



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** June 9, 2020

**TO:** Christine Daniel, City Manager

**FROM:** Susan Hsieh, Finance Director

**SUBJECT:** **Mid-Cycle Review Of The Two-Year Budget For Fiscal Years 2019-20 And 2020-21 And Resolution Approving Proposed Budget Amendments**

### RECOMMENDATION

Staff recommends that the City Council review, and adopt the proposed Resolution approving, budget adjustments for fiscal years 2019-20 (FY 2020) and 2020-21 (FY 2021).

### BACKGROUND

The City's 2019-21 Budget was adopted by the City Council on June 4, 2019. This item recommends significant amendments to the Fiscal Year 2019-2020 and 2020-2021 budgets based on the current economic crisis. On March 19, 2020, two months ago, City staff provided the City Council with a proposed mid-cycle budget update. Given the circumstances of the COVID-19 pandemic, the City Council wisely chose to simply "accept" that report rather than take the actions it proposed. In a mere 60 days, the economic reality of the nation, the state, the County and the City of Emeryville has dramatically altered. Entire sectors of the economy have shut down and people have lost their jobs and been unable to pay rent or mortgages. As a result of this economic collapse, the City of Emeryville is now facing a significant revenue shortfall this current fiscal year, and a projected revenue shortfall at least through the first two quarters of next fiscal year. This report recommends several short-term, bridging strategies to cover these shortfalls, using mostly one-time funds, to provide time for the Council and the community to assess the timing and strength of an economic recovery.

As the Council is aware, Emeryville has a relatively unique revenue budget in that, historically, the top revenue sources are: Sales Tax, Transient Occupancy Tax (TOT), and Business License Tax, with the Card Room Tax following. Each of those revenue streams is much more vulnerable to economic shocks than property tax. Moreover, an economic shock such as the pandemic can create almost immediate impacts to these revenues and thus immediately impact the City's budget. One example of this is the Card Room Tax which generates about 7% of the City's General Fund budget. The card room closed in early March and as of this writing has not re-opened. The shortfall for the current fiscal year from that revenue source alone is over \$800,000.

### Projected Revenue Shortfalls

Revenues By Category	FY 19-20	FY 20-21
Sales Tax	\$ (1,915,500)	\$ (1,901,800)
Transient Occupancy Tax	(2,687,400)	(2,371,400)
Business License Tax	-	(1,565,300)
Utility Users Tax	(235,900)	(229,400)
Cardroom Tax	(864,100)	(1,481,000)
Franchises	(260,500)	(263,700)
Real Property Transfer Tax	(394,800)	(359,700)
Other Revenues	(433,300)	(241,250)
<b>Total Revenues</b>	<b>\$ (6,791,500)</b>	<b>\$ (8,413,550)</b>

Thankfully, the City Council of the City of Emeryville put in place prudent fiscal policies several years ago that have resulted in a healthy Economic Contingency Reserve, as well as an accumulation of one-time revenues from commercial property transfer tax that have not yet been allocated. This report recommends that, in addition to several other measures, the City Council suspend some of its fiscal policies for Fiscal Years 2019-2020 and 2020-2021. These temporary policy suspensions would enable the accumulated one-time revenues to be used to cover operational costs, rather than capital projects and unfunded pension liabilities. Staff is not recommending any use of the Economic Contingency Reserve at this time. Rather staff recommends that the Reserve continue to be funded as the City's fiscal policies require, namely at 50% of General Fund expenditures.

In addition to the use of one-time funds, staff recommends that several vacant positions be frozen for at least one year and that transfers to relatively healthy funds, including Litigation, be suspended for Fiscal Year 2020-2021. Staff also recommends temporarily suspending the annual transfer into the City's pension liability reserve. This does not affect the City's annual payments to CalPERS for pension costs, which will be fully paid, or the City's Section 115 Pension Trust. Finally, staff recommends reallocating a portion of funds from an inactive capital project to cover operational costs in Fiscal Year 2020-2021. All of these are described in more detail below.

If the projections of revenue shortfalls are accurate, the strategies recommended in this report will bridge the City through to the beginning of calendar year 2021 without significantly impacting programming, staffing, active capital projects, or employee wages and benefits. This bridging strategy allows time to assess the strength of the economic recovery and to craft reasonable approaches to cost reductions if needed. Staff will request that the City Council schedule regular Budget study sessions each quarter next fiscal year. Staff will provide updates on the strength of various sectors of the City's economy, revenues received to-date, and expenditure projections for the remainder of the fiscal year. With this unprecedented economic implosion, the nature of the recovery

is uncertain: will consumers return to leisure travel and dining out; will business travelers continue to use teleconferencing rather than travel to the Bay Area; will businesses hire back the same number of employees as they emerge from the crisis or make do with less; will shoppers continue their online shopping and delivery habits rather than returning to the mall? These study sessions will provide an opportunity to review all of these questions and offer a forum for dialogue about how the City can respond should the economic recovery take longer or look different than the City's previous experience.

The following sections of this report provide specific detail about the recommendations summarized above.

## **DISCUSSION**

### **General Fund Proposed Budget Adjustments**

#### General Fund – Summary of Proposed Budget Adjustments

The City's initial analysis of the COVID-19 impacts project losses in General Fund revenues of \$6.8 million in FY 2020 and \$8.4 million in FY 2021. These are estimated losses before netting projected increases in other revenue sources such as property tax and licenses and permits revenues.

The City's three top revenue sources, sales tax, hotel tax, and business license tax, are expected to be significantly impacted in the 2019-21 budget cycle. Significant decline in card room tax is also expected due to shelter in place and social distancing requirements. Decreases in utility users tax, franchise fees, and recreation revenues vary depending on the types of revenues.

To bridge the 2019-21 budget gap, the revised budget proposes the following budget balancing strategies ranging from the use of one-time revenues, hiring freeze, interfund transfers, to the use of capital project money.

- Use of one-time "residential" property transfer tax revenue from FY 2020
- Hiring freeze for six vacant positions
- Cancellation of General Fund contributions to the Pension Reserve in FY 2020 and FY 2021
- Cancellation of General Fund contribution to the Litigation Fund in FY 2021
- Drawdown of funds from the Pension Reserve in FY 2020 and FY 2021
- Transfer of funds from the Worker's Compensation Fund in FY 2021
- Suspension of the Excess Commercial Property Transfer Tax Policy for the 2017-19 and 2019-21 budget cycles - use of one-time commercial property transfer tax revenue
- Use of Fire Station Upgrade capital project money

The table below summarizes the General Fund proposed budget adjustments for fiscal years 2019-20 and 2020-21, accounting for the revenue and expenditure changes stated above. After implementing all of the strategies and use of one-time funds described above, the FY 2020 revenue budget is projected to decrease by \$1.4 million and the expenditure budget is projected to decrease by \$1.2 million. The FY 2021 revenue budget is projected to decrease by \$1.1 million and the expenditure budget is projected to decrease by \$888,000.

