Downtown Benicia Alliance (DBA)

Board Meeting, Tuesday, November 10, 2026 - 9:00 AM

Benicia Chamber of Commerce, 601 First Street, Suite 100

Benicia, CA 94510

Notice to the Public:

You are welcomed and encourage to participate in this meeting. Public comment is taken (3 minutes maximum per person) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select one or two speakers to represent the opinion of the group. The order of Agenda items is listed for reference and may be taken in any order deemed appropriate by the Board of Directors. The Agenda provides a general description; however, the Board of Directors may take action other than what is recommended.

Brown Act Notice:

Government Code Section 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to Board Meeting. Action may not be taken on items not posted on the agenda. Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify: Colette Schow at 707-746-4202 at least 24 hours prior to this special meeting.

1. **Call to Order**
2. **Public Comment:** Members of the Public are invited to comment on any item related to the affairs of the Downtown Benicia Alliance. Each member has up to three minutes to address the Board. The Board is not allowed to discuss matters brought up during public comment.
3. **Approval of the Agenda:** Only items already on the Agenda may be discussed. Approval of the Agenda allows for adjustment of the order in which items are discussed.
4. **Approval of 2027 Meeting Calendar:** January 12, 2027 / April 13, 2027 / September 14, 2027 / Annual Meeting and Board of Director Elections: November 9, 2027
5. **Board of Director Elections:** Applications will be available at the meeting.
6. **Approval of Contract for Sidewalk Repair:** Vote on whether to authorize the Chair to execute the sidewalk repair contract and agreement (Attachment 1).
7. **Business Improvement District Assessment Fee Increase:** Board vote to increase BID fees for 2027 (Attachment 2).
8. **Downtown Lights Update:** Receive update on lights.
9. **Business Improvement District 2027 Renewal Update**
10. **Downtown Business Inquiry Regarding BID Fee:** Receive update from staff.
11. **Adjourn**

Attachments:

1. Staff Report – Approval for Sidewalk Repair Estimate and Property Damage Claims Release
    a. Sidewalk Repair Estimate
    b. Property Damage Claims Release
2. Staff Report – 2027 BID Fee Increase
    a. BBID Management Plan

AGENDA ITEM
DOWNTOWN BENICIA ALLIANCE

DATE : November 10, 2026

TO : Board of Directors, Downtown Benicia Alliance

FROM : Colette Schow, City of Benicia Economic Development Manager

SUBJECT : **Downtown Sidewalk Repair**

RECOMMENDATION:

Authorize the Chair to approve the cost estimate from Elizalde Construction for sidewalk repairs along First Street (Attachment A) and execute the associated Property Damage Claims Release (Attachment B).

EXECUTIVE SUMMARY:

Sidewalks along First Street were damaged during work performed by a previous Downtown Benicia Alliance (DBA) contractor, Independent Power, Inc. To restore the affected sidewalks and ensure pedestrian safety, DBA must retain a qualified contractor to complete the necessary repairs.

The repair costs will be covered by Independent Power's insurance company. Staff recommends that the Board authorize the Chair to approve the cost estimate from Elizalde Construction and execute the associated Property Damage Claims Release to allow the repairs to proceed.

BACKGROUND:

During work previously contracted by DBA, Independent Power, Inc. caused damage to portions of the sidewalks along First Street. Repairs are necessary to restore the affected areas and ensure pedestrian safety.

Due to licensing restrictions, Independent Power is unable to directly contract for the sidewalk repairs. As the entity that originally hired Independent Power, DBA is responsible for coordinating and contracting for the necessary repairs.

DBA has coordinated with Independent Power and its insurance company regarding the damage and associated repair costs. The insurance company has agreed to cover the cost of the repairs as outlined in the cost estimate.

Elizalde Construction has provided a cost estimate and proposed scope of work to complete the necessary sidewalk repairs.

To move forward, Board authorization is requested for the Chair to approve Elizalde Construction's cost estimate (Attachment A) and execute the Property Damage Claims Release (Attachment B).

ESTIMATE

ELIZALDE CONSTRUCTION

Prepared For

Independent Power
710 & 718 First Street
Benicia, CA 94510
(925) 383-8747

Elizalde Construction Inc

4728 East 2nd St, Suite 15
Benicia, CA 94510
Phone: (707) 310-3941
Email: Estimating@ElizaldeConstruction.com
Web: www.ElizaldeConstruction.com

Estimate #	1770
Date	05/06/2026
Business / Tax #	Lic. 699766

Description	**Total**
City Sidewalk Remove & Replace	$10,200.00

Saw cut concrete as needed.
Demo, load, and haul off approx. 102 square feet of city sidewalk at two locations (Fronting Majestic, Fronting Sala Thai).
Excavate sub grade and haul off spoils.
Grade 3/4" base rock and compact with vibratory plate.
Drill and install rebar dowels into surrounding concrete.
Pour, place, and light broom finish a 3,000 psi concrete mix.
Clean work area.

* Elizalde Construction Inc will schedule Underground Service Alert to locate utility lines in work area.
* Elizalde Construction Inc is not responsible for damage to utility lines not located by Underground Service Alert and/or less than 24" in depth from existing finish grade.
* Elizalde Construction Inc will barricade work area, provide sidewalk closed signs, and cone off .
* Proposal price is based off of permit fees being waived.
* The proposal is based on visible site conditions and the information provided at the time of estimating. Should unforeseen conditions be encountered during construction, additional work required to address these conditions will be treated as a change of scope. Any such work will be communicated and approved prior to proceeding and may result in additional cost and/or schedule adjustments.
* Traffic control included consists of basic pedestrian and work area protection including cones, barricades, sidewalk closure signage as needed, and coning off contractor vehicles or equipment parked adjacent to the work area in street. No lane closures are anticipated or included.

Subtotal	$10,200.00
Total	**$10,200.00**





By signing this document, the customer agrees to the services and conditions outlined in this document. A 4% additional fee will be added for credit card payments.

Elizalde Construction Inc.	Independent Power

Broadspire®
BY CRAWFORD & COMPANY

RELEASE – PROPERTY DAMAGE CLAIMS

Claim No: 190551246-001
Adj: Caramanza C Young

FOR AND IN CONSIDERATION OF the payment to me/us of the sum of Ten Thousand Two Hundred Dollars ($10,200.00), and other good and valuable consideration, I/we, being of lawful age, have released and discharged, and by these presents do for myself/ourselves, my/our heirs, executors, administrators and assigns, release, acquit and forever discharge MASON ENDEAVOURS INC, CONTINENTAL CASUALTY COMPANY, and any and all other persons, firms and corporations of and from and all actions, causes of action, claims or demands for damages, costs, loss of use, loss of services, expenses, compensation, consequential damage or any other thing whatsoever on account of, or in any way growing out of, and all known and unknown property damage resulting or to result from an occurrence or accident that happened on or about the 18th day of February, 2025, at or near 710 First St , BENICIA, CA.

