

HAYWARD CITY COUNCIL

RESOLUTION NO. 16-

Introduced by Council Member _____

RESOLUTION IN OPPOSITION OF THE NOVEMBER 2016 BALLOT INITIATIVE: PROPOSITION 65: DEDICATION OF REVENUE FROM DISPOSABLE BAG SALES TO WILDLIFE CONSERVATION FUND

WHEREAS, The City Council at its September 20, 2016 passed a resolution in support of Proposition 67: The Plastic Bag Ban Referendum; and,

WHEREAS, Proposition 65 is a competing ballot initiative which would redirect local revenues from the sale of reusable bags to a new State Environmental Protection and Enhancement Fund; and,

WHEREAS, the California Legislative Analyst’s Office (LAO) determined that the provision in Proposition 65 involving the implementation of the measure as well as any other carryout bag measure on the November ballot “could be interpreted by the courts as preventing Proposition 67 [referendum] from going into effect;” and,

WHEREAS, in the event that both Propositions 65 and 67 pass, the proposition that receives the most votes would dictate the funding convention;

NOW, THEREFORE, BE IT RESOLVED, The City Council of the City of Hayward opposes Proposition 65- Dedication of Revenue from Disposable Bag Sales to Wildlife Conservation Fund given the uncertainty and potential damaging effects to the provisions of SB270; and,

BE IT FURTHER RESOLVED, that the City Council authorizes the listing of The City of Hayward in Opposition to Proposition 65 and instruct staff to send a copy of this resolution to the appropriate parties.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2016

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward