

**RESOLUTION NO. 14- 88**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CALLING AND ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF BENICIA A CERTAIN MEASURE RELATING TO A PROPOSED ORDINANCE ADDING CHAPTER 3.22 TO THE BENICIA MUNICIPAL CODE ENACTING A ONE-CENT GENERAL PURPOSE TRANSACTION AND USE (“SALES”) TAX AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014**

**WHEREAS**, unlike many cities of similar size in the Bay Area, Benicia is a full service city, equipped with its own City-run police, fire, park, library and water services; and

**WHEREAS**, without additional revenue, the City will be forced to consider cutting back on locally controlled City services and contracting with the County or other outside entities to provide these services; and

**WHEREAS**, the City wishes to continue to address service priorities that the public has identified such as public safety services, 9-1-1 emergency response times, neighborhood police patrols, crime prevention services, and programs for youth and pothole repair efforts; and

**WHEREAS**, additional funding will improve public safety and city streets, maintain parks and trim trees, and fund programs to support our historic downtown and community events, attract new businesses and create jobs; and

**WHEREAS**, additional funding will help maintain Benicia’s financial viability as a full-service city and protect the small town quality of life; and

**WHEREAS**, many streets in Benicia have cracked or buckled sidewalks, or no sidewalks at all and many roads have potholes and other unsafe driving conditions; and

**WHEREAS**, additional funding is needed to fix hazardous road conditions and maintain 94 miles of city streets and roads so motorists, pedestrians, buses, cyclists and police and fire safety vehicles are safe; and

**WHEREAS**, additional funding is needed to ensure that our 31 local parks are properly maintained as safe spaces for children to play and families to visit; and

**WHEREAS**, Benicia needs local control over local funds, for local needs; and

**WHEREAS**, a General Municipal election shall be held on Tuesday, November 4, 2014; and

**WHEREAS**, on July 22, 2014, the City Council held a public hearing

introducing an Ordinance adding Chapter 3.22 to the Benicia Municipal Code imposing a one cent transactions and use tax for general purposes subject to the approval of the voters; and

**WHEREAS**, the tax provided for by the proposed Ordinance shall be enacted solely to raise revenue for general purposes, and shall be placed into the City's General Fund, and is not intended for regulation; and

**WHEREAS**, the City Council also desires, on its own motion, to submit to the voters at the General Municipal election a question relating to the imposition of a one-cent transactions and use tax for general purposes;

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Benicia does resolve, declare, determine and order as follows, that:

**SECTION 1.** The City Council pursuant to its right and authority, does order to be submitted to the voters at a General Municipal election the following question:

THE BENICIA SALES TAX MEASURE	
<b>City of Benicia Quality of Life Measure.</b> To maintain Benicia's status as a full-service city, improve/maintain Police patrols, fire/ 9-1-1 response times; road conditions; pothole repair; clean water; storm drains to protect the Carquinez Strait; business attraction/job creation; park maintenance; other city services, shall the City of Benicia enact a one cent sales tax with authority to incur bonded indebtedness to accelerate infrastructure projects, requiring independent annual audits, Citizens' Oversight, all revenue for Benicia, none for Sacramento?	YES
	NO

**SECTION 2.** The proposed measure submitted to the voters is as attached in Exhibit 1 to this Resolution, which is incorporated herein by this reference.

**SECTION 3.** The City will reimburse the county for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due as determined by the elections official.

**SECTION 4.** In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 5.** Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 6.** Pursuant to California Elections Code Section 9280, the City Council

hereby directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk within ten (10) days of the adoption of this Resolution.

**SECTION 7.** Arguments for or against this measure shall be submitted not later than 5 p.m. on August 15, 2014 to the City Clerk.

**SECTION 8.** [The City Council adopts the provisions of subdivision (a) of Section 9285 of the Elections Code to permit rebuttal arguments, if arguments have been filed in favor of and against the measure which is being submitted to the voters of the City at this special election. Rebuttal arguments shall be filed not later than 5:00 p.m. on August 25, 2014.] **OR** [The City Council declines to allow rebuttal arguments.]

**SECTION 9.** The City Clerk is hereby directed to file a certified copy of this Resolution with the Solano County Board of Supervisors and the Solano County Registrar of Voters.

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On motion of Council Member **Strawbridge**, and seconded by Council Member **Schwartzman**, the above Resolution was introduced and passed by the City Council of the City of Benicia at a special meeting of said Council held on the \_\_\_\_\_ day of July, 2014, and adopted by the following vote.

Ayes: **Council Members Campbell, Hughes, Schwartzman, Strawbridge, and Mayor Patterson**

Noes: **None**

Absent: **None**

\_\_\_\_\_  
Elizabeth Patterson, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Wolfe, City Clerk

\_\_\_\_\_  
Date