



SOLA11051050



SOLANO COUNTY **Voter Information Guide**

Solano County Registrar of Voters
675 Texas St., Suite 2600, Fairfield, CA 94533
(707) 784-6675 • (888) 933-8683
www.solanocounty.com/elections
elections@solanocounty.com

Presidential General Election
Tuesday, November 5, 2024
Polls open: 7 a.m. to 8 p.m.

This is your official voter information guide. It has information on local candidates & measures, voting by mail, and answers to common voter questions.

VOTING IN-PERSON ON ELECTION DAY?
Your Polling Place May Have Changed!

Refer to Official Ballot Instructions or check
www.solanocounty.com/elections for your new
assigned polling place.



Text Solano to 2VOTE (28683) to download
your sample ballot or voter information guide.

(Message and Data rates may apply)

BT50



IMPORTANT INFORMATION & DATES

- ◆ Early voting starts **Monday, October 7, 2024**. Visit us at 675 Texas Street, Suite 2600, Fairfield to pick up a ballot. Our office is open Monday – Friday, 8a.m. to 5p.m.
- ◆ Last day to request a Vote by Mail ballot to be mailed to you is **Tuesday, October 29, 2024**.
- ◆ Any changes to your registration must be received by **Monday, October 21, 2024**. Visit registertovote.ca.gov or call (707) 784-6675 to have a form mailed to you.

October 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
6	 In-person Vote by Mail period begins. Ballot drop boxes available for next 29 days.	8	9	10	11	12
13	Holiday - County Offices Closed.	15	16	17	18	19
20	Last day to register or update registration for this election.	22	23	24	25	26
27	28	 29 Last day to request a Vote by Mail Ballot to be mailed to you.	30	 31		
				Curbside Ballot Drop-Off Locations Available: Benicia • Dixon • Cordelia • Fairfield • Rio Vista Suisun City • Vacaville • Vallejo		

November 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	 Registrar's Office open 8a.m. - 5p.m.
				Curbside Ballot Drop-Off Locations Available: Benicia • Dixon • Cordelia • Fairfield • Rio Vista Suisun City • Vacaville • Vallejo		
3	4	 5 ELECTION DAY	6	7	8	9
Daylight Savings Time ends.	Curbside Ballot Drop-Off Locations Available: Benicia • Dixon • Cordelia • Fairfield Rio Vista • Suisun City • Vacaville • Vallejo					



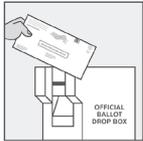
VOTING OPTIONS FOR ALL VOTERS

In an effort to provide a safe voting environment, the Solano County Registrar of Voters has prepared several voting options for all voters. You have received a Vote by Mail ballot for the election in this packet.

Below is a description of the different options you have for voting to help provide a safe voting environment for all voters, our staff, and our community partners:

No Contact Voting:

As an option to in-person voting, all voters can vote from the safety of their home, using the enclosed ballot. Ballots can be returned to our office in one of three manners:



Ballot Drop-Off:

Starting October 7th through Election Day (29 days) - Ballot drop-off times and locations are identified on the next page (drop box is inside an office building).



Curbside Drop-off:

Starting October 31st through Election Day (5 days) - Curbside drop-off times and locations are identified on the next page (stay in your vehicle, hand ballot to poll workers).



Election Day Drop-Off:

Election Day (1 day) - Poll Place drop-off locations are available on Election Day-all locations are open from 7a.m. to 8p.m.

All ballots must be received or post-marked by Election Day. All postage is paid by the Registrar of Voters Office for voters mailing ballots back to our office. Voters do not have to vote this ballot, and can still choose to vote in-person using one of the options listed below.

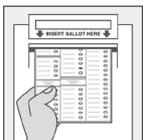
Limited Contact Voting:



At your assigned poll place, you can request to vote “curbside” from the comfort of your vehicle. Look for the blue cone outside of your polling place, and call the number listed on the cone. Poll workers will come out to your vehicle with your ballot and will securely deposit it for you.

This same curbside option is available if you want to drop off your Vote by Mail ballot. It may be preferable for you to remain in your vehicle and we support that option.

In-Person Voting:



Traditional polling places are still available. Your assigned location is included on the cover sheet with your official ballot. Some voters may experience additional wait times due to the need to provide social distancing within the voting location. Please be prepared: it may take longer than usual to vote at your polling place.

If you need assistance...

As a voter, you may bring up to two individuals with you to your polling place to help you cast your ballot, as long as those individuals do not represent your employer or your union. Your polling place will have copies of the ballot in Spanish and Tagalog and may have poll workers ready to assist you who speak Spanish and Tagalog.

Si necesitas ayuda ...

Como votante, usted puede traer dos individuos a la estación de votación para que le ayuden a emitir su voto. Sus acompañantes no pueden ser representantes de su empleador o sindicato. La estación de votación quizá mantenga copias en español de la papeleta de votación y emplee trabajadores que le puedan asistir en español.

Kung kailangan mo ng tulong...

Bilang botante, maaari kang magkaroon ng hanggang dalawang tao sa iyong lugar ng botohan o presinto upang matulungan kang i-record ang iyong balota, hangga't ang mga taong ito ay hindi kinakatawan ng iyong tagapag-empelyo o iyong unyon. Magkakaroon ng mga kopya ng iyong balota na isinalin sa Tagalog sa iyong lugar ng botohan. Maaaring may mga taong nagtatrabaho na nagsasalita ngtagalog sa lugar ng botohan.

BALLOT RETURN ADDRESSES



October 7 to November 5, voters can drop off ballots at the following locations. (Drop Boxes are inside office buildings.)

City	Name	Address	Hours Available
Benicia	Benicia City Clerk	250 East L St.	M-F 9:00a.m. to 4:00p.m. (Closed October 11 and 25)
Benicia	Benicia Pedrotti Ace Hardware	830 Southampton Rd.	M-Sat 8:00a.m. to 7:00p.m. Sun 9:00a.m. to 6:00p.m.
Dixon	Dixon City Clerk	600 East A St.	M-F 9:00a.m. to 5:00p.m.
Fairfield	Fairfield City Clerk	1000 Webster St. 4th Floor	M-F 8:00a.m. to 5:30p.m. (Closed October 18 and November 1)
Fairfield	Fairfield/Suisun Unified School District Office	2490 Hilborn Rd.	M-F 7:30a.m. to 4:30p.m. (Closed October 14)
Fairfield	Solano County Registrar of Voters	675 Texas St. Ste. 2600	M-F 8:00a.m. to 5:00p.m. (Closed October 14) 24-hour drop off on Union Ave. Election Day - 7:00a.m. to 8:00p.m.
Fairfield	Solano County Office of Education	5100 Business Center Dr.	M-F 8:00a.m. to 5:00p.m.
Rio Vista	Rio Vista Library	44 South Second St.	M & W 9:00a.m. to 6:00p.m. TU. & TH. 9:00a.m. to 8:00p.m. F & Sat 9:00a.m. to 5:00p.m. (Closed October 14)
Suisun City	Suisun City Clerk	701 Civic Center Blvd.	M-TH. 9:00a.m. to 5:00p.m. (Closed October 14)
Vacaville	Vacaville City Clerk	650 Merchant St.	M-F 8:00a.m. to 5:30p.m. (Closed October 18 and November 1)
Vacaville	Nut Tree Airport	301 County Airport Dr.	M-F 8:00a.m. to 5:00p.m. (Closed October 14)
Vacaville	Mission Church	6391 Leisure Town Rd.	TU.-F 8:30a.m. to 4:00p.m.
Vallejo	Vallejo City Clerk	555 Santa Clara St.	M-TH. 9:00a.m. to 3:00p.m. (Closed October 14)
Vallejo	Solano County Fairgrounds	900 Fairgrounds Dr.	M-F 9:00a.m. to 4:00p.m. (Closed October 14)
Vallejo	Masonic Temple	101 Temple Way	M-F 9:00a.m. to 3:00p.m. (Closed October 14)



October 31 and November 1, 2, 4, and 5, voters can drop off ballots “Curbside” at the following locations. (Stay in your car, hand ballot to poll workers)

City	Name	Address	Hours Available
Benicia	Lighthouse Covenant Fellowship	1175 Church St.	All curbside locations are open 8:00a.m. to 5:00p.m., including Saturday, plus 7:00a.m. to 8:00p.m. on Election Day.
Dixon	Dixon Senior Center	201 South 5th St.	
Fairfield	Solano County Office of Education	5100 Business Center Dr.	
Fairfield	Solano County Registrar of Voters	675 Texas St. Ste. 2600 24-hour drop off on Union Ave.	
Rio Vista	45 Main Street Center	45 Main St.	
Suisun City	Nelson Community Center	611 Village Dr.	
Vacaville	Mission Church	6391 Leisure Town Rd.	
Vacaville	Vacaville City Clerk	650 Merchant St.	
Vallejo	Cal Maritime Academy (Aquatic Center)	117 Maritime Academy Dr.	
Vallejo	Solano County Fairgrounds	900 Fairgrounds Dr.	

On Election Day, November 5, ballots can be dropped off at any location listed on this page or at the polling locations on the following page, which are open from 7:00a.m. to 8:00p.m.



POLLING LOCATIONS

BENICIA

BENICIA SENIOR CENTER
187 EAST L ST

CHURCH OF JESUS CHRIST – LDS
1125 SOUTHAMPTON RD

HOLIDAY INN EXPRESS
1375 EAST 5TH ST

LIGHTHOUSE COVENANT FELLOWSHIP
1175 CHURCH ST

TURNER ELEMENTARY
540 ROSE DR

DIXON

DIXON SENIOR CENTER
201 SOUTH 5TH ST

MAINE PRAIRIE HIGH (FRMLY C.A. JACOBS)
200 NORTH LINCOLN ST

VETERANS HALL
1305 NORTH 1ST ST

FAIRFIELD

A GIRLS PLACE
3351 HILLRIDGE DR

BETHEL COMMUNITY CHURCH
600 E TABOR AVE

CALVARY CHAPEL SOLANO
1180 WESTERN ST

CLUBHOUSE AT PARADISE VALLEY
3990 PARADISE VALLEY DR

COMMUNITY UNITED METHODIST CH
1875 FAIRFIELD AVE

CORDELIA HILLS ELEMENTARY SCHL
4770 CANYON HILLS DR

FAIRFIELD FIRST BAPTIST CHURCH
1108 WASHINGTON ST

FAIRFIELD/SUISUN SCHOOL DIST OFC
2490 HILBORN RD

GRACE EPISCOPAL CHURCH
1405 KENTUCKY ST

IN-SHAPE: FAIRFIELD RANCHO SOLANO
3254 RANCHO SOLANO PKWY

LIBERTY CHURCH
2641 N TEXAS ST

RODRIGUEZ HIGH SCHOOL
5000 RED TOP RD

SOLANO COUNTY OFFICE OF ED.
5100 BUSINESS CENTER DR

SOLANO VALLEY CHURCH
1307 OLIVER RD

TOLENAS ACADEMY
4500 TOLENAS RD

WORD OF FAITH CHRISTIAN CENTER
650 PARKER RD

RIO VISTA

45 MAIN STREET CENTER
45 MAIN ST

TRILOGY AT RIO VISTA
990 SUMMERSET DR

SUISUN CITY

IN-SHAPE: SUISUN CITY
125 SUNSET AVE

NELSON COMMUNITY CENTER
611 VILLAGE DR

SUISUN CITY HALL
701 CIVIC CENTER BLVD

VACAVILLE

CAMBRIDGE ELEMENTARY SCHOOL
100 CAMBRIDGE DR

COVENANT COMMUNITY CHURCH
3870 ALAMO DR

HARVEST CHURCH
126 PEABODY RD

MISSION CHURCH
6391 LEISURE TOWN RD

MOOSE LODGE
6585 GIBSON CANYON RD

NEW HOPE CHRISTIAN FELLOWSHIP
4910 ALLISON PKWY

SHILOH BAPTIST CHURCH
185 CHANDLER ST

THE FATHER'S HOUSE
4800 HORSE CREEK DR

THRIVE CHURCH
190 BELLA VISTA RD

ULATIS CULTURAL CENTER
1000 ULATIS DR

VACA. COMM. PRESBYTERIAN CHURCH
425 HEMLOCK ST

VACA PENA MIDDLE SCHOOL
200 KEITH WAY

VACA SEVENTH DAY ADVENT. CHURCH
4740 ALLENDALE RD

VACAVILLE BIBLE CHURCH
490 BROWN ST

VACAVILLE FIRE STATION 65
6080 A ST

VACAVILLE FIRST BAPTIST CHURCH
1127 DAVIS ST

VALLEJO

COMMUNITY PRESBYTERIAN CHURCH
2800 GEORGIA ST

FELLOWSHIP UNITED METHODIST CH.
140 LADERA DR

FILIPINO CULTURAL CENTER
611 AMADOR ST

FIRST PRESBYTERIAN CHURCH
1350 AMADOR ST

FRIENDSHIP BAPTIST HALL
1905 FLORIDA ST

HIDDENBROOKE GOLF CLUB
1095 HIDDENBROOKE PKWY

IMPACT BIBLE MINISTRIES
1680 FAIRGROUNDS DR

MASONIC TEMPLE
101 TEMPLE WAY

MIRA THEATER (FRMLY BAY TERRACE)
51 DANIELS AVE

NORMAN C. KING CENTER
545 MAGAZINE ST

NORTH VALLEJO COMMUNITY CTR.
1121 WHITNEY AVE

SECOND BAPTIST CHURCH
1170 BENICIA RD

SOLANO COMMUNITY COLLEGE-VJO
1687 N ASCOT PKWY

SOLANO COUNTY FAIRGROUNDS
900 FAIRGROUNDS DR

**SOLANO WIDENMANN ACADEMY
(FRMLY SOLANO MIDDLE SCHOOL)**
1025 CORCORAN AVE

ST. CATHERINE OF SIENA
3450 TENNESSEE ST

THE LIGHTHOUSE AT GLEN COVE MARINA
2000 GLEN COVE MARINA RD

UNION BAPTIST CHURCH
128 ENCERTI AVE

VALLEJO CITY HALL
555 SANTA CLARA ST

VALLEJO REGIONAL EDUCATION CTR.
436 DEL SUR ST

VALLEJO VETERANS BUILDING
420 ADMIRAL CALLAGHAN LN

VALLEJO WOMENS CLUB
200 VALLE VISTA AVE

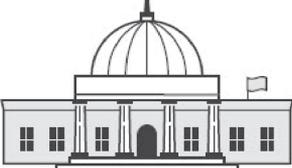
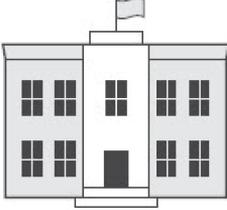
WAYSIDE UNITED METHODIST CHURCH
2309 COLUMBUS PKWY



WHAT OFFICES ARE ON THIS BALLOT?

In the November Statewide General Election, all voters receive the same ballot, no matter what political party you are registered with (or if you have no party preference). The address where you are registered to vote determines which local contests are on your ballot.

In the March Primary Election, all Californians were able to vote to decide which candidates for state and local offices moved on to the November General Election.