	FY 19-20 Adopted Budget	FY 19-20 Proposed Adjustment	FY 19-20 Proposed Revised Budget	FY 20-21 Adopted Budget	FY 20-21 Proposed Adjustment	FY 20-21 Proposed Revised Budget
Revenues	\$ 44,887,200	\$ (1,393,740)	\$ 43,493,460	\$ 46,395,700	\$ (1,063,309)	\$ 45,332,391
Expenditures	\$ 44,744,236	\$ (1,250,776)	\$ 43,493,460	\$ 46,220,081	\$ (887,690)	\$ 45,332,391
<b>Surplus/(Deficit)</b>	<b>\$ 142,964</b>	<b>\$ (142,964)</b>	<b>\$ -</b>	<b>\$ 175,619</b>	<b>\$ (175,619)</b>	<b>\$ -</b>

### General Fund – Proposed Revenue Adjustments

Performance of the General Fund Revenues - The table below presents the General Fund revenues for the nine months ended March 31, 2020. Revenues totaled \$34.4 million, or 77% of the \$44.9 million annual budget. Please note that revenues such as Property Tax, Residual Tax Increment, and Vehicle License Fee In Lieu are not evenly distributed. The County distributes these taxes based on historical trends and collections, and these taxes are normally collected by the County in December and April. Property tax revenues received through March represent advances made by the County and adjustments/reductions will be made in the fourth quarter. Significant variances are discussed as part of the proposed budget adjustments below.

### **General Fund Revenues for the Period Ended March 31, 2020**

Revenues By Category	FY19-20 Budget (Forecast)	FY19-20 Actual	Actual vs. Budget Variance	% of Budget (Forecast)	FY18-19 Actual	FY19-20 vs FY18-19 Variance	
Sales Tax	\$ 8,277,000	\$ 5,210,737	\$ (3,066,263)	63%	\$ 5,137,930	\$ 72,807	1%
Transient Occupancy Tax	8,720,000	5,289,382	(3,430,618)	61%	5,768,000	(478,617)	-8%
Business License Tax	6,169,000	5,529,088	(639,912)	90%	5,912,417	(383,329)	-6%
Cannabis Tax	360,000	333,669	(26,331)	93%	24,537	309,132	1260%
Utility Users Tax	3,128,400	2,195,866	(932,534)	70%	2,011,196	184,670	9%
Cardroom Tax	2,904,000	1,928,563	(975,437)	66%	1,933,979	(5,415)	0%
Licenses and Permits	3,312,800	3,355,005	42,205	101%	3,662,607	(307,602)	-8%
Property Tax	2,876,000	3,444,320	568,320	120%	3,173,373	270,947	9%
Residual Tax Increment	1,329,300	499,832	(829,468)	38%	412,703	87,129	21%
Franchises	1,876,000	1,227,846	(648,154)	65%	1,088,937	138,908	13%
Vehicle License Fee In Lieu	897,000	491,351	(405,649)	55%	458,500	32,851	7%
Real Property Transfer Tax	1,278,000	2,807,707	1,529,707	220%	705,502	2,102,205	298%
Other Revenues	3,698,200	2,079,873	(1,618,327)	56%	3,069,838	(989,965)	-32%
Transfers In	61,500	46,125	(15,375)	75%	72,606	(26,482)	-36%
<b>Total</b>	<b>\$ 44,887,200</b>	<b>\$ 34,439,363</b>	<b>\$ (10,447,837)</b>	<b>77%</b>	<b>\$ 33,432,123</b>	<b>\$ 1,007,240</b>	<b>3%</b>

General Fund Revenue Adjustments – The proposed General Fund revenue adjustments are outlined below.

Revenues By Category	FY 19-20 Adopted Budget	FY 19-20 Proposed Adjustment	FY 19-20 Proposed Revised Budget	FY 20-21 Adopted Budget	FY 20-21 Proposed Adjustment	FY 20-21 Proposed Revised Budget
Sales Tax	\$ 8,277,000	\$ (1,915,500)	\$ 6,361,500	\$ 8,471,100	\$ (1,901,800)	\$ 6,569,300
Transient Occupancy Tax	8,720,000	(2,687,400)	6,032,600	8,887,000	(2,371,400)	6,515,600
Business License Tax	6,169,000	-	6,169,000	6,261,000	(1,565,300)	4,695,700
Cannabis Tax	360,000	-	360,000	360,000	-	360,000
Utility Users Tax	3,128,400	(235,900)	2,892,500	3,141,600	(229,400)	2,912,200
Cardroom Tax	2,904,000	(864,100)	2,039,900	2,962,000	(1,481,000)	1,481,000
Licenses and Permits	3,312,800	510,010	3,822,810	2,681,300	184,200	2,865,500
Property Tax	2,876,000	85,500	2,961,500	2,960,000	60,600	3,020,600
Residual Tax Increment	1,329,300	322,300	1,651,600	2,454,200	538,800	2,993,000
Franchises	1,876,000	(260,500)	1,615,500	1,927,000	(263,700)	1,663,300
Vehicle License Fee In Lieu	897,000	66,900	963,900	924,000	59,200	983,200
Real Property Transfer Tax	1,278,000	1,741,200	3,019,200	1,304,000	(359,700)	944,300
Other Revenues	3,698,200	(1,131,200)	2,567,000	3,785,700	(113,348)	3,672,352
Transfers In	61,500	2,974,950	3,036,450	276,800	6,379,539	6,656,339
<b>Total Revenues</b>	<b>\$ 44,887,200</b>	<b>\$ (1,393,740)</b>	<b>\$ 43,493,460</b>	<b>\$ 46,395,700</b>	<b>\$ (1,063,309)</b>	<b>\$ 45,332,391</b>

- A decrease of \$1.9 million in Sales Tax in FY 2020 and FY 2021 based on projections provided by the City's consultant Avenu/MuniServices and adjusted to reflect Emeryville's situations. Prior to the COVID-19 pandemic, the City was projecting an increase in sales tax revenue. The adjustments reflect a 23% reduction to the adopted budget in FY 2020 and a 22% reduction in FY 2021.

Due to the shutdown of economic activities, sales tax revenues are expected to be significantly impacted between March and June 2020. As businesses gradually reopen, revenues are also expected to be significantly impacted between July and September 2020. Due to social distancing requirements, business activities will continue to be affected in many sectors such as retail and restaurant businesses. Excluding the revenues received from the State/County pool, about 66% of the City's sales tax revenues are generated from general retail and food products (apparel stores and miscellaneous retail, furniture/appliance, restaurants, etc.). These businesses were all negatively impacted by the coronavirus outbreak.

In addition, the 90-Day Sales Tax Payment Extension under the State's Executive Order and the California Department of Tax and Fee Administration (CDTFA) Small Business Relief Payment Plan, will impact the timing of receipts resulting in negative impact on the City's sales tax revenue in the near term. These programs are beneficial to businesses in providing them temporary financial relief during difficult times.

Staff believes that the revised projections are conservative taking into account all the relevant factors stated above.

- A decrease of \$2.7 million in Transient Occupancy Tax in FY 2020 and \$2.4 million in FY 2021. The adjustments reflect a 31% reduction to the adopted budget in FY 2020 and a 27% reduction in FY 2021. Similar to sales tax, hotel tax is expected to be significantly impacted in both fiscal years. Before the COVID-19 pandemic, some hotels were already experiencing/expecting decline in revenues due to lower business conferences in San Francisco, the relocation of Raiders and Golden State Warriors, and less airlines coming to Oakland. Similar to other hotels around the country, hotels in Emeryville experienced record low occupancy rates since March 2020. It may take the travel industry longer to return to normalcy.
- A decrease of \$1.6 million in Business License Tax in FY 2021 and no change to the FY 2020 budget. The City is expected to meet the FY 2020 budget target assuming the outstanding payments/renewals are received by June 30, 2020. FY 2021 projection reflects a 25% reduction to the adopted budget. FY 2021 business license tax revenues are calculated based on calendar year 2020 gross receipts. The COVID-19 pandemic will negatively impact businesses in 2020 especially between the period of March to September 2020. The adjustment reflects the projected decline in business activities.

Please note that the City recognizes that businesses are being impacted by the COVID-19 shelter in place orders. In addition to health issues, taxpayers may be experiencing severe financial hardships due to the virus and the shelter in place orders. The City is invoking an emergency policy to waive interest and penalties on late Business License Tax payments if the late return is due to the impacts of COVID-19. The waiver only applies to renewals that are currently outstanding and businesses need to pay by June 10, 2020. The foregoing interest and penalties are estimated at \$180,000 to \$200,000.

- A decrease of \$236,000 in Utility Users Tax in FY 2020 and \$229,000 in FY 2021 based on the projections provided by the City's consultant Avenu/MuniServices. Utility usage is expected to go down due to shelter in place as the City concentrates heavily on businesses. The increase in residential usage may not be able to offset the decrease in business usage.
- A decrease of \$864,000 in Card Room Tax in FY 2020 and \$1.5 million in FY 2021. FY 2020 adjustment reflects a 30% reduction to the adopted budget, and FY 2021 adjustment reflects a 50% reduction to the adopted budget. Due to social distancing requirements, cardroom activities are expected to be significantly impacted in both fiscal years.
- An increase of \$510,000 in Licenses and Permits in FY 2020 and \$184,000 in FY 2021 due to higher than expected development activities. It should be noted that a portion of the increase in both fiscal years is expected to be offset by increases in expenditures associated with cost recovery projects.

- An increase of \$86,000 in Property Tax in FY 2020 and \$61,000 in FY 2021 due to the increase in assessed value. Property tax revenues are not expected to be significantly impacted in both fiscal years as assessed value is determined in January each year. However, the supplemental property tax may be reduced due to lower new construction activities. Property tax may also be impacted due to delinquent payments and reassessment of property values. The residual tax increment and vehicle license fee in lieu described below are also derived from property tax.
- An increase of \$322,000 in Residual Tax Increment in FY 2020 and \$539,000 in FY 2021 primarily due to the denial of funding request for the Corporation Yard remediation project for the fiscal year 2020-21 ROPS (Recognized Obligation Payment Schedule) period. The funding request impacts the revenues for both fiscal years as a portion of the funding distribution is received in FY 2020. The allocation to the General Fund is 25% in FY 2020 and 50% in FY 2021.
- A decrease of \$261,000 in Franchise Fees in FY 2020 and \$264,000 in FY 2021. Franchise fees are consisted of cable franchise fees and fees from PG&E and Waste Management. The adjustments are related to the franchise fees from Waste Management. Due to shelter in place, many businesses suspended or reduced services and Waste Management projected a 10% to 40% reduction in revenue for cities. Due to the City's heavy concentration on businesses, a 35% reduction is projected between March to September 2020.
- An increase of \$67,000 in Vehicle License Fee In Lieu in FY 2020 and \$59,000 in FY 2021 due to the increase in assessed value.
- An increase of \$1.7 million in Real Property Transfer Tax in FY 2020 and a decrease of \$360,000 in FY 2021. The increase in FY 2020 is due to a \$2.1 million one-time transaction offset by a \$400,000 projected decrease in the current fiscal year. The sale of the Courtyard at 65<sup>th</sup> Street apartments generated more than \$2.1 million in revenues. Real estate transactions are expected to decline by 65% between March and September 2020. Due to the loss of revenue in FY 2020, the \$2.1 million one-time revenue is being proposed to be used to balance the current year budget.
- A decrease of \$1.1 million in Other Revenues in FY 2020 and \$113,000 in FY 2021. FY 2020 adjustment is mainly due to the deletion of \$837,000 in parking revenues, \$29,000 reduction in parking enforcement revenues, and \$433,000 reduction in recreation revenues due to shelter in place, offset by \$168,000 in projected overtime reimbursement for the Police Department associated with community special events. FY 2021 adjustment is mainly due to projected decreases in parking and recreation revenues of \$75,000 and \$241,000, offset by projected overtime reimbursement for the Police Department of \$170,000 and a \$33,000 DOJ grant that can be used to offset coronavirus related expenditures.

- An increase of \$3.0 million in Transfers In in FY 2020 and \$6.4 million in FY 2021. FY 2020 adjustment includes proposed transfers of \$549,000 from the Pension Reserve Fund and \$2.4 million from the Capital Project Fund. FY 2021 adjustment includes proposed transfers of \$824,000 from the Pension Reserve Fund, \$500,000 from the Worker's Compensation Fund, and \$5.0 million from the Capital Project Fund.

The \$2.4 million from the Capital Project Fund in FY 2020 represents the excess commercial property transfer tax revenue generated in the 2017-19 budget cycle. The \$5.0 million proposed transfer in FY 2021 includes \$700,000 in excess commercial property transfer tax generated in the 2017-19 budget cycle, \$3.0 million in commercial property transfer tax revenue generated in FY 2020, and \$1.3 million from the Fire Station Upgrade capital project. As discussed below, the revised budget proposes to cancel a portion of the prior project appropriation and use the funds to balance the General Fund budget. Policy discussion regarding the excess commercial property transfer tax policy is included below. The proposal is to suspend the policy for the 2017-19 and 2019-21 budget cycles and make funds available to help balance the General Fund budget.

**It should be noted that if the General Fund achieves savings and/or actual revenues are higher than projected, staff will only transfer up to the amounts needed to balance the budget. This will ensure that funds are preserved in the Pension Reserve, Worker's Compensation Fund, and Capital Project Fund for future costs and projects.**

#### General Fund – Proposed Expenditure Adjustments

Performance of the General Fund Expenditures - The table below presents the General Fund expenditures for the nine months ended March 31, 2020. Expenditures totaled \$29.9 million, or 67% of the \$44.7 million annual budget. Significant variances are discussed as part of the proposed budget adjustments below.



