levying a benefit assessment for the following fiscal year; and

WHEREAS, the requirements of Petaluma Municipal Code Section 6.04.100 are in accordance with the Act, which establishes annual procedures governing the levy of assessments pursuant to the Act, including preparation of an annual report, adoption of a resolution of intent giving notice of a public hearing at which written and oral protests may be made concerning levy of an annual assessment, and adoption of a resolution approving the annual report and levying the assessment; and

WHEREAS, Section 36535 of the Act provides that public hearings on levy of annual assessments pursuant to the Act must be conducted in accordance with Sections 36524 and 36525 of the Act, which provide as follows:

A. The City Council shall hear and consider all protests against the establishment of the area, the extent of the area, or the furnishing of specified types of improvements or activities within the area. A protest may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.

B. Every written protest shall be filed with the City Clerk at or before the time fixed for the public hearing. The City Council may waive any irregularity in the form or content of any written protest and at the public hearing may correct minor defects in the proceedings. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.

C. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the City as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest which does not comply with this section shall not be counted in determining a majority protest.

D. If written protests are received from the owners of businesses in the proposed area which will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than that 50 percent, no further proceedings to create the specified parking and business improvement area or to levy the proposed assessment, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the City Council.

E. If the majority protest is only against the furnishing of a specified type or types of improvement or activity within the area, those types of improvements or activities shall be eliminated; and

WHEREAS, the proposed DBID 2023 Budget establishes the following budgetary priorities with estimated revenues and expenditures:

27%	Security	\$20,250
23%	Marketing	\$17,250
30%	Beautification	\$22,500
20%	Administration	\$15,000
	Total:	\$75,000

WHEREAS, the 2023 Annual Report of the DBID is on file at the City Clerk's office for public review, and attached to the staff report as Attachment 1 – Exhibit 1, and contains a full and detailed description of the DBID improvements and activities to be provided for the 2023 fiscal year, the boundaries of the DBID and any benefit zones within the DBID, and the proposed assessments to be levied on businesses in the DBID for the 2023 fiscal year; and

WHEREAS, administration of assessment districts does not constitute a project under the California Environmental Quality Act (CEQA) because it involves continuing administrative or maintenance activities and organizational or administrative activities that will not result in direct or indirect physical changes in the environment. [14 Cal. Code Regs. § 15378(b) (2) & (5); and

WHEREAS, if the proposed action did constitute a project under CEQA the proposed action is statutorily exempt under CEQA Guidelines Section 15273(a) (Rates, Tolls, Fares, and Charges) and categorically exempt under CEQA Guidelines Sections 15301 (Existing Facilities) and 15304 (Minor Alterations to Land) as the resulting funds will be used to maintain downtown.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Petaluma as follows:

1. The above recitals are hereby declared to be true and correct and are incorporated into findings of the City Council.
2. Finds that the administration of assessment districts does not constitute a project under the California Environmental Quality Act (CEQA) because it involves continuing administrative or maintenance activities and organizational or administrative activities that will not result in direct or indirect physical changes in the environment. [14 Cal. Code Regs. § 15378(b)(2) & (5). And if the proposed action did constitute a project under CEQA the proposed action is statutorily exempt under CEQA Guidelines Section 15273(a) (Rates, Tolls, Fares, and Charges) and categorically exempt under CEQA Guidelines Sections 15301 (Existing Facilities) and 15304 (Minor Alterations to Land) as the resulting funds will be used to maintain downtown.
3. The DBID 2023 Annual Report and Budget is hereby approved.
4. Subject to California Streets and Highways Code Section 36500 et seq. (the "Act") and a public hearing to be held pursuant to the Act, the Petaluma City Council intends to levy the assessment described in the DBID Annual Report and Budget for Fiscal Year 2022 to pay for improvements and activities within the DBID, which Annual Report and Budget is attached to and made a part of this Resolution as Exhibit 1 in accordance with Chapter 6.04 of the Petaluma Municipal Code and the Act.
5. A public hearing concerning levy of the assessment proposed for the DBID for calendar year 2023 will be conducted by the City Council on Monday, December 19, 2022, at the hour of 6:30 p.m., or as soon thereafter as the matter will be heard. The hearing will be teleconferenced via Zoom. Information on how to listen and/or speak at the hearing will be on the December 19, 2022, Petaluma City Council meeting agenda (<https://cityofpetaluma.org/meetings/>) by 6:30 p.m., December 15, 2022.