 <p>Presidential Nominated by Party</p>	 <p>California Top-Two Primary Nominated by Voters</p>	 <p>County and Local Primary Nonpartisan Candidates</p>
<ul style="list-style-type: none"> • President and Vice-President 	<ul style="list-style-type: none"> • U.S. Senate (partial, full terms) • U.S. Representative (Districts 4, 7, and 8) • State Senator (District 3) • State Assembly Member (District 11) 	<ul style="list-style-type: none"> • School Districts* • Special District Boards* • Municipal Offices*
<p>The candidates nominated by each political party are on the ballot.</p>	<p>The top-two candidates, the ones with the most votes from the March Primary, are on your ballot.</p>	
<p>You can write-in a candidate for President and Vice President.</p>	<p>There is no write-in for these offices.</p>	<p>You can write-in a candidate for these offices.</p>
<p>The party nominating the candidate is listed with the candidate's name. A candidate may be nominated by more than one party.</p>	<p>The candidate's party preference (or "None") is listed with their name. Both candidates on the ballot may have the same party preference.</p>	<p>Candidates for nonpartisan offices do not have a party preference listed on the ballot.</p>

*Not all districts have an election. Please review your sample ballot for the contests available to you.

U.S. Senate Contest Information

There are two contests for U.S. Senate on the November 5, 2024 General Election Ballot:

- The first contest is a special vacancy election for the remainder of the term, due to vacancy, ending on January 3, 2025 (partial unexpired term)
- The second contest is for the full 6-year term ending January 3, 2031

You may vote on both.

For more information you can:



Call the Elections Department at 707-784-6675



Email the Elections Department at elections@solanocounty.com



Visit our website at www.solanocounty.com/elections



Visit the California Secretary of State's website at <https://www.sos.ca.gov/elections/upcoming-elections/general-election-nov-5-2024>

VOTER INFORMATION



The following pages contain information relating to your ballot, which may include

- Candidates' Statements*
- Arguments**
- Ballot Measures*
- Analyses

This information guide may not contain a statement for each candidate. Each candidate's statement is volunteered by the candidate and is printed at the expense of the candidate unless otherwise determined by the governing body. (EC 13312)

* All measure documents and Candidates' Statements are printed exactly as filed.

** Arguments in support of or in opposition to the proposed laws are the opinions of the authors. (EC 9315)

Refer to the State Voter Information Guide for information on state candidates and measures.

Party Endorsements

	Democratic	Republican	American Independent	Green	Libertarian	Peace and Freedom
US Senate (Full Term)	Adam Schiff					
US Senate (Partial Term)	Adam Schiff					
Congressional District 4	Mike Thompson	John Munn	John Munn			
Congressional District 7	Doris Matsui	Tom Silva	Tom Silva			
Congressional District 8	John Garamendi	Rudy Recile	Rudy Recile			
Assembly District 11	Lori D Wilson	Dave Ennis				
State Senate District 3	Christopher Cabaldon	Thom Bogue	Thom Bogue			

Campaign Expenditure Limits

The following California Legislative candidates have accepted voluntary campaign expenditure limits, and were eligible to purchase a Candidate Statement of Qualifications in this Voter Information Guide (listed in alphabetical order by last name):

- State Senate, District 3 – Thom Bogue, Christopher Cabaldon
- State Assembly, District 11 – Dave Ennis, Lori D Wilson

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<p>STATEMENT OF CANDIDATE FOR UNITED STATES REPRESENTATIVE IN CONGRESS, DISTRICT 8</p> <p>JOHN GARAMENDI</p> <p>No statement submitted.</p>	

**STATEMENT OF CANDIDATE FOR
UNITED STATES REPRESENTATIVE IN CONGRESS, DISTRICT 8**

RUDY RECILE

AGE: 56

Occupation: Business Owner / Consultant

Education and Qualifications: Hello, fellow Americans! I'm a proud Retired US Army Major, former US Department of Agriculture employee and owner of a small web design company. My family made Solano County our home for 18 years. My platform issues include energy independence, supporting the Bill of Rights, tax dollars accountability, public safety, supporting veterans, California's water issues and quality education. I support successful public schools, protecting our children and I believe in equality of opportunity for everyone. I'm President of a children's education non-profit organization, and treasurer for a Veterans of Foreign Wars Post. I volunteer with community organizations at voter registration drives and other events. I was a logistics officer at the Pentagon in Washington DC,. I became savvy with the inner workings of various agencies, and how to successfully accomplish the mission. During the 2020 election cycle, I wasn't pleased with what I witnessed. I decided to run for congress because my 33 years of service to the USA prepared me well to immediately serve you in Congress. I am on a mission to restore our country with new blood and fresh ideas. "Ang Inyong Lingkod" (At Your Service), Rudy

**STATEMENT OF CANDIDATE FOR
CALIFORNIA STATE SENATE, DISTRICT 3**

THOM BOGUE

Occupation: City Council Member / Business Owner

Education and Qualifications: As a former Vice Mayor, Mayor, current City Council Member, and Small Business owner, I have held key positions with esteemed organizations including the Solano Transportation Authority (STA), Solano County Water Agency (SCWA), Yolo-Solano Air Resource Board, Green Belt Authority, Association Bay Area Governments (ABAG) Planning Commission and Executive Board.

I have collaborated with Congressmen to secure housing for our homeless veterans. Successfully housed up to 75% of our local homeless population. Developed a comprehensive plan to incorporate income-based housing within every residential project, effectively addressing this crisis head-on. By doing so, we will create safer and more prosperous communities.

In partnership with STA significantly enhanced public transportation: Expanding bus routes, ferry services throughout the bay area, and door-to-door services for the elderly.

Additionally, we allocated funds to support our agricultural community in meeting climate change mandates. While I do not fully endorse California's complete transition to electric energy, I acknowledge the importance of expanding our resource base while concurrently improving our use of fossil fuels. I believe that diversification is the key to our future success.

As a father, I have always prioritized parental rights. I strongly advocate for parents having the final say in matters concerning their children's education.

Recognizing California residents possess tremendous potential, I believe that transcending partisan politics, working together, we can restore our Golden State to its former glory, regain its esteemed status, bring prosperity and an enhanced quality of life back to all Californians. People before politics! www.ThomBogue4StateSenate.com

**STATEMENT OF CANDIDATE FOR
CALIFORNIA STATE SENATE, DISTRICT 3**

CHRISTOPHER CABALDON

Occupation:

Education and Qualifications: Like so many of us, the opportunity for a good education changed my life. I was honored when President Obama appointed me to create over 400 initiatives across the country to guarantee a tuition-free college education for graduating local high school seniors.

As Vice-Chancellor of California Community Colleges and university professor, I've worked to strengthen California's education system. In the Senate, I'll deliver resources to help students succeed and prepare them for modern careers.

As West Sacramento mayor, I turned our forgotten industrial town into a place that was named "America's Most Livable City" with good jobs, safe neighborhoods, and quality housing that's affordable. I'm running for Senate to expand prosperity and economic opportunity to families everywhere.

During my tenure as mayor, we lowered unsheltered homelessness by 58%. I'll focus on building more housing, expanding mental health and job training services, and keeping us safe. I know we can make communities more secure because I've done it, cutting burglary and assault rates by more than half.

A proven champion for the environment and agriculture, I've cracked down on polluters and protected thousands of acres of habitat, farmland, and open space. I'll protect our water supplies and communities threatened by wildfires and floods.

My campaign is supported by the California Democratic Party, Planned Parenthood Northern California Action Fund, the Sierra Club, and Congressman Mike Thompson. I have a track record of delivering real results on the biggest challenges facing our communities. I hope to earn your vote. www.CabaldonforSenate.com

**STATEMENT OF CANDIDATE FOR
MEMBER OF THE STATE ASSEMBLY, DISTRICT 11**

LORI WILSON

Occupation: Assemblymember, 11th District

Education and Qualifications: As your state representative, I'm delivering results for our community and focused on building a California for everyone!

I made a promise to you in early 2022 to hit the ground running fighting for the issues you care about. I've kept that promise!

I've delivered over \$20 million in state resources directly to our District for public safety, housing, electric vehicle infrastructure, flood resiliency, and transportation projects while passing landmark legislation supporting manufacturing, people with disabilities, flood control projects, habitat restoration, and the needs of farmers.

All this was accomplished while I battled breast cancer! Now, cancer-free and with a continued sense of purpose and optimism for the future, "y'all ain't seen nothing yet".

We need long-term solutions for homelessness, housing, public safety, climate change, transportation and more. That's why I led negotiations for the statewide bond measures on your ballot, Proposition 2 and Proposition 4, giving you the choice to fund education, key infrastructure projects, and other priorities for our state.

As the chair of the Assembly Transportation Committee, I'm working to speed construction to improve traffic circulation and lessen commute times. Making Interstate 80, Highway 12, State Route 37 and our local roads safer!

I'm also deeply concerned about our democracy. To that end, as the Chair of the California Legislative Black Caucus, I'm reaching out across diverse communities to reinforce everyone's right to live their version of the California Dream with dignity and respect.

Let's build a California for everyone, I would be honored to have your vote. Thank you.

ElectLoriWilson.com

**DECLARACIÓN DE CANDIDATA PARA
MIEMBRO DE LA ASAMBLEA ESTATAL, DISTRITO 11**

LORI WILSON

Ocupación: Miembro de la Asamblea, Distrito 11

Educación y Competencia: Como su representante estatal, ofrezco resultados a nuestra comunidad y me centro en construir una California para todos.

A principios de 2022 le prometí que me pondría manos a la obra para luchar por los asuntos que a usted le preocupan. ¡He cumplido esa promesa!

He obtenido más de \$20 millones en recursos estatales directamente para nuestro Distrito para proyectos de seguridad pública, vivienda, infraestructura de vehículos eléctricos, resiliencia a las inundaciones y transporte, al tiempo que aprobaba leyes históricas de apoyo a la industria manufacturera, las personas con discapacidad, los proyectos de control de inundaciones, la restauración del hábitat y las necesidades de los granjeros.

¡Todo esto lo conseguí mientras luchaba contra el cáncer de seno! Ahora, sin cáncer y con una sensación de propósito y optimismo para el futuro, "todavía no han visto nada".

Necesitamos soluciones a largo plazo para la indigencia, la vivienda, la seguridad pública, el cambio climático, el transporte y mucho más. Por eso encabezé las negociaciones para las iniciativas de ley de bonos a nivel estatal en su boleta, la Propuesta 2 y la Propuesta 4, que le dan la opción de financiar la educación, proyectos clave de infraestructura y otras prioridades para nuestro estado.

Como presidenta del Comité de Transporte de la Asamblea, estoy trabajando para acelerar las obras que mejoren la circulación del tráfico y reduzcan los tiempos de desplazamiento al trabajo. ¡Hacer más seguras la Interestatal 80, la Autopista 12, la Ruta Estatal 37 y nuestras carreteras locales!

También me preocupa profundamente nuestra democracia. Con ese fin, como Presidenta de la Asamblea Partidaria Legislativa Negra de California, estoy tendiendo la mano a diversas comunidades para reforzar el derecho de todos a vivir su versión del Sueño de California con dignidad y respeto.

Construyamos una California para todos, sería un honor contar con tu voto. Gracias.

ElectLoriWilson.com

**PAHAYAG NG KANDIDATO PARA SA
MIYEMBRO NG ASEMBLEYA NG ESTADO, DISTRITO 11**

LORI WILSON

Trabaho: Miyembro ng Asembleya, Ika-11 Distrito

Edukasyon at mga Kuwalipikasyon: Bilang inyong kinatawan ng estado, maghahatid ako ng mga resulta para sa ating komunidad at nakatuon sa pagbuo ng California para sa lahat!

Nangako ako sa inyo sa unang bahagi ng 2022 na simulan ang pakikipaglaban para sa mga usaping pinahahalagahan ninyo. Tinupad ko ang pangakong iyon!

Direkta kong inihatid ang mahigit \$20 milyon sa mga mapagkukunan ng estado sa Distrito para sa pampublikong kaligtasan, pabahay, imprastruktura ng de-kuryenteng sasakyan, katatagan sa baha, at mga proyektong pantransportasyon habang nagpapasa ng makasaysayang lehislyasyon na sumusuporta sa pagmamanupaktura, mga taong may mga kapansanan, mga proyekto sa pagkontrol ng baha, pagpapanumbalik ng tahanan ng buhay-ilang, at mga pangangailangan ng mga magsasaka.

Naisakatuparan ang lahat ng ito habang nilalabanan ko ang kanser sa suso! Ngayong walang na akong kanser at may nagpapatuloy na layunin at optimismo para sa hinaharap, "hindi niyo pa nakikita ang lahat".

Kailangan natin ang mga pangmatagalang solusyon para sa kawalan ng tirahan, pabahay, pampublikong kaligtasan, pagbabago sa klima, transportasyon at marami pa. Kung kaya pinangunahan ko ang mga negosasyon para sa mga panukala sa bono sa inyong balota sa buong estado, ang Proposisyon 2 at Proposisyon 4, na magbibigay sa inyo ng mapagpipilian para pondohan ang edukasyon, mga pangunahing proyektong imprastruktura, at iba pang mga priyoridad para sa ating estado.

Bilang tagapangulo ng Komite ng Asembleya sa Transportasyon, nagsusumikap ako upang mapabilis ang konstruksyon upang mapabuti ang sirkulasyon ng trapiko at mabawasan ang mga oras ng biyahe. Ginagawang mas ligtas ang Interstate 80, Highway 12, State Route 37 at ang ating mga lokal na daan.

Lubos kong inaalala ang ating demokrasya. Sa layuning iyon, bilang Tagapangulo ng California Legislative Black Caucus, nakikipag-ugnayan ako sa iba't ibang komunidad upang mabigyang-diin ang karapatan ng bawat isa na mamuhay sa kanyang bersyon ng California Dream nang may dignidad at paggalang.

**STATEMENT OF CANDIDATE FOR
MEMBER OF THE STATE ASSEMBLY, DISTRICT 11**

DAVID ENNIS

Occupation: Professional Civil Engineer

Education and Qualifications: People in our District are struggling to make ends meet. While the homeless look for shelter, our state legislatures focus on issues that do not put food on the table, stop crime, or improve our schools. I have a new vision, back to basics and getting our children a good education, helping small business stay in business, and creating jobs for hard working folks. With common sense and community spirit, we can make California proud again.

I am a professional civil engineer (Duke) licensed in California since 1994 with executive experience in the aerospace industry. I envision a crime free and affordable District with local jobs and shorter commutes. I want our local schoolboards to focus on reading, writing, and arithmetic (STEM), independent of statewide educational mandates. I support school choice, and a back-to-basics approach to education. I want to stop crime, and reform criminals, mindful that the victims are not guilty! We need to prevent crime and fix Prop 47.

I spent 2 years on the San Leandro Planning Commission and 4 years as President of the United Parents for San Leandro High School. I have spent 6 years reviewing cost effectiveness and technical feasibility for FEMA projects in California, Texas, and Puerto Rico approving over \$1BN of projects with Federal funding for resilient infrastructure instead of more local taxes.

Details are on my website: <https://www.ennis2024.org>

I will earn your vote, focused on supporting our families, building affordable housing, crime free safety, education, and jobs.

