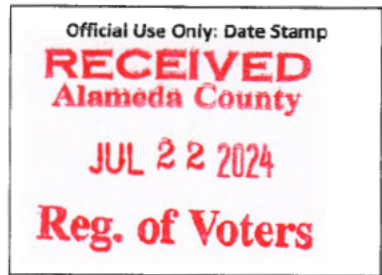




BALLOT MEASURE SUBMITTAL FORM



All fields with an * are required.

BALLOT MEASURE QUESTION	
Jurisdiction Name*: City of Dublin	Election Date*: November 5, 2024
<p>Note: The information as it appears within the text box will be printed on the ballot and voter guide.</p> <p>Insert ballot question text here*:</p> <p>“Dublin Traffic Relief, Clean Air/Open Space Preservation Measure. Shall an ordinance be adopted amending the Open Space Initiative of 2014, at no cost to taxpayers, allowing Dublin to accept land donation to connect Dublin Boulevard 1.5 miles east to North Canyons Parkway, including bike lanes, pedestrian access, improved 911 response/ traffic flow, and preserve 100 acres of open space while maintaining voter approved housing development restrictions, in exchange for potential limited commercial development on the adjacent 80 acres?”</p>	
TYPE OF MEASURE*	PERCENTAGE NEEDED TO PASS*
<input checked="" type="checkbox"/> Regular Measure <input type="checkbox"/> Parcel Tax	<input checked="" type="checkbox"/> 50% + 1 <input type="checkbox"/> 66.6667% <input type="checkbox"/> 2/3
<input type="checkbox"/> Bond Measure <input type="checkbox"/> Charter Amendment	<input type="checkbox"/> Other: Click or tap here to enter text.
FULL-TEXT OPTION*	
Full Text to be printed in the Voter Information Pamphlet:	
<input checked="" type="checkbox"/> YES (note: must provide an MS Word file)	
<input type="checkbox"/> NO – Do not print, but it’s accessible at: Click or tap here to enter text.	
AUTHORIZED REPRESENTATIVE/CONTACT PERSON*	
<i>(office use)</i>	
Print Name: [REDACTED]	Signature: [REDACTED]
Phone #: [REDACTED]	Email: [REDACTED]
CONTACT INFORMATION	
<i>(public use)</i>	
Phone #: (925) 833-6650	Email: city.clerk@dublin.ca.gov
	Website: www.dublin.ca.gov/ballotmeasures

All fields with an * are required.

Rev. 8/2022

City of Dublin
City Attorney's Impartial Analysis of the Dublin Traffic Relief, Clean Air/Open Space Preservation Measure

The Dublin Traffic Relief, Clean Air/Open Space Preservation Measure (“Measure”) seeks voter approval to amend the General Plan to allow the City Council the ability to approve commercial development, subject to certain limits, in an area within which the Dublin Open Space Initiative of 2014 (“OSI”) currently prohibits development, if the development protects at least 100 acres of open space land and would contribute substantially to funding the Dublin Boulevard Extension’s (“Extension”) operations and/or maintenance.

The OSI amended the City’s General Plan and currently restricts development to the east of Dublin’s eastern boundary, but it expressly allows the construction of the Extension to connect with North Canyons Parkway in Livermore. Because the OSI was approved by the voters, the voters would have to authorize any development in the area. The City and its regional partners are in the process of planning for the construction of the Extension, which would connect to North Canyons Parkway in Livermore.

The OSI anticipated this Measure. It directs the City Council to “study commercial development” in the area “along the extension of Dublin Boulevard to North Canyons Parkway” after June 3, 2024. The OSI provides that the City Council “should consider, among other matters, whether commercial development is needed to fund the construction or maintenance of the...extension.” It indicates that after the study the City Council “may put a measure on the ballot to authorize development in the designated area.” The City Council placed the Measure on the Ballot based on the study required by the OSI.

If passed, the Measure would allow the City Council to permit commercial development along the Extension in an area where development is currently restricted by the OSI. The Measure provides that the City Council may not approve development in the portion of that area that is 1,200 feet north of Interstate 580, except that development may be approved north of the 1,200-foot line to the west of Cottonwood Creek, if the total area of developed land does not exceed 80 acres. If it approves development, the City Council would be required to find that the development would contribute substantially to the funding of the construction and/or maintenance of the Extension, that at least 100 acres of open space will be permanently protected, that the property owner provides the right of way for Dublin Boulevard without cost to the City, and that water supply and wastewater service is assured for any development.

A “Yes” vote would allow the City Council to approve limited commercial development in the specified area to help fund the Extension, would not change the current prohibition on residential development in the area, and would maintain restrictions from the OSI, except as explicitly modified by the proposed amendment.

A “No” vote would maintain the current restrictions under the OSI, prohibiting commercial development in the specified area.

DATED: August 2, 2024

/s/ John Bakker
John D. Bakker, City Attorney

JUL 22 2024

Reg. of Voters

RESOLUTION NO. 86 – 24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF DUBLIN AN ORDINANCE AMENDING A PROVISION OF THE DUBLIN GENERAL PLAN THAT WAS ADDED BY THE DUBLIN OPEN SPACE INITIATIVE OF 2014; CALLING FOR AN ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE ELECTION TO BE HELD ON NOVEMBER 5, 2024; FIXING THE DATE AND MANNER OF THE ELECTION AND THE PROCEDURE FOR VOTING THEREIN; AND PROVIDING FOR NOTICE THEREFOR

WHEREAS, in 2014, the voters of the City of Dublin adopted the Dublin Open Space Initiative of 2014 (the "OSI"), which among other things limits development to the west of the City's eastern boundary; and

WHEREAS, despite the limitations, the OSI expressly allowed for the construction of Dublin Boulevard to connect to North Canyons Parkway in Livermore (the "Dublin Boulevard extension") and required the City Council to study in 2024 the possibility of commercial development along the extension of Dublin Boulevard, including considering whether the development is necessary to fund construction or maintenance of the Dublin Boulevard extension; and

WHEREAS, the City conducted market and feasibility analysis as well as analyzing emergency response times; and

WHEREAS, this Resolution proposes a ballot measure that would amend the General Plan to authorize limited commercial development in the area contemplated by the OSI (the "measure"); and

WHEREAS, the Dublin Boulevard extension would improve traffic flow and 911 emergency response times in Eastern Dublin; improve public transit from Dublin to Livermore; and reduce carbon emissions and traffic on I-580; and

WHEREAS, the City has an expressed interest in the environmental protection and preservation of open space on this property, including the preservation of endangered species and the expansion of local wildlife habitats; and

WHEREAS, the Dublin Boulevard extension will create transit, bicycle and pedestrian connectivity to the City of Livermore, thus making all modes of travel more convenient providing Dublin students easier and more direct access to Las Positas College; and

WHEREAS, the measure supports additional job creation in the Fallon East Development Zone, focused on bringing life sciences, biotech, research and development, and clean tech businesses in East Dublin; and

WHEREAS, the limited commercial, non-residential development that this measure would authorize Dublin to consider, in the future, would create the necessary funding to maintain the Dublin Boulevard extension, as well as add to Dublin's fiscal stability, improve fire and medical response times, provide more local open spaces, parks, and improve quality of life.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUBLIN DOES HEREBY

RESOLVE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of the Elections Code of the State of California and other applicable law, there is called and ordered to be held in the City of Dublin, California, on November 5, 2024, an election at which it shall submit to the qualified voters of the City, the Dublin Traffic Relief, Clean Air/Open Space Preservation Measure, which would adopt an ordinance amending a provision of the Dublin General Plan that was added by the Open Space Initiative of 2014 so as to assist with funding the construction and maintenance of the Dublin Boulevard extension.

Section 2. The ballot question for the proposed ordinance shall be as follows:

“Dublin Traffic Relief, Clean Air/Open Space Preservation Measure. Shall an ordinance be adopted amending the Open Space Initiative of 2014, at no cost to taxpayers, allowing Dublin to accept land donation to connect Dublin Boulevard 1.5 miles east to North Canyons Parkway, including bike lanes, pedestrian access, improved 911 response/ traffic flow, and preserve 100 acres of open space while maintaining voter approved housing development restrictions, in exchange for potential limited commercial development on the adjacent 80 acres?”

Section 3. The Ordinance to be considered by the voters pursuant to Section 2 of this Resolution is as set forth in **Exhibit A**.

Section 4. (a) An election on the measure set forth in Section 2 shall be held in consolidation with the statewide election to be held on November 5, 2024 and shall be held and conducted in the manner prescribed in section 10418 of the Elections Code of the State of California.

(b) The election on the measure set forth in Section 2 shall be held and conducted, the votes canvassed and the returns made, and the results ascertained and determined as provided for herein and within the Elections Code.

(c) The election for the measure set forth in Section 2 shall be held as required by law, and the Alameda County Registrar of Voters is authorized to canvas the returns of that election with respect to the votes cast in the City of Dublin.

(d) At the next regular meeting of the City Council of the City of Dublin occurring after the returns of the election for the measure set forth in Section 2 have been canvassed and the certification of the results provided to the City Council, the City Council shall cause to be entered in its minutes a statement of the results of the election.

Section 5. (a) In accordance with Elections Code sections 9282 and 9283, arguments submitted for or against the measure shall not exceed 300 words in length, and shall be printed upon the same sheet of paper and mailed to each voter with the sample ballot for the election and may be signed by not more than five persons.

(b) In accordance with Elections Code section 9282, the following headings, as appropriate, shall precede the arguments' wording, but shall not be counted in the 300 word maximum: “Argument Against Measure ___” or “Argument In Favor of Measure ___” (the blank spaces being filled only with the letter or number, if any, designating the measure).

(c) In accordance with Elections Code section 9283, printed arguments submitted to voters in accordance with section 9282 of the Elections Code shall be filed with the City Clerk, accompanied by the printed name(s) and signature(s) of the author(s) submitting it or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers. Arguments are due in the office of the City Clerk prior to 4:00 p.m., on August 2, 2024.

