

CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Wednesday, October 21, 2020

5:00 PM

Remote Participation

Council Budget and Finance Committee

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, the Task Force will be participating in public meetings via phone/video conferencing.

Please note that we are now using the Zoom Webinar platform to conduct meetings and receive live public comment.

How to submit written Public Comment:

Send an email to Crissy.Mello@hayward-ca.gov by 2:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the Council Budget and Finance Committee and City staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. <https://hayward.legistar.com/Calendar.aspx>

When submitting written comments, indicate in the email if you want your comment read into the record. Requests will be allowed provided the reading will not exceed three (3) minutes consistent with the time limit for speakers at Council Committee meetings. Email comments will become part of the record of Council Committee meetings. The Chair can limit the time for reading written comments.

Click this link below to join the webinar: <https://hayward.zoom.us/j/93464868168?pwd=U09namkrYU5RcmhtZF14Qy9lN1dSZz09>

or

Or Dial: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 934 6486 8168

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS:

Limited Only to Items on the Agenda and Submitted in Writing Prior to the Meeting.

APPROVAL OF MINUTES

1. [MIN 20-105](#) Review and Approve the Council Budget and Finance Committee Meeting Minutes from September 16, 2020

Attachments: [Attachment I Minutes](#)

REPORTS/ACTION ITEMS

2. [RPT 20-111](#) Review and Comment on the Actuarial Valuation of the City's Other Post-Employment Benefit (OPEB) Program as of June 30, 2019

Attachments: [Attachment I Staff Report](#)

3. [ACT 20-068](#) Cannabis Revenue/Unfunded Liability Referral

Attachments: [Attachment I Referral Memorandum](#)

4. [ACT 20-067](#) Review and Comment on the Proposed FY 2021 Agenda Planning Calendar

Attachments: [Attachment I Agenda Planning Calendar](#)

COMMITTEE MEMBER/STAFF ANNOUNCEMENTS

ADJOURNMENT

Next Meeting - 5:00 p.m. Wednesday, November 18, 2020

The City of Hayward's Open Data Portal was designed to allow the public to explore, visualize, and download publicly accessible data. The Open Data Portal allows a clear view of the City's financial performance. Access to the portal may be found at <https://haywardca.opengov.com/>



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File #: MIN 20-105

DATE: October 21, 2020

TO: Council Budget and Finance Committee

FROM: Director of Finance

SUBJECT

Review and Approve the Council Budget and Finance Committee Meeting Minutes from September 16, 2020

RECOMMENDATION

That the Council Budget and Finance Committee reviews and approves the September 16, 2020 Council Budget Committee meeting minutes.

SUMMARY

The Council Budget Committee (CBFC) held a meeting on September 16, 2020, and the draft minutes are attached for the Committee's review and approval.

ATTACHMENTS

Attachment I 09/16/20 CBFC Meeting Minutes



COUNCIL BUDGET & FINANCE COMMITTEE MEETING
Meeting Minutes of September 16, 2020

Call to Order: 5:00 p.m.

Members Present: Mayor Barbara Halliday, Councilmember Sarah Lamnin and Councilmember Aisha Wahab

Staff: Kelly McAdoo, Maria Hurtado, Dustin Claussen, Nicole Gonzales, Nick Mullins, Rick Rivera

Guests: Whitney Crockett, Vikki Rodriguez with Maze and Associates

Public Comments: None

1. Approval of Meeting Minutes from July 29, 2020

Action: A motion was made by Mayor Halliday to approve the minutes of the July 29, 2020 Council Budget and Finance Committee (CBFC) meeting. Motion seconded by Councilmember Wahab. Unanimous approval as submitted.

2. FY 2020 Annual Audit Process

- Vikki Rodriguez, Maze Associates presented the FY 2020 Annual Audit Process and discussed the scope of the audit. She answered Committee questions, and there was discussion on fraudulent activities and concerns. Additional discussion was made of the audit process and what auditors review such as testing/sampling, etc.

Action: Committee received the presentation.