**DECLARACIÓN DE CANDIDATO PARA
MIEMBRO DE LA ASAMBLEA ESTATAL, DISTRITO 11**

DAVID ENNIS

Ocupación: Ingeniero Civil Profesional

Educación y Competencia: La gente de nuestro Distrito tiene dificultades para llegar a fin de mes. Mientras los indigentes buscan refugio, nuestras legislaturas estatales se enfocan en asuntos que no ponen comida en la mesa, ni detienen el delito, ni mejoran nuestras escuelas. Tengo una nueva visión, volver a lo básico y lograr que nuestros hijos reciban una buena educación, ayudar a las pequeñas empresas a seguir funcionando y crear puestos de trabajo para la gente trabajadora. Con sentido común y espíritu comunitario, podemos hacer que California vuelva a sentirse orgullosa.

Soy ingeniero civil profesional (Duke) licenciado en California desde 1994 con experiencia ejecutiva en la industria aeroespacial. Imagino un Distrito sin crímenes y asequible, con empleos locales y desplazamientos más cortos. Quiero que nuestras juntas escolares locales se centren en la lectura, la escritura y la aritmética STEM (Ciencia, Tecnología, Ingeniería, Matemática), independientemente de los mandatos educativos estatales. Apoyo la elección de escuela y un enfoque de la educación que vuelva a lo básico. Quiero acabar con el crimen y reformar a los delincuentes, ¡sin olvidar que las víctimas no son culpables! Necesitamos prevenir el crimen y corregir la Prop 47.

Pasé 2 años en la Comisión de Planificación de San Leandro y 4 años como Presidente de Padres Unidos para la Escuela Secundaria San Leandro. He pasado 6 años revisando la rentabilidad y la viabilidad técnica de los proyectos de la FEMA en California, Texas y Puerto Rico, aprobando más de \$1Mil Millones en proyectos con financiamiento Federal para infraestructuras resilientes en lugar de más impuestos locales.

Encontrará más información en mi página web: <https://www.ennis2024.org>

Me ganaré su voto, centrándome en el apoyo a nuestras familias, la construcción de viviendas asequibles, la seguridad sin delitos, la educación y el empleo.

**STATEMENT OF CANDIDATE FOR
MEMBER OF THE GOVERNING BOARD
Solano Community College, Trustee Area No. 3**

SHANNON FRISINGER

AGE: 64

Occupation: Retired Teacher

Education and Qualifications: I have been a resident of Solano County for 40 years, and I retired from Vallejo City Unified School District after 29 years as a secondary English teacher, having taught at both VHS and JBHS. I want students in Benicia and Vallejo to see Solano Community College as a career and college destination, as well as work to include life-long learning opportunities for adults.

**STATEMENT OF CANDIDATE FOR
MEMBER OF THE GOVERNING BOARD
Solano Community College, Trustee Area No. 3**

ROSEMARY THURSTON

Occupation:

Education and Qualifications: During my time on the Governing Board, the District has added over 130,000 square feet of new or remodeled building space at the main campus in Fairfield and the two centers in Vacaville and Vallejo. The District has improved its financial standing, refinanced the Bond to save tax payers \$20 million over the life of the Bond, and added a Bachelor of Science degree in Bio manufacturing, one of three programs in the state.

In Vallejo, we built a new Auto Technology building up the street from the Vallejo Campus and the program serves more than 200 students every year. We also developed a College and Career Pathway Agreement with Elite Charter Schools, providing college classes for their students at their school. The District has partnered with Touro University for Nursing students who wish to complete the Family Nurse Practitioner program.

During my time on the Board, we have significantly improved our financial standing, have increased enrollment to more than 9,000 students and increased online classes and services to better serve working students. We have increased funding for tutoring, health services, a food and clothing pantry, and emergency housing and most classes now offer zero or low-cost textbooks saving students hundreds of dollars.

**STATEMENT OF CANDIDATE FOR
MEMBER OF THE GOVERNING BOARD
Solano Community College, Trustee Area No. 3**

LILIA DARDON

No statement submitted.

<p align="center">STATEMENT OF CANDIDATE FOR MAYOR City of Benicia</p>	<p align="center">DECLARACIÓN DE CANDIDATO PARA ALCALDE Ciudad de Benicia</p>
<p>STEVE YOUNG Occupation: Incumbent</p> <p>Education and Qualifications: I was elected Mayor of Benicia in 2020, after having served four years on the City Council from 2016 to 2020. Prior to that, I served on the Benicia Planning Commission from 2012-2016.</p> <p>I am the first Benicia elected official who has made a point of engaging with the community on social media, answering questions and explaining various city policies and projects. Even when comments are critical, I believe all people have a right to be heard and responded to.</p> <p>As Mayor, I led the City Council through some challenging times, including the local response to Covid, adoption of the City Housing Element, relaxation of development restrictions, and passage of Measures A and B which was critical to maintenance of City programs and services.</p> <p>I support the passage of Measures F, G and H, which will lead to the repair and maintenance of City streets, as well as provide additional financial stability for the City going forward.</p> <p>I serve on the Board of Directors of the Bay Area Air Quality Management District (BAAQMD), Solano Transportation Agency (STA), Solano Transit Authority (SolTrans), Solano County Water Agency (SCWA), and California Councils of Government (CalCog).</p>	<p>STEVE YOUNG Ocupación: Titular</p> <p>Educación y Competencia: Fui elegido Alcalde de Benicia en 2020, después de haber servido cuatro años en el Concejo Municipal desde 2016 hasta 2020. Antes de eso, formé parte de la Comisión de Planificación de Benicia de 2012-2016.</p> <p>Soy el primer funcionario electo de Benicia que se ha esforzado por interactuar con la comunidad en las redes sociales, respondiendo a preguntas y explicando diversas políticas y proyectos municipales. Incluso cuando los comentarios son críticos, creo que todas las personas tienen derecho a ser escuchadas y respondidas.</p> <p>Como Alcalde, dirigí el Concejo Municipal a través de algunos momentos difíciles, incluyendo la respuesta local al Covid, la adopción del Elemento de Vivienda de la Ciudad, la relajación de las restricciones de urbanización, y la aprobación de las Iniciativas de Ley A y B que fue fundamental para el mantenimiento de los programas y servicios de la Ciudad.</p> <p>Apoyo la aprobación de las Iniciativas de Ley F, G y H, que conducirán a la reparación y mantenimiento de las calles de la Ciudad, así como proporcionar estabilidad financiera adicional para la Ciudad en el futuro.</p> <p>Formo parte de la Junta de Directores del Distrito de Gestión de la Calidad del Aire del Área de la Bahía (BAAQMD), de la Agencia de Transporte de Solano (STA), de la Autoridad de Transporte Público de Solano (SolTrans), de la Agencia de Suministro de Agua del Condado de Solano (SCWA) y de los Consejos de Gobierno de California (CalCog).</p>

**STATEMENT OF CANDIDATE FOR
MAYOR
City of Benicia**

KEVIN PATRICK KIRBY

AGE: 40

Occupation: Father/Businessman/Coach

Education and Qualifications: I was born and raised in Benicia, attended St. Dominic's for 7 years, then Benicia Middle School. I received my Associate's Degree from Diablo Valley College, after attending Benicia High School, and a few others in Oregon. I have always had a profound love for the City of Benicia, even as a kid. I could not think of a better place for my wife Heather and I, to raise our two children, Rick (10) and Sydney (12). We are heavily involved in Benicia sports and schools, with myself coaching Little League baseball, and Heather taking over as President of the Matthew Turner PTA. My primary focus of running for Mayor is to ensure the safety and overall enjoyment for Benicia's youth. This starts with making sure we have adequate public safety measures put in place. This includes City Police, Firefighters, a Parks Department, and simply making sure we keep our town safe. I plan on achieving this by helping bring new revenue streams to town and supporting our current, local business, both old and new. Thank you for your consideration.

**STATEMENT OF CANDIDATE FOR
CITY COUNCIL
City of Benicia**

LIONEL LARGAESPADA

Occupation: Business Development Executive

Education and Qualifications: I am the proud son of Latino immigrants living the American dream in Benicia. It's where I own a home, raise my family, work, and served on your city council from 2018-2022. I am asking for your vote again this election.

As an independent-minded candidate, I am dedicated to ensuring Benicia's prosperity through fiscal discipline and innovative solutions. I will ensure Benicia's budget reflects the needs and priorities of its residents. I believe we can maintain essential services and enhance our community without burdening residents with higher taxes.

My focus is on fiscal responsibility, support for small businesses, community collaboration, and preserving Benicia's charm.

I pledge to be accessible to everyone, prioritizing common-sense solutions, while working with diverse community stakeholders, the city administration, and fellow council members to find common ground on critical issues. Upholding the quality of life in Benicia, I will advocate for safe neighborhoods, a prosperous downtown, and initiatives that enhance the city's cultural and historical heritage.

Together, we can build a thriving Benicia that works for everyone. Please contact me at 415-377-2872 or lionel@votelionel.com to discuss the issues that matter most to you. You will also find me on social media and VoteLionel.com.

**STATEMENT OF CANDIDATE FOR
CITY COUNCIL
City of Benicia**

TREVOR MACENSKI

Occupation: Environmental Planner

Education and Qualifications: I'm Trevor Macenski, a lifelong Californian. I graduated from Novato High School and earned a Bachelor of Science in Environmental Policy Analysis and Planning from UC Davis, followed by a Master of Science in Environmental Policy from Johns Hopkins University.

When my wife Kim and I were choosing a place to raise our family, we fell in love with Benicia. We've proudly called it home for over ten years, along with our three children, Drake, Nash, and Monroe.

With an award-winning planning career spanning over 20 years, I've worked with many municipalities on sustainable planning and policy decisions. Since moving to Benicia, I've been a dedicated community member. I've held leadership roles on local boards and commissions, including the Planning Commission and Historic Preservation Design Review Commission. I also volunteer as a coach for youth sports and support Matthew Turner PTA and the Benicia Athletic Boosters.

Benicia stands at an inflection point, calling for cohesive, resolute leadership to guide us through these challenges. In my first term on council, we streamlined city services, prioritized infrastructure investments, and forged a sustainable fiscal strategy. I remain dedicated to driving positive change. Visit trevormac.com to discover more.

**STATEMENT OF CANDIDATE FOR
CITY COUNCIL
City of Benicia**

CHRISTINA GILPIN-HAYES
Occupation: Innovation Manager

Education and Qualifications: I am running for City Council to ensure our town thrives while preserving the qualities that make Benicia special. As your councilperson, my primary focus will be addressing the city's budget crisis by exploring creative ways to generate revenue and cut costs while maintaining services. I aim to foster growth opportunities that balance housing needs, economic sustainability while preserving our community's character. Additionally, I will promote transparency in city government decision-making, encouraging community involvement at every level.

Academically, I hold a bachelor's degree in Business Communication and Organizational Behavior. Professionally, I have had a long career in corporate law as a paralegal, paralegal manager, financial services vice president, and currently, as a legal technology innovation leader. With a history of community organizing and political activism, I will bring my consolidated experience to the City Council in Benicia.

I lead with structure and empathy, believing that change comes from collaborative efforts. We must meet the needs of our residents today while building an infrastructure that safeguards Benicia for future generations. Overcoming challenges often requires a fresh perspective and new voice and I will bring that to Benicia City Council.

Learn more about me at christinaforbenicia.com

**DECLARACIÓN DE CANDIDATA PARA
EL CONCEJO MUNICIPAL
Ciudad de Benicia**

CHRISTINA GILPIN-HAYES
Ocupación: Gerenta de Innovación

Educación y Competencia: Me postulo para el Concejo Municipal a fin de garantizar que nuestra ciudad prospere conservando las cualidades que hacen a Benicia especial. Como concejala, mi principal objetivo será hacer frente a la crisis presupuestaria de la ciudad explorando formas creativas de generar rentas y recortar costos, manteniendo al mismo tiempo los servicios. Mi objetivo es fomentar oportunidades de crecimiento que equilibren las necesidades de vivienda y la sostenibilidad económica, conservando el carácter de nuestra comunidad. Además, promoveré la transparencia en la toma de decisiones del gobierno de la ciudad, fomentando la participación de la comunidad en todos los niveles.

Académicamente, soy licenciada en Comunicación Comercial y Comportamiento Organizativo. Profesionally, he tenido una larga trayectoria en derecho corporativo como asistente jurídica, gerente de asistentes jurídicos, vicepresidente de servicios financieros y, actualmente, como líder de innovación en tecnología jurídica. Con un historial de organización comunitaria y activismo político, aportaré mi consolidada experiencia al Concejo Municipal de Benicia.

Dirijo con estructura y empatía, creyendo que el cambio surge de los esfuerzos de colaboración. Debemos satisfacer las necesidades actuales de nuestros residentes y, al mismo tiempo, construir una infraestructura que proteja a Benicia para las generaciones futuras. Superar los desafíos requiere a menudo una perspectiva fresca y una voz nueva, y yo aportaré eso al Concejo Municipal de Benicia.

Más información sobre mí en christinaforbenicia.com

**STATEMENT OF CANDIDATE FOR
CITY COUNCIL
City of Benicia**

FRANZ ROSENTHAL

AGE: 58

Occupation: Engineer, Pharmaceutical Manufacturing

Education and Qualifications: My wife and I love living in Benicia. It is a wonderful and nurturing community in which to raise our three small children. We feel honored to be a part of this special city and look forward to our future here.

We especially enjoy the unique sense of history and charm we have found here, attributes I would work toward preserving should I be elected to the Council.

This goal is only possible through fiscal responsibility and a solid vision backed by a comprehensive business plan. The City would benefit from economic growth of the type that generates valuable tax revenue to ease our current financial strain. This growth requires strategic planning and a concerted effort to attract the type of businesses that align with our vision. Fiscal responsibility also requires examining the sources of our expenses to ensure the City's funds are being used in the most efficient manner possible.

My experience running projects as an engineer, as well as my MBA, have taught me how to balance the dueling priorities of benefits vs. costs, as well as the importance of long-term strategic planning.

A vote for me is a vote for a sustainable Benicia. Thank you.

**STATEMENT OF CANDIDATE FOR
CITY CLERK
City of Benicia**

LISA M. WOLFE

No statement submitted.

**STATEMENT OF CANDIDATE FOR
CITY TREASURER
City of Benicia**

KEN PAULK

Occupation: Incumbent

Education and Qualifications: I have been the City Treasurer for Benicia for the past 10 years. I have worked with 2 Mayors, 8 Council Members, 3 City Managers and 6 Finance Directors/Managers. As Treasurer, my responsibilities include the review and signing of the Cities monthly warrant register and serving on the Finance/Economic Development Board. I work with the Finance Director in reviewing the Quarterly Investment Reports and the Annual Investment Policy before being presented to Council. If reelected, I will continue to support our Citizens first and City Council in all avenues to maintain the great quality of life we have in Benicia.

Kenpaulk@msn.com

MEASURE F

Measure F	
Citizens' Initiative - Special Sales Tax for Streets	
Shall the citizens of Benicia enact a measure raising local funds for the specific purpose of repairing, maintaining, and improving Benicia's streets, roads, potholes and related sidewalks and storm drains, never to be used for other municipal services, by adopting a ½ cent sales tax, providing approximately \$4,000,000 annually, with a citizen oversight committee and annual audits, until ended by voters?	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE F

Measure F, "Save Our Streets", is a voter-sponsored initiative that would add an additional transaction and use tax at the rate of one half percent (0.5%) of the retail sales price, or 1/2 cent for an item that costs one dollar. Measure F was placed on the ballot by a petition signed by the requisite number of voters.