(d) The City Council may authorize, by motion, a member or members to prepare a draft argument against the measure and to return the draft for consideration and adoption by the City Council at a duly noticed meeting of the City Council. In accordance with Elections Code section 9282, any councilmembers authorized by the City Council to do so may sign the argument against the measure.

Section 6. (a) Pursuant to Elections Code section 9285, when the City Clerk has selected the arguments for and against the measure, that will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument that it seeks to rebut.

(b) Rebuttal arguments shall not exceed 250 words and shall not be signed by more than five persons. The persons that sign the rebuttal arguments may be different persons than the persons that signed the direct arguments.

(c) The last day for submission of rebuttal arguments for or against the measure shall be by 4:00 p.m. on August 13, 2024.

Section 7. In accordance with Elections Code section 9280, the City Attorney is directed to file with the City Clerk an impartial analysis of the measure, not to exceed 500 words, showing the effect of the measure on the existing law and the operation of the measure.

Section 8. The City of Dublin recognizes that additional costs may be incurred by the County by reason of the measure and agrees to reimburse the County for such costs. The City Manager is hereby authorized and directed to appropriate the necessary funds to pay for the City's cost of placing the measure on the election ballot.

Section 9. (a) The City Clerk is directed to file a certified copy of this resolution with the Board of Supervisors of Alameda County and the Alameda County Elections Department. The City Clerk is hereby authorized and directed to take all steps necessary to place the measure on the ballot and to cause a synopsis of the measure attached as Section 10 to be published once in a newspaper of general circulation in accordance with California Elections Code. A copy of the measure shall be made available to any voter upon request. The City Clerk is authorized and directed to give further additional notice of the measure in the time, form, and manner required by law.

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

Section 10. This Resolution and the measure are not a project under the California Environmental Quality Act (CEQA). The measure, if approved by the Dublin electorate, would
Reso. No. 86-24, Item 8.1, Adopted 07/16/2024 Page 3 of 5

merely authorize the City Council to consider designating, in the future and in through its future exercise of discretion, certain open space lands for potential commercial development as a means of financing the Dublin Boulevard Extension project. As such, it will not cause a direct physical change in the environment or cause a reasonably foreseeable indirect physical change in the environment. Even if the Resolution and measure considered to be a "project" under CEQA, it would be exempt under the "common sense" exception (Cal. Code Regs., tit. 14, section 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment, as the Resolution and measure do not propose or permit any new development. Any action by the City that may be taken pursuant to the authority afforded by the measure is speculative and uncertain, will require the future exercise of discretion, and will be subject to CEQA's requirements.

PASSED, APPROVED AND ADOPTED this 16th day of July 2024, by the following vote:

AYES: Councilmembers Hu, Josey, and Thalblum

NOES: Councilmember Qaadri and Mayor McCorriston

ABSENT:

ABSTAIN:

[Redacted signature]

Mayor

ATTEST:

[Redacted signature]

City Clerk

I hereby certify that this is a true and accurate copy of a document(s) on file in the City of Dublin

[Redacted signature]

Marsha Moore, MMC, City Clerk, City of Dublin

7/19/2024
Date

Exhibit A

AN ORDINANCE OF THE CITY OF DUBLIN

AMENDING A PROVISION OF THE DUBLIN GENERAL PLAN THAT WAS ADDED BY THE DUBLIN OPEN SPACE INITIATIVE OF 2014

The People of the City of Dublin do ordain as follows:

Section 1. The last paragraph of Section 2.8.8 of the Dublin General Plan (which was added pursuant to the Dublin Open Space Initiative of 2014) is amended to read as follows (material deleted from the General Plan is in strikeout type):

~~“Ten years after June 3, 2014, the City Council shall study commercial development along the extension of Dublin Boulevard to North Canyons Parkway up to 1,200 feet north of Interstate Highway 580. The Council should consider, among other matters, whether commercial development is needed to fund the construction or maintenance of the extension, and if water supply and wastewater service is assured for any development. The Council may put a measure on the ballot to authorize development in the designated area. Notwithstanding anything to the contrary in the Dublin Open Space Initiative of 2014 and this Section 2.8, the City shall not be prevented from designating for commercial development, consistent with what is permitted on the lands to the immediate west and within the City limits, the portion of the property east of the Dublin Eastern Urban Limit Line up to the Livermore city boundary and along the proposed extension of Dublin Boulevard to North Canyons Parkway, up to 1,200 feet north of Interstate 580 (the “1,200 foot line”). Notwithstanding the geographic limitations in the previous sentence, commercial development may be approved in the portion north of the 1,200 foot line to the west of Cottonwood Creek, so long as the total area of developed land does not exceed 80 acres, thus ensuring that at least 100 acres of the property are preserved as open space. The City Council in determining whether to give such authorization shall be required to find that the proposed commercial development would contribute substantially to the funding of the construction and/or maintenance of the Dublin Boulevard extension, that at least 100 acres of open space will be permanently protected, that the portion of the right of way for Dublin Boulevard on the property was provided by the property owner without cost to the City (either through reimbursement for acquisition costs or dedication), and that water supply and wastewater service is assured for any development. If such future commercial development is authorized by the Council, the other provisions of the Dublin Open Space Initiative of 2014 and this section 2.8 shall not apply to it.~~