## General Fund Expenditures for the Period Ended March 31, 2020

Expenditures By Department	FY19-20 Budget (Forecast)	FY19-20 YTD Actual	Actual vs. Budget Variance	% of Budget (Forecast)	FY18-19 YTD Actual	FY18-19 vs. FY19-20 Variance	
City Council	\$ 203,600	\$ 142,093	\$ (61,507)	70%	\$ 147,741	\$ (5,648)	-4%
City Manager	450,900	310,700	(140,200)	69%	417,140	(106,440)	-26%
City Clerk	613,700	438,340	(175,360)	71%	399,168	39,173	10%
Public Information Office	-	-	-	n/a	31,288	(31,288)	-100%
City Attorney	619,600	384,558	(235,042)	62%	410,892	(26,334)	-6%
Information Technology	771,100	553,442	(217,658)	72%	543,175	10,267	2%
Finance	1,223,100	907,150	(315,950)	74%	781,107	126,042	16%
Human Resources	783,700	502,662	(281,038)	64%	525,525	(22,864)	-4%
Community Development Services	4,262,000	2,543,675	(1,718,325)	60%	2,874,532	(330,857)	-12%
Public Works	4,111,500	2,397,432	(1,714,068)	58%	2,297,041	100,391	4%
Non-Departmental Operations	5,161,736	3,253,629	(1,908,107)	63%	2,753,869	499,760	18%
Police	14,023,800	10,287,984	(3,735,816)	73%	9,656,156	631,828	7%
Fire	8,989,500	6,249,272	(2,740,228)	70%	5,770,346	478,926	8%
Community Services	3,530,000	1,990,478	(1,539,522)	56%	2,298,875	(308,397)	-13%
<b>Total</b>	<b>\$ 44,744,236</b>	<b>\$ 29,961,415</b>	<b>\$ (14,782,821)</b>	<b>67%</b>	<b>\$ 28,906,854</b>	<b>\$ 1,054,561</b>	<b>4%</b>

Expenditures By Type	FY19-20 Budget (Forecast)	FY19-20 YTD Actual	Actual vs. Budget Variance	% of Budget (Forecast)	FY18-19 YTD Actual	FY18-19 vs. FY19-20 Variance	
Staffing	\$ 23,484,700	\$ 17,514,209	\$ (5,970,491)	75%	\$ 16,743,957	\$ 770,252	5%
Contract Services	11,626,400	6,888,766	(4,737,634)	59%	6,997,351	(108,585)	-2%
Maintenance	2,909,300	1,938,657	(970,643)	67%	1,693,355	245,302	14%
Supplies	855,300	429,606	(425,694)	50%	499,529	(69,922)	-14%
Utilities	758,100	417,543	(340,557)	55%	414,606	2,937	1%
Insurance	833,000	742,334	(90,666)	89%	656,918	85,416	13%
Education & Training	354,500	171,098	(183,402)	48%	194,334	(23,236)	-12%
Advertising/Printing & Publication	106,900	63,281	(43,619)	59%	96,790	(33,509)	-35%
Fees & Charges	69,200	40,274	(28,926)	58%	16,156	24,117	149%
Programs & Grants	127,700	24,528	(103,172)	19%	71,188	(46,659)	-66%
Rental & Leases	450,700	87,103	(363,597)	19%	83,789	3,314	4%
Other	508,200	(78,202)	(586,402)	-15%	219,460	(297,662)	-136%
Capital	53,000	-	(53,000)	0%	-	-	n/a
Transfers Out	2,607,236	1,722,218	(885,019)	66%	1,219,422	502,796	41%
<b>Total</b>	<b>\$ 44,744,236</b>	<b>\$ 29,961,415</b>	<b>\$ (14,782,821)</b>	<b>67%</b>	<b>\$ 28,906,854</b>	<b>\$ 1,054,561</b>	<b>4%</b>

**General Fund Expenditure Adjustments** – The proposed General Fund expenditure adjustments are outlined below. Please note that the adjustments reflect salary and certain benefit increases resulted from the new labor agreements that are effective July 1, 2019. The adjustments also reflect savings from unfilled positions and lower than expected medical premiums. Unfunded pension liabilities are expected to be prepaid at the beginning of each fiscal year to achieve interest savings (approximately \$100,000 per year). These projected increases and savings were budgeted in Non-Departmental Operations in the adopted budget and are distributed to department budgets as part of the budget amendment.

To balance the General Fund budget, the revised budget proposes to freeze certain vacant positions as described below, cancel the transfers to the Pension Reserve Fund in FY 2020 and FY 2021, and cancel the transfer to the Litigation Fund in FY 2021.

Expenditures By Department	FY 19-20 Adopted Budget	FY 19-20 Proposed Adjustment	FY 19-20 Proposed Revised Budget	FY 20-21 Adopted Budget	FY 20-21 Proposed Adjustment	FY 20-21 Proposed Revised Budget
City Council	\$ 203,600	\$ (700)	\$ 202,900	\$ 208,900	\$ (1,200)	\$ 207,700
City Manager	450,900	3,300	454,200	432,900	7,000	439,900
City Clerk	613,700	14,400	628,100	686,500	26,600	713,100
City Attorney	619,600	22,900	642,500	631,900	31,000	662,900
Information Technology	771,100	11,000	782,100	782,900	29,300	812,200
Finance	1,223,100	22,600	1,245,700	1,253,600	10,900	1,264,500
Human Resources	783,700	23,500	807,200	809,300	20,500	829,800
Community Development Services	4,262,000	(14,000)	4,248,000	3,755,400	(1,300)	3,754,100
Public Works	4,111,500	(254,100)	3,857,400	4,206,400	348,100	4,554,500
COVID-19	-	57,380	57,380	-	-	-
Non-Departmental Operations	5,161,736	(523,096)	4,638,640	5,932,681	(1,363,500)	4,569,181
Police	14,023,800	48,500	14,072,300	14,430,400	241,900	14,672,300
Fire	8,989,500	(235,600)	8,753,900	9,523,500	(124,600)	9,398,900
Community Services	3,530,000	(426,860)	3,103,140	3,565,700	(112,390)	3,453,310
<b>Total Expenditures</b>	<b>\$ 44,744,236</b>	<b>\$ (1,250,776)</b>	<b>\$ 43,493,460</b>	<b>\$ 46,220,081</b>	<b>\$ (887,690)</b>	<b>\$ 45,332,391</b>

Expenditures By Type	FY 19-20 Adopted Budget	FY 19-20 Proposed Adjustment	FY 19-20 Proposed Revised Budget	FY 20-21 Adopted Budget	FY 20-21 Proposed Adjustment	FY 20-21 Proposed Revised Budget
Staffing	\$ 23,484,700	\$ (586,860)	\$ 22,897,840	\$ 24,181,700	\$ 39,740	\$ 24,221,440
Contract Services	11,626,400	102,600	11,729,000	11,480,400	323,200	11,803,600
Maintenance	2,909,300	(75,000)	2,834,300	3,044,400	(21,700)	3,022,700
Supplies	855,300	(68,120)	787,180	862,400	(95,440)	766,960
Utilities	758,100	-	758,100	777,400	191,200	968,600
Insurance	833,000	(87,100)	745,900	983,000	(85,400)	897,600
Education & Training	354,500	(4,000)	350,500	362,900	(1,940)	360,960
Advertising/Printing & Publication	106,900	(2,000)	104,900	107,400	850	108,250
Fees & Charges	69,200	60,000	129,200	69,400	60,000	129,400
Programs & Grants	127,700	3,000	130,700	103,000	-	103,000
Rental & Leases	450,700	(129,000)	321,700	464,500	(68,000)	396,500
Other	508,200	(175,800)	332,400	1,061,600	(689,100)	372,500
Capital	53,000	(53,000)	-	53,000	16,900	69,900
Transfers Out	2,607,236	(235,496)	2,371,740	2,668,981	(558,000)	2,110,981
<b>Total</b>	<b>\$ 44,744,236</b>	<b>\$ (1,250,776)</b>	<b>\$ 43,493,460</b>	<b>\$ 46,220,081</b>	<b>\$ (887,690)</b>	<b>\$ 45,332,391</b>

## Police

- The increase of \$49,000 in expenditures in FY 2020 is mainly due to the following:
  - Increase of \$579,00 in overtime costs associated with response to the COVID-19 pandemic; changes to staffing schedules were necessary to ensure the health and safety of the community and police officers and dispatchers. The projected increase is expected to cover overtime costs incurred from mid-March to June 30, 2020.
  - Increase of \$168,000 in overtime costs and the costs are expected to be reimbursed from businesses for community special events as described in the revenue adjustments section above.

