

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

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

INTRODUCED BY COUNCILMEMBER CARROLL FIFE

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### **RESOLUTION OF INTENTION TO FORM THE PUBLIC BANK EAST BAY WITH THE CITY OF OAKLAND AS A FOUNDING MEMBER ALONG WITH THE CITIES OF BERKELEY AND RICHMOND**

**WHEREAS**, public banks are financial institutions that are owned by public agencies such as cities and counties and can serve as a tool to invest, lend, and provide banking services to local communities that are often left out of financial opportunities from larger firms; and

**WHEREAS**, the City of Oakland began formally assessing the feasibility of establishing a public bank with a \$75,000 allocation from the Fiscal Years 2017-19 Budget for a feasibility study that was presented at the October 2, 2018 City Council meeting; and

**WHEREAS**, in November, 2020 the Oakland City Council passed Resolution 88371 C.M.S, awarding a grant in an amount not to exceed \$30,000 to the Friends of the Public Bank East Bay to aid in the development of a public bank in accordance with Assembly Bill No. 857, which will be able handle the depository and investment needs of the City of Oakland and all Alameda County Cities; and

**WHEREAS**, a public bank can serve the residents of Oakland through investment and lending activities that support small local businesses, affordable housing production, climate resilience, infrastructure projects and more; and

**WHEREAS**, the City of Oakland intends to be one of the founding owners of the Public Bank East Bay; and

**WHEREAS**, the other proposed founding owners of the Public Bank East Bay are the cities of Berkeley and Richmond; and

**WHEREAS**, the County of Alameda is proposed to be a non-founding owner of the Public Bank East Bay that will take an ownership stake shortly after the Public Bank East Bay's licensing by the State; and

**WHEREAS**, the Public Bank East Bay's proposed governance plan requires that each member city designate one councilmember to sit on the Public Bank East Bay's Board of Directors; and

**WHEREAS**, the California Public Banking Act further mandates that "a motion to move forward with an application for a public banking charter shall be approved by a majority vote of the governing body at a public meeting"; now, therefore, be it

**RESOLVED:** That the City of Oakland intends to be a founding member of the Public Bank East Bay as part of the application for a public banking charter; and be it

**FURTHER RESOLVED:** That the Oakland City Council request that the Alameda County Supervisors commit to joining the Public Bank East Bay as a full voting member immediately upon California state approval of the Public Bank East Bay's charter application; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is authorized to negotiate the terms of a public bank charter that is consistent with the terms of the Public Bank East Bay Viability Study in coordination with officials from the City of Berkeley and City of Richmond and return to the City Council with a report outlining anticipated capital contributions and any necessary budgetary amendments along with a final draft public bank charter for approval; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is authorized to negotiate and execute the terms of any articles of incorporation, operating agreements, and other nonprofit public benefit corporation documents or nonprofit mutual benefit corporation documents that may be required by California Government Code Section 57600 *et seq.*; and be it

**FURTHER RESOLVED:** That all the aforementioned charter(s), agreements, and articles shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That this Resolution be conveyed immediately to the City Councils of Berkeley and Richmond and to the Alameda County Board of Supervisors.

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