DOWNTOWN PETALUMA BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT, BUDGET AND MAP FOR 2023

1. **Changes in Boundaries:** None are proposed.
2. **Changes in the Basis or Method of Assessment:** None are proposed.
3. **Changes in Classification of Businesses:** None are proposed.
4. **Improvements/Activities to be Undertaken & Related Budget:** As proposed in the budget below and detailed in Staff Report Attachment 2.
5. **Surplus/Deficit Carried Over from Prior Year:** None
6. **Contributions from Other Sources:** None

Downtown Petaluma Business Improvement District 2023 Budget Allocations

Percentage	Activity Type	Amount
27%	Security	\$20,250
23%	Marketing	\$17,250
30%	Beautification	\$22,500
20%	Administration	\$15,000

Security - 27% - The Petaluma Downtown Association (PDA) contracts for coverage of the general downtown area to be performed on a regular nightly schedule. (The administration of this contract is not to be confused with a separate contract not paid for with BID funds for the Keller Street Garage.)

Marketing - 23% - These funds are used to supplement additional funds paid by individual merchants for the combined marketing efforts to create public awareness of events occurring in the downtown, e.g., Sidewalk Sale, Trick-or-Treat Trail, and other downtown events such as those listed under "administration." PDA develops joint marketing agreements with the merchants using these funds and utilizes the combined buying power of the PDA and merchant community to obtain favorable prices for advertising that would not ordinarily be available to the individual merchant.

Beautification - 30% - A volunteer committee meets to consider requests for investing in beautification projects downtown. Directional signage, holiday decorations, seasonal banner placements, and graffiti cleanup are among the beautification projects funded by the BID.

Administration - 20% - Collected funds go to the day-to-day operations of the PDA office. Cost centers include rent, salary expense, and event coordination.

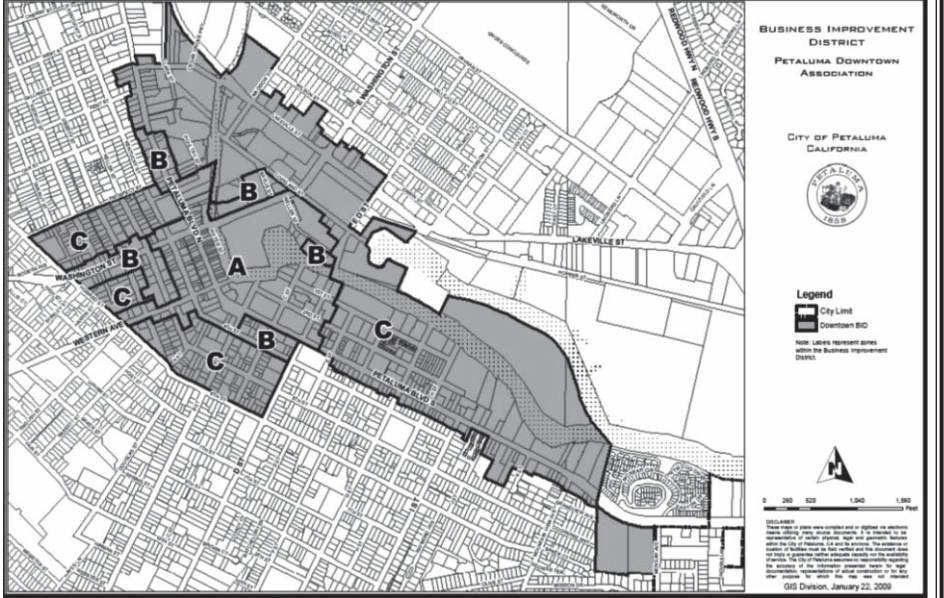
BID 2023 Proposed Projects			
Projected Revenue			
Total Possible	\$75,000	Projected from total district data	
Expected	\$75,000	Assuming 87% collections of current & collection of past due	
Proposed Projects	Expected	Possible	Notes
Security Patrols	\$20,250		Private security patrols DAILY 10pm-4am 52 weeks
Security 27%	\$20,250	\$20,250	
Destination marketing downtown	\$2,500		Destination marketing ads & editorial in Chamber & Visitors guide
Sidewalk Sale	\$1,200		Street banner \$400, additional banners \$150 advertising \$500
Billboard Signage	\$1,560		Billboard signage for peak events in downtown
Trick or Treat	\$700		Posters, maps, ads, balloons
Social Media Campaigns	\$1,000		Ads thru facebook & other social media promoting events & downtown shopping
Holiday Merchant Event Downtown	\$3,000		Carolers, horse & buggy rides, entertainment, flyers, posters, ads
Holiday Marketing season	\$2,590		Ads: SF Chronicle, Sonoma Gazette, Bohemian
Holiday shopping gift guide Sonoma co	\$1,200		Press Democrat, Argus and other local ads
Holiday Online ads Press Democrat	\$500		Online ad click through to website
Holiday shopping gift guide Marin	\$600		Marin county ads
Holiday Radio ad campaign	\$2,400		Holiday radio campaign - 4 weeks shared with merchants
SubTotal	\$17,250		
Marketing 23%	\$17,250	\$17,250	
Paint supplies for graffiti clean- up	\$500		Paint, supplies for graffiti clean up in downtown core and garage
Signage	\$2,000		Directional signage to downtown
Plants/misc decorations	\$1,500		Plants throughout downtown & specific event decorations for downtown
Holiday Lighting	\$2,000		Holiday committee recommendation for holiday lighting
Holiday Decorations	\$11,500		70 Holiday banners, 8 wreaths installation up and down, cleaning, updating and storage
4 seasonal banner placement	\$5,000		Spring, Summer, Fall Banners
SubTotal	\$22,500		
Beautification 30%	\$22,500	\$22,500	
Administration Costs			
BID local billing & collection	\$7,500		BID processing locally
Office staffing costs allocation	\$7,500		PDA administrative cost allocation
SubTotal	\$15,000		
Administration 20%	\$15,000	\$15,000	
GRAND TOTAL	\$75,000	\$75,000	