3. Overview of Participatory Budgeting Principles and Examples

- Director Claussen presented overview of participatory budgeting principles.
- A review of regional agencies who have implemented participatory budgeting was presented.

- There was also discussion of areas where the City of Hayward has implemented participatory budgeting in some way or another.
- Councilmember Wahab explained that roughly \$1 million included in Community Services Commission (CSC) is a participatory budget process. She expressed expanding a survey to the CSC and the public to help prioritize service needs. She added that she would like to review the open end/text survey questions.
- Councilmember Wahab did not generally see a need to change or expand the current process, but perhaps hold a budget work session specifically to the police budget. In addition, a postcard should be included in regular mailings.
- Councilmember Lamnin confirmed that there is a participatory budgeting process in CSC and agreed that we should have a more granular discussion on police budgeting. She suggested adding the referenced item to the CBFC November 18, 2020 meeting. She then shared Next 10 as a way to expand participatory budgeting process.
- Mayor Halliday recommended incorporating the survey or participatory budgeting process during the “City Hall to You” program events.
- All Committee members agreed that there was no need for a new program; however, ways to expand with a specific amount of funding should be researched.

Action: Committee received the presentation.

4. Review of FY 2021 Agenda Planning Calendar

- Councilmember Wahab requested a FY 21 first quarter financial outlook and felt comfortable cancelling the November 18, 2020 meeting.
- Councilmember Lamnin asked that granular detail around police budget be added to the November 18, 2020 meeting.
- No other feedback was provided.

Action: The Committee received the report, and staff will integrate Committee feedback into Participatory Budgeting and present at a later date.

Committee Members/Staff Announcements: None.

Adjournment: The meeting was adjourned at 6:13 p.m.



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File #: RPT 20-111

DATE: October 21, 2020

TO: Council Budget and Finance Committee

FROM: Director of Finance

SUBJECT

Review and Comment on the Actuarial Valuation of the City's Other Post-Employment Benefit (OPEB) Program as of June 30, 2019

RECOMMENDATION

That the Council Budget and Finance Committee reviews and comments on the Actuarial Valuation of OPEB as of June 30, 2019.

SUMMARY

The City of Hayward actively manages its benefit liabilities and completes actuarial valuations for many of its long-term benefit liabilities, including the City's Other Post-Employment Benefit (OPEB), also known as the retiree medical benefit. This report provides an update to the latest actuarial valuation of OPEB as of June 30, 2019.

ATTACHMENTS

Attachment I Staff Report



DATE: October 21, 2020

TO: Council Budget & Finance Committee Members

FROM: Director of Finance

SUBJECT: Review and Comment on the Actuarial Valuation of the City's Other Post-Employment Benefit (OPEB) Program as of June 30, 2019

RECOMMENDATION

That the Council Budget and Finance Committee reviews and comments on the Actuarial Valuation of OPEB as of June 30, 2019.

SUMMARY

The City of Hayward actively manages its benefit liabilities and completes actuarial valuations for many of its long-term benefit liabilities, including the City's Other Post-Employment Benefit (OPEB), also known as the retiree medical benefit. This report provides an update to the latest actuarial valuation of OPEB as of June 30, 2019.

BACKGROUND

The City of Hayward, like all cities and municipal agencies, manages unfunded benefit liabilities as part of its financial forecast. In 2013, staff began providing the Council Budget & Finance Committee and the City Council with an annual review of the City's benefit liabilities and funding plan for unfunded liabilities. The City's OPEB actuarial valuation is completed every two years. The last actuarial valuation of OPEB was completed in July 2018 (as of June 30, 2017), and has been included in the annual review of the City's benefit liabilities and funding. The latest actuarial valuation for OPEB was completed in July 2019 (as of June 30, 2019).

Over the last several fiscal years, the City has made meaningful additional contributions towards the City's OPEB Annual Required Contribution (ARC). While the City was unable to commit to the fully intended additional contribution in FY 2021 due to fiscal constraints related to the pandemic, the City is committed to returning to the established funding plan as soon as feasible. During the FY 2021 mid-year review, the City intends to review its financial position and make a recommendation for Council's consideration on the possibility of making additional contributions to the OPEB ARC in FY 2021. This recommendation will be based on a projected improvement on the City's financial position through the end of the current fiscal year.