State law authorizes the City of Benicia ("City") to levy a local transactions and use tax, commonly known as a "sales tax", on retail sales. In March 2024 voters approved Measure B and increased the tax on retail sales within the City to 9.125% of the purchase price. Of this amount, 7.25% goes to the State, 0.125% to Solano County, and 1.75% to the City. Retailers collect the tax at the time of sale and remit the funds to the California Department of Tax and Fee Administration ("CDTFA"), which administers the tax and sends the City its amount. This tax only applies to retail sales. Consistent with state law, the tax would not apply to prescription medications and food purchased as groceries.

Currently, under state law the total amount of sales tax that can be charged by jurisdictions in Solano County is 9.25%. If Measure F is approved by voters, in order for the 0.5% additional sales tax imposed by Measure F to be collected by CDTFA, the sales tax cap for the City would have to be increased. A state bill, Assembly Bill AB-3259 ("Bill"), is currently pending before the State Legislature that would increase the sales tax cap in the City from 9.25% to 9.75%. The Bill is an urgency measure that would go into effect immediately upon approval.

Because Measure F legally restricts the use of tax revenue to specific purposes, it is a "special tax". The proceeds must be used exclusively for the specific public purposes provided in the Measure which are: repairing, maintaining, and improving Benicia's streets, roads, potholes and related sidewalks and storm drains. If Measure F does not pass the City will continue to receive 1.75% of sales tax collected in Benicia but will not have additional funding dedicated to the purposes stated in Measure F.

A "yes" vote is a vote in favor of the tax. A "no" vote is a vote against the tax. Measure F will be adopted if it is approved by a majority vote of the electorate.

Submitted August 12, 2024.

Benjamin Stock
City Attorney

The above statement is an impartial analysis of Measure F. The full text of Measure F is printed in the Voter's Information

Pamphlet and is also available on the City's website at : <https://www.ci.benicia.ca.us/elections>. If you desire a copy of the measure, please call the City Clerk's office at 707--746-4200 and a copy will be mailed at no cost to you.

**MEASURE F
FULL TEXT
RESOLUTION NO. 24-76**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA SUBMITTING AN INITIATIVE TITLED “CITIZENS’ INITIATIVE ADDING A SPECIAL TRANSACTION AND USE TAX OF 0.5% IN THE CITY OF BENICIA TO BE USED TO REPAIR AND IMPROVE STREETS AND ROADS IN THE CITY” TO VOTERS

WHEREAS, on August 3, 2023, a Notice of Intent to Circulate a Petition titled “Citizens’ Initiative Adding a Special Transaction and Use Tax of 0.5% in the City of Benicia to be Used to Repair and Improve Streets and Roads in the City” was filed with the City’s Elections Official with a request that a title and summary be prepared for the measure; and

WHEREAS, the City Attorney provided a title and summary for the proposed Initiative to the proponents; and

WHEREAS, the Petition regarding the Initiative was filed with the Election’s Official bearing 2,784 unverified signatures; and

WHEREAS, to qualify for the ballot, proponents were required to obtain valid signatures on the Petition from not less than ten percent (10%) of the registered voters of the City; and

WHEREAS, the County Elections Division has examined the records of voter registration and has certified that the Petition contains more than the requisite number of valid signatures to qualify for election; and

WHEREAS, in accordance with Elections Code section 9215 on March 19, 2024, the City Council of the City of Benicia voted to submit the Initiative to the voters at the general election to be held on November 5, 2024; and

WHEREAS, the City Council desires to consolidate the general municipal election for the Initiative described herein with the Statewide General Election to be held on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF BENICIA:

Section 1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct and are hereby fully incorporated by this reference.

Section 2. Election. The City Council of the City of Benicia hereby orders the proposed Citizens’ Initiative Adding a Special Transaction and Use Tax of 0.5% in the City of Benicia to be Used to Repair and Improve Streets and Roads in the City be submitted to the voters at the General Municipal Election to be held on Tuesday, November 5, 2024 and requests the Solano County Elections Department to conduct the election and consolidate it with the statewide election to be held on November 5, 2024:

**CITIZENS’ INITIATIVE ADDING A SPECIAL TRANSACTION AND USE TAX
 (“SALES TAX”)**

Measure F – Citizens’ initiative adding a special transaction and use tax of 0.5% in the City of Benicia to be used to repair and improve streets and roads in the City.

Shall the citizens of Benicia enact a measure raising local funds for the specific purpose of repairing, maintaining, and improving Benicia’s streets, roads, potholes and related sidewalks and storm drains, never to be used for other municipal services, by adopting a ½ cent sales tax, providing approximately \$4,000,000 annually, with a citizen oversight committee and annual audits, until ended by voters?	YES
	NO

Section 3. Publication of Measure. The City Clerk is directed to publish a synopsis of the measure at least one time not later than one week before the election.

Section 4. Approval. The vote requirement for this measure to pass shall be a majority of those casting ballots on the measure (50% plus 1).

Section 5. Filing with County. The City Clerk shall file a certified copy of this Resolution with the Solano County Elections Department.

Section 6. Analysis and Argument. Pursuant to Elections Code Section 9280, the City Attorney shall prepare an impartial analysis of the measure that shall not exceed 500 words no later than 12:00 p.m. on August 14, 2024. Pursuant to Elections Code Section 9282, the deadline to submit to the City Clerk primary arguments which shall not exceed 300 words for and against the ballot measure is 12:00 p.m. on August 16, 2024. Pursuant to Elections Code Section 9285, the deadline to submit to the City Clerk rebuttal arguments which shall not exceed 250 words is 12:00 p.m. on August 20, 2024. Pursuant to Elections Code Section 9287, if more than one argument is submitted against the measure, the City Clerk shall select the argument to be included with the ballot materials.

Section 7. Implementation. The City Clerk and City Manager are authorized to take all actions as necessary to effectuate the purposes of this resolution and the election. The City Manager is authorized to execute all documents and to perform all other necessary City acts to enter into a service agreement for the provision of election services with the Solano County Registrar of Voters. The City Clerk and City Attorney are authorized to make any typographical, clerical, and non-substantive corrections to this resolution as may be deemed necessary by the Solano County Elections Department.

Section 8. Declaration. The City Council shall meet to declare the results of the election called for by this Resolution at their regular meeting following certification of election results.

Section 9. Effective Date. This Resolution shall take immediate effect upon its adoption by the City Council and the City Clerk shall certify the vote adopting the resolution or at a special meeting called for that purpose.

Section 10. Environmental Compliance. The proposed Initiative is exempt from review under the California Environmental Quality Act (CEQA) because it is a ministerial action - see *DeVita v County of Napa* (1995) 9 C4th 763, 794; *Stein v City of Santa Monica* (1980) 110 CA3d 458. In addition, the proposed measure involves the creation of a government funding mechanism which does not involve any commitment to any specific project and thus is not a project subject to requirements of CEQA as provided by Guidelines Section 15378 (b)(4), and further pursuant to Guidelines Section 15061(b)(3) which exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

On motion of Council Member Birdseye, seconded by Council Member Scott, the above Resolution was **passed and adopted** by the City Council of the City of Benicia at a special meeting of said Council held on the 6th day of August 2024 by the following vote:

Ayes: Council Members Birdseye, Campbell, Macenski, Scott and Mayor Young

Noes: None

Absent: None

Abstain: None

s/Steve Young _____
Steve Young, Mayor

Attest:

s/ Ashley Bussart _____
Ashley Bussart, Deputy City Clerk

8/7/24 _____
Date

ARGUMENTS IN SUPPORT OF OR IN OPPOSITION TO THE PROPOSED LAWS ARE THE OPINIONS OF THE AUTHORS.

ARGUMENT IN FAVOR OF MEASURE F

If you are frustrated with the condition of Benicia’s streets, and once and for all want to ensure resources are dedicated and allocated to repair them, please join us in voting yes on Measure F.

Measure F is a citizens-driven initiative, not a City initiative. A citizens group in Benicia spent a tremendous amount of time and effort collecting over 2,000 signatures to get Measure F on the ballot. We’re now counting on all registered voters to pass this important Measure.

Benicia faces a significant road repair backlog, totaling over \$60,000,000. Without Measure F passing, our streets will remain in disrepair and continue to deteriorate. Measure F, proposed by Benicia residents, seeks to implement a 0.5% (1/2 cent) sales tax on retail sales within the City of Benicia, with exceptions for most food items purchased from grocery stores. This modest tax is projected to raise approximately \$4,000,000 annually, and will be dedicated to repairing, maintaining, and enhancing Benicia’s streets, potholes, and related sidewalks and storm drains. The revenue from this tax will improve safety and the overall condition of our infrastructure for vehicles, cyclists, pedestrians, and children.

Measure F is very different from other measures proposed over the years. Funds collected from Measure F will be separated from the City’s General Fund, and by law, will be dedicated 100% to repairing our streets. City staff and the City Council cannot use these funds for anything else. The Measure also establishes a Citizen Advisory Oversight Committee, and requires annual audits to ensure transparency. Voters retain the power to repeal this tax at any time.

Measure F is your opportunity to ensure that the condition of our streets is finally addressed. Please join us in Voting Yes on Measure F.

s/Mark Hughes

s/David Batchelor

s/Mary Margaret Kolk

s/Krista Heredia

s/Timothy Steven Hamann

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE F

VOTE NO ON F.

Measure F is currently an illegal proposal to enact an invalid tax.

Measure F is so poorly written it should be known as the Taxpayer Funded Lawyer Employment Measure.

When Benicia increased taxes in March 2024, Measure F became invalid under California Revenue and Taxation Code Section 7251.1.

Did those who signed the Measure F petition really intend to increase taxes higher than the State law allows?

Now the validity of Measure F depends on Assembly Bill 3259 (Wilson) pending in the California Legislature.

Section 6 of that Assembly Bill 3259 says that if Measure F is adopted “before this bill takes effect, the tax would exceed the limit established in Section 7251.1, making the tax invalid . . .”

The effort to retroactively change the character of a measure in the middle of an election campaign not only undermines the integrity of elections, but it also guarantees litigation at the expense of needed public services.

Finally, Measure F is so poorly written that while it promises a “citizen’s oversight committee” it fails to create such a committee. Only the wish or desire is expressed. The City Council cannot create such a committee because State law prohibits the amendment of an initiative measure.

As written Measure F deserves an “F”. Invalid and fatally flawed is F.

VOTE NO ON F.

Solano County Taxpayers Association
s/Michael T Nolan, President

s/Christopher Shenfield
Benicia Resident

s/Devin Versace
Benicia Resident

ARGUMENTS IN SUPPORT OF OR IN OPPOSITION TO THE PROPOSED LAWS ARE THE OPINIONS OF THE AUTHORS.

ARGUMENT AGAINST MEASURE F

VOTE NO on MEASURE F.

Among the many reasons why Measure F is fatally and legally flawed are the following:

First, Benicia increased the Sales and Use Tax earlier this year in March 2024.

Second, Measure F is legally flawed because it is written in the language of an Advisory Measure Only. Ordinances (and statutes) may only be proposed and enacted with simple declarative language. Unlike Advisory Measures, no legislation may be enacted as a question.

Third, Measure F is fatally flawed because it lacks any “enacting clause” required by State law to enact ordinances. Such a clause is unnecessary for an Advisory Measure.

Fourth, Measure F is fatally flawed because the City Attorney has poisoned the measure with a so-called “Summary” which is more than twice as long as the proposed measure. This new substantive language expressly revises and amends Measure F. Such an amendment and revision is expressly prohibited by State law.

Fifth, measure F does not create a “citizen’s oversight committee”. The best that can be said is that it requests the City Council to create and appoint such a committee. And experience indicates that such a committee has little independence and no real power.

Measure F as amended? F NO!

Solano County Taxpayers Association
s/Michael Nolan, President

s/Christopher Shenfield
Benicia Resident

s/Devin Versace
Benicia Resident

REBUTTAL TO ARGUMENT AGAINST MEASURE F

Do you know what is fatally flawed in Benicia? Our road system. Maybe we should do something about that!

Fixing Benicia’s roads requires a lot of money. The City only receives approximately \$800,000 per year from State gas tax. We know that we need to spend over \$5.5 million each year to repair our road infrastructure. Measure F helps to Fix our roads!

The “bedroom” community of Benicia does not have sufficient revenue sources to support our services and infrastructure. That is changing! Earlier in the year our community passed Measure A and B to support public safety and essential services. The City is working on other initiatives to be able to sustain our services and fix our infrastructure.

Measure F is a SPECIFIC tax that can only be used to repair our roads. It’s part of a COMPREHSNIVE plan to address our road network.

Measure F is legally compliant. The opponents of Measure F want to throw stones at our City Attorney for his impartial analysis and at the more than 2,000 Benicia citizens that signed a petition to put this initiative on the ballot, just because they don’t want to pay more taxes.

None of us want to pay more taxes, yet the only way we can fix our roads is for all of us to pay a little bit more so we can finally Fix our roads.

Help be part of the solution. Please join us in voting YES on Measure F.

Benicia Save Our Streets
s/Mark Hughes
s/David Batchelor
s/Maggie Kolk
s/Krista Heredia
s/Tim Hamann

MEASURE G

City Charter to Invest in Benicia’s Future, Part 1

To ensure proper investments in essential City services including roads, infrastructure, Benicia’s Police and Fire Departments, shall the City of Benicia adopt a Charter, that can only be amended with voter approval, for the limited and sole purpose of allowing voters to consider enacting a real property transfer tax (Measure H), the proceeds of which shall provide necessary funding for critical City infrastructure and services, monitored with audits and citizen oversight?

YES

NO

**CITY OF BENICIA MEASURE G
CHARTER BALLOT DESCRIPTION**

California Government Code Section 34458.5 requires that a proposal to adopt or amend a charter include a ballot description enumerating the new city powers as a result of the adoption of the charter, including whether the City Council will have the power to raise its own compensation and the compensation of other city officials without voter approval.

A “YES” vote in favor of Measure G changes the City of Benicia, hereafter referred to as “the City,” from a general law city to a charter city. The City is currently a general law city. Accordingly, the powers of the City are governed by the general laws of the State of California relating to cities organized under the general laws. The general laws of the State are established by the State Legislature and signed by the Governor, or enacted by voter initiative.

Charter cities, on the other hand, are specifically authorized by the State Constitution to govern themselves, free of State legislative intrusion, as to those matters deemed “municipal affairs”. As a result, when a city becomes a charter city, the city thereafter possesses all powers appropriate for a municipality to possess so far as municipal affairs are concerned free of State legislative interference. The charter document itself does not contain or constitute the grant of authority over municipal affairs, as the authority comes from the State Constitution. Rather, the charter serves as a limitation on that authority. Accordingly, charter cities possess authority over municipal affairs except as limited by their charter.

The proposed City of Benicia Charter specifically provides that the City’s new powers over municipal affairs will be limited solely to municipal revenue including taxation and assessment, and a system for the imposition, levy and collection of a real property transfer tax. In all other respects, the powers of the City shall remain as they currently are and shall be constrained by, subject to, and governed by the general laws of the State of California.

The proposed charter will not change the City Council’s authority to raise its own compensation and the compensation of other city officials. The City Council’s power to raise compensation will continue to be governed by the general laws of the State of California. As set forth in Government Code Sections 36516 and 36516.5, the City Council may increase their own salaries without voter approval, effective upon the beginning of a new term of a councilmember, by an amount up to 5% for each year since the last increase. Government Code Section 36516 also provides that the salary of the council members may be increased beyond the amount noted above with voter approval.