- Types of Businesses Assessed**
- **Retail, Restaurant and Antique Collectives:** Businesses that buy and resell goods or comestibles. Examples are clothing stores, shoe stores, office supplies and antiques shops as well as businesses that sell prepared foods and drinks.
 - **Service Businesses:** Businesses that sell services. Examples are beauty and barbershops, repair shops, most automotive-orientated businesses, entertainment businesses such as theaters, etc.
 - **Lodging:** Includes renting rooms by the day or week to community visitors.
 - **Professional Businesses:** Includes: Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and /or specialized licenses and/or advanced academic degrees.
 - **Financial Institutions:** Includes Banking, Savings, Loan and Credit Unions.
- Assessment by Type of Business Within Zones**

Business Type	Zone A	Zone B	Zone C
Restaurants & Retailers	1 - 3 Employees 150	100	50
	4 - 6 Employees 250	166	83
	7+ Employees 350	232	116
Antique Collectives	1-3 Dealers 150	100	50
	4 - 6 Dealers 250	166	83
	7+ Dealers 350	232	116
Service Operators	1-3 Emp/Operators 150	100	50
	4-6 Emp/Operators 250	166	83
	7+ Emp/Operators 350	232	116
Professional Businesses	125	82	41
Financial Institutions	500	500	500
Lodging	1-10 Rooms 150	150	150
	11-25 Room 250	250	250
	26+ Rooms 350	350	350

Note: Retail, restaurant and service businesses will be charged on size which will be determined by number of employees, either full-time or the equivalent made up of multiples of part-time employees while Antique Collectives will be charged by number of business licenses active within one location.

Petaluma Downtown Business Improvement District Boundary Map



148006 - Pub Dec 9, 2022

1ti.

NOTICE OF TRUSTEE'S SALE

TS No. **CA-22-925502-CL** Order No.: **DEF-432762 YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 9/9/2020. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.** A public auction sale to the highest bidder for cash, cashier's check drawn on a state or national bank, check drawn by state or federal credit union, or a check drawn by a state or federal savings and loan association, or savings association, or savings bank specified in Section 5102 to the Financial Code and authorized to do business in this state, will be held by duly appointed trustee. The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale. **BENEFICIARY MAY ELECT TO BID LESS THAN THE TOTAL AMOUNT DUE.** Trustor(s): **JOHN SCANNELL, A SINGLE MAN** Recorded: **9/10/2020** Instrument No: **202009297** in Book **N/A** Page **N/A** of Official Records in the office of the Recorder of **SONOMA** County, California; Date of Sale: **12/30/2022 at 10:00 AM** Place of Sale: **In the Plaza at Fremont Park located at 860 Fifth Street, Santa Rosa, CA** Amount of unpaid balance and other charges: **\$254,018.42** The purported property address is: **720 PETALUMA BLVD S UNIT 28, PETALUMA, CA 94952** Assessor's Parcel No.: **008-550-028-000 NOTICE TO POTENTIAL BIDDERS:** If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. **NOTICE TO PROPERTY OWNER:** The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call **916-939-0772** for information regarding the trustee's sale or visit this internet website **http://www.qualityloan.com**, using the file number assigned to this foreclosure by the Trustee: **CA-22-925502-CL**. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the internet website. The best way to verify postponement information is to attend the scheduled sale. **NOTICE TO TENANT:** You may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call **916-939-0772**, or visit this internet website **http://www.qualityloan.com**, using the file number