DISCUSSION

The City actively manages its benefit liabilities and completes actuarial valuations for benefit liabilities. These valuations consider the economic, demographic, and historical compositions of the benefit programs and establish amounts that the City should set aside each year to fund its benefit-related financial obligations. It is critical that the City continue to manage and address its benefit liabilities to ensure long-term fiscal stability. Actuarial valuations identify the ARC, which is essentially the minimum funding amount that should be responsibly made by any organization.

This report provides an update to the City's current OPEB obligations and liabilities. The current annual required contribution (ARC) was determined as part of a recent actuarial valuation report that was completed in July 2020 (as of June 30, 2019) by MacLeod Watts, the City's OPEB Actuary. This valuation analysis considers benefits that are expected to be earned in the future as well as those already accrued and is required by the Governmental Accounting Standards Board (GASB) to be completed every two years.

The retiree medical benefit represents the second largest benefit liability and is the most significantly underfunded of the City's benefit liabilities. Table 1 below provides a summary of City's actuarial valuation of OPEB in 2017 compared to its current 2019 actuarial valuation report.

TABLE 1: ACTUARIAL VALUATION COMPARISON

OPEB (RETIREE MEDICAL) ACTUARIAL VALUATION <i>(in millions)</i>							
6/30/2017				6/30/2019			
Accrued Liability	Value of Assets	Unfunded Accrued Liability	Funded Ratio	Accrued Liability	Value of Assets	Unfunded Accrued Liability	Funded Ratio
\$ 69.09	\$ 4.15	\$ 64.90	6.0%	\$ 77.80	\$ 8.30	\$ 69.50	10.7%

While this benefit liability is the most underfunded, the City's funding ratio has increased by almost 5 percent from the 2017 actuarial valuation compared to the most recent 2019 actuarial valuation. This is primarily attributed to the established funding plan and commitment by Council to make meaningful additional contributions towards fully funding the City's ARC.

The City's OPEB unfunded actuarial accrued liability is amortized as a level percentage of projected payroll using a closed thirty-year amortization period that has twenty years remaining as of the latest valuation date. Pursuant to the valuation, if the City fully funded the ARC, the City would pay for current costs and fund the future liability by the end of the amortization period. Since FY 2017, the City had a phased-in approach to fully funding the ARC by FY 2022. The phase-in allowed the City to budget and make additional voluntary contributions toward the City's ARC. Unfortunately, in FY 2021, the City had to significantly reduce its intended additional contribution due to the fiscal impacts related to the pandemic. While the City did not budget for the fully intended additional contribution, the City is committed to reviewing its financial position during the FY 2021 mid-year process. Should the

City's projected fiscal position improve, staff will present Council with a recommendation to consider an increase to the voluntary additional contribution toward the City's ARC, with the intention to fully fund the ARC by FY 2022.

As of June 30, 2019, approximately 706 retirees were eligible and were receiving retiree health care benefits, an increase of 2.8% over the 2017 actuarial valuation. There are approximately 821 active employees that may be eligible to receive health care benefits upon retirement, an increase of 1.9% over the 2017 actuarial valuation. This group of employees represents the number of eligible, current employees and it is the City's current maximum exposure; it does not necessarily mean all of these employees will either retire with the City or ultimately meet the requirements for receiving this benefit.

Table 2 provides a summary of the number of covered employees by group within the City's OPEB program in 2017 compared to the latest 2019 actuarial valuation.

