



BALLOT MEASURE SUBMITTAL FORM

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Alameda County

JUL 01 2024

Reg. of Voters

All fields with an * are required.

BALLOT MEASURE QUESTION

Jurisdiction Name*: City of Dublin

Election Date*: November 5, 2024

Note: The information as it appears within the text box will be printed on the ballot and voter guide.

Insert ballot question text here*:

“GOVERNMENT ACCOUNTABILITY ACT. Shall the Dublin Municipal Code be amended to prohibit councilmembers and commissioners from accepting gifts from lobbyists and city contractors; prohibit lobbyists from sitting on City commissions; impose a combined term limit of 12 years for the Mayor and/or City Councilmembers, while retaining existing term limits for the current Mayor and City Councilmembers; and require posting of all City contracts on the City’s website for public review?”

TYPE OF MEASURE*

- Regular Measure Parcel Tax
 Bond Measure Charter Amendment

PERCENTAGE NEEDED TO PASS*

- 50% + 1 66.6667% 2/3
 Other: Click or tap here to enter text.

FULL-TEXT OPTION*

Full Text to be printed in the Voter Information Pamphlet:

- YES (*note: must provide an MS Word file*)
 NO – Do not print, but it’s accessible at: Click or tap here to enter text.

AUTHORIZED REPRESENTATIVE/CONTACT PERSON*

(office use)

Print Name: [REDACTED]

Signature: [REDACTED]

Phone #: [REDACTED]

Email: [REDACTED]

CONTACT INFORMATION

(public use)

Phone #: *925-833-6650

Email: marsha.moore@dublin.ca.gov

Website: www.dublin.ca.gov/ballotmeasures

City of Dublin
City Attorney's Impartial Analysis of the of the Dublin Government Accountability Act
Measure

The Dublin Government Accountability Act (the "Measure") seeks voter approval to prohibit elected officials and commissioners from accepting gifts from lobbyists, to restrict lobbyists from serving on City commissions, to require public posting of city contracts and financial statements, and to update the term limits for elected officials. The City Council placed the Measure on the Ballot.

If adopted, the Dublin Government Accountability Act (the "Measure") would amend the Dublin Municipal Code to:

1. Prohibit the Mayor, City Councilmembers, and members of commissions created by the City Council (hereafter "City Officials") from receiving gifts from a City Contractor or lobbyist.
2. Prohibit any person from making, and any City Official from accepting, any gift with the intent to influence the City Official in the performance of any official act.
3. Prohibit any City Official from accepting or receiving any gift from anyone other than the City for the performance of a specific service or act that the City Official is expected to perform in his or her City duties or for providing advice about City processes.
4. Prohibit lobbyists from serving on commissions created by the City Council.
5. Require the City to post on its website most City contracts that require City Council approval before City Council action.
6. Require the City to post on its website monthly financial reporting including budget-to-actual results for revenue and expenditures for major funds within the City's annual budget.

7. a) Increase the number of city council terms from the equivalent of 2 terms (8 years) to the equivalent of 3 terms (12 years); b) make clear that half of a term or less is not counted toward the term limit; and c) specify that the current Mayor and City Councilmembers may serve only the number of consecutive terms allowed prior to the enactment of the Measure.

In the Measure, “gift” means: any payment or other benefit that confers a personal benefit for which a City Official does not provide a payment or services of equal or greater value, unless returned or donated to charity or a government agency within 30 days; and “lobbyist” means: a person who during the prior 12 months knowingly attempted to influence a City Official in any legislative or administrative action.

DATED: August 2, 2024

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

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Reg. of Voters

RESOLUTION NO. 117 - 23

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF DUBLIN

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN
ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF
DUBLIN AN ORDINANCE ENTITLED "GOVERNMENT ACCOUNTABILITY ACT" TO
1) PROHIBIT COUNCILMEMBERS AND COMMISSIONERS FROM ACCEPTING
GIFTS FROM LOBBYISTS AND CITY CONTRACTORS, 2) PROHIBIT LOBBYISTS
FROM SITTING ON CITY COMMISSIONS, 3) AMEND THE TERM LIMITS FOR
MAYOR AND CITY COUNCIL, 4) REQUIRE POSTING OF CITY CONTRACTS ON
THE CITY'S WEBSITE, 5) CALLING FOR AN ELECTION TO BE CONSOLIDATED
WITH THE STATEWIDE ELECTION TO BE HELD ON NOVEMBER 5, 2024; 6)
FIXING THE DATE AND MANNER OF THE ELECTION AND THE PROCEDURE FOR
VOTING THEREIN; AND 7) PROVIDING FOR NOTICE THEREFOR