I/we hereby acknowledge and assume all risk, chance or hazard that the said damage may be or become permanent, progressive, greater, or more extensive than is now known, anticipated or expected. No promise or inducement which is not herein expressed has been made to me/us, and in executing this release I/we do not rely upon any statement or representation made by any person, firm or corporation, hereby released, or any agent, or any other person representing them or any of them, concerning the nature, extent or duration of said damages or losses or the legal liability therefore.

I/we understand that this settlement is the compromise of a doubtful and disputed claim, and that the payment is not to be construed as an admission of liability on the part of the persons, firms and corporations hereby released by whom liability is expressly denied. I/we further agree that this release shall not be pleaded by me/us as a bar to any claim or suit.

I/we understand that I/we will be responsible to satisfy all existing and future liens.

This release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this release are contractual and not a mere recital. I/we agree that a signed facsimile copy is as binding as the original.

I/we further state that I/we have carefully read the foregoing release and know the contents thereof, and I/we sign the same as my/our own free act.

It is further understood and agreed that all rights under Section 1542 of the Civil Code of California and any similar law of any state or territory of the United States are herby expressly waived. Said section reads as follows;

"1542. Certain claims not affected by general release. A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

WITNESS _____ hand and seal this _____ day of _____, _____.

WITNESSES

_____)
)
ADDRESS_____)
_____)

CAUTION! READ BEFORE SIGNING

_____(SEAL)

_____(SEAL)

For your protection the California Law requires the following to appear on this form: "Any person who knowingly presents false or fraudulent claims for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison."

AGENDA ITEM
DOWNTOWN BENICIA ALLIANCE

DATE : November 10, 2026

TO : Board of Directors, Downtown Benicia Alliance

FROM : Colette Schow, City of Benicia Economic Development Manager

SUBJECT : **Business Improvement District Assessment Fee Increase**

RECOMMENDATION:
Discuss and take action on a BID assessment fee increase of up to four percent for 2027.

EXECUTIVE SUMMARY:
The current Business Improvement District assessment fee is $215.97 per year for businesses located on the first floor, and $67.48 per year for businesses located on the second or higher floors. To ensure that the BID has sufficient revenue to meet its obligations of maintaining the First Street lights, the DBA Board of Directors may vote to increase the BID fee by no more than four percent each year. If the board votes to increase the BID fee by four percent for 2027 assessments, the new fees would be $224.60 for first floor businesses and $70.17 for second or higher floors.

BACKGROUND:
BID assessments support the maintenance of the First Street lights. In 2024, the DBA approved converting the lights to a swag system to lower long-term maintenance costs. The DBA agreed to reimburse the City of Benicia for the upfront purchase and installation as funds allow. Additional funding would help ensure this commitment is met by 2027.

Attachment:
A. Business Improvement District Management Plan 2018-2027



2018-2027

BENICIA BUSINESS IMPROVEMENT DISTRICT
MANAGEMENT DISTRICT PLAN

Prepared pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq.

May 23, 2017

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Prepared by
Civitas

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PARTNERSHIPS • PROGRESS • PROSPERITY

(800)999-7781
www.civitasadvisors.com

I. OVERVIEW

Developed by the Downtown Benicia Alliance (the Alliance), the Benicia Business Improvement District (BBID) is an assessment district renewed to provide specific benefits to payors, by funding street light maintenance and targeted marketing and promotion efforts.

Location: The renewed BBID includes all businesses fronting First Street between K Street and the Carquinez Strait. Businesses located at 117 East F Street, 120 East G Street, and 164 East H Street will also be included in the BBID. A boundary map is provided in Section IV.

Services: The BBID is designed to provide specific benefits directly to payors by increasing commerce and revenue therefrom by providing street light maintenance, marketing and promotions programs, and related administration and operations.

Budget: The total BBID annual budget for the initial year of its ten (10) year operation is anticipated to be approximately $31,596. This budget is expected to fluctuate as business open and close and the assessment rate increases, but is not expected to significantly change over the life of the BBID.

Cost: Annual assessment rates are $192 per year ($16 per month) for businesses located on the first floor, and $60 per year ($5 per month) for businesses located on the second or higher floors. Beginning in year three (3) of the ten (10) year term, the assessment rate may be increased by the Owners' Association Board by up to four percent (4%) per year as described in Section V. Any increase authorized by the Owners' Association Board shall be included in the annual report.

Collection: The City will be responsible for collecting the assessment on an annual basis (including any delinquencies, penalties and interest) from each business located in the BBID.

Duration: The renewed BBID will have a ten (10) year life, beginning January 1, 2018 through December 31, 2027. Once per year, beginning on January 1, there is a 30-day period in which owners paying more than fifty percent (50%) of the assessment may protest and initiate a City Council hearing on district termination.

Management: The Alliance will continue to serve as the BBID's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in accordance with this Plan, and must provide annual reports to the City Council.

II. BACKGROUND

Business Improvement Districts (BIDs) utilize the efficiencies of private sector operation in the market-based promotion of commercial districts. BIDs allow business owners to organize their efforts to increase commerce. Business owners within the district fund the BID, and those funds are used to provide services that the businesses desire and that benefit the businesses within the BID.

In California, BIDs are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. *The key difference between BIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to BIDs:

- Funds cannot be diverted for other government programs;
- They are customized to fit the needs of each commercial district;
- They allow for a wide range of services;
- They are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable funding source for services above and beyond those provided by local agencies.

The Property and Business Improvement District Law of 1994 is provided in Appendix 1.

III. ACCOMPLISHMENTS

Mission Statement:

The Downtown Benicia Alliance is a partnership of our businesses that, together, we will promote the common interests of and improve advocacy for our Downtown.

Celebrating Local Merchants Every Day.

Advocacy for our Downtown:
We are a facilitator for:
Illuminating on First: A United Voice for Our Businesses

1. Installation and maintenance for tree lighting.
2. Lobbying for First Street improvements, i.e. green zone enforcement, parking, traffic concerns and public safety.
3. Enhancing ambiance and vibrancy to create a dining and shopping experience designed to increase commercial activity in Downtown.
4. Sponsoring community events that increase visitation to Downtown, i.e. Art Walks, Veteran's Day Appreciation Festival, and Benicia Film Festival.