Finally, as to other city officials, the City Council may increase their compensation without voter approval.

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE G

Measure G asks voters to adopt the City of Benicia Charter ("Charter") which will allow the City of Benicia ("City") to exercise the authority over municipal affairs granted to charter cities by the California Constitution. The proposed Charter specifically limits the City's new powers over municipal affairs solely to municipal revenue including taxation and assessment, and a system for the imposition, levy and collection of a real property transfer tax. Accordingly, the proposed Charter allows the City to enact a Real Property Transfer Tax Ordinance ("Measure H"), the proceeds of which will fund City services. The Charter further provides that in all other respects, the powers of the City shall remain as they currently are, and shall be governed by the general laws of the State of California.

The City is currently a general law city which means the powers of the City are governed by the general laws established by the State Legislature or enacted by voter initiative. Charter cities, on the other hand, are specifically authorized by the State Constitution to govern themselves as to those matters deemed "municipal affairs". In contrast, state law applies to charter cities for matters of "statewide concern".

Whether a given activity is a municipal affair, over which a charter city has sole authority, or of statewide concern, over which the State legislature has authority, is an issue for the State judicial system to decide based on the facts and circumstances of each case. Generally, a matter is of statewide concern rather than a municipal affair when its impact is primarily regional.

A general law city may elect to become a charter city by following statutory procedures and may limit the scope of matters the charter governs. Here the City utilized the procedure in Government Section 34458. The Charter proposed by the City provides that the City's new powers over municipal affairs will be limited solely to municipal revenues including taxation and assessment, and a system for the imposition, levy and collection of a real property transfer tax.

Measure H, the companion measure to Measure G, is also being presented to voters on November 5, 2024, and asks voters to approve the adoption of a real property transfer tax to fund City services, including, but not limited to, roads, infrastructure, facilities, Police, and Fire. Measure H can only be approved if voters approve Measure G, which establishes the proposed Charter.

A "yes" vote on Measure G adopts the City of Benicia Charter. A "no" vote on Measure G will maintain the City of Benicia as a general law city. Measure G will be adopted if it is approved by a majority vote of the electorate. If Measure G is approved by a majority of voters and the Charter is adopted, any future amendment or expansion of the scope of the Charter would be subject to voter approval.

Measure G was placed on the ballot by the City Council of the City of Benicia.

Submitted August 12, 2024.

Benjamin Stock
City Attorney

The above statement is an impartial analysis of Measure G. The full text of Measure G is printed in the Voter's Information Pamphlet and is also available on the City's website at :

<https://www.ci.benicia.ca.us/elections>. If you desire a copy of the measure, please call the City Clerk's office at 707--746-4200 and a copy will be mailed at no cost to you.

**MEASURE G
FULL TEXT
RESOLUTION NO. 24-77**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA SUBMITTING A BALLOT MEASURE TO VOTERS TO APPROVE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA ESTABLISHING THE CITY OF BENICIA AS A CHARTER CITY AND ADDING A NEW CHAPTER 1A (CITY OF BENICIA CHARTER) TO THE BENICIA MUNICIPAL CODE SOLELY WITH RESPECT TO THE POWERS OVER MUNICIPAL AFFAIRS IN RELATION TO MUNICIPAL REVENUES INCLUDING TAXATION AND ASSESSMENT, AND A SYSTEM FOR THE IMPOSITION, LEVY AND COLLECTION OF A TAX ON THE CONVEYANCE OF REAL PROPERTY BASED ON THE VALUE OF THE REAL PROPERTY IN ADDITION TO THE AMOUNT AUTHORIZED BY CALIFORNIA REVENUE AND TAXATION CODE SECTION 11911

WHEREAS, the City of Benicia (“City”) is a full-service city equipped with its own City-run police, fire, park, library and water and wastewater services that prides itself on providing quality services to its residents, businesses and visitors; and

WHEREAS, the City continues to combat a long-term structural budget deficit, caused by a declining population and limited economic growth, that it is working to solve; and

WHEREAS, the structural deficit threatens the City’s capacity to continue to provide vital services to its citizens; and

WHEREAS, financial forecasts projected large deficits necessitating the preparation to reduce Police and Fire services, limiting library and recreation programs and cutting resources to maintain its neighborhood parks and roads; and

WHEREAS, in summer of 2023, the City and its citizens began a months-long planning process to solve the deficit problem which produced Benicia’s Resiliency Plan: The Bridge to Prosperity; and

WHEREAS, the Resiliency Plan has three pillars:

1. Cutting Costs
2. Local Investment
3. Smart Growth

WHEREAS, the City has implemented many cost-saving measures, having made significant changes to its personnel structure, compensation guidelines and operating strategies to make the City more financially stable; and

WHEREAS, protecting and maintaining public safety, emergency services, fixing streets, and making critical infrastructure repairs are priorities and essential to City residents; and

WHEREAS, Measures F (Special Transaction and Use Tax), G (Charter Authorizing Adoption of Real Property Transfer Tax) and H (Real Property Transfer Tax) are part of the Resiliency Plan; and

WHEREAS, The City of Benicia has a demonstrated need for road repair infrastructure improvements in the range of \$100 million over the next 15 years and proposed three funding mechanisms for further consideration; and

WHEREAS, the adoption of a City Charter (“City Charter”) is legally necessary to allow the City to enact a Real Property Transfer Tax (RPTT), which ballot measure is also being presented to the voters on November 5, 2024 as Measure H, revenue from which will be used for unrestricted general governmental purposes, including infrastructure such as roads, repairing potholes, storm drains, sidewalks, and public facilities such as the City Pool, Community Center, Library, Marina, parks, and essential services such as police, fire, library, youth and senior programs, engineering and community development (planning and building) and other uses; and

WHEREAS, if the Real Property Transfer Tax (Measure H), as authorized by the City Charter is approved by the voters, the revenue from the RPTT will be subject to transparency and accountability provisions such as financial audits and oversight by an independent Citizens Oversight Committee, public disclosure of all spending, and public budgeting processes to ensure that all funds will remain in the City of Benicia for the local general services on which residents and businesses rely and that the Federal or State governments can take none of the new funding; and

WHEREAS, pursuant to authority provided by Article XI of the California Constitution, and Title 4, Division 2, Chapter 3 of the Government Code and Division 9, Chapter 3, Article 3 (commencing at Section 9255) of the Elections Code of the State of California, the City Council desires to submit a measure to the qualified electors of the City of Benicia regarding whether the City of Benicia shall become a Charter City for the limited and sole purpose of levying a RPTT; and

WHEREAS, in accordance with Government Code Section 34458, on June 11, 2024, the City Council held the first duly noticed public hearing whereby it received public comment on and considered the matter of the proposal of a charter for the City of Benicia for the limited purpose of granting the City the powers over municipal affairs in relation to municipal revenues including taxation and assessment, and a system for the imposition, levy and collection of a tax on the conveyance of real property based on the value of the real property and the content of the proposed charter; and

WHEREAS, in accordance with Government Code Section 34458, on July 16, 2024, the City Council held the second duly noticed public hearing whereby it received public comment on and considered the matter of the proposal of a charter for the City of Benicia and the content of the proposed charter; and

WHEREAS, the proposed Ordinance adopting the “City of Benicia Charter”, attached hereto and incorporated herein by reference as Exhibit “A”, would provide the City with all constitutional powers conferred on cities under Article XI sections 7 and 5 of the California Constitution solely with respect to the powers over municipal affairs in relation to municipal revenues including

taxation and assessment, and a system for the imposition, levy and collection of a tax on the conveyance of real property based on the value of the real property; and

WHEREAS, the City Council of the City of Benicia has determined that enactment of the proposed Charter would be beneficial for the City of Benicia and its residents by establishing the authority for the qualified electors of the City of Benicia to decide whether to enact a Real Property Transfer Tax Ordinance which revenues would be locally controlled and help to ensure that essential city services are provided and maintained; and

WHEREAS, Government Code Section 34458.5 requires that a proposal to adopt or amend a charter include in a ballot description an enumeration of new city powers as a result of adoption of the charter, in this instance that the City Council will have the power to enact a Real Property Transfer Tax; and

WHEREAS, Elections Code Section 9255(b) provides that a charter proposed by the local governing body shall be submitted to the voters at an established statewide general election pursuant to Section 1200, provided there are at least 88 days before the election at a statewide general election pursuant to Elections Code Section 1200; and

WHEREAS, the City Council desires to submit the proposed Ordinance to the voters of the City at a General Municipal Election to be held on Tuesday, November 5, 2024, and to be consolidated with the general municipal election and the statewide election to be held on that date.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF BENICIA:

Section 1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct and are hereby fully incorporated by this reference.

Section 2. Election. The City Council of the City of Benicia hereby orders the proposed Ordinance be submitted to the voters at the General Municipal Election to be held on Tuesday, November 5, 2024 and requests the Solano County Elections Department to conduct the election and consolidate it with the statewide election to be held on November 5, 2024.

THE BENICIA CITY CHARTER MEASURE Measure G - City Charter to Invest in Benicia's Future, Part 1	
To ensure proper investments in essential City services including roads, infrastructure, Benicia's Police and Fire Departments, shall the City of Benicia adopt a Charter, that can only be amended with voter approval, for the limited and sole purpose of allowing voters to consider enacting a real property transfer tax (Measure H), the proceeds of which shall provide necessary funding for critical City infrastructure and services, monitored with audits and citizen oversight?	YES
	NO

Section 3. Proposed Ordinance. The text of the proposed Ordinance to be submitted to the voters is attached to this Resolution as Exhibit A and incorporated by reference. The full text of the proposed Ordinance shall be printed in the Sample Ballot and Voters Pamphlet and shall be made available to the public and to any voter at the Solano County Elections Department and the Benicia City Clerk.

Section 4. Publication of Measure. The City Clerk is directed to publish a synopsis of the measure at least one time not later than one week before the election.

Section 5. Approval. The vote requirement for this measure to pass shall be a majority of those casting ballots on the measure (50% plus 1).

Section 6. Filing with County. The City Clerk shall file a certified copy of this Resolution with the Solano County Elections Department.

Section 7. Analysis and Argument. Pursuant to Elections Code Section 9280, the City Attorney shall prepare an impartial analysis of the measure that shall not exceed 500 words no later than 12:00 p.m. on August 14, 2024. Pursuant to Elections Code Section 9282, the deadline to submit to the City Clerk primary arguments which shall not exceed 300 words for and against the ballot measure is 12:00 p.m. on August 16, 2024. Pursuant to Elections Code Section 9285, the deadline to submit to the City Clerk rebuttal arguments which shall not exceed 250 words is 12:00 p.m. on August 20, 2024. Pursuant to Elections Code Section 9287, if more than one argument is submitted against the measure, the City Clerk shall select the argument to be included with the ballot materials.

Section 8. Implementation. The City Clerk and City Manager are authorized to take all actions as necessary to effectuate the purposes of this resolution and the election. The City Manager is authorized to execute all documents and to perform all other necessary City acts to enter into a service agreement for the provision of election services with the Solano County Registrar of Voters. The City Clerk and City Attorney are authorized to make any typographical, clerical, and non-substantive corrections to this resolution as may be deemed necessary by the Solano County Elections Department.

Section 9. Declaration. The City Council shall meet to declare the results of the election called for by this Resolution at their regular meeting following certification of election results or at a special meeting called for that purpose.

Section 10. Effective Date. This Resolution shall take immediate effect upon its adoption by the City Council and the City Clerk shall certify the vote adopting the resolution.

Section 11. Environmental Compliance. The proposed City Charter ballot measure is exempt from further review under the California Environmental Quality Act (CEQA) because the Charter enabling the adoption of a Real Property Transfer

Tax involves the creation of a government funding mechanism which does not involve any commitment to any specific project and thus is not a project subject to the requirements of CEQA as provided by Guidelines Section 15378(b)(4), and further pursuant to Guidelines Section 15061(b)(3) which exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

On motion of Council Member Birdseye, seconded by Council Member Scott, the above Resolution was **passed and adopted** by the City Council of the City of Benicia at a special meeting of said Council held on the 6th day of August 2024 by the following vote:

Ayes: Council Members Birdseye, Campbell, Macenski, Scott and Mayor Young

Noes: None

Absent: None

Abstain: None

s/Steve Young
Steve Young, Mayor

Attest:

s/Ashley Bussart
Ashley Bussart, Deputy City Clerk

8/7/24
Date

Exhibit A
City of Benicia Charter
[see next page]

ORDINANCE NO. 24-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA ESTABLISHING THE CITY OF BENICIA AS A CHARTER CITY AND ADDING A NEW CHAPTER 1A (CITY OF BENICIA CHARTER) TO THE BENICIA MUNICIPAL CODE SOLELY WITH RESPECT TO THE POWERS OVER MUNICIPAL AFFAIRS IN RELATION TO MUNICIPAL REVENUES INCLUDING TAXATION AND ASSESSMENT, AND A SYSTEM FOR THE IMPOSITION, LEVY AND COLLECTION OF A TAX ON THE CONVEYANCE OF REAL PROPERTY BASED ON THE VALUE OF THE REAL PROPERTY IN ADDITION TO THE AMOUNT AUTHORIZED BY CALIFORNIA REVENUE AND TAXATION CODE SECTION 11911

WHEREAS, the City of Benicia was incorporated as a general law city in 1851 by residents seeking to manage local affairs and today serves a population of approximately 26,200, providing a host of general governmental services through the exercise of its Constitutional Police Powers to the community including police, fire, parks and recreation, library, public works engineering and maintenance, water and wastewater, community development (planning and building), and various administrative support services in a fiscally sustainable manner; and

WHEREAS, current revenues are insufficient for the City of Benicia to continue to provide those services in fiscally sustainable manner; and

WHEREAS, to address this challenge, the City of Benicia has pursued cost saving measures and the City’s voters have approved multiple revenue measures in recent past including a Cannabis Excise Tax, Sales Tax increase and Transient Occupancy Tax increase; and

WHEREAS, the anticipated revenue generation from those measures still leaves the City well short of what is required to fund services and maintain important infrastructure needs such as roads, repairing potholes, storm drains, sidewalks, and public facilities such as the City Pool, Community Center, Library, Marina, parks, and essential services such as police, fire, library, youth and senior programs, engineering and community development (planning and building) and other unrestricted general government purposes; and

WHEREAS, for this reason, it is necessary for the City of Benicia to seek additional sources of revenue generation, such as levying a Real Property Transfer Tax on the sale of properties within its boundaries; and

WHEREAS, becoming a charter city would grant Benicia the power to institute a Real Property Transfer Tax, a power it does not have as a general law city; and

WHEREAS, to address this matter, in April 2024, the City Council, pursuant to the authority granted by Government Code Section 34458, provided direction to staff to draft a city charter focused exclusively on granting the power to levy a Real Property Transfer Tax that, if approved by a simple majority of voters, would establish Benicia as a charter city under California state law; and

WHEREAS, pursuant to Government Code Section 34458(b), the City Council held two public hearings to receive comments from the public and to consider the proposed Benicia City Charter for the limited and sole purpose of enacting a Real Property Transfer Tax; and

WHEREAS, at the conclusion of the hearing process, after considering all testimony, evidence, and comments from the public, the City Council directed the preparation of a ballot measure for the November 5, 2024 election to put before voters the decision to adopt the proposed Benicia City Charter for the limited and sole purpose of enacting a Real Property Transfer Tax; and

WHEREAS, Elections Code Section 9255(b) provides that a charter proposed by the local governing body shall be submitted to the voters at an established statewide general election pursuant to Section 1200, provided there are at least 88 days before the election at a statewide general election pursuant to Elections Code Section 1200; and

WHEREAS, pursuant to Elections Code Section 9217, if a majority of the voters voting on a proposed ordinance vote in its favor, the ordinance shall become a valid and binding ordinance of the City. The ordinance shall be considered as adopted upon the date that the vote is declared by the legislative body and shall go into effect 10 days after that date.