- Increase of \$30,000 in vehicle operation expenditures due to higher than expected repair and maintenance costs.
  - Increase of \$60,000 in prisoner processing fees due to the closure of North County jail. The City now needs to use the Berkeley jail at a higher cost.
  - The Police Department achieved savings from unfilled positions and the prepayment of unfunded pension liability. After offsetting the increases in cost of living adjustment (COLA), the remaining savings were used to offset the increases in overtime and other operating expenditures.
  - The revised budget also reflects an additional \$50,000 allocation to the Supplement Law Enforcement Fund (grant funds) resulting in savings that can be used to offset operating expenditures.
- The increase of \$242,000 in expenditures in FY 2021 is mainly due to COLA increase and overtime increase of \$170,000, net of projected salary and benefit savings from positions and savings from the prepayment of unfunded pension liability. The increase in overtime is expected to be reimbursed as discussed above. The additional \$50,000 allocation to the Supplemental Law Enforcement Fund is also included in FY 2021.
- The revised budget proposes to freeze two Police Officer Trainee positions in FY 2021. The savings are estimated at \$141,000.

## **Fire**

- The decrease of \$236,000 in expenditures in FY 2020 is due to \$47,000 savings from the prepayment of unfunded pension liability and lower than expected fire contract cost. The updated estimate provided by the Alameda County Fire Department (ACFD) projects \$189,000 in savings.
- The decrease of \$125,000 in expenditures in FY 2021 is due to \$52,000 in projected savings from the prepayment of unfunded pension liability and lower than expected contract cost of \$73,000.

## **Public Works**

- The decrease of \$254,000 in expenditures in FY 2020 is mainly due to savings from the Parking Management Program of \$304,000 and from traffic light repair/maintenance of \$134,000. The savings were offset by increases in janitorial services of \$40,000 due to additional service locations and supplies and city engineering and on-call traffic engineering services of \$156,000.
- Besides COLA increase, the increase of \$348,000 in expenditures in FY 2021 is mainly due to the following:

- \$319,000 in operating expenditures for the Parking Management Program is budgeted based on the IPS contract approved by the City Council. The expenditures are offset by savings from the Parking Manager position described below.
  - \$40,000 for janitorial services and \$148,000 for engineering services offset by \$140,000 savings from traffic light repair/maintenance.
  - \$22,000 for street sweeper services and \$33,000 for telecommunication and professional service expenditures.
- The revised budget proposes to freeze the vacant Parking Manager position in FY 2021, and the savings are estimated at \$167,000.
- The revised budget proposes to reclassify the Environmental Programs Technician position to Environmental Programs Analyst effective FY 2020. The projected increase in staffing cost of \$7,000 for FY 2020 is covered by the General Fund and the increase of \$28,000 in FY 2021 is covered by the Measure D Fund.
- The revised budget proposes to reclassify the Deputy Director of Public Works position to Public Works Operation and Facility Manager, reflecting the position that is currently being filled. There is no cost impact to this reclassification.

## **COVID-19**

- The increase of \$57,000 in expenditures in FY 2020 is related to response to the COVID-19 pandemic. Expenditures other than staffing/overtime costs are recorded in this newly created division. For example, the City incurred costs for the purchase of emergency operating supplies.

## **Community Development**

- The decrease of \$14,000 in expenditures in FY 2020 and \$1,300 in FY 2021 is mainly due to savings from unfilled positions and unspent credit card processing fees, offset by increases in COLA and professional services associated with development projects. The increase in professional services is expected to be reimbursed by developers and corresponds to the increase in reimbursable revenues discussed above. The adjustments for professional services amount to \$163,000 in FY 2020 and \$213,000 in FY 2021.
- The revised budget proposes to freeze the vacant Planning Technician and Building Inspector positions in FY 2021. The savings are estimated at \$118,000 and \$150,000.

## **Community Services**

- The decrease of \$427,000 in expenditures in FY 2020 is mainly due to reductions in staffing and other operating expenditures such as after school and field trip expenses. Due to shelter in place, some community service programs were closed or service levels were adjusted starting in mid-March.
- The decrease of \$112,000 in expenditures in FY 2021 is mainly attributed to the shelter in place orders mentioned above. Impacts to programs are expected in the first quarter of FY 2021 as programs restart with social distancing restrictions.
- The FY 2021 adjustment reflects an increase in part-time staffing costs of \$8,000, offset by a reduction in other operating expenses (no net cost impact). These changes will help to improve operational efficiency.

## **Non-Departmental Operations**

- The decrease of \$523,000 in expenditures in FY 2020 is due to the following:
  - \$45,000 contribution to the PBID Fund due to the increase in General Benefit Contribution.
  - \$110,000 contribution to the Accrued Benefits Fund to cover higher than expected retirement payouts and lower than expected recovery from the General Fund and other funds due to unfilled positions.
  - The proposed transfers above are offset by a \$87,000 reduction to the insurance budget due to a prior year refund and a \$200,000 reduction to the other operating expenses budget due to the redistribution of COLA and pension savings to city department budgets.
  - Cancellation of a \$390,000 transfer to the Pension Reserve Fund to help balance the General Fund budget.
- The decrease of \$1.4 million in expenditures in FY 2021 is due to the following:
  - A \$85,000 reduction to the insurance budget and a \$720,000 reduction to the other operating expenses budget due to the redistribution of COLA and pension savings to city department budget.
  - Cancellation of a \$308,000 transfer to the Pension Reserve Fund to help balance the General Fund budget.
  - Cancellation of a \$250,000 transfer to the Litigation Fund to help balance the General Fund budget.

## **Administration**

(Includes City Council, City Manager, City Clerk, City Attorney, Information Technology, Finance, and Human Resources).

- The increase of \$97,000 in expenditures in FY 2020 is mainly due to adjustments for COLA. There are also reclassifications between expenditure accounts to reflect current operational needs.
- The increase of \$124,000 in expenditures in FY 2021 is mainly due to COLA increase, offset by savings from the frozen Office Assistant position described below.
- The revised budget proposes to freeze the vacant half time Office Assistant position for the Finance Department and the vacant half time Office Assistant position for the Human Resources Department in FY 2021. The savings are estimated at \$95,000.

The changes to General Fund positions for FY 2021 are summarized in the table below. The total savings are estimated at \$670,000. The updated staffing summary is also attached to this staff report.