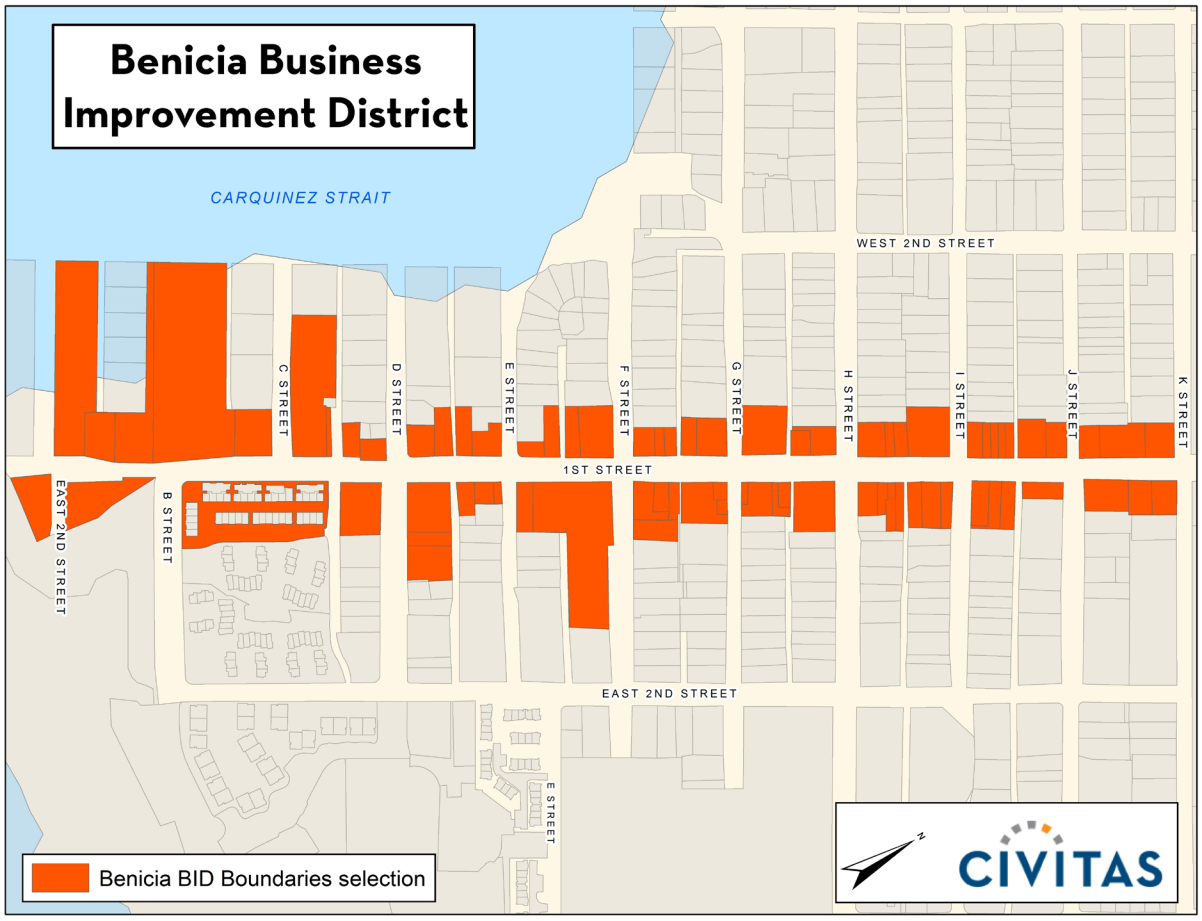
During the first term of the BBID, the following accomplishments were achieved:

1. Successful installation and maintenance of lights on First Street; and
2. Advocacy for First Street business owners giving them a united voice to secure projects and improvements such as:
    - Securing $200,000 from the City to resurface First Street;
    - New street signage; and
    - Increased parking enforcement for First Street.

IV. BOUNDARY

The BBID will include all businesses in a building or facility, existing and in the future, fronting First Street between K Street and the Carquinez Strait. Businesses located at 117 East F Street, 120 East G Street, and 164 East H Street, are also included in the BBID boundary.

The boundary, as shown in the map below, currently includes 190 businesses. A listing of businesses within the renewed BBID can be found in Appendix 2.



V. SERVICES

Assessment funds will be spent on specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the BBID funds are street light maintenance and marketing and promotions programs available only to assessed businesses, which are designed to increase commerce in the BBID. A description of the proposed activities for the initial year of operation is below; the same activities are proposed for subsequent years.

Street Lights Installation and Maintenance
In year one, the BBID will provide funds for the installation of new "twinkle" lights along First Street. In years two through ten, the BBID will maintain the install lights.

Marketing, Administration and Advocacy
The marketing program will promote the BBID as a vibrant commercial destination for residents and visitors alike. The purpose of the program will be to specifically benefit assessed businesses by attracting shoppers to increase commercial activity and business revenues. This program may include signage, website development and maintenance, advertising, and special event sponsorships. The marketing program will only be provided to assessed businesses within the BBID. Only assessed businesses will be featured in advertisements, signage, and on websites. Any special events sponsored shall only receive funding to the extent that they specifically benefit the assessed businesses within the BBID.

In order to provide the marketing and promotions and street lights maintenance programs, the Alliance will incur various administrative costs, such as staffing, rent, advocacy, insurance, legal, and accounting fees.

Contingency/Renewal
In order to ensure effective provision of services, a contingency will be established to account for uncollected assessments or unanticipated program costs. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administration or renewal costs at the discretion of the Alliance. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of the reserve fund shall be set by the Alliance. The reserve fund may be spent on programs described in this Plan in any proportion deemed appropriate by the Alliance.

Expiration
If there are funds remaining at the end of the BBID's term which are not used for the renewal effort, and the BBID is renewed, those remaining funds will be transferred to the renewed BBID. If there are funds remaining at the end of the BBID's term and businesses choose not to renew, any remaining funds will be spent consistent with this Plan or returned to assessed businesses in equal proportion to the assessment paid by each business.

V. BUDGET

A. Total Annual Budget

The total ten (10) year budget is projected at approximately $31,596 annually, or $365,970 through 2027 if the maximum assessment rate increases are adopted. This budget is expected to fluctuate as businesses open and close and the assessment rate increases, but is not expected to significantly change over the life of the BBID. The table below demonstrates the maximum budget with the assumpted that the assessment rates will be increased in each year by the maximum authorized amount, as it is a required disclosure.