TABLE 2: COMPARISON OF NUMBER OF COVERED EMPLOYEE BY GROUP

GROUP	6/30/2017			6/30/2019		
	Actives	Retiree	Total	Actives	Retiree	Total
Clerical	190	116	306	208	94	302
Confidential	4	7	11	5	5	10
Elected	5	3	8	5	2	7
Fire	92	147	239	101	150	251
Fire Management				0	2	2
Maintenance	116	67	183	115	73	188
Management	83	72	155	81	78	159
Police	170	191	361	149	208	357
Professional & Tech	95	60	155	101	67	168
Unrepresented	51	24	75	56	27	83
TOTAL	806	687	1493	821	706	1527

NEXT STEPS

Staff will continue to actively manage OPEB benefit liabilities, and present Council with an update to the City's financial position to consider additional contributions towards the OPEB ARC during FY 2021.

Prepared by: Nicole Gonzales, Deputy Director of Finance

Recommended by: Dustin Claussen, Director of Finance

Approved by:



Kelly McAdoo, City Manager



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File #: ACT 20-068

DATE: October 21, 2020

TO: Council Budget and Finance Committee

FROM: Director of Finance

SUBJECT

Cannabis Revenue/Unfunded Liability Referral

RECOMMENDATION

That the Council Budget and Finance Committee reviews and considers a recommendation to Council on the attached referral from Councilmember Wahab.

SUMMARY

Councilmember Wahab has requested that the City Council review a possible policy regarding use of Cannabis revenues for specific purposes, including the City's unfunded pension and OPEB liabilities. Since the Committee is considering the City's updated actuarial report on OPEB liabilities at this meeting, this referral is being included in the packet for Committee consideration.

ATTACHMENTS

Attachment I Referral Memorandum

COUNCIL REFERRAL MEMORANDUM



To: Mayor and City Council of Hayward

Date: 10/13/20 Council

From: Member Aisha Wahab

Referral: **Item for Discussion Regarding the Prioritization of Staff & City Services by Funding Hayward's Debt & Invest in Economic Development Through Cannabis Tax Revenue**

The City of Hayward's (COH) economy and services have been negatively impacted due to the Coronavirus or COVID-19. City services are performed by hardworking Hayward employees (*police officers, firefighters, maintenance workers, clerical staff, engineers, and many others*). City staff have made serious concessions (*furloughs, foregoing the Cost of Living Adjustments (COLAs), hiring freezes, reductions to services and supplies, layoffs, and more*) with the potential to make further concessions. In order to avoid further cuts to staff or services the City of Hayward must prioritize paying down debt. The particular debt that must be prioritized is the considerable growth in employee benefit costs, particularly pension and post-employment healthcare costs, while addressing staffing to manage increasing workloads and emerging needs in our community. The opportunity presents itself through the revenue generated from the Cannabis Tax, currently in its infancy as the City has only 1 retail business open in Downtown Hayward. Before this revenue is utilized for any other need, the City can prioritize the longstanding debt as a way to finally get ahead for good.

In an effort to avoid another tax to the residents of Hayward, and to fulfill a contractual promise made to each employee who has worked hard to serve the city, we must prioritize paying off the City's debt.

Referral Request:

It is recommended that the City of Hayward consider the following (not limited to):

Prioritize the Revenue Generated by the 7% Cannabis Tax (max 15%) to Pay Down City Debt & Invest In Economic Development

- 1% of the tax is already allocated for the Community Engagement Fund
- The remaining 6% tax (*can fluctuate as the Ballot Measure describes - 15% max*) will be prioritized as follows:
 - **A minimum of 1/3 of the funds generated by the Cannabis tax should be directed to the unfunded liabilities/OPEB.**
 - A maximum of up to 70% of revenue generated, if possible (*if General Fund Reserve is at the required level*)
 - **A minimum of 1/3 of the funds generated by the Cannabis tax should be directed to the General Reserve.**
 - If the General Fund Reserve is at the required policy level (20% today) of the General Funds, 1% will still be added to the General Reserve Fund.
 - The remainder should have the consideration between paying down the debt further and investing in the City's Economic Development efforts (*staff, marketing, events, investment in projects, one-time loans to new businesses, etc. – the focus must be to improve the City of Hayward's economy*)
 - *This needs to be measurable for all of Hayward, not just Downtown Hayward*
 - **The remaining balance (1/3) of the funds generated by the Cannabis tax may be directed per Council discretion.**

Debt Consideration: Retirement Annual Cost (annual cost: \$40.9 million), Workers' Compensation (annual cost: \$8.7 million), Retiree Medical – OPEB (annual cost: \$3.5 million "pay go"), etc. (*figures taken from FY21 Budget page 63/420*)

Timeline: As soon as possible, in conjunction with efforts building Cannabis enterprises in the City.

