

  
City Attorney's Office

## OAKLAND CITY COUNCIL

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

INTRODUCED BY COUNCIL PRESIDENT PRO TEMPORE SHENG THAO

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**RESOLUTION URGING THE CALIFORNIA STATE LEGISLATURE  
AND GOVERNOR GAVIN NEWSOM TO REPEAL ASSEMBLY BILL  
1838 TO ALLOW LOCAL AGENCIES TO TAX SUGAR-SWEETENED  
BEVERAGES TO IMPROVE PUBLIC HEALTH**

**WHEREAS**, even before the COVID pandemic we were already facing a public health crisis in Oakland and across the country; and

**WHEREAS**, the United States is experiencing an obesity epidemic, which puts Americans at risk of developing chronic diseases such as diabetes or hypertension; and

**WHEREAS**, the costs for diabetes-related healthcare in Alameda County alone were estimated at \$560 million dollars in 2010; and

**WHEREAS**, soft drinks and other sugary drinks are the number one source of added sugar in the American diet, they account for half of all consumed sugar, but have no nutritional value and there is growing scientific evidence that excess dietary sugar can lead to severe negative health effects; and

**WHEREAS**, excess consumption of sugar has been linked to diabetes, hypertension, cancer, gout, poor dental health, leptin resistance, insulin resistance, liver disease, and other negative health outcomes; and

**WHEREAS**, Oakland voters approved Measure HH by 61% in 2016, imposing a one cent per ounce general tax on the distribution of sugar-sweetened beverages such as soda, sports drinks, energy drinks, while exempting milk, juice, baby formula, and others; and

**WHEREAS**, Measure HH raises roughly \$2 million in general tax revenue each year that is allocated to community non-profit organizations and other public agencies to prevent and mitigate the negative health impacts of consuming sugar-sweetened beverages; and

**WHEREAS**, on June 28, 2018 Governor Jerry Brown approved Assembly Bill No. 1838, which prohibits a local agency, as defined by Section 6252 of the California Government Code, from taxing certain groceries including sugar-sweetened beverages such as soft drinks; and

**WHEREAS**, all local agencies should have the power to tax sugar-sweetened beverages to discourage consumption and to generate revenue to combat the negative health impacts of sugar-sweetened beverages; now, therefore, be it

**RESOLVED:** That the Oakland City Council hereby urges the California Legislature and Governor Gavin Newsom to repeal Assembly Bill No. 1838 and allow all local agencies to tax sugar-sweetened beverages.

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IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

ASHA REED  
Acting City Clerk and Clerk of the Council of  
the City of Oakland, California