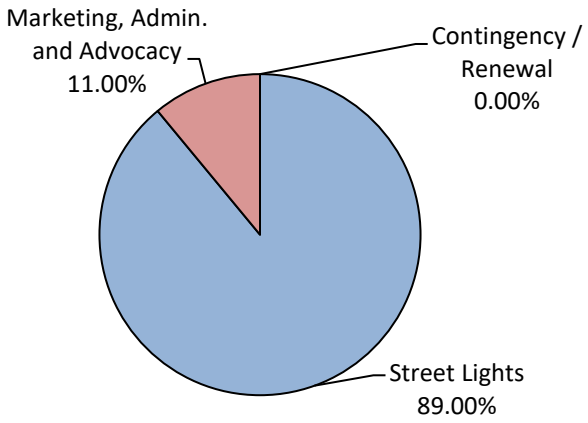
Year	Street Lights	Marketing, Administration and Advocacy	Contingency / Renewal	TOTAL
%	89%	11%	0%	**100%**
2018	$28,120.44	$3,475.56	$0.00	**$31,596**
TOTAL	**$25,279.56**	**$3,124.44**	**$0.00**	**$31,596**

Year	Street Light	Marketing, Administration and Advocacy	Contingency / Renewal	TOTAL
%	79%	11%	10%	**100%**
2019	$24,960.84	$3,475.56	$3,159.60	**$31,596.00**
2020	$25,959.27	$3,614.58	$3,285.98	**$32,859.84**
2021	$26,997.64	$3,759.17	$3,417.42	**$34,174.23**
2022	$28,077.55	$3,909.53	$3,554.12	**$35,541.20**
2023	$29,200.65	$4,065.91	$3,696.29	**$36,962.85**
2024	$30,368.68	$4,228.55	$3,844.14	**$38,441.37**
2025	$31,583.43	$4,397.69	$3,997.90	**$39,979.02**
2026	$32,846.76	$4,573.60	$4,157.82	**$41,578.18**
2027	$34,160.63	$4,756.54	$4,324.13	**$43,241.31**
TOTAL	**$264,155.46**	**$36,781.14**	**$33,437.40**	**$334,374.00**

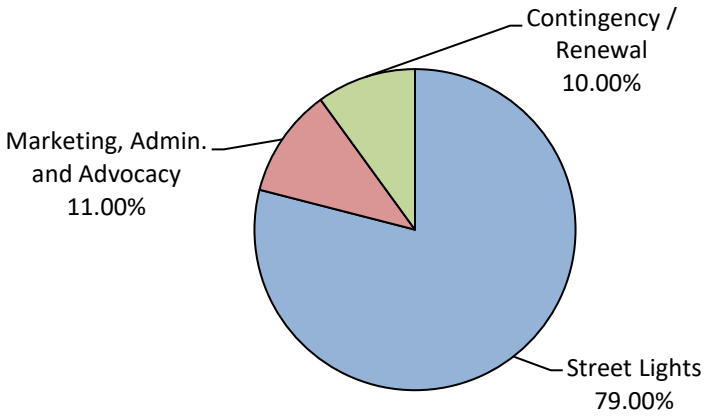
B. Budget Allocations

The budget allocations for 2018 are shown below. Although actual annual revenues may fluctuate due to businesses opening and closing, the proportional allocations of the budget shall remain consistent. However, the City and the Alliance shall have the authority to adjust categorical allocations by up to fifteen percent (15%) of the total budget each year. In the event of a legal challenge against the BBID, any and all assessment funds may be used for the costs of defending the BBID, the City and the Alliance related to the BBID.

The initial annual budget of $31,596 will be allocated as follows:



The annual budget for years two through ten will be allocated as follows:



C. GAAP Compliance

Each budget category includes all costs related to providing that service, in accordance with Generally Accepted Accounting Procedures (GAAP). For example, the marketing and promotions budget includes the cost of staff time dedicated to overseeing and implementing the marketing and promotions program. Staff time dedicated purely to administrative tasks is allocated to the administration and operations portion of the budget. The costs of employing an individual staff member may be allocated to multiple budget categories, as appropriate in accordance with GAAP. The staffing levels necessary to provide the services below will be determined by the Alliance on an as-needed basis.

VI. ASSESSMENT

A. Assessment

Annual assessment rates are $192 per year ($16 per month) for businesses located on the first floor, and $60 per year ($5 per month) for businesses located on the second or higher floors. Beginning in year three (3) of the ten (10) year term, the assessment rate may be increased by the Owners' Association Board by up to four percent (4%) per year. Any increase authorized by the Owners' Association Board shall be included in the annual report.

Bonds shall not be issued.

B. Penalties and Interest

The City shall be responsible for collection of delinquent assessments. The BBID shall reimburse the City of Benicia for any costs associated with collecting unpaid assessments. If sums in excess of the delinquent BBID assessment are sought to be recovered in the same collection action by the City, the BBID shall bear its pro rata share of such collection costs. Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

1. Delinquency: Upon a business' failure to pay the entire assessment when due, the City shall add a penalty of the greater of ten dollars ($10.00) or ten percent (10%) of the unpaid assessment on the first day of each month following the month the assessment was due; provided, however, no penalty shall be assessed in excess of fifty percent (50%) of the amount of the assessment due. A payment made by mail shall be deemed received on the date of a postmark on the envelope in which the payment is received, or if the payment is made by means other than U.S. mail, payment shall be deemed received on the date the payment is stamped "received" by the City.
2. Interest: On the first day of the month following the date on which the maximum penalty provided for above has accrued, interest at the rate of one percent (1%) per month shall begin to accrue. Interest shall accrue at this rate on the amount of the unpaid assessment, exclusive of penalties, for each month or portion of a month until the assessment is paid.

C. Time and Manner for Collecting Assessments

The BBID assessment will be implemented beginning January 1, 2018 and will continue for ten (10) years through December 31, 2027. The City of Benicia will be responsible for collecting the assessment on an annual basis (including any delinquencies, penalties and interest) from each business located in the boundaries of the BBID. The City shall take all reasonable efforts to collect the assessments from each business. The City of Benicia shall forward the assessments to the Alliance.