#### General Fund Savings from Frozen Positions

Service	Program	2020-21 Projection
<b>Police</b>	Freeze two Police Officer Trainee positions	\$ (140,840)
<b>Public Works and Police</b>	Freeze a Parking Manager position	(167,300)
	Reclassify the Deputy Director of Public Works position to Public Works Operation & Facility Manager (no cost impact)	-
<b>Planning</b>	Freeze a Planning Technician position	(117,670)
<b>Building</b>	Freeze a Building Inspector position	(149,600)
<b>Community Services</b>	Increase part-time staffing costs (0.18 FTE)	8,000
	Reduce operating expenses (no net cost impact)	(8,000)
<b>Finance</b>	Freeze a half time Office Assistant II position	(47,450)
<b>Human Resources</b>	Freeze a half time Office Assistant II position	(47,450)
<b>Total Savings</b>		<b>\$ (670,310)</b>

#### Proposed Budget Adjustments to Other Funds

Proposed budget adjustments to other funds are described below.

Fund Description	Fiscal Year 2019-20			Fiscal Year 2020-21			Justification for Adjustments
	Revenue Increase / (Decrease)	Expenditure Increase / (Decrease)	Net Impact	Revenue Increase / (Decrease)	Expenditure Increase / (Decrease)	Net Impact	
Economic Development - Fund 202	\$ 64,400	\$ 86,792	\$ (22,392)	\$ 53,900	\$ -	\$ 53,900	Adjust tax increment revenue based on updated projection. Increase expenditure budget to account for funds rolling over for the Façade Program.
Environmental Programs - Fund 204	40,400	40,400	-	-	-	-	Adjust revenue and expenditure budget to account for one-time revenue from Waste Management.
Community Development Block Grant - Fund 205	4,700	4,700	-	4,700	4,700	-	Adjust revenue and expenditures due to additional funding.
Police Impound (State) - Fund 211		(20,786)	20,786		-	-	Delete operating supply budget and budget for the purchase of body worn cameras and maintenance cost.
Gas Tax - Fund 220	(60,300)	(22,000)	(38,300)	(46,100)	(22,000)	(24,100)	Reduce projected gas tax revenue from the State due to the shutdown of economic activities. Reduce operating expenditures based on projected activities.
Road Maintenance and Rehabilitation - Fund 221	(30,000)		(30,000)	(20,000)		(20,000)	Reduce projected SB1 revenue from the State due to the shutdown of economic activities.
General Plan Maintenance - Fund 225		(8,187)	8,187		(8,500)	8,500	Reclassify \$23K from professional services to the 40th-San Pablo Avenue Bus Hub Study project (see the capital projects section below); adjustment to staffing costs resulted in a net reduction to budget.
Child Development Center - Fund 230	(238,600)	(133,500)	(105,100)	(55,500)	(18,100)	(37,400)	Reduce revenue projection due to the shelter in place order. Reduce expenditure budget to reflect savings from staffing costs and credit card processing fees. The FY 2021 revenue projection is based on an enrollment number of 75.
Park Impact Fee - Fund 237		(1,700,000)	1,700,000		-	-	Cancel a portion of the prior appropriation for the Horton Landing Parking Expansion project due to lower than expected revenues accumulated for this project (see the capital projects section below).
Measure B Streets and Roads - Fund 240	(46,500)		(46,500)	(77,500)		(77,500)	Reduce revenue budget due to the shelter in place order as Measure B revenues are derived from sales tax revenues. Adjustments reflect a 15% reduction in FY 2020 and a 25% reduction in FY 2021 based on the information provided by the ACTC.
Measure BB Streets and Roads - Fund 242	(43,500)		(43,500)	(72,500)		(72,500)	Reduce revenue budget due to the shelter in place order as Measure BB revenues are derived from sales tax revenues. Adjustments reflect a 15% reduction in FY 2020 and a 25% reduction in FY 2021 based on the information provided by the ACTC.
Public Art - Fund 243	32,300		32,300	26,900		26,900	Adjust tax increment revenue based on updated projection.
Supplemental Law Enforcement - Fund 252		50,000	(50,000)		50,000	(50,000)	Increase staffing allocation to the grant fund due to available fund balance.
Grants - Fund 254	7,610	-	7,610	-	32,700	(32,700)	Transfer of \$7K from the General Capital Fund to close out the Safe Route to School project. FY 2021 expenditure is for the purchase of body worn cameras using JAG grants.
Measure B Paratransit - Fund 261	(4,500)		(4,500)	(7,400)		(7,400)	Reduce revenue budget due to the shelter in place order as Measure B revenues are derived from sales tax revenues. Adjustments reflect a 15% reduction in FY 2020 and a 25% reduction in FY 2021 based on the information provided by the ACTC.
Measure B Bicycles and Pedestrians - Fund 262	(5,300)		(5,300)	(8,900)		(8,900)	Reduce revenue budget due to the shelter in place order as Measure B revenues are derived from sales tax revenues. Adjustments reflect a 15% reduction in FY 2020 and a 25% reduction in FY 2021 based on the information provided by the ACTC.
Measure BB Paratransit - Fund 263	(4,600)		(4,600)	(7,700)		(7,700)	Reduce revenue budget due to the shelter in place order as Measure BB revenues are derived from sales tax revenues. Adjustments reflect a 15% reduction in FY 2020 and a 25% reduction in FY 2021 based on the information provided by the ACTC.
Measure BB Bicycles and Pedestrians - Fund 264	(4,400)		(4,400)	(7,300)		(7,300)	Reduce revenue budget due to the shelter in place order as Measure BB revenues are derived from sales tax revenues. Adjustments reflect a 15% reduction in FY 2020 and a 25% reduction in FY 2021 based on the information provided by the ACTC.

