



City Attorney

2018 MAY 10 PM 1:58

OAKLAND CITY COUNCIL

RESOLUTION NO. ___ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) NEGOTIATE AND EXECUTE AN AGREEMENT WITH MUFG UNION BANK, N.A. TO PROVIDE PRIMARY CUSTODIAL SERVICES FOR THE CITY AT AN ESTIMATED ANNUAL COST AMOUNT OF \$25,000 FOR A FIVE-YEAR PERIOD WITH TWO ONE-YEAR OPTIONS TO RENEW COMMENCING JANUARY 1, 2019; AND (2) NEGOTIATE WITH MUFG UNION BANK, N.A. FOR SUCH ADDITIONAL BANKING SERVICES AS SHE MAY FROM TIME TO TIME DEEM APPROPRIATE, AT COSTS SHE DEEMS REASONABLE; AND (3) NEGOTIATE AND EXECUTE AN EXTENSION THROUGH DECEMBER 31, 2018 OF THE CURRENT AGREEMENT WITH BNY MELLON TRUST, N.A. TO PROVIDE PRIMARY CUSTODIAL SERVICES AT AN ESTIMATED ANNUAL COST AMOUNT OF \$25,000 AND; (4) WAIVING THE REQUIREMENTS OF THE LIVING WAGE ORDINANCE AND OF THE LINKED BANKING SERVICES PROGRAM ORDINANCE

WHEREAS, the City on July 1, 2009, entered into a new agreement with Wells Fargo Bank, N.A. (“Wells Fargo”) to provide custodial services for a period of three years, with annual renewals at the City’s option; and

WHEREAS, the City on May 23, 2014, entered into a new agreement with BNY Mellon Trust Company N.A. (“BNY Mellon”) to provide custodial services for a period of three years, with annual renewals at the City’s option; and

WHEREAS, the City, on September 15, 2017, issued a Request for Proposals for custodial services; and

WHEREAS, four banking institutions –BNY Mellon, MUFG Union Bank, N.A. (“Union Bank”), Wilmington Trust, N.A. (“Wilmington Trust”) and Wells Fargo– responded to this RFP; and

WHEREAS, a City selection committee, after considering these banks’ respective capabilities and quality and cost of service, has determined that Union Bank as the institution best fitting the criteria for custodial services; and

WHEREAS, Union Bank has indicated that it can provide the currently required services for an estimated annual amount \$25,000; and

WHEREAS, an extension through December 31, 2018 of the current agreement with BNY Mellon to provide primary custodial services is necessary to allow for continuity of services while staff completes implementation and transition to Union Bank; and

WHEREAS, The City's Local and Small Local Business Enterprise Program has been waived for this project; and

WHEREAS, no banks fully meet the specific requirements of the City's Linked Banking Services Program; and

WHEREAS, no bank's proposal fully meets the specific requirements of the City's the Living Wage Ordinance; now therefore be it

RESOLVED, that the City Council finds and determines that the foregoing recitals are true and correct; and be it

FURTHER RESOLVED, that the City Administrator be authorized to negotiate and execute an agreement with Union Bank to provide primary custodial services for the City for a five-year period with two one-year options to renew commencing on January 1, 2019, for an estimated annual amount of \$25,000 for current service levels; and be it

FURTHER RESOLVED, that the City Administrator be authorized to negotiate and execute an extension through December 31, 2018 of the current agreement with BNY Mellon to provide primary custodial services for the City for an estimated annual amount of \$25,000 for current service levels; and be it

FURTHER RESOLVED, that the City Administrator be authorized to negotiate with Union Bank for such additional banking services as he may from time to time deem appropriate, at costs which she shall deem reasonable; and be it

FURTHER RESOLVED, that the City Council finds and determines that in order to secure these services it is in the best interest of the City to waive the requirements of the Living Wage Ordinance;

FURTHER RESOLVED, that the City Council finds and determines that in order to secure these services it is in the best interest of the City to waive the requirements of the Linked Banking Services Program per section 5 of Ordinance No. 12066; and be it

FURTHER RESOLVED, that this resolution shall be effective immediately upon passage.

In Council, Oakland, California, _____, 2018.

PASSED BY THE FOLLOWING VOTE:

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

NOES:

ABSENT:

ABSTENTION:

ATTEST:

LA TONDA SIMMONS
City Clerk and Clerk of the City Council
City of Oakland, California