

19 APR 11 PM 2:34

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

REBECCA KAPLAN  
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Date: April 11, 2019

To: Members of City Council and Members of the Public  
From: Council President Kaplan  
Re: A Resolution Directing The City Administrator To Submit Their Sugar-Sweetened Beverage Tax Funding Requests For Fiscal Years 2018-2019 And 2019-2021 To The Sugar-Sweetened Beverage Community Advisory Board And Then After Review Of These Submitted Requests, The Advisory Board Shall Send Their Full Recommendations For FY 2018-2019 And 2019-2021 To Council In May 2019

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Dear Colleagues on the City Council and Members of the Public,

This Resolution directs the City Administrator to submit their Sugar-Sweetened Beverage Tax funding requests for Fiscal Years 2018-2019 and 2019-2021 to the Sugar-Sweetened Beverage community advisory board. After such a review is done, the Advisory Board shall send their recommendations to the City Council for May 2019.

Attached please also find a copy of Resolution No. 87062 by former Councilmember Annie Campbell Washington that requests Sugar-Sweetened Beverage Distribution Taxes be allocated after recommendations have been made by the advisory board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rebecca Kaplan".

Rebecca Kaplan  
Oakland City Councilmember At Large

19 APR 11 PM 2: 55

Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT KAPLAN

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**RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO SUBMIT SUGAR-SWEETENED BEVERAGE TAX FUNDING REQUESTS FOR FISCAL YEARS 2018-2019 AND 2019-2021 TO THE SUGAR-SWEETENED BEVERAGE COMMUNITY ADVISORY BOARD AND THEN AFTER REVIEW OF THESE SUBMITTED REQUESTS, THE ADVISORY BOARD SHALL SEND ITS FULL RECOMMENDATIONS FOR FY 2018-2019 AND FY 2019-2021 TO COUNCIL IN MAY 2019**

~~WHEREAS, the voters of Oakland overwhelmingly adopted Measure HH the Sugar-Sweetened Beverage Distribution Tax Ordinance by over 62%, in November 2016; and~~

**WHEREAS, the Sugar-Sweetened Beverage Distribution Tax Ordinance (the "Ordinance") approved a 1 cent per ounce general excise tax on the distribution of sugar-sweetened beverages in Oakland; and**

**WHEREAS, the Ordinance established the Community Advisory Board (the "Board") to advise and make recommendations on how and to what extent the City Council should establish and/or fund programs to prevent or reduce the health consequences of the consumption of sugar-sweetened beverages in Oakland communities; and**

**WHEREAS, Resolution No. 87062, established the Sugar-Sweetened Beverage Tax Sub-fund within the General Fund and determined that the Oakland Sugar-Sweetened Beverage Distribution taxes shall be appropriated by the Oakland City Council only after the recommendations of the Board, regarding the expenditure of general fund revenues for programs that prevent or reduce the health consequences of consuming sugar-sweetened beverages are received, reviewed and considered by the Oakland City Council; and**

**WHEREAS, the Board's membership was confirmed by resolution in June 2017 and began holding regular meetings in October 2017; now, therefore, be it**

**RESOLVED:** That the City Administrator is directed to submit sugar-sweetened beverage tax funding requests for Fiscal Years 2018-2019 and 2019-2021 to the Board and then after review of these submitted requests, the Board shall send its full recommendations for FY 2018-2019 and FY 2019-2021 to Council in May 2019.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

18 FEB 15 PM 4:37

# OAKLAND CITY COUNCIL

Approved as to Form and Legality

*Kathleen Salem-Boyd*  
City Attorney

RESOLUTION NO. 87062 C.M.S.