V. CALIFORNIA CONSTITUTIONAL COMPLIANCE

The BBID is subject to certain provisions of the California Constitution. Although it levies an assessment, the BBID is not a property-based assessment subject to the requirements of Article XIII D of the Constitution ("Proposition 218"). The Court has found, "Proposition 218 limited the term 'assessments' to levies on real property."[1] Rather, the BBID assessment is a business-based assessment, and is subject to Article XIII C of the Constitution ("Proposition 26"). Pursuant to Proposition 26 all City levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the BBID, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

A. Specific Benefit

Proposition 26 requires that assessment funds be expended on, "a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege."[2] The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within the BBID. The activities described in this Plan are specifically targeted to increase commerce for assessed businesses within the boundaries of the BBID, and are narrowly tailored. BBID funds will be used exclusively to provide the specific benefit of increased commerce directly to the assessees. Assessment funds shall not be used to feature non-assessed businesses in BBID programs, or to directly generate sales for non-assessed businesses. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

The assessment imposed by the BBID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in commerce. The specific benefit of an increase in commerce for assessed businesses will be directly provided only to businesses paying the BBID assessment, with marketing and promotions programs promoting only those businesses paying the assessment. The marketing and promotions programs will be designed to increase commerce at each assessed business. Because they are necessary to provide the marketing and promotions programs that specifically benefit the assessed businesses, the administration and operations and contingency/reserve expenditures also provide the specific benefit of increased commerce to the assessed businesses.

Although the BBID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, "A specific benefit is not excluded from classification as a 'specific benefit' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor."[3]

B. Specific Government Service

The assessment may also be utilized to provide, "a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the

[1] Jarvis v. the City of San Diego 72 Cal App. 4th 230
[2] Cal. Const. art XIII C § 1(e)(1)
[3] Government Code § 53758(a)

reasonable costs to the local government of providing the service or product."[4] The legislature has recognized that marketing and promotions services like those to be provided by the BBID are government services within the meaning of Proposition 26[5]. Further, the legislature has determined that "a specific government service is not excluded from classification as a 'specific government service' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor."[6]

C. Reasonable Cost

BBID services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds will be managed by the Alliance, and reports submitted on an annual basis to the City. Only assessed businesses will be featured in marketing materials, be featured in advertising campaigns, and directly benefit from other BBID-funded services. Non-assessed businesses will not directly receive these, nor any other, BBID-funded services and benefits.

The BBID-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed businesses receive incremental commerce, that portion of the promotion or program generating that increased commerce shall be paid with non-BBID funds. BBID funds shall only be spent to benefit the assessed businesses, and shall not be spent on that portion of any program which directly generates incidental commerce for non-assessed businesses.

[4] Cal. Const. art XIII C § 1(e)(2)
[5] Government Code § 53758(b)
[6] Government Code § 53758(b)

VI. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the BBID as defined in Streets and Highways Code §36612. The City Council has determined that the Downtown Benicia Alliance will serve as the Owners' Association for the BBID. At least a majority of the members of the Alliance Board will be the owners, or the owner's authorized representative, of assessed businesses.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the Alliance board and certain committees wherein the BBID is discussed must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

C. Annual Report

the Alliance shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** This document is current through the 2017 Supplement ***
(All 2016 legislation)

STREETS AND HIGHWAYS CODE
Division 18. Parking
Part 7. Property and Business Improvement District Law of 1994

Cal Sts & Hy Code Div. 18, Pt. 7 (2017)

CHAPTER 1. General Provisions [36600 - 36617]

ARTICLE 1. Declarations [36600 - 36604]

36600. Citation of part
This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

36601. Legislative findings and declarations; Legislative guidance
The Legislature finds and declares all of the following:

(a) Businesses located and operating within business districts in some of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.

(d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.

(e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:

(1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.

(2) Job creation.

(3) Business attraction.

(4) Business retention.

(5) Economic growth.

(6) New investments.

(f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.

(g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.

(h) The act amending this section is intended to provide the Legislature's guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.

(1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.

(2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the

incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions [36606 - 36616]

36606. "Activities"

"Activities" means, but is not limited to, all of the following that benefit businesses or real property in the district:

(a) Promotion of public events.

(b) Furnishing of music in any public place.

(c) Promotion of tourism within the district.

(d) Marketing and economic development, including retail retention and recruitment.

(e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.

(f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. "Clerk"
"Clerk" means the clerk of the legislative body.

36609.5. "General benefit"
"General benefit" means, for purposes of a property-based district, any benefit that is not a "special benefit" as defined in Section 36615.5.

36610. "Improvement"
"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

(a) Parking facilities.
(b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
(c) Trash receptacles and public restrooms.
(d) Lighting and heating facilities.
(e) Decorations.
(f) Parks.
(g) Fountains.
(h) Planting areas.
(i) Closing, opening, widening, or narrowing of existing streets.
(j) Facilities or equipment, or both, to enhance security of persons and property within the district.
(k) Ramps, sidewalks, plazas, and pedestrian malls.
(l) Rehabilitation or removal of existing structures.

36611. "Management district plan"; "Plan"
"Management district plan" or "plan" means a proposal as defined in Section 36622.

36612. "Owners' association"
"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all records relating to activities of the district.

36614. "Property"
"Property" means real property situated within a district.

36614.5. "Property and business improvement district"; "District"
"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

36614.6. "Property-based assessment"
"Property-based assessment" means any assessment made pursuant to this part upon real property.

36614.7. "Property-based district"
"Property-based district" means any district in which a city levies a property-based assessment.

36615. "Property owner"; "Business owner"; "Owner"
"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner" means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final

and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. "Special benefit"
"Special benefit" means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

36616. "Tenant"
"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3. Prior Law [36617- 36617.]

36617. Alternate method of financing certain improvements and activities; Effect on other provision
This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment [36620 - 36630]

36620. Establishment of property and business improvement district
A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council
A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceeding; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

(1) A map showing the boundaries of the district.

(2) Information specifying where the complete management district plan can be obtained.

(3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements, maintenance, and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) **(1)** A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred

on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(l) In a property-based district, the total amount of all special benefits to be conferred upon the properties located within the property-based district.

(m) In a property-based district, the total amount of general benefits, if any.

(n) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(o) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or

map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in Section 36625.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of

business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district
If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3. Assessments [36631 - 36637]

36631. Time and manner of collection of assessment; Delinquent payments
The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment
The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services
The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan
The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adopting of resolution of intention

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

CHAPTER 3.5. Financing [36640- 36640.]

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance [36650 - 36651]

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements, maintenance, and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal [36660- 36660.]