WHEREAS, the City of Dublin prioritizes the community's trust and confidence in City practices, including institutionalizing good government provisions related to fiscal accountability, ethics, and transparency; and

WHEREAS, the City of Dublin is committed to building confidence in its efforts to maintain public accountability and transparency; and

WHEREAS, the Government Accountability Act would prohibit the Dublin Mayor, members of the City Council, City Clerk, City Treasurer, and Planning Commissioners from accepting gifts from lobbyists or City contractors, eliminating related conflicts of interests; and

WHEREAS, the Government Accountability Act would prohibit lobbyists from sitting on City commissions; and

WHEREAS, in November 1996 regulations governing Mayor and City Council term limits were approved by Dublin voters and as a result set the maximum consecutive terms for Mayor and Council at, respectively, four terms and two terms for a total of 8 years, subject to an exception for a partial term that is less than 1 or 2 years, respectively, for the Mayor and City Council; and

WHEREAS, the City's term limits are among the shortest in Alameda County and the Tri-Valley region; and

WHEREAS, in 2024 the City of Dublin will transition to district-based elections;
and

WHEREAS, adding an additional 4 years to the limit on consecutive terms will contribute to the continuity on the City Council that is required with the transition to district-based elections; and

WHEREAS, due to the changes in state law since the 1996 enactment of the term limits that effect the length of Mayor and City Council, a loophole exists in the existing term limits that can allow a person to serve consecutive terms that exceeds 10 years; and

WHEREAS, the measure proposed by this resolution would impose a consecutive term limit of 12 years for the Mayor and/or City Councilmembers and close the existing loophole in the City's term limits; and

WHEREAS, the Government Accountability Act would require the City to post all City contracts on the City's website for public review, expanding transparency and the public's ability to view these types of financial materials; and

WHEREAS, the City Council desires to submit a measure entitled the Government Accountability Act to the voters of the City at a Presidential Election to be held on November 5, 2024, and to be consolidated with any other election to be held on that date; and

WHEREAS, provisions of the Elections Code set forth the procedures and requirements for the submission of measures to the voters, including: consolidation of municipal and statewide elections, placement on the ballot, amendment and withdrawal, submission of ballot arguments, preparation of impartial analysis and rebuttal arguments.

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, and the measure that would adopt an ordinance amending the term limits of the Mayor and City Council shall be included on this ballot.

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

“GOVERNMENT ACCOUNTABILITY ACT. Shall the Dublin Municipal Code be amended to prohibit councilmembers and commissioners from accepting gifts from lobbyists and city contractors; prohibit lobbyists from sitting on City commissions; impose a combined term limit of 12 years for the Mayor and/or City Councilmembers, while retaining existing term limits for the current Mayor and City Councilmembers; and require posting of all City contracts on the City's website for public review?”

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 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.

(e) Alternatively, pursuant to Elections Code section Elections Code section 9282(b), the City Council may authorize, by motion, a member or members of the City Council to cooperate with members of the community and/or interested parties and/or organizations to prepare a draft 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.

PASSED, APPROVED AND ADOPTED this 7th day of November, 2023 by the following vote:

AYES: Councilmembers McCorriston and Qaadri and Mayor Hernandez

NOES: Councilmembers Hu and Josey

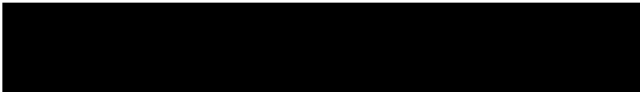
ABSENT:

ABSTAIN:



Mayor

ATTEST:



City Clerk

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



Marsha Moore, MMC, City Clerk, City of Dublin

11/20/2023
Date

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Exhibit A

AN ORDINANCE OF THE CITY OF DUBLIN

ADOPTING THE DUBLIN GOVERNMENT ACCOUNTABILITY ACT

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

Section 1. Chapter 2.50 is added to Title 2 of the Dublin Municipal Code to read as follows:

“Chapter 2.50

**PROHIBITION ON ACCEPTANCE OF GIFTS FROM AND SERVICE ON
CITY COMMISSIONS BY CITY CONTRACTORS AND LOBBYISTS**

Section 2.50.010 Prohibition on Acceptance of Gifts.