Introduced by Vice Mayor Campbell Washington and  
City Councilmember Kaplan

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**RESOLUTION PROVIDING 1) THAT A NEW SEPARATE ACCOUNT SHALL BE ESTABLISHED WITHIN THE GENERAL FUND TO HOLD GENERAL TAX REVENUES GENERATED BY THE OAKLAND SUGAR-SWEETENED BEVERAGE DISTRIBUTION TAX, AND 2) DETERMINING THAT THE CITY COUNCIL SHALL NOT APPROPRIATE SUGAR-SWEETENED BEVERAGE DISTRIBUTION TAX REVENUES PRIOR TO RECEIVING AND CONSIDERING THE COMMUNITY ADVISORY BOARD'S RECOMMENDATIONS REGARDING APPROPRIATION OF THE GENERAL FUND REVENUES, AND 3) PROVIDING THAT THE TAX REVENUES SHALL BE HELD IN THE SUBFUND UNTIL COMPLETION OF THIS APPROPRIATION PROCESS.**

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**WHEREAS**, the Voters of Oakland overwhelmingly adopted Measure HH by over 62%, in November 2016; and

**WHEREAS**, the passage of Measure HH established the Sugar-Sweetened Beverage Distribution tax in Oakland, imposing a 1 cent per ounce general tax on the distributors of sugar-sweetened beverages; and

**WHEREAS**, Measure HH requires the City Council to establish a nine-member Community Advisory Board with specific membership requirements, and established that the Board would be responsible for publishing an annual report that includes the following: "1) Recommendations on how to allocate the City's general funds to reduce the consumption of sugar sweetened beverages in Oakland and to address the results of such consumption; 2) How and to what extent the City Council and Mayor have implemented the recommendations presented by the Board; 3) Information, if available, concerning the impact of this Chapter on the public health of the residents of the City; and 4) Any additional information that the Panel deems appropriate"; and

**WHEREAS**, within 15 days of publication, the Board's annual report is transmitted to the City Council by the City Administrator; now therefore be it

**RESOLVED:** That the Oakland City Council finds and determines that it is necessary to establish a separate account to hold General Fund Tax revenues received from the Sugar-Sweetened Beverage Distribution Tax until they are appropriated by the City Council; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is directed to establish a new subfund within the General Fund Group, designated as the Sugar-Sweetened Beverage Distribution Tax Fund (“the Fund”), and to deposit all general tax revenue received from the Sugar-Sweetened Beverage Distribution Tax into the Fund; and

**FURTHER RESOLVED:** That the Oakland City Council, hereby amends the Fiscal Year 2017-19 budget to deposit all general tax revenue received from the Sugar-Sweetened Beverage Distribution Tax into the Fund for future appropriation; and be it

**FURTHER RESOLVED:** That the Oakland City Council finds and determines that the Oakland Sugar-Sweetened Beverage Distributor taxes shall be appropriated by the Oakland City Council only after the recommendations of the Board, regarding the expenditure of general fund revenues for programs that prevent or reduce the health consequences of consuming sugar-sweetened beverages received, reviewed and considered by the Oakland City Council; and be it

**FURTHER RESOLVED:** That the Oakland City Council directs the City Administration to timely provide the Board with staffing and resources to properly function to be funded by the Sugar Sweetened Beverage Distribution Tax Fund; and be it

**FURTHER RESOLVED:** That any Sugar-Sweetened Beverage Distribution Tax revenues received in any fiscal year but not expended that year, shall be carried forward into the next fiscal year to be used based on and/or according to the recommendations contained in the annual report of the Board to the extent approved by the Oakland City Council.

IN COUNCIL, OAKLAND, CALIFORNIA,

FEB 20 2018

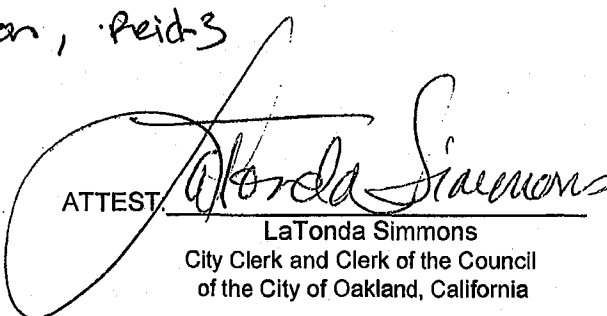
PASSED BY THE FOLLOWING VOTE:

AYES - ~~Alvarado, Campbell, Washington, Reid~~ GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN,  
AND ~~Alvarado, Campbell, Washington, Reid~~ - 5  
Excused - Brooks, Campbell Washington, Reid 3  
NOES -

ABSENT -

ABSTENTION -

ATTEST

  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California