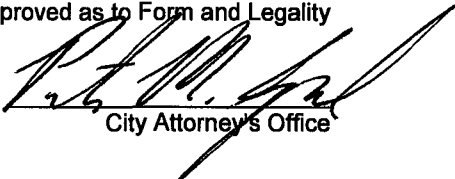


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Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER ABEL GUILLEN

RESOLUTION SUPPORTING AB 1884, INTRODUCED BY CALIFORNIA ASSEMBLY MEMBER CALDERON, WHICH WOULD PROHIBIT SPECIFIED FOOD FACILITIES FROM PROVIDING SINGLE-USE PLASTIC STRAWS TO CUSTOMERS EXCEPT UPON REQUEST

WHEREAS, existing law establishes state programs for the regulation of various solid waste, including, among others, plastic products, tires, and electronics and also imposes health and sanitation standards for retail food facilities, as defined, including restaurants; and

WHEREAS, the California Coastal Commission has recorded clean-up of roughly 835,000 drinking straws picked up during coastal clean ups between 1988 to 2014; and

WHEREAS, while certain plastics can be recycled, the vast majority of single-use straws are often discarded into solid waste and landfill and cannot be recycled due to their lack of resin code and small size, which can damage sorting machinery; and

WHEREAS, since straws are rarely recycled, they often end up in overcrowded landfills, waterways and ocean, where they will remain in most cases for hundreds of years. Non-biodegradable straws often end up in waterways where they break down into smaller, micro-size pieces that are often times mistaken as food by marine life. This in turn has detrimental effects not only on marine life, but may eventually cause harm to humans by way of consumption and collateral environmental effects; and

WHEREAS, in order to prevent straws from entering the waste stream and the natural environment, it is a legitimate exercise of governmental regulation to attempt to reduce the number of straws by regulating the conditions under which they are distributed to customers of restaurants; and

WHEREAS, AB 1884, introduced by California Assembly Member Ian Calderon on January 17, 2018, would amend the California Public Resources Code to add Section 42359 to prohibit a food facility, as specified in Section 113789(a) of the Health and Safety Code, where food may be consumed on the premises from providing single-use plastic straws to consumers unless requested by the consumer; and

WHEREAS, by removing the default practice of providing customers in dine-in restaurants with single-use straws unless specifically requested, consumers are allowed to make a deliberate small change that will lessen the impacts of discarded straws upon the environment; and

WHEREAS, the City Council intends to consider the introduction of a local ordinance that will require dine-in restaurants in Oakland to offer single-use straws to their customers only upon request; now, therefore, be it

RESOLVED: That the City Council hereby endorses and expresses its full support for California Assembly Bill 1884, which would prohibit specified food facilities from providing single-use plastic straws to customers except upon request; and be it

FURTHER RESOLVED: That the City Council requests that the City Administrator transmit a copy of this Resolution to the City of Oakland's legislative representative for transmission to the state legislature.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT REID

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California