Measure D - Fund 266		-	-		28,000	(28,000)	Reclassify the Environmental Programs Technician position to Environmental Programs Analyst; FY 2020 increase in staffing cost is covered by the General Fund and FY 2021 increase is covered by the Measure D Fund.
Community Development Technology - Fund 268		13,000	(13,000)		33,100	(33,100)	Adjust budget to reflect the purchase of Adobe software for Community Development and credit card fees for online payments.
Litigation - Fund 270	-		-	(250,000)		(250,000)	Cancel transfer from the General Fund to help balance the FY 2021 budget.
MESA - Fund 295	(1,364,900)	(1,364,900)	-	(736,600)	(736,600)	-	Adjust revenue and expenditure budget for the Management of Emeryville Services Authority (MESA) Fund; this fund records staffing costs for MESA employees; reductions are resulted from unfilled positions and benefit savings.
Affordable Housing - Fund 299	257,900	(157,800)	415,700	215,500	500	215,000	Adjust tax increment revenue based on updated projection. Reduction in expenditure is primarily due to the unfilled Coordinator position for the Housing Bond Program.
General Capital Fund - Fund 475	3,812,400	2,731,512	1,080,888	242,400	5,059,158	(4,816,758)	FY 2020 revenue adjustment reflects projected increases in tax increment revenue of \$612K and in commercial property transfer tax revenue of \$3.2M due to a few large transactions. FY 2021 revenue adjustment reflects an increase in tax increment revenue of \$242K. FY 2020 expenditure adjustment reflects a \$7K transfer to the Grants Fund to close out the Safe Route to School project, a \$2.4M transfer to the General Fund, and a \$1.7M appropriation for the Hortan Landing Park project, offset by \$1.3M cancellation of appropriation for the Fire Station Upgrade project and 46K in staffing savings. The \$2.4M represents excess commercial property transfer tax revenue generated in the 2017-19 budget cycle. The FY 2021 expenditure adjustment reflects COLA increase, a \$700K transfer to the General Fund using excess commercial property transfer tax revenue generated from the 2017-19 budget cycle, a \$3M transfer to the General Fund using commercial property transfer tax revenue generated in FY 2020, and a \$1.3M transfer to the General Fund using funds from the Fire Station Upgrade project. The proposed transfers to the General Fund will help to balance the 2019-21 budget.
Marina - Fund 495	(87,900)	(14,700)	(73,200)	(87,900)	700	(88,600)	Reduce rent revenue to reflect impact from shelter in place order. Adjust staffing costs.
Sewer Operations - Fund 510		(19,700)	19,700		600	(600)	Adjust staffing costs.
Sewer Connection Fee - Fund 513		300,000	(300,000)		300,000	(300,000)	Transfers to the Sewer Capital Improvements Fund to support capital projects.
Worker's Compensation - Fund 600		(109,000)	109,000		500,000	(500,000)	Reduce FY 2020 expenditure budget based on current expenditure trends. Transfer excess funds to the General Fund to balance the FY 2021 budget; excess funds are resulted from positive claim experience.
Major Maintenance - Fund 650		-	-		-	-	Transfer \$150K from the Major Maintenance project to fund facility operations maintenance in each fiscal year. The net impact is zero due to transfers incurring within the same fund. See the capital projects section below for details.
Accrued Benefits - Fund 700	110,000	81,000	29,000	-	-	-	Contribution from the General Fund to cover higher than expected retirement payouts and lower than expected recovery from other funds. Expenditure is adjusted to reflect the higher payout.
PERS Liability Reserve - Fund 715	(390,000)	548,990	(938,990)	(308,000)	824,381	(1,132,381)	Cancel transfers from the General Fund and transfer funds to the General Fund to help balance the 2019-21 budget.
Property Based Improvement District - Fund 805	489,800	395,100	94,700	458,630	-	458,630	Adjust revenue budget due to projected increase in assessment. Adjust expenditure budget based on the compensation approved by the City Council for the 2020 service year.
<b>Total</b>	<b>\$ 2,539,010</b>	<b>\$ 700,921</b>	<b>\$ 1,838,089</b>	<b>\$ (683,370)</b>	<b>\$ 6,048,639</b>	<b>\$ (6,732,009)</b>	



## Proposed Budget Adjustments to Capital Projects

Appropriations for capital projects must be budgeted at the project level, and the proposed adjustments are presented below and included in other funds above.

Project #	Description	FY 2019-20 Adopted Budget	FY 2019-20 Proposed Adjustment	FY 2019-20 Proposed Revised Budget	FY 2020-21 Adopted Budget	FY 2020-21 Proposed Adjustment	FY 2020-21 Proposed Revised Budget	Justification for Adjustments
<b>General Plan Maintenance - Fund 225</b>								
17225017	40th-San Pablo Transit Hub and 40th Street Feasibility Study	253,654	22,613	276,267	-	-	-	Increase CIP project funding per increase in CD+A contract. The contract amendment was approved by the City Council on November 19, 2019.
	<b>Total</b>	<b>253,654</b>	<b>22,613</b>	<b>276,267</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Park Impact Fee - Fund 237</b>								
17237003	Horton Landing Park Expansion	-	(1,700,000)	(1,700,000)	-	-	-	Cancel a portion of prior appropriation as actual revenues received are not sufficient to cover project costs. Replace funding with funds in the General Capital Fund (see explanation below).
	<b>Total</b>	<b>-</b>	<b>(1,700,000)</b>	<b>(1,700,000)</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>General Capital Fund - Fund 475</b>								
17237003	Horton Landing Park Expansion	-	1,700,000	1,700,000	-	-	-	Use 2017-19 budget cycle excess commercial property transfer tax revenue to cover a portion of the project cost.
16475004	Hollis Street Fire Station/EOC Upgrade (Station 35)	-	(1,355,158)	(1,355,158)	-	-	-	Cancel a portion of prior appropriation and use the funds to help balance the General Fund budget in FY 2021.
	<b>Total</b>	<b>-</b>	<b>344,842</b>	<b>344,842</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Major Maintenance - Fund 650</b>								
15650008	General Major Maintenance Program	250,000	(150,000)	100,000	250,000	(150,000)	100,000	Reduce budget to make funds available for facility operations maintenance contracts.
	<b>Total</b>	<b>250,000</b>	<b>(150,000)</b>	<b>100,000</b>	<b>250,000</b>	<b>(150,000)</b>	<b>100,000</b>	

## Proposed Suspension to the Excess Commercial Property Transfer Tax Policy for the 2017-19 and 2019-21 Budget Cycles

On June 19, 2018, the City Council adopted the Commercial Property Transfer Tax Policy. The purpose of this policy is to provide guidance for the allocation of commercial property transfer tax revenue to ensure proper funding for capital projects, pension obligations, and other important city projects. Commercial property transfer tax revenues are recorded in the General Capital Fund. The policy is effective for the 2017-19 budget cycle. The policy states the following:

*In a two-year budget cycle, if the commercial property transfer tax revenue exceeds the budget, including budget adjustments made during that budget cycle, 50% of the excess funds shall be allocated either toward the annual contribution payments of the City's pension costs or to the Pension Reserve/Trust,*

*and the remaining 50% shall be allocated to any one-time expenditures based on City Council direction.*

*The Finance Department shall calculate the excess funds after the City's annual audit and Comprehensive Annual Financial Report have been published. Before funding pension costs and other one-time expenditures, the Finance Department shall review the fund balance in the Capital Project Fund to ensure resources are available to fund capital projects. In some budget cycles, actual revenues may be lower than budgeted revenues resulting in a funding deficiency. Allocations shall be adjusted accordingly before submitting budget adjustments/projects to City Council for consideration.*

Due to the COVID-19 pandemic, the City is projecting significant losses in General Fund revenues in the 2019-21 budget cycle. Staff recommends suspending the policy for the 2017-19 and 2019-21 budget cycles and using a portion of the available funds to balance the General Fund budget. As summarized below, the Capital Project Fund generated \$4.8 million in excess revenues in the 2017-19 budget cycle.

**2017-19 Budget Cycle Excess Commercial  
Property Transfer Tax Calculation**

<b>Budgeted Revenue</b>	
Fiscal year 2017-18	1,000,000
Fiscal year 2018-19	1,000,000
<b>Total</b>	<b>2,000,000</b>
<b>Actual Revenue</b>	
Fiscal year 2017-18	3,574,358
Fiscal year 2018-19	3,277,578
<b>Total</b>	<b>6,851,936</b>
<b>Excess Revenue</b>	<b>4,851,936</b>

As described in the adjustments to the capital projects section above, staff is proposing to use \$1.7 million to fund the Horton Landing Parking project due to insufficient revenues accumulated in the Park Impact Fee Fund. As discussed in the other funds adjustments section above, FY 2020 commercial transfer tax revenue is projected at \$4.2 million, an increase of \$3.2 million from the \$1.0 million adopted budget. The proposed contributions to the General Fund and funding for the Horton Landing Project are presented below.