Stakeholders: All City of Hayward Union Groups, Alameda Labor Council, Relevant Stakeholders

Prepared & Submitted By:

Aisha Wahab

Aisha Wahab, M.B.A.

Hayward City Council Member

For Reference:

CITYWIDE BUDGET OVERVIEW

Table 7: Summary of Benefit Liabilities

(in millions)	Actuarial Valuation Date	Accrued Liability	Value of Assets	Funded Ratio	Unfunded Liability	Unfunded Ratio
CalPERS Police Safety Plan	6/30/2018	\$ 406.28	\$ 243.85	60.0%	\$ 162.43	40.0%
CalPERS Fire Safety Plan	6/30/2018	\$ 306.09	\$ 187.17	61.2%	\$ 118.92	38.9%
CalPERS Miscellaneous Plan	6/30/2018	\$ 473.97	\$ 305.87	64.5%	\$ 168.10	35.5%
Total Cal PERS		\$ 1,186.34	\$ 736.89	62.1%	\$ 449.45	37.9%
OPEB - Retiree Medical Police Officers	6/30/2017	\$ 33.64	\$ 2.01	6.0%	\$ 31.63	94.0%
OPEB - Retiree Medical Firefighters	6/30/2017	\$ 15.24	\$ 1.40	9.2%	\$ 13.84	90.8%
OPEB - Retiree Medical Miscellaneous	6/30/2017	\$ 20.21	\$ 2.05	10.1%	\$ 18.16	89.9%
Total OPEB-Retiree Medical		\$ 69.09	\$ 5.46	7.9%	\$ 63.63	92.1%
Workers' Compensation	6/30/2019	\$ 18.86	\$ 18.48	98.0%	\$ 0.38	2.0%
Accrued Leave Payouts	6/30/2019	8.35	0.00	0.0%	\$ 8.35	100.0%
TOTAL		\$ 1,282.64	\$ 760.83	59.3%	\$ 521.81	40.7%

Retirement Annual cost (annual cost: \$40.9 million) - The City is fully meeting its annual required contribution (ARC) amounts based on the CalPERS premium rates. Given the new CalPERS "smoothing" methodology, the long-term intent is to fund the City's liability over the 30-year amortization period.

City Budget Link:

<https://www.hayward-ca.gov/sites/default/files/documents/FY-2021-Adopted-Operating-Budget.pdf>

Date: 10/5/20
To: Mayor and City Council of Hayward & City Manager McAdoo
Regarding: Support of the Referral Regarding the Prioritization of Staff & City Services by
Funding Hayward's Debt & Invest in Economic Development Through Cannabis
Tax Revenue

We support Council Member Aisha Wahab's referral to support City workers and services. We believe that this proposal is critical to the financial stability of the city now, and in the future.

We support the proposal:

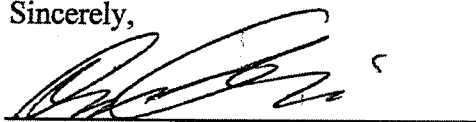
Prioritize the Revenue Generated by the 7% Cannabis Tax (max 15%) to Pay Down City Debt & Invest in Economic Development

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 - This needs to be measurable for all of Hayward, not just Downtown Hayward
- **The remaining balance (1/3) of the funds generated by the Cannabis tax may be directed per Council discretion.**

This is a proactive solution to the City's past debt (\$40 million) that has yet to be paid in full and protects the City's future by freeing funds for emerging needs.

We trust you to support this initiative and by doing so, you are prioritizing Hayward employees and resident services.