No elected City official or member of a City commission may receive any gift from a City contractor or lobbyist.

No person may make, and no elected City official or member of a City commission accept, any gift with the intent to influence an elected City official or members of a City commission in the performance of any official act.

No elected City official or members of a City commission may accept or receive any gift from anyone other than the City for the performance of a specific service or act that the elected City official or members of a City commission is expected to render in the regular course of his or her City duties, or for advice about City processes.

Section 2.50.020 Prohibition from Serving on Commissions.

Lobbyists are not eligible for membership on commissions created by the City Council. A commissioner shall be deemed to have forfeited his or her office upon becoming a lobbyist.

Section 2.50.030 Definitions.

For purposes of this Chapter,

“City contractor” is any person or entity that contracts or is seeking to contract with the City.

“Elected City official” shall mean the Mayor or a member of the City Council.

“Gift” is any payment or other benefit that confers a personal benefit for which an elected City official or a member of a City commission does not provide payment or services of equal or greater value. A gift includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public. An elected City official or a member of a City commission has received or accepted a gift when he or she has actual possession of the gift or when he or she takes any action exercising direction or control over the gift, including discarding the gift or turning it over to another person. This includes gifts that are accepted by someone else on the official’s behalf and gifts made to others at the direction of the official. A “gift” does not include items that are returned (unused) to the donor, for which the official reimburses the donor within 30 days of receipt, or that are donated unused to a non-profit, tax- exempt (501(c)(3)) organization in which the official or immediate family member does not hold a position, or to a government agency within 30 days of receipt without claiming a deduction for tax purposes.

“Lobbyist” is any person who during the prior 12 months knowingly attempted to influence an elected City official or members of a City commission in any legislative or administrative action.

A “member of a City commission” is a commissioner of the Planning Commission, the Human Services Commission, the Parks and Community Services Commission, the Heritage and Cultural Arts Commission, and any other Commission that is created by the City Council of the City of Dublin.”

Section 2. Chapter 2.52 is added to Title 2 of the Dublin Municipal Code to read as follows:

**“Chapter 2.52
TRANSPARENCY IN PUBLIC CONTRACTS AND FINANCIAL
REPORTING**

2.52.010 Posting of City Contracts on City Website for Public Review

All agreements requiring City Council approval must be posted on the City’s website and be made available to the public prior to City Council action unless the City Attorney determines that to do so would not be in the City’s interest.

2.52.020 Posting of Monthly Financial Statements on City Website.

To help ensure transparency, the City shall timely post on its website monthly financial reporting including budget to actual results for revenues and expenditures for major funds within the City's annual budget."

Section 4. Section 2.08.050 of the Dublin Municipal Code, entitled Term Limits, is amended to read as follows:

"2.08.050 Term limits.

No person shall serve consecutive terms as Councilmember, Mayor, or any combination of Councilmember or Mayor that would exceed 12 years. For the exclusive purpose of measuring duration under this provision and for no other purpose, the terms of Mayor and Councilmembers shall be deemed to start and end on December 1 following the general municipal election at which such office, as the case may be, is regularly filled. Notwithstanding the foregoing, any partial term served by a Councilmember or Mayor shall not be considered a consecutive term if it commenced on or after the first (with respect to the Mayor) or second (with respect to a Councilmember) anniversary of the date on which the former incumbent's term commenced, and in such cases the initial consecutive term shall be deemed to have commenced under this Section when the Councilmember or Mayor commences his or her subsequent term. Mayors and Councilmembers who were in office on the effective date of this subdivision may serve only the number of terms allowed at the time of the last election before this provision was enacted."

Section 6. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The voters of the City of Dublin hereby declares that they would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

5510750.2