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment [36670 - 36671]

36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assessees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

BUSINESS NAME	ADDRESS	CITY, STATE, ZIP	BUSINESS LOCATION
1ST Northern California Credit Union	560 1ST ST B-106	BENICIA, CA 94510-3579	Street Level / First Floor
4EVER Sala Thai LLC	718 1ST ST	BENICIA, CA 94510-3214	Street Level / First Floor
ABC Music	620 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Adobe	431 1ST ST	BENICIA, CA 94510-3207	Street Level / First Floor
All About Beauty Spa	523 1ST ST	BENICIA, CA 94510-3209	Street Level / First Floor
Allure	841 1ST ST	BENICIA, CA 94510-3270	Street Level / First Floor
Alvord's Treasure Chest	129 1ST ST D	BENICIA, CA 94510-3275	Street Level / First Floor
American Pacific Mortgage Corp	615 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Angel Heart 4 You	501 1ST ST	BENICIA, CA 94510-3209	Street Level / First Floor
Anh's Salon	101 E H ST B	BENICIA, CA 94510-5500	Street Level / First Floor
Arian Nail Spa	521 1ST ST	BENICIA, CA 94510-3209	Upper Levels / Upstairs
Aroma Indian Cuisine	818 1ST ST	BENICIA, CA 94510-3216	Street Level / First Floor
Art & Things By Gail Cocherell	129 1ST ST F	BENICIA, CA 94510-3275	Street Level / First Floor
Artcentric Pottery & Glass Studio	733 1ST ST	BENICIA, CA 94510-3213	Street Level / First Floor
Ashley Kish, RD	110 E D ST STE H	BENICIA, CA 94510-3254	Upper Levels / Upstairs
ATS Tax & Financial Solutions Inc	1075 1ST ST 6	BENICIA, CA 94510-3200	Upper Levels / Upstairs
Bank Of The West	1001 1ST ST	BENICIA, CA 94510-3219	Street Level / First Floor
Barbara Patrick Skin	831 1ST ST	BENICIA, CA 94510-3202	Street Level / First Floor
Bayside Vintage Living	101 E H ST STE C	BENICIA, CA 94510-5500	Street Level / First Floor
Bella Donna Skin Spa	849 1ST ST	BENICIA, CA 94510-3257	Street Level / First Floor
Benicia Antique Mall	918 1ST ST	BENICIA, CA 94510-3218	Street Level / First Floor
Benicia Astrology Reader	831 1ST ST	BENICIA, CA 94510-3202	Street Level / First Floor
Benicia Bay Physical Therapy	560 1ST ST D-101	BENICIA, CA 94510-3293	Street Level / First Floor
Benicia Dental Care	560 1ST ST B-111	BENICIA, CA 94510-3210	Street Level / First Floor
Benicia Dialysis	560 1ST ST D-103	BENICIA, CA 94510-3210	Street Level / First Floor
Benicia First Corp	90 1ST ST	BENICIA, CA 94510-3359	Street Level / First Floor
Benicia Fitness	606 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Benicia Frame	638 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Benicia Gold And Silver	238 1ST ST	BENICIA, CA 94510-3504	Street Level / First Floor
Benicia Herald	820 1ST ST	BENICIA, CA 94510-3216	Street Level / First Floor
Benicia Home Improvement Center Inc	736 1ST ST	BENICIA, CA 94510-3214	Street Level / First Floor
Benicia Plein Air Gallery	307 1ST ST	BENICIA, CA 94510-3206	Street Level / First Floor
Benicia Wellness Center	1075 1ST ST 3	BENICIA, CA 94510-3200	Street Level / First Floor
Bill Parsons Gallery	131 1ST ST	BENICIA, CA 94510-3272	Street Level / First Floor
Birnbaum Realty	833 1ST ST	BENICIA, CA 94510-3202	Street Level / First Floor
Bledsoe Sales	333 1ST ST 5	BENICIA, CA 94510-3258	Upper Levels / Upstairs
Bombshell Hair And Ink	120 E G ST	BENICIA, CA 94510-3229	Street Level / First Floor
Bonjour	129 1ST ST STE B	BENICIA, CA 94510-3275	Street Level / First Floor
Bookshop Benicia Inc	636 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Buddahful A Salon	814 1ST ST	BENICIA, CA 94510-3216	Street Level / First Floor
Camellia Tea Room	828 1ST ST	BENICIA, CA 94510-5552	Street Level / First Floor
Care Network, Inc	920 1ST ST 103	BENICIA, CA 94510-5505	Street Level / First Floor
Changes Hair Studio	631 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Charlie's Attic	632 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Christina S	370 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Classic Cuts	602 1ST ST	BENICIA, CA 94510-3212	Upper Levels / Upstairs