assigned to this foreclosure by the Trustee: **CA-22-925502-CL** to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. **NOTICE TO PROSPECTIVE OWNER-OCCUPANT:** Any prospective owner-occupant as defined in Section 2924m of the California Civil Code who is the last and highest bidder at the trustee's sale shall provide the required affidavit or declaration of eligibility to the auctioneer at the trustee's sale or shall have it delivered to Quality Loan Service Corporation by 5 p.m. on the next business day following the trustee's sale at the address set forth in the below signature block. The undersigned Trustee disclaims any liability for any incorrectness of the property address or other common designation, if any, shown herein. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. If the sale is set aside for any reason, including if the Trustee is unable to convey title, the Purchaser at the sale shall be entitled only to a return of the monies paid to the Trustee. This shall be the Purchaser's sole and exclusive remedy. The purchaser shall have no further recourse against the Trustor, the Trustee, the Beneficiary, the Beneficiary's Agent, or the Beneficiary's Attorney. If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holders right's against the real property only. Date: **Quality Loan Service Corporation 2763 Camino Del Rio S San Diego, CA 92108 619-645-7711 For NON SALE information only Sale Line: 916-939-0772 Or Login to: http://www.qualityloan.com** **Reinstatement Line: (866) 645-7711 Ext 5318** Quality Loan Service Corp. TS No.: **CA-22-925502-CL** IDSPub #0182575 12/9/2022 12/16/2022 12/23/2022

148072 - Pub Dec 9, 16, 23, 2022

3ti.

NOTICE OF TRUSTEE'S SALE

Trustee Sale No.: 00000009564881 Title Order No.: 220440921 FHA/VA/PMI No.: ATTENTION RECORDER: THE FOLLOWING REFERENCE TO AN ATTACHED SUMMARY APPLIES ONLY TO COPIES PROVIDED TO THE TRUSTOR, NOT TO THIS RECORDED ORIGINAL NOTICE. YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 05/10/1996. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. BARRETT DAFFIN FRAPPIER TREDER and WEISS, LLP, as duly appointed Trustee under and pursuant to Deed of Trust Recorded on 05/17/1996 as Instrument No. 1996 0044170 1 of official records in the office of the County Recorder of SONOMA County, State of CALIFORNIA. EXECUTED BY: DAVID R. SILVA DENISE M. SILVA, WILL SELL AT PUBLIC AUCTION TO HIGHEST BIDDER FOR CASH, CASHIER'S CHECK/CASH EQUIVALENT or other form of payment authorized by California Civil Code 2924(hb), (payable at time of sale in lawful money of the United States). DATE OF SALE: 12/30/2022 TIME OF SALE: 10:00 AM PLACE OF SALE: IN THE PLAZA AT FREMONT PARK LOCATED AT 860 5TH STREET, SANTA ROSA, CA 95404. STREET ADDRESS and other common designation, if any, of the real property described above is purported to be: 1681 ANDOVER WAY, PETALUMA, CALIFORNIA 94954 APN#: 137-340-032-000THE undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s)

secured by said Deed of Trust, with interest thereon, as provided in said note(s), advances, under the terms of said Deed of Trust, fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is \$131,386.72. The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and a written Notice of Default and Election to Sell. The undersigned caused said Notice of Default and Election to Sell to be recorded in the county where the real property is located. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 833-561-0243 for information regarding the trustee's sale or visit this Internet Web site WWW.SALES.BDFGROUP.COM for information regarding the sale of this property, using the file number assigned to this case 00000009564881. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. NOTICE TO TENANT: You may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call 833-561-0243, or visit this internet website WWW.SALES.BDFGROUP.COM using the file number assigned to this case 00000009564881 to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. BARRETT DAFFIN FRAPPIER TREDER and WEISS, LLP IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. BARRETT DAFFIN FRAPPIER TREDER and WEISS, LLP as Trustee 3990 E. Concourse Street, Suite 350 Ontario, CA 91764 (866) 795-1852 Dated: 11/17/2022 A-4765253 12/02/2022, 12/09/2022, 12/16/2022

147107 - Pub Dec 2, 9, 16, 2022

3ti.