NOW, THEREFORE THE PEOPLE OF THE CITY OF BENICIA DO ORDAIN AS FOLLOWS:

SECTION 1. The following Charter is hereby adopted to be included as Title 1A of the City of Benicia Municipal Code:

CITY OF BENICIA CHARTER

ARTICLE I

NAME AND BOUNDARIES

100. Name and Boundaries

The municipal corporation now existing and known as the City of Benicia, hereafter referred to as “the City,” shall remain and continue to be a municipal body corporate and politic, as at present, in name, in fact, and in law.

ARTICLE II

POWERS OF CITY

200. Exercise of Constitutional Power of Taxation

The City of Benicia adopts this Charter to exercise all constitutional powers conferred on cities under Article XI sections 7 and 5 of the California Constitution solely with respect to the powers over municipal affairs in relation to municipal revenues including taxation and assessment, and a system for the imposition, levy and collection of a tax on the conveyance of real property based on

the value of the real property in addition to the amount authorized by California Revenue and Taxation Code section 11911.

201. Subject to General Laws

Except as provided in this Charter with respect to the power of the City over municipal affairs in relation to municipal revenues including taxation and assessment, the powers of the City shall otherwise be constrained by, subject to, and governed by the general laws of the State as now and hereafter existing relating to cities organized under said general laws.

202. Severability

If any provision of this Charter is found by a court of competent jurisdiction to be invalid, the remaining provisions of the Charter shall remain in full force and effect.

ARTICLE III
SUCCESSION

300. Rights and Liabilities

The City shall remain vested with and continue to have, hold, and enjoy all property, rights of property, and rights of action of every nature and description now pertaining to this municipality, and is hereby declared to be the successor of same. It shall be subject to all the obligations, contracts, liabilities, debts, and duties that now exist against or with the City.

301. Ordinances, Codes, and Other Regulations

All ordinances, codes, resolutions, regulations, rules, and portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, shall continue in force until repealed, amended, changed, or superseded in the manner provided by this Charter and any other applicable laws.

302. Pending Actions And Proceedings

No action or proceeding, civil or criminal, pending at the time this Charter takes effect, brought by or against the City or any officer, office, or department thereof, shall be affected or abated by the adoption of this Charter, or by anything herein contained.

ARTICLE IV
FORM OF GOVERNMENT

400. Form of Government

The form of government shall be that commonly known as the Council-Manager form of government. The City Council, consisting of five councilmembers elected at large for four year staggered terms, in the manner in effect when this Charter was adopted, shall establish the policy of the City and the City Manager shall carry out that policy.

SECTION 2. Effective Date. This Ordinance shall become effective as provided by California Elections Code Section 9217.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The people hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 4. Codification. Section One of this Ordinance shall be codified in the City of Benicia Municipal Code. Sections Two, Three, Four and Five shall not be codified in the City of Benicia Municipal Code.

SECTION 5. Execution. The Mayor of the City of Benicia is hereby authorized to attest to the adoption of this Ordinance by the voters of the City of Benicia by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the people of the City of Benicia voting thereon the 5th day of November, 2024.

Steve Young, Mayor

Attest:

Lisa Wolfe, City Clerk

Date

ARGUMENT IN FAVOR OF MEASURE G

Join us in voting Yes on Measure G.

Measure G is our moment to secure funding for Benicia’s infrastructure and service needs.

Because of Benicia’s small retail economy, limited space to build, and slow growth in property tax, it’s necessary for our City to diversify and expand our revenue sources to continue to provide necessary services, and finally address our infrastructure needs.

Measure G is part of the plan to secure Benicia’s future. It allows Benicia to become a charter city with the limited and sole purpose of empowering voters to implement a real property transfer tax.

Measure G and Measure H are connected. Only charter cities are able to implement a real property transfer tax (RPTT). In order for the voters to consider the RPTT (Measure H), the City must become a charter city.

No other changes will be made to Benicia’s governance structure. The only way the charter may be amended is by a vote of the people.

The tax (Measure H) is only assessed when properties are sold, with exemptions for family members.

Measure G will allow Measure H to:

- Fix deteriorating streets and roads
- Repair public facilities, such as the City pool, library, shoreline access
- Fund public safety services
- Continue to offer essential City programs and services

Measure G has accountability through TWO citizen oversight committees.

By law, none of Measure G funds can be taken by Sacramento. All revenue stays here in Benicia.

Measure G is supported by EVERY Benicia City Councilmember, business owners, Benicia police officers and firefighters, and many community leaders.

This measure makes implementing Measure H possible, which will generate crucial revenue to repair our roads, address our facility needs and sustain many City services.

By approving this Measure, we are investing in Benicia.

Join Us in Voting Yes on Measure G.

s/Mark Hughes
Former City Councilmember

s/Rod Sherry
Business Owner

s/Hannah Rice
Citizen Budget Task Force

s/Janice M Radesky
Retired Teacher

s/Eric P. Hoglund
Benicia Real Estate Broker

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE G

VOTE NO on Measure G !

Don’t be fooled: Measure G will NOT “secure” funding for infrastructure. Instead, it will give City Hall total control over ALL forms of taxes, fees, and assessments, enabling it to exceed statewide caps that exist under the current general law.

Don’t be fooled: Measure G is, or should be, opposed by ALL business owners, residents, and community members who care about the City’s fiscal mismanagement.

Don’t Be Fooled: Measure G would take Benicia out from under the laws that govern the majority of California cities. Making Benicia a “Charter City” would enable the City Council to ignore common sense laws. It would allow City Hall to write their own laws with respect to taxes, fees, revenues and assessments.

Don’t Be Fooled: Measure G doesn’t “create” citizen oversight committees. It only requests the City Council to create and appoint such committees. Experience shows such committees have little independence and no power.

Vote No on Measure G

Association of Benicians Opposing Charter City and Real Property Transfer Tax Measures
s/Christopher Shenfield, Attorney at Law

s/Lawrence Morsen, Retired Water Utility Executive

s/Kenneth Bocox
40-Year Benicia Resident

s/William J. Groves
Retired Title Insurance Executive

s/Melinda A. Laudy
Principal Interior Designer

ARGUMENT AGAINST MEASURE G	REBUTTAL TO ARGUMENT AGAINST MEASURE G
<p>VOTE NO on Measure G !</p> <p>Don't be fooled: Measure G is not needed for a transfer tax. Benicia already has a transfer tax. It's 55 cents per \$1,000 of value. Benicia is a General Law city. It can't raise its transfer tax any higher because of statewide caps. That's why City Hall wants Measure G. To bypass the caps and put forth Measure H, to <u>massively increasing the existing transfer tax by 727%.</u></p> <p>Don't be fooled by Measure G's claim that it's for the "sole purpose of allowing voters to consider enacting a real property transfer tax (Measure H)." Read the fine print in the Ordinance, Article II, Sec. 200. It says the Charter is "in relation to municipal revenues including taxation and assessment, ..."</p> <p>Don't be fooled: Measure G is not limited to increasing the transfer tax. It will give City Hall the GREEN LIGHT to increase permit fees, license taxes, parking fees, usage fees, special assessments-the list goes on-al beyond Statewide tax caps!</p> <p>Don't be fooled by Measure G proponents. Benicia has been a General Law city since it was incorporated in 1851. Proponents of Measure G want to change 173 years of history. Why? For City Hall's history of poor fiscal management. Just look at the City's payroll. For 2024, the City is on track to spend \$41 + million on payroll, almost 20% more than last year.</p> <p>Don't be fooled by City Hall claims that Measure G will provide "necessary" funding for infrastructure. Revenues would go to the GENERAL FUND. City Hall will have the go ahead to raise taxes, fees and assessments for anything, not just for infrastructure.</p> <p>Vote No on Measure G</p> <p>Association of Benicians Opposing Charter City and Real Property Transfer Tax Measures s/Christopher Shenfield, Attorney at Law</p> <p>s/Lawrence Morsen Retired Water Utility Executive</p> <p>s/Kenneth Bocox 40-Year Benicia Resident</p> <p>s/William J. Groves Retired Title Insurance Executive</p> <p>s/Melinda A. Laudy Principal Interior Designer</p>	<p>Do you care about protecting Benicia's quality of life?</p> <p>Do you value the safety provided by our amazing police officers and fire fighters?</p> <p>Do you our enjoy parks, library, and City facilities?</p> <p>Do you want to finally fix our roads and improve our infrastructure?</p> <p>If so, then we as a City must be willing to embrace new ideas to properly pay for the services and infrastructure we desire.</p> <p>Measures G is about investing in Benicia's future. It will enable Benicia to become a Charter City with the SOLE purpose to implement a Real Property Transfer Tax (Measure H).</p> <p>If both Measure G and H pass, then yes, there is an added cost when buying/selling one's home. As such, it is certainly fair for those to be against wanting to pay more. What is not fair is to make fear mongering statements that Measure G will permit the City to increase other fees or create special assessments; such claims are completely false.</p> <p>Our City Council and staff have put forward a comprehensive plan that includes reducing the number of City employees, which also means a reduction in services, increasing revenue with a series of taxes and promoting smart development. ALL are needed to create financial sustainability and address our road and infrastructure needs.</p> <p>Our City needs us. By approving this Measure, we are investing in Benicia.</p> <p>Join Us in Voting Yes on Measure G.</p> <p>s/Mark Hughes Former City Councilmember</p> <p>s/Rod Sherry Business Owner</p> <p>s/Hannah Rice Citizen Budget Task Force</p> <p>s/Janice M Radesky Retired Teacher</p> <p>s/Eric P. Hogle Benicia Real Estate Broker</p>

MEASURE H

Real Property Transfer Tax to Invest in Benicia's Future, Part 2

<p>To invest in essential city services including:</p> <ul style="list-style-type: none"> • Roads, infrastructure, facilities • Police, Fire, City services <p>Shall the City of Benicia enact a real property transfer tax based on sale price, assessed only when property is sold, with exemptions for family members, at a rate of 0.4% for properties \$2 million and under, 0.6% for properties over \$2 million, and 0.8% for properties over \$10 million, providing approximately \$850,000 annually, until ended by voters, with audits and citizens' oversight?</p>	<p>YES</p>
	<p>NO</p>

IMPARTIAL ANALYSIS OF MEASURE H

Measure H asks the electorate of the City of Benicia ("City") to consider the adoption of the City of Benicia Real Property Transfer Tax Ordinance ("Ordinance"). A companion measure, Measure G, is also being presented on the November 5, 2024, ballot. Measure G, if approved, would adopt the City of Benicia Charter which gives the City new powers over municipal affairs solely limited to municipal revenue including taxation and assessment, and a system for the imposition, levy and collection of a real property transfer tax. The adoption of the Charter is legally necessary to allow the City to enact a real property transfer tax which is a tax imposed when real property is sold. Measure H can only be approved if the voters approve Measure G.

Because this measure does not legally restrict the use of tax revenue to any specific purposes, it is classified as a "general tax," not a "special tax." As a general tax, the funds would go to the City's general fund, and be used for any valid municipal government purpose including roads, infrastructure, facilities, Police, Fire, and other City services.

The City is currently a general law city, governed by the laws of the State of California relating to general law cities. One of those general laws, California Revenue and Taxation Code Section 11911, authorized the City's current real property transfer tax rate of \$0.275 for each \$500.00 or fractional part of \$500.00. If Measure G passes, the City will have the authority to impose a real property transfer tax that exceeds the tax rates in the City's current ordinance, conditioned on Measure H also passing.

If adopted, the Ordinance would establish a new local tax on the conveyance of real property at the rate of \$4.00 per \$1,000.00 of valuation for properties \$2,000,000 and under, \$6.00 per \$1,000.00 of valuation for properties over \$2,000,000 to \$10,000,000, and \$8.00 per \$1,000.00 of valuation for properties over \$10,000,000. This will be in addition to the City's existing real property transfer tax.

The following examples demonstrate how the new tax is calculated:

- A \$1,000,000 property sale is taxed \$4,000.
- A \$2,100,000 property sale is taxed \$12,600.
- A \$10,100,000 property sale is taxed \$80,800.

The Ordinance contains exemptions for sales to family members, allows buyers and sellers to negotiate among themselves

as to who pays the tax, is subject to annual audit and citizen oversight, and may only be amended by voters.

A "yes" vote on Measure H adopts the Ordinance. A "no" vote on Measure H rejects the Ordinance; however, the current tax authorized by California Revenue and Taxation Code Section 11911 would remain in effect. Measure H will be adopted and the Ordinance will become effective only if both Measure G and H are approved by a majority vote.

Measure H was placed on the ballot by the City Council of the City of Benicia.

Submitted August 12, 2024.

Benjamin Stock
City Attorney

The above statement is an impartial analysis of Measure H. The full text of Measure H is printed in the Voter's Information Pamphlet and is also available on the City's website at : <https://www.ci.benicia.ca.us/elections>. If you desire a copy of the measure, please call the City Clerk's office at 707--746-4200 and a copy will be mailed at no cost to you.