Classic Cuts	602 1ST ST	BENICIA, CA 94510-3212	Upper Levels / Upstairs
Classic Sole	602 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Complete Computers	1075 1ST ST 6	BENICIA, CA 94510-3200	Upper Levels / Upstairs
Computer 1	737 1ST ST	BENICIA, CA 94510-3213	Street Level / First Floor
Courtyard Customs	333 1ST ST D	BENICIA, CA 94510-3258	Street Level / First Floor
Critical Weld Inspections, Inc.	350 W CHANNEL RD	BENICIA, CA 94510-1121	Street Level / First Floor
Cullen's Tannery Pub	131 1ST ST B	BENICIA, CA 94510-3272	Street Level / First Floor
Dave's Barber Shop & Shaving Parlor	333 1ST ST B	BENICIA, CA 94510-3258	Street Level / First Floor
Delgado Property Management	917 1ST ST	BENICIA, CA 94510-3217	Street Level / First Floor
Dianna's Bakery & Cafe	639 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Dickie L. Hill D.O.	111 W C ST C	BENICIA, CA 94510-3163	Street Level / First Floor
Discover Yesterday	364 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Dots Consignment	117 E F ST	BENICIA, CA 94510-3226	Upper Levels / Upstairs
Double Rainbow Cafe	560 1ST ST A-105	BENICIA, CA 94510-3210	Street Level / First Floor
Drs. Carney & Campbell	164 E H ST	BENICIA, CA 94510-3231	Street Level / First Floor
Edward Jones Investments	555 1ST ST 104	BENICIA, CA 94510-3280	Street Level / First Floor
Elisa	623 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Elisabeth's Hair Design	601 1ST ST 101	BENICIA, CA 94510-3277	Street Level / First Floor
Elviaritas Cantina And Catering	725 1ST ST	BENICIA, CA 94510-3213	Street Level / First Floor
Estey Real Estate	935 1ST ST	BENICIA, CA 94510-3217	Street Level / First Floor
Fabulous Finds	131 1ST ST E,F,G	BENICIA, CA 94510-3272	Street Level / First Floor
First American Title Company of Napa	252 1ST ST	BENICIA, CA 94510-3504	Street Level / First Floor
First Impressions	832 1ST ST	BENICIA, CA 94510-3216	Street Level / First Floor
First St. Cafe	440 1ST ST	BENICIA, CA 94510-3208	Street Level / First Floor
Floors On First	840 1ST ST	BENICIA, CA 94510-3216	Street Level / First Floor
From The Core Pilates Studio	560 1ST ST D-200	BENICIA, CA 94510-3210	Upper Levels / Upstairs
Gavin & Schreiner Insurance	828 1ST ST A	BENICIA, CA 94510-3297	Upper Levels / Upstairs
Gilbert L. Wergowske, M.D.	560 1ST ST C-105	BENICIA, CA 94510-3266	Street Level / First Floor
Giovanna's Fiber-frolics	637 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Got Plate Lunch	1034 1ST ST	BENICIA, CA 94510-3220	Street Level / First Floor
Got Plate Lunch	1034 1ST ST	BENICIA, CA 94510-3220	Street Level / First Floor
Grossman Financial Management	560 1ST ST STE B203	BENICIA, CA 94510-3210	Upper Levels / Upstairs
Heidi's Skin Care	333 1ST ST 4	BENICIA, CA 94510-3258	Upper Levels / Upstairs
Heritage Pantry And Spice	364 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
HF Ventures LLC	333 1ST ST A	BENICIA, CA 94510-3258	Street Level / First Floor
Honeysuckle Rose	620 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
HQ Gallery	333 1ST ST STE D	BENICIA, CA 94510-3258	Street Level / First Floor
Jae Properties Inc	801 1ST ST F	BENICIA, CA 94510-5501	Upper Levels / Upstairs
James M. Prescott	555 1ST ST 200	BENICIA, CA 94510-3280	Upper Levels / Upstairs
Java Point Cafe	366 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Jeanne Miller	131 1ST ST E	BENICIA, CA 94510-3272	Street Level / First Floor
Jennie Dillon	555 1ST ST 103	BENICIA, CA 94510-3280	Street Level / First Floor
JL Edit And Motion	110 E D ST B	BENICIA, CA 94510-3273	Upper Levels / Upstairs
John Warring, Real Estate Broker	110 E D ST F	BENICIA, CA 94510-3245	Upper Levels / Upstairs
Jordan Real Estate Inc	1038 1ST ST	BENICIA, CA 94510-3220	Street Level / First Floor
Julie Jedzinak	333 1ST ST 3	BENICIA, CA 94510-3258	Upper Levels / Upstairs
Kaigan Sushi Inc	560 1ST ST A-103	BENICIA, CA 94510-3210	Street Level / First Floor
Keith Weinstein Mft	638-1/2 1ST ST	BENICIA, CA 94510-3082	Upper Levels / Upstairs
Kennon Realty	1015 1ST ST	BENICIA, CA 94510-3219	Street Level / First Floor

Koda & Co.	364 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Le's Beauty Salon	845 1ST ST	BENICIA, CA 94510-3257	Street Level / First Floor
Lindsay Art Glass	109 E F ST	BENICIA, CA 94510-3226	Street Level / First Floor
Literatus Design	374 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Lucca Bar And Grill	439 1ST ST	BENICIA, CA 94510-3207	Street Level / First Floor
Lundin House	107 E J ST	BENICIA, CA 94510-3234	Street Level / First Floor
Luxe Hair Design	360 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Magic Hands By Shawna Radford	555 1ST ST 200	BENICIA, CA 94510-3280	Upper Levels / Upstairs
Mai Thai Restaurant	807 1ST ST	BENICIA, CA 94510-3263	Street Level / First Floor
Matsuri Sushi	920 1ST ST 102	BENICIA, CA 94510-5505	Street Level / First Floor
McKay International Engineers	560 1ST ST C-107	BENICIA, CA 94510-3266	Street Level / First Floor
Messina Photography	838 1ST ST	BENICIA, CA 94510-3216	Street Level / First Floor
Mimi & Co.	129 1ST ST K & L	BENICIA, CA 94510-3275	Street Level / First Floor
Mortgage Financial	920 1ST ST 101	BENICIA, CA 94510-5505	Street Level / First Floor
Mosaic	129 1ST ST D	BENICIA, CA 94510-3275	Street Level / First Floor
Nancy Chandler	919 1ST ST	BENICIA, CA 94510-5506	Street Level / First Floor
Narcissus	920 1ST ST 201	BENICIA, CA 94510-5505	Upper Levels / Upstairs
Next Door	610 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Nine O Seven Grill	907 1ST ST	BENICIA, CA 94510-3217	Street Level / First Floor
North American Title Co	560 1ST ST B-150	BENICIA, CA 94510-3293	Street Level / First Floor
North Bay Pediatrics	1075 1ST ST	BENICIA, CA 94510-3200	Street Level / First Floor
North Construction Service, Inc	110 E D ST # L	BENICIA, CA 94510-3254	Upper Levels / Upstairs
Nourot Glass	637 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Old Capitol Lockshop	101 E H ST E	BENICIA, CA 94510-5500	Street Level / First Floor
Old Republic Title Company	1013 1ST ST	BENICIA, CA 94510-3219	Street Level / First Floor
Olson Realty Inc	920 1ST ST 101	BENICIA, CA 94510-5505	Street Level / First Floor
Once Upon A Canvas	129 1ST ST J	BENICIA, CA 94510-3275	Street Level / First Floor
P S Hair Studio	638-1/2 1ST ST	BENICIA, CA 94510-3082	Upper Levels / Upstairs
Pacifica Pizza Inc	915 1ST ST	BENICIA, CA 94510-3217	Street Level / First Floor
Pamela Star	333 1ST ST 3	BENICIA, CA 94510-3258	Upper Levels / Upstairs
Pcm3 Inc	1021 1ST ST 1	BENICIA, CA 94510-3215	Upper Levels / Upstairs
Peoples Home Equity Inc	560 1ST ST B-206	BENICIA, CA 94510-3210	Upper Levels / Upstairs
Pink Arrows Boutique	301 1ST ST	BENICIA, CA 94510-3206	Street Level / First Floor
Pups N Purrz	422 1ST ST	BENICIA, CA 94510-3208	Street Level / First Floor
RA Storelee Insurance Agency, Inc	321 1ST ST	BENICIA, CA 94510-3268	Upper Levels / Upstairs
Randall C. Lum DDS, Inc	815 1ST ST	BENICIA, CA 94510-3241	Street Level / First Floor
Realty World All Services	555 1ST ST 101	BENICIA, CA 94510-3280	Street Level / First Floor
Remax Gold	426 1ST ST	BENICIA, CA 94510-3208	Street Level / First Floor
Rescom Properties	110 E D ST H	BENICIA, CA 94510-3245	Street Level / First Floor
Roberto Scherillo's Fine Jewelry	519 1ST ST	BENICIA, CA 94510-3209	Street Level / First Floor
Romancing The Home	617 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Rookies Sports Bar & Grill	321 1ST ST 100	BENICIA, CA 94510-3268	Street Level / First Floor
Rosanna's European Delights	305 1ST ST	BENICIA, CA 94510-3206	Street Level / First Floor
RPM Mortgage Inc	376 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Rupam's Herbals	828 1ST ST Ste B	BENICIA, CA 94510-5552	Upper Levels / Upstairs
Ryan Process	511 1ST ST	BENICIA, CA 94510-3209	Upper Levels / Upstairs
S.Shine.D	2068 COLUMBUS PKWY	BENICIA, CA 94510-5400	Street Level / First Floor
Sailor Jack's	123 1ST ST	BENICIA, CA 94510-3203	Street Level / First Floor
Sally Babson - Dressmaker	638 1/2 1ST ST	BENICIA, CA 94510-3082	Upper Levels / Upstairs
Sandoval's Mexican Food	640 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor

Skin Medica MD	560 1ST ST STE C105	BENICIA, CA 94510-3295	Street Level / First Floor
Solano Pacific Corporation	900 1ST ST	BENICIA, CA 94510-3218	Street Level / First Floor
Solano Realty Brokers Inc	513 1ST ST	BENICIA, CA 94510-3209	Street Level / First Floor
Solano Smile Orthodontics & Pediatric Dentistry	321 1ST ST 203	BENICIA, CA 94510-3268	Upper Levels / Upstairs
Spotless Carpet Cleaning	800 1ST ST A	BENICIA, CA 94510-3216	Street Level / First Floor
Stephanie Scanlan Insurance Agency, Inc	739 1ST ST	BENICIA, CA 94510-3213	Street Level / First Floor
Studio 41	700 1ST ST	BENICIA, CA 94510-3214	Street Level / First Floor
Studio J Hair & Nail Salon	1036 1ST ST	BENICIA, CA 94510-3220	Street Level / First Floor
Studio Shannonhouse	430 1ST ST	BENICIA, CA 94510-3208	Street Level / First Floor
Succulants & More	433 1ST ST	BENICIA, CA 94510-3207	Street Level / First Floor
Sybex Booths	333 1ST ST # 333C	BENICIA, CA 94510-3258	Street Level / First Floor
Szechwan House Restaurant	500 1ST ST	BENICIA, CA 94510-3210	Street Level / First Floor
The Chill LLC	362 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
The Foggiest Idea	800 1ST ST STE C	BENICIA, CA 94510-3216	Street Level / First Floor
The Golden Horse Shoe	415 1ST ST	BENICIA, CA 94510-3207	Street Level / First Floor
The Little Art Shop	131 1ST ST	BENICIA, CA 94510-3272	Street Level / First Floor
The Loft Wine Bar	280 1ST ST	BENICIA, CA 94510-3504	Street Level / First Floor
The Lynell Real Estate Group	560 1ST ST STE D100	BENICIA, CA 94510-3293	Street Level / First Floor
The Rellik Tavern	726 1ST ST	BENICIA, CA 94510-3214	Street Level / First Floor
The Steffen Collection	627 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
The Teak Man	118 W H ST	BENICIA, CA 94510-3127	Street Level / First Floor
The Vintage Owl	635 1ST ST	BENICIA, CA 94510-3211	Street Level / First Floor
Tina Marie's	131 1ST ST C	BENICIA, CA 94510-3272	Street Level / First Floor
Tom Wilson Architect, Inc.	920 1ST ST 202	BENICIA, CA 94510-5505	Upper Levels / Upstairs
Tomama's	362 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Trailpeople, Landscape Architects And Planners	919 1ST ST STE 1	BENICIA, CA 94510-5506	Upper Levels / Upstairs
Training Loft 714	714 1ST ST	BENICIA, CA 94510-3214	Street Level / First Floor
Tranquil Touch	555 1ST ST 200	BENICIA, CA 94510-3280	Upper Levels / Upstairs
Transhoist Engineering Inc	560 1ST ST C-107	BENICIA, CA 94510-3266	Street Level / First Floor
Transworld Advisors Of Benicia	555 1ST ST STE 302	BENICIA, CA 94510-3360	Upper Levels / Upstairs
Trinity Emcs Inc	560 1ST ST B-201	BENICIA, CA 94510-3293	Upper Levels / Upstairs
Tristram King LMFT	333 1ST ST STE 9	BENICIA, CA 94510-3258	Upper Levels / Upstairs
Twin Oaks Real Estate Inc	231 1ST ST	BENICIA, CA 94510-3169	Street Level / First Floor
Twodays Jewelry	612 1ST ST	BENICIA, CA 94510-3212	Street Level / First Floor
Union Hotel	401 1ST ST	BENICIA, CA 94510-3207	Street Level / First Floor
Union Hotel Restaurant & Bar	401 1ST ST	BENICIA, CA 94510-3207	Street Level / First Floor
Vanite	374 1ST ST	BENICIA, CA 94510-3262	Street Level / First Floor
Venticellos	911 1ST ST	BENICIA, CA 94510-3217	Street Level / First Floor
Veterans House Commission	1150 1ST ST	BENICIA, CA 94510-3221	Street Level / First Floor
Warring & Associates Realtors	829 1ST ST	BENICIA, CA 94510-3201	Street Level / First Floor
Wellness Wisdom	827 1ST ST	BENICIA, CA 94510-3201	Street Level / First Floor
Wheels In Motion Llc	735 1ST ST	BENICIA, CA 94510-3213	Street Level / First Floor
World Projects Corporation	601 1ST ST 200	BENICIA, CA 94510-3277	Upper Levels / Upstairs
Yan's Day Spa	435 1ST ST	BENICIA, CA 94510-3207	Street Level / First Floor
Yan's Day Spa	328 1ST ST	BENICIA, CA 94510-3553	Street Level / First Floor