In addition to using commercial property transfer tax revenue to support General Fund operations, staff is also proposing to cancel a portion of the prior appropriation for the Fire Station Upgrade project and use \$1.3 million to balance the General Fund budget. The

proposed contributions from the Capital Project Fund to the General Fund amount to \$2.4 million in FY 2020 and \$5.1 million in FY 2021.

<b>Funding Source</b>	<b>FY 2019-20</b>	<b>FY 2020-21</b>
<b>Contributions to the General Fund</b>		
2017-19 commercial property transfer tax	2,425,960	700,000
2019-21 commercial property transfer tax		3,000,000
Fire Station Upgrade project - cancellation of prior appropriation		1,355,158
<b>Total General Fund</b>	<b>2,425,960</b>	<b>5,055,158</b>
<b>Funding for the Horton Landing Park Project</b>		
2017-19 commercial property transfer tax	1,700,000	
<b>Total Horton Landing Park</b>	<b>1,700,000</b>	<b>-</b>
<b>Total - All Contributions</b>	<b>4,125,960</b>	<b>5,055,158</b>

## **Establishment of a Section 115 OPEB (Other Post-Employment Benefits) Trust**

### Background

As part of the 2019-21 budget development, the Budget and Governance Committee and the Budget Advisory Committee recommended evaluating the City's OPEB funding strategies. Subsequent to budget adoption, the Budget and Governance Committee held meetings to discuss the City's OPEB liabilities and funding strategies.

As part of a comprehensive benefit program, the City provides post-employment benefits to employees who retire from the City. These benefits include medical, dental, and vision benefits. The benefit coverages are determined through the memorandums of understanding with employee bargaining groups. Employees must meet certain requirements in order to receive the benefits. For example, Miscellaneous employees must retire from the City with more than 11 years of service to be eligible for the benefits. In addition, caps are set for benefit amounts.

In July 2012, the City contracted out fire services with the Alameda County Fire Department (ACFD). The City's firefighters were transferred to the ACFD, and a side fund liability was created for these employees for prior service credits.

Nothing in the budget strategies discussed in this report proposes to make any changes to the existing OPEB funding held by the City.

### Summary of OPEB Assets and Liabilities

Description	Amount	Notes
<b>Liabilities</b>		
OPEB Liability - City	8,345,958	
OPEB Liability - ACFD	3,221,000	Net of \$504,000 assets held in the County's OPEB trust as of 9/30/2019
<b>Total Liabilities</b>	<b>11,566,958</b>	
<b>Assets</b>		
VEBA Trust	2,376,441	
Reserve Fund	7,150,462	Asset balances as of 9/30/2019
<b>Total Assets</b>	<b>9,526,903</b>	
<b>Funding Gap</b>	<b>2,040,055</b>	
<b>Funded Status</b>	<b>82%</b>	

### Budget and Governance Committee Recommendation

At the February 13, 2020 meeting, the Budget and Governance Committee recommended establishing a \$3 million trust with PARS to reduce the City's OPEB liability and achieve higher investment returns over the long run. The Committee requested staff to provide information to the Council regarding the PARS OPEB program and seek direction from the City Council regarding the establishment of a trust account.

Due to economic uncertainty and volatility in the stock market, staff recommends establishing the trust at a later time. When the economy is back to normal, staff will recommend that the City Council authorize the Budget and Governance Committee and the Budget Advisory Committee to work with PARS/HighMark to review the investment strategies and recommend a suitable strategy for the City's OPEB trust. Staff will present the Joint Committee's recommendation to the Council.

### **Forward-Looking Statements**

The 2019-21 General Fund revenue and expenditure projections are based on the most likely scenarios and include assumptions such as the resumption of business activities. These assumptions may change depending on the development of the COVID-19 pandemic, and thus may impact the projections. Staff will monitor the situation closely and propose modifications if necessary. Staff will provide updates to the City Council on a quarterly basis. Absent special adjustments, the FY 2021 budget will be updated based on more current economic data as part of the mid-year budget review

The projection for the City's 0.25% transactions and use tax will also be included in the mid-year revision. This district tax is effective July 1, 2020 and the City should have the first quarter sales tax remittance information by December 2020, as the remittances from the State has an approximate two month time lag.

The City is incurring overtime costs and other operating costs in response to the COVID-19 pandemic. Some of these costs may be eligible for FEMA and/or State reimbursements. A \$33,000 DOJ grant is included in the FY 2021 budget which can be used to cover costs incurred by the Police Department. The City has set up a grant account with the California Governor's Office of Emergency Services (Cal OES) to identify funding opportunities from FEMA and the State. Staff is also monitoring actions at the federal and state levels to identify potential financial assistance programs for local governments.

Over the years the City Council has made prudent fiscal decisions, and these sound financial decisions have helped the City generated resources that can be used to bridge the budget gap today without reducing services and programs. As the City transitions into a new fiscal year, more challenges may be ahead if the pandemic is not contained. Should that be the case, staff will work with the City Council to develop other budget balancing strategies to control costs in order to support core services and programs.

The pandemic has caused volatility in the stock market resulting in investment loss/reduction in investment returns. CalPERS is projecting a negative return in FY 2020 and this means likely increases in unfunded liability and pension contributions in future years. The pandemic may also increase medical costs leading to increases in medical premiums and worker's compensation costs.

To ensure long-term fiscal sustainability, including the ability to weather unexpected challenges, the City should continue to focus on prudent spending, promote the use of best practices, maintain adequate fund balances and reserves, and actively seek new revenue opportunities. The City should also continue to take proactive measures to fund its pension and OPEB obligations. Funding these liabilities will help the City to stabilize costs and sustain vital services and programs.

## **REVIEW BY CITIZENS COMMITTEES**

The 2019-21 Proposed Revised Budget was presented to the Budget and Governance Committee on May 12<sup>th</sup> and to the Budget Advisory Committee on May 14<sup>th</sup>. Staff presented the Committees' recommendations to the City Council on May 19<sup>th</sup> during the Budget Study Session.

## **FISCAL IMPACT**

- The FY 2020 General Fund expenditure budget will decrease by \$1.2 million, amending the adopted budget from \$44.7 million to \$43.5 million.
- The FY 2021 General Fund expenditure budget will decrease by \$888,000, amending the adopted budget from \$46.2 million to \$45.3 million.

- All Other Funds budgets for FY 2020 will increase revenues by \$2.5 million and increase expenditures by \$701,000.
- All Other Funds budgets for FY 2021 will decrease revenues by \$683,000 and increase expenditures by \$6.0 million.

**PREPARED BY:** Susan Hsieh, Finance Director

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Christine Daniel, City Manager

**ATTACHMENTS**

- Draft Resolution
- Appendix A - FY 19-21 Proposed Budget Adjustments to the General Fund
- Appendix B - FY 19-21 Proposed Budget Adjustments to Other Funds
- Appendix C - FY 19-21 Proposed Budget Adjustments to Capital Projects
- FY 19-21 Revised Staffing Summary