**MEASURE H
FULL TEXT**

RESOLUTION NO. 24-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA SUBMITTING A BALLOT MEASURE TO VOTERS TO APPROVE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA FOR THE IMPOSITION, LEVY AND COLLECTION OF A TAX ON THE CONVEYANCE OF REAL PROPERTY BASED ON THE VALUE OF THE REAL PROPERTY IN ADDITION TO THE AMOUNT AUTHORIZED BY CALIFORNIA REVENUE AND TAXATION CODE SECTION 11911

WHEREAS, the City of Benicia ("City") is a full-service city equipped with its own City-run police, fire, park, library and water and wastewater services that prides itself on providing quality services to its residents, businesses and visitors; and

WHEREAS, the City continues to combat a long-term structural budget deficit, caused by a declining population and limited economic growth, that it is working to solve; and

WHEREAS, the structural deficit threatens the City's capacity to continue to provide vital services to its citizens; and

WHEREAS, financial forecasts projected large deficits necessitating the preparation to reduce Police and Fire services, limiting library and recreation programs and cutting resources to maintain its neighborhood parks and roads; and

WHEREAS, in summer of 2023, the City and its citizens began a months-long planning process to solve the deficit problem which produced Benicia's Resiliency Plan; and

WHEREAS, the Resiliency Plan has three pillars:

1. Cutting Costs
2. Local Investment
3. Smart Growth

WHEREAS, the City has implemented many cost-saving measures, having made significant changes to its personnel structure, compensation guidelines and operating strategies to make the City more financially stable; and

WHEREAS, protecting and maintaining public safety, emergency services, fixing streets, and making critical infrastructure repairs are priorities and essential to City residents; and

WHEREAS, Measures F (Special Transaction and Use Tax), G (Charter Authorizing Adoption of Real Property Transfer Tax) and H (Real Property Transfer Tax) are part of the Resiliency Plan; and

WHEREAS, The City has a demonstrated need for road repair infrastructure improvements in the range of \$100 million over the next 15 years and proposed three funding mechanisms for further consideration; and

WHEREAS, the adoption of a City Charter, which ballot measure is also being presented to the voters on November 5, 2024 as Measure G, is legally necessary to allow the city to enact a real property transfer tax, revenue from which will be used for unrestricted general governmental purposes, including infrastructure such as roads, repairing potholes, storm drains, sidewalks, and public facilities such as the City Pool, Community Center, Library, Marina, parks, and essential services such as Police, Fire, library, youth and senior programs, engineering and community development (planning and building) and other uses; and

WHEREAS, if the Real Property Transfer Tax (Measure H), as authorized by the City Charter, is approved by the voters, the revenue from the real property tax will be subject to transparency and accountability provisions such as financial audits and oversight by an independent Citizens Oversight Committee, public disclosure of all spending, and public budgeting processes to ensure that all funds will remain in the City for the local general services on which residents and businesses rely and that the Federal or State governments can take none of the new funding; and

WHEREAS, pursuant to authority provided by Article XI of the California Constitution, and Title 4, Division 2, Chapter 3 of the Government Code and Division 9, Chapter 3, Article 3 (commencing at Section 9255) of the Elections Code of the State of California, the City Council desires to submit a measure to the qualified electors of the City of Benicia regarding whether the City of Benicia shall become a Charter City; and

WHEREAS, the proposed "ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA ADDING A NEW CHAPTER 3.17 (VOTER APPROVED REAL PROPERTY TRANSFER TAX) TO TITLE 3 (REVENUE AND FINANCE) OF THE BENICIA MUNICIPAL CODE", attached hereto and incorporated herein by reference as Exhibit "A" (the "Real Property Transfer Tax Ordinance"), would impose a tax on the transfer of real property at the rate of \$4.00 per \$1,000.00 of valuation for properties \$2,000,000 and under, \$6.00 per \$1,000.00 of valuation for properties over \$2,000,000 to \$10,000,000, and \$8.00 per \$1,000.00 of valuation for properties over \$10,000,000 providing approximately \$850,000 annually, with audits and citizens' oversight; and

WHEREAS, the City Council of the City of Benicia has determined that enactment of a Real Property Transfer Tax, as authorized by the adoption of a Charter, would be beneficial for the City of Benicia and its residents by establishing the authority for the qualified electors of the City of Benicia to decide whether to enact a Real Property Transfer Tax Ordinance which revenues would be locally controlled and help to ensure that essential city services are provided and maintained; and

WHEREAS, the City Council desires to submit the proposed Real Property Transfer Tax Ordinance to the voters of the City at a General Municipal Election to be held on Tuesday, November 5, 2024, and to be consolidated with the general municipal election and the statewide election to be held on that date ("Election"); and

WHEREAS, pursuant to Government Code Section 53724 and Elections Code Section 9222, the City Council desires to

submit the Real Property Transfer Tax Ordinance to the qualified electors of the City of Benicia at the Election.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF BENICIA:

Section 1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct and are hereby fully incorporated by this reference.

Section 2. Election. The City Council of the City of Benicia hereby orders the proposed Real Property Transfer Tax Ordinance be submitted to the voters at the General Municipal Election to be held on Tuesday, November 5, 2024 and requests the Solano County Elections Department to conduct the election and consolidate it with the statewide election to be held on November 5, 2024.

Real Property Transfer Tax to Invest in Benicia’s Future, Part 2	
To invest in essential city services including: <ul style="list-style-type: none"> • Roads, infrastructure, facilities • Police, Fire, City services Shall the City of Benicia enact a real property transfer tax based on sale price, assessed only when property is sold, with exemptions for family members, at a rate of 0.4% for properties \$2 million and under, 0.6% for properties over \$2 million, and 0.8% for properties over \$10 million, providing approximately \$850,000 annually, until ended by voters, with audits and citizens’ oversight?	YES
	NO

Section 3. Proposed Ordinance. The text of the proposed Real Property Transfer Tax Ordinance to be submitted to the voters is attached to this Resolution as Exhibit A and incorporated by reference. The full text of the proposed Ordinance shall be printed in the Sample Ballot and Voters Pamphlet and shall be made available to the public and to any voter at the Solano County Elections Department and the Benicia City Clerk.

Section 4. Publication of Measure. The City Clerk is directed to publish a synopsis of the measure at least one time not later than one week before the election.

Section 5. Approval. The vote requirement for this measure to pass shall be a majority of those casting ballots on the measure (50% plus 1).

Section 6. Filing with County. The City Clerk shall file a certified copy of this Resolution with the Solano County Elections Department.

Section 7. Analysis and Argument. Pursuant to Elections Code Section 9280, the City Attorney shall prepare an impartial analysis of the measure that shall not exceed 500 words no later than 12:00 p.m. on August 14, 2024. Pursuant to Elections Code Section 9282, the deadline to submit to the City Clerk primary arguments which shall not exceed 300 words for and against the ballot measure is 12:00 p.m. on August 16, 2024. Pursuant to Elections Code Section 9285, the deadline to submit to the City Clerk rebuttal arguments which shall not exceed 250 words is 12:00 p.m. on August 20, 2024. Pursuant to Elections Code Section 9287, if more than one argument is submitted against the measure, the City Clerk shall select the argument to be included with the ballot materials.

Section 8. Implementation. The City Clerk and City Manager are authorized to take all actions as necessary to effectuate the purposes of this resolution and the election. The City Manager is authorized to execute all documents and to perform all other necessary City acts to enter into a service agreement for the provision of election services with the Solano County Registrar of Voters. The City Clerk and City Attorney are authorized to make any typographical, clerical, and non-substantive corrections to this resolution as may be deemed necessary by the Solano County Elections Department.

Section 9. Declaration. The City Council shall meet to declare the results of the election called for by this Resolution at their regular meeting following certification of election results or at a special meeting called for that purpose.

Section 10. Effective Date. This Resolution shall take immediate effect upon its adoption by the City Council and the City Clerk shall certify the vote adopting the resolution.

Section 11. Environmental Compliance. The proposed Real Property Transfer Tax ballot measure is exempt from further review under the California Environmental Quality Act (CEQA) because the adoption of a Real Property Transfer Tax involves the creation of a government funding mechanism which does not involve any commitment to any specific project and thus is not a project subject to the requirements of CEQA as provided by Guidelines Section 15378(b)(4), and further pursuant to Guidelines Section 15061(b)(3) which exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

On motion of Council Member Birdseye, seconded by Council Member Scott, the above Resolution was **passed and adopted** by the City Council of the City of Benicia at a special meeting of said Council held on the 6th day of August 2024 by the following vote:

Ayes: Council Members Birdseye, Campbell, Macenski, Scott and Mayor Young

Noes:

Absent:

Abstain:

s/Steve Young
Steve Young, Mayor

Attest:

s/Lisa Wolfe
Lisa Wolfe, City Clerk

8/9/24
Date

I, Lisa Wolfe, City Clerk of the City of Benicia, County of Solano, State of California, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Benicia at a regular meeting held the 6th day of July 2024.

s/Lisa Wolfe
Lisa Wolfe, City Clerk

Exhibit A
Ordinance Adding New Municipal Code Chapter 3.17 – Voter Approved Three-Tiered Real Property Transfer Tax
[see next page]

**CITY OF BENICIA
ORDINANCE NO. 24-**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENICIA ADDING A NEW CHAPTER 3.17 (VOTER APPROVED REAL PROPERTY TRANSFER TAX) TO TITLE 3 (REVENUE AND FINANCE) OF THE BENICIA MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BENICIA DOES ORDAIN AS FOLLOWS:

SECTION 1.

Title 3 (Revenue and Finance) of the Benicia Municipal Code is amended by adding a new Chapter 3.17 (Voter Approved Real Property Transfer Tax) to read as follows:

**Chapter 3.17
VOTER APPROVED REAL PROPERTY TRANSFER TAX**

Sections:

- 3.17.010 Title and Purpose.
- 3.17.020 Imposition.
- 3.17.030 Payment.
- 3.17.040 Exception – Security agreement.
- 3.17.050 Exception – Public agencies.
- 3.17.060 Exception – Conveyances.
- 3.17.070 Exception – Order of S.E.C.
- 3.17.080 Exception – Partnership interest.
- 3.17.090 Exception – Instrument of foreclosure.
- 3.17.100 Exception – Intra family transfers
- 3.17.110 Administration.
- 3.17.120 Refunds.
- 3.17.130 Audits and Oversight

3.17.010. Title and Purpose. This article may be cited as the “Real Property Transfer Tax Ordinance of the City of Benicia.” It is adopted pursuant to the authority contained in Part 6.7 (commencing with Section 11901) of Division 2 of the Revenue and Taxation Code of the State of California. It is also enacted pursuant to the authority of Article XI, Section 5 of the Constitution of the State of California and the Charter of the City of Benicia held as a chartered city.

The tax imposed under this article is solely for the purpose of enacting a Real Property Transfer Tax to raise revenues for the general governmental purposes of the City. All of the proceeds from the tax imposed by this article shall be placed in the City’s general fund. This article is not enacted for regulatory purposes.

3.17.020. Imposition. There is imposed on each instrument or writing by which land, tenement or other realty sold within the city is transferred or conveyed to the purchaser or other grantee when the consideration or value of the interest conveyed, exclusive of the value of an encumbrance remaining at the time of sale, exceeds \$100, a tax at the rate of \$4.00 for each \$1,000.00 or fractional part of \$1,000.00 for transactions with sales values \$2,000,000 and under, a tax at the rate of \$6.00 for each \$1,000.00 or fractional part of \$1,000.00 for transactions with sales values of over \$2,000,000 to \$10,000,000, and a tax at the rate of \$8.00 for each \$1,000.00 or fractional part of \$1,000.00 for transactions with sales values of over \$10,000,000.

3.17.030. Payment. The tax imposed under BMC 3.17.020 shall be paid by any person who makes a transfer of real property subject to the tax and any person to whom such a transfer is made shall be jointly and severally liable for payment of the tax. The transferor and transferee may apportion the tax among themselves.

3.17.040. Exception – Security agreement. The tax imposed does not apply to an instrument in writing given to secure a debt.

3.17.050. Exception – Public agencies. Any deed, instrument or writing to which the United States or any agency or instrumentality thereof, any state or territory, or political subdivision thereof, is a party shall be exempt from any tax imposed pursuant to this chapter when the exempt agency is acquiring title.

3.17.060. Exception – Conveyances. The tax imposed does not apply to a conveyance to make effective a plan of reorganization or adjustment:

- A. Confirmed under the federal Bankruptcy Act;
- B. Approved in an equity receivership proceeding in a court involving a railroad corporation, as defined in subdivision (m) of Section 205 of Title 11 of the United States Code, as amended;
- C. Approved in an equity receivership proceeding in a court involving a corporation, as defined in subdivision (3) of Section 506 of Title 11 of the United States Code, as amended; or
- D. Whereby a mere change in identity, form or place of organization is effected.

This section applies only if the filing of instrument of transfer or conveyance occurs within five years from the date of confirmation, approval or change.

3.17.070. Exception – Order of S.E.C. The tax does not apply to the making of conveyances to make effective an order

of the Securities and Exchange Commission, as defined in subdivision (a) of Section 1083 of the Internal Revenue Code of 1954 if:

- A. The order of the Securities and Exchange Commission recites that the conveyance is necessary or appropriate to carry out Section 79k of Title 15 of the United States Code, relating to the Public Utility Holding Company Act of 1935; and
- B. The order specifies the property which is ordered to be conveyed. (Prior code § 11-307).

3.17.080. Exception – Partnership interest.

A. In the case of realty held by a partnership, no levy is imposed by reason of transfer of an interest in a partnership if:

- 1. The partnership is a continuing partnership within the meaning of Section 708 of the Internal Revenue Code of 1954; and
- 2. The continuing partnership continues to hold the realty concerned.

B. If there is a termination of a partnership within the meaning of Section 708 of the Internal Revenue Code of 1954, for purposes of this chapter the partnership shall be treated as having executed an instrument whereby there was conveyed for fair market value, exclusive of the land value of an encumbrance remaining, all realty held by the partnership at the time of termination.

C. Not more than one tax may be imposed by reason of a termination described in subsection (B) of this section, and any transfer pursuant to it, with respect to the realty held by the partnership at the time of termination.

3.17.090. Exception – Instrument of foreclosure. Any tax imposed pursuant to this chapter shall not apply with respect to any deed, instrument, or writing to a beneficiary or mortgagee, which is taken from the mortgagor or trustor as a result of or in lieu of foreclosure; provided, that such tax shall apply to the extent that the consideration exceeds that unpaid debt, including accrued interest and cost of foreclosure.

3.17.100. Exception – Intra-family transfer. Any tax imposed pursuant to this chapter shall not apply with respect to any intra-family transfers of property, including:

- A. Transfers such as a gift or purchase between parents and children;

“Children” is defined to include the following: sons and daughters, sons-in-law and daughters-in-law, stepchildren, and children adopted under 18.

- B. Transfers such as a gift or purchase between grandparents and grandchildren;
- C. Transfers such as a gift or purchase between siblings;
- D. Transfer made during the term of a marriage or domestic partnership between spouses or domestic partners;
- E. Transfers from one spouse or domestic partner to the other in accordance with the terms of a decree of dissolution or legal separation or in fulfillment of a property settlement incident;

3.17.110. Administration. The county recorder shall administer this chapter in conformity with Part 6.7 of Division 2 of the Revenue and Taxation Code and any county ordinance adopted pursuant to it.

3.17.120. Refunds. A claim for refund of the tax imposed is governed by Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code of the state, beginning with Section 5096.

3.17.130 Audits and Oversight. This Ordinance shall be audited annually and the City shall establish a Citizen’s Oversight Committee to monitor the application of the Ordinance and make recommendations to the City Council.

SECTION 2. Effective Date. This Ordinance shall become effective as provided by California Elections Code Section 9217.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The people hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 4. Codification. Section One of this Ordinance shall be codified in the City of Benicia Municipal Code. Sections Two, Three, Four and Five shall not be codified in the City of Benicia Municipal Code.

SECTION 5. Execution. The Mayor of the City of Benicia is hereby authorized to attest to the adoption of this Ordinance by the voters of the City of Benicia by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the people of the City of Benicia voting thereon the 5th day of November, 2024.

Steve Young, Mayor

Attest:

Lisa Wolfe, City Clerk

Date _____

ARGUMENTS IN SUPPORT OF OR IN OPPOSITION TO THE PROPOSED LAWS ARE THE OPINIONS OF THE AUTHORS.

ARGUMENT IN FAVOR OF MEASURE H

Join your neighbors in voting Yes on Measure H – let’s invest in Benicia’s future!

By voting yes on Measure H, you’ll be investing in our roads and essential City services that we rely on, keeping our community safe and well-maintained.

Measure H allows Benicia to:

- Fix deteriorating streets and roads
- Repair public facilities, such as the City pool, library, shoreline access
- Fund public safety services
- Continue essential City programs and services

Benicia’s roads, streets, and public facilities are rapidly deteriorating. There is no single solution to solve these issues. However, Measure H is a necessary part of a comprehensive effort to fund improvements to our infrastructure and keep Benicia safe.

Measure H only applies when property is sold, paid by either the buyer or seller. It includes exemptions for transfers between family members.

How does Measure H Work? This Measure applies when real property is sold. If your sale price is \$2,000,000 or less, the tax rate would be \$4 for every \$1,000 of property evaluation.

For example, the average home price in Benicia of \$853,000 multiplied by the rate of 0.4% is a tax of \$3,412.

Passing Measure G is required to implement Measure H. Only charter cities can enact a real property transfer tax.

Measure H is forecasted to generate approximately \$850,000 annually for City services and infrastructure.

Every penny from Measure H stays in Benicia and has accountability through TWO citizen oversight committees. Measure H is supported by EVERY Benicia City Councilmember, Benicia police officers and firefighters, and Solano County realtors.

Better roads mean safer commutes and increased property values. These funds will directly support the city services and infrastructure that keep Benicia a great place to live, work, and raise a family.

Please join in voting Yes on Measure H – let’s invest in Benicia’s future!

s/Mark Hughes
Former City Councilmember

s/Rod Sherry
Business Owner

s/Hannah Rice
Citizen Budget Taskforce

s/Janice M. Radesky
Retire Teacher

s/Eric P. Hogle
Benicia Real Estate Broker

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE H

VOTE NO on Measure H !

Don’t Be Fooled: Measure H will not “invest in our roads only”. It would allow more fiscal mismanagement. Consider our small town’s salaries that have grown comparable to cities much, much larger in size and with more problems and complexity than Benicia.

- The combined yearly compensation, including cushy benefits, of the top four positions in the City—City Manager, Public Works Director, Fire Chief and Police Chief—is over \$1,482,989. Nearly one and a half million dollars! These fat salaries, and other positions as well, have over the years increased far more than the rate of inflation. Measure H would allow even more out-of-touch increases that we cannot afford.
- City Hall needs to pay over \$80 million in unfunded employee pension liabilities due to poor fiscal management. Measure H opens the door to more spending this and other items that are not streets or infrastructure.

Don’t Be Fooled: Measure H is, or should be, opposed by every small business owner and resident who cares about Benicia’s long history of feckless financial management. Do we want to give the City more money to waste? The revenues from Measure H go into the General Fund and can be spent in any manner the Council wants.

Don’t Be Fooled: While two oversight committees are claimed to provide accountability, this is unlikely. Committees are appointed by the same council that is responsible for the current financial difficulties.

Vote No on Measure H

Association of Benicians Opposing Charter City and Real Property Transfer Tax Measures
s/Christopher Shenfield, Attorney at Law

s/Lawrence Morsen
Retired Water Utility Executive

s/Kenneth Bocox
40-Year Benicia Resident

s/William J. Groves
Retired Title Insurance Executive

s/Melinda A. Laudy
Principal Interior Designer

ARGUMENT AGAINST MEASURE H

VOTE NO on Measure H !

The Benicia City government has a spending problem and wants to try to solve it by making housing more expensive. How? By raising the City's transfer tax on the sale of an \$800,000 home from \$412 to \$3,200. A 727% tax increase!

State law caps the City's current transfer tax. That's why City Hall is also putting forward companion Measure G – Charter City, so it can circumvent the cap.

Don't be fooled by Measure H's 0.4% tax on homes under \$2 million. It will be based upon the ENTIRE value of your home, INCLUDING your mortgage. For example, if a buyer puts 20% down on an \$800,000 home, the tax will be 2% of the downpayment !

Don't be fooled by claims that Measure H is just a "one time" tax. Measure H will make it more expensive for your children and grandchildren to buy a home in Benicia. A homebuyer can't finance the cost of the tax. It's money that must be paid at closing.

Don't be fooled by claims that Measure H won't hurt long-time homeowners. It is a raid on the equity they've built up paying mortgages and making improvements. Their home's equity is retirement security. If Measure H passes, City Hall will take thousands of dollars of hard-earned equity and use it to pay for any unmet financial needs in the future.

Don't be fooled. Measure H is a "GENERAL FUND TAX." It allows the City Council to spend it for any purpose.

Putting the burden of generating more money for City Hall on the backs of homeowners and homebuyers isn't fair and isn't smart. It would make our housing crisis worse.

Vote No on Measure H

Association of Benicians Opposing Charter City and Real Property Transfer Tax Measures
s/ Christopher Shenfield, Attorney at Law

s/Lawrence Morsen
Retired Water Utility Executive

s/Kenneth Bocox
40-Year Benicia Resident

s/William J. Groves
Retired Title Insurance Executive

s/Melinda A. Laudy
Principal Interior Designer

REBUTTAL TO ARGUMENT AGAINST MEASURE H

By now, most of us are well aware that our economy and revenue from property tax are not sufficient to pay for our existing services and meet the needs to improve our infrastructure, like our roads. In fact, all of the residential property tax in Benicia doesn't even cover the cost to pay for our police and fire services!

In order to meet the service needs of today and tomorrow we need to do things differently. Measure H is just part of a comprehensive solution our City leaders have put in motion to address our fiscal challenges.

How does Measure H work?

When you sell your real property, a transferred tax is assessed. Family members are not assessed this tax. If you sell a home for \$800,000 the tax rate is .4% meaning the total tax is \$3,200. The payment of the tax can be paid either the seller, buyer or split between both parties.

We understand that increasing taxes makes living in Benicia even more costly. But what is the cost of not taking action?

What will be the impact on the value of your home when you go to sell, and a potential buyer drives past a park in decline on a road in disrepair? This is not a scare tactic. Many residents are living that reality now. Let's take the necessary action to fix these conditions.

Let's invest in Benicia. Please join Us in Voting Yes on Measure H.

s/Mark Hughes
Former City Councilmember

s/Rod Sherry
Business Owner

s/Hannah Rice
Citizen Budget Taskforce

s/Janice M. Radesky
Retired Teacher

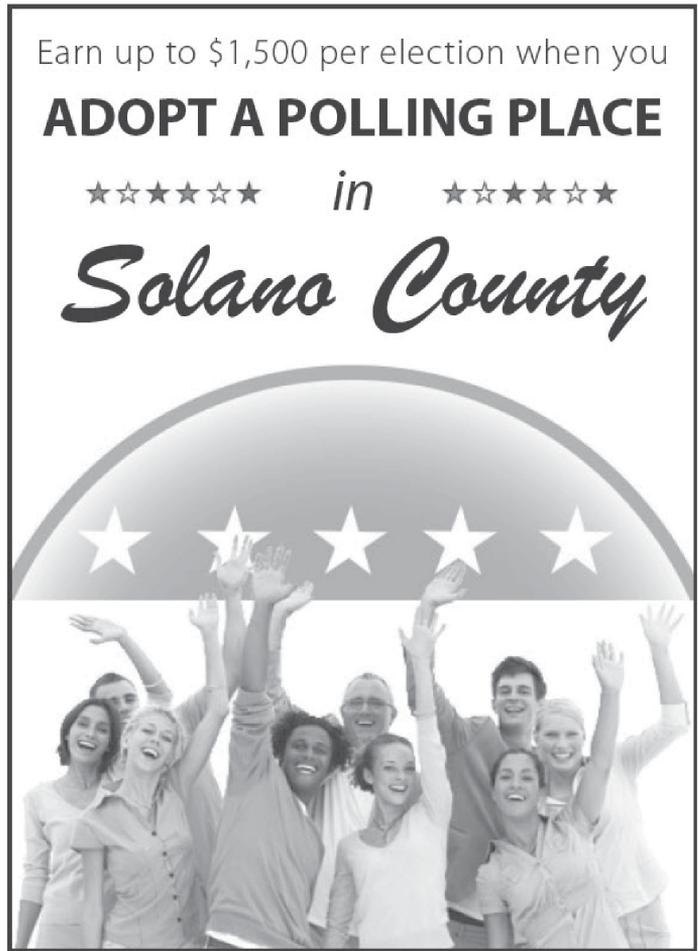
s/Eric P. Hogle
Benicia Real Estate Broker

ADOPT-A-POLL

By adopting a polling place, you will earn money that can be donated to your organization, church, or school.

Other Benefits:

- Your organization can display the name of your group outside the polling place.
- You will be added to the community partners list, highlighted on the County website and mentioned during a County Board of Supervisors meeting.
- You will receive Election Day shirts for your team to wear on Election Day.



To qualify, you must:

- Speak, read, and write English;
- Complete the training program; and
- Serve all day *

*Your group has the option to split up the day's shifts, adding flexibility to everyone's schedule!

We especially encourage Spanish and Tagalog speaking poll workers to apply!



Text Solano to 2VOTE (28683)
(Message and data rates may apply)



Fill out the form at solanocounty.com/adopt_a_poll



Contact via email at: pollworker@solanocounty.com

UPDATE YOUR VOTER REGISTRATION

Have you moved? Do you need to update your voter information? Register to Vote Online!

What will I need?

- ★ California Drivers License Number or Identification Card Number
- ★ Last 4 of Social Security Number
- ★ Date of Birth

What do I do?

- ★ Go to RegisterToVote.Ca.Gov
- ★ Click on the “Register to Vote Now” button
- ★ Follow the prompts on the screen

MY VOICE. MY CHOICE.
MYVOTE
RegisterToVote.ca.gov



Solano County Registrar of Voters
(707) 784-6675
elections@solanocounty.com
www.solanocounty.com/elections

pre-register at sixteen. vote at eighteen.

Online pre-registration is now available for eligible 16 and 17 year olds at RegisterToVote.ca.gov. * California youth who pre-register to vote will have their registration become active once they turn 18 years old.

1. VISIT



2. PRE-REGISTER



Click the "Pre-Register to Vote" button.

3. TURN 18



Become automatically registered on your 18th Birthday.

4. VOTE



Cast your ballot on Election Day!

*Pre-registration is also available on paper voter registration forms

ATTENTION VOTERS



Solano County is required to provide a translated copy of the official ballots to voters in both Spanish and Tagalog. Any voter in Solano County can request a copy of this ballot for any precinct in the election. Requests can be made at any time. Translated ballots will be delivered at least 10 days before Election Day.

To request a copy of a translated ballot in Spanish or Tagalog, please use one of the following methods:



By Phone – Call (707) 784-6675 during office hours Monday through Friday 8a.m. to 5p.m.



By E-mail – elections@solanocounty.com; place the words “TRANSLATED BALLOT REQUEST” in the subject line for faster processing;



On our website: www.solanocounty.com/elections - click the link for “TRANSLATED BALLOT REQUEST”



All polling places in Solano County provide copies of ballots translated in Spanish and Tagalog. For a complete list of polling places, please visit www.solanocounty.com/elections.

ATENCIÓN VOTANTES



El Condado de Solano tiene la obligación de proporcionarles a los votantes una copia traducida de las boletas electorales oficiales en español y tagalo. Cualquier votante en el Condado de Solano puede solicitar una copia de esta boleta electoral para cualquier distrito electoral en la elección. Las solicitudes pueden realizarse en cualquier momento. Las boletas electorales traducidas serán entregadas al menos 10 días antes del Día de la Elección.

Para solicitar una copia de la boleta electoral traducida al español o tagalo, por favor use uno de los siguientes métodos: las siguientes maneras:



Por Teléfono – Llame al 707-784-6675 durante el horario de atención regular, de lunes a viernes de 8am a 5pm.



Por Correo Electrónico – elections@solanocounty.com; coloque las palabras “TRANSLATED BALLOT REQUEST” (SOLICITUD DE BOLETA ELECTORAL TRADUCIDA) en la línea del asunto para un procesamiento más rápido;



En nuestro sitio web: www.solanocounty.com/elections - haga clic en el enlace “TRANSLATED BALLOT REQUEST” (SOLICITUD DE BOLETA ELECTORAL TRADUCIDA)



Todos los lugares de votación en el Condado de Solano proporcionan copias de boletas electorales traducidas al español y tagalo. Para una lista completa de lugares de votación, por favor visite www.solanocounty.com/elections.

TINATAWAG ANG PANSIN NG MGA BOTANTE



Ang County ay inaatang magkaloob ng isang isinaling kopya ng mga opisyal na balota sa mga botante sa pareho ng Kastila at Tagalog. Sinumang botante sa County ng Solano ay makahihiling ng isang kopya ng balotang ito para sa alinmang presinto sa halalan. Ang mga paghiling ay magagawa anumang oras. Ang mga isinaling balota ay ihahatid ng hindi bababa sa 10 araw bago ang Araw ng Halalan.

Upang humiling ng isang kopya ng isang isinaling balota sa Kastila o Tagalog, mangyaring gamitin ang isa sa mga sumusunod na paraan:



Sa Pamamagitan ng Telepono – Tumawag sa 707-784-6675 sa mga oras ng opisina Lunes hanggang Biyernes 8am hanggang 5pm.



Sa pamamagitan ng E-mail – elections@solanocounty.com; ilagay ang mga salitang “TRANSLATED BALLOT REQUEST” (PAGHILING NG ISINALING BALOTA) sa linya ng paksa para sa mas mabilis na pagproseso;



Sa aming website: www.solanocounty.com/elections - i-click ang link para sa “TRANSLATED BALLOT REQUEST”



Lahat ng mga lugar ng botohan sa County ng Solano ay nagkaloob ng mga kopya ng mga balota na isinalin sa Kastila at Tagalog. Para sa isang kumpletong listahan ng mga lugar ng botohan, mangyaring bisitahin ang www.solanocounty.com/elections.

TIPS AND ASSISTANCE FOR VOTING IN-PERSON

Your vote is important to us and we want to do all that we can to make the whole in-person voting experience enjoyable. Below you will find a few tips that you may find helpful.

Before you go...



Take note of your polling place. Your polling place may have changed since our last election.

You can find the address and quick reference map to your polling place on the enclosed voter flyer.

You can also find your polling place on the Registrar of Voters' website:

www.solanocounty.com/elections.



Practice marking your ballot. We have provided a sample of your ballot for you to make selections before heading to the polls. Use it as a guide when you vote your official ballot on Election Day.

To request a sample ballot, you can download one from our website:

www.solanocounty.com/elections or call our office at 707-784-6675.

On Election Day...



Check your time. Many voters vote on their way to work, on their lunch hour, or after work. If you have flexibility in your schedule consider visiting us mid-morning or mid-afternoon to miss the crowds.



If you have questions, please ask. Your poll workers will have the answers to many of your questions. You can also give us a call at 707-784-6675 and we will be glad to help.

If you need assistance...

As a voter, you may bring up to two individuals with you to your polling place to help you cast your ballot, as long as those individuals do not represent your employer or your union. Your polling place will have copies of the ballot in Spanish and Tagalog and may have poll workers ready to assist you who speak Spanish and Tagalog.

Como votante, usted puede traer dos individuos a la estación de votación para que le ayuden a emitir su voto. Sus acompañantes no pueden ser representantes de su empleador o sindicato. La estación de votación quizá mantenga copias en español de la papeleta de votación y emplee trabajadores que le puedan asistir en español.

Bilang botante, maaari kang magkaroon ng hanggang dalawang tao sa iyong lugar ng botohan o presinto upang matulungan kang i-record ang iyong balota, hangga't ang mga taong ito ay hindi kinakatawan ng iyong tagapag-empleyo o iyong unyon. Magkakaroon ng mga kopya ng iyong balota na isinalin sa Tagalog sa iyong lugar ng botohan. Maaaring may mga taong nagtatrabaho na nagsasalita ngtagalog sa lugar ng botohan.