Sincerely,



NAME: Andrew Ghali
TITLE: Union President
ORG. Hayward Firefighters L1909



NAME: RICARDO FLORES
TITLE: UNION PRESIDENT
ORG. HAYWARD POLICE OFFICERS' ASSOCIATION



ALAMEDA LABOR COUNCIL AFL-CIO

Send all correspondence to:

Executive Secretary-Treasurer

Elizabeth Ortega-Toro, CWA 39521

President

Yvonne Williams, ATU 192

1st Vice President

Martha Kuhl, CNA

2nd Vice President

Gary Jimenez, SEIU 1021

Executive Committee

Michael Blair, IAFF 55

Doug Bloch, IBT JC7

Greg Bonato, IBEW 595

Rosemarie Boothe-Bey, OPEIU 29

Keith Brown, OEA

Cathy Campbell, AFT 1078

Andreas Cluver, BCTC

Don Crossato, IAM 1546

Cloudell Douglas, CBTU

Maggie Feder, UFCW 5

Rich Fierro, IBT 70

Chris Finn, ATU 1555

Al Fortier, IBEW 1245

Keith Gibbs, CWA 9412

Zach Goldman, IFPTE 21

Eugenia Gutierrez, SEIU USWW

Mike Henneberry, IBT 853

Wei Ling Huber, Unite Here 2850

Calvin Johnson, SEIU 2015

Ben Kim, IAFF 689

Maricruz Manzanarez, AFSCME 3299

Omar Sabeh, IATSE 107

Ché Timmons, UA 342

Cindy Zecher, CSEA 27

Trustees

Howard Egerman, AFGE 3172

Linda Stanley, FORUM

Kat Bedford, AFSCME 3299

Sergeant at Arms

Nathaniel Arnold, ATU 192

Date: 10/15/20

To: Mayor and City Council of Hayward & City Manager McAdoo

Regarding: Support of the Referral **Regarding the Prioritization of Staff & City Services by Funding Hayward's Debt & Invest in Economic Development Through Cannabis Tax Revenue**

We support Council Member Aisha Wahab's referral to support City workers and services. We believe that this proposal is critical to the financial stability of the city now, and in the future.

We support the proposal:

Prioritize the Revenue Generated by the 7% Cannabis Tax (max 15%) to Pay Down City Debt & Invest in Economic Development

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We trust you to support this initiative and by doing so, you are prioritizing Hayward employees and resident services.

Sincerely,

Elizabeth Ortega-Toro

Executive Secretary-Treasurer



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File #: ACT 20-067

DATE: October 21, 2020

TO: Council Budget and Finance Committee

FROM: Director of Finance

SUBJECT

Review and Comment on the Proposed FY 2021 Agenda Planning Calendar

RECOMMENDATION

That the Council Budget and Finance Committee reviews and comments on the proposed 2021 agenda planning calendar.

SUMMARY

The proposed 2021 Agenda Planning Calendar suggests agenda topics for the year for the Committee's consideration.

ATTACHMENTS

Attachment I Proposed 2021 Agenda Planning Calendar



COUNCIL BUDGET AND FINANCE COMMITTEE
FY 2021 Agenda Planning Calendar
October 21, 2020

Meeting Location: Remote Participation

Meeting Time: 5:00 p.m.

Meeting Dates: The Council Budget & Finance Committee generally meet monthly on the 3rd Wednesday of the month, except for August, due to City Council Break. Special meetings will be scheduled as determined necessary by the Committee or the City Manager.

DATE	SUGGESTED TOPICS (subject to change)
October 21, 2020	Actuarial Valuation of Other Post-Employment Benefit (OPEB) Cannabis Revenue/Unfunded Liability Referral
November 18, 2020	Investment Portfolio Review and FY 2021 Statement of Investment Policy Update (External Investment Manager) Police Budget Review
December 16, 2020	Presentation of FY 2020 Annual Audit FY 2021 First Quarter Financial Outlook/COVID-19 Funding Update Measure C Annual Report
January 20, 2021	FY 2021 Revenue Review FY 2022 Budget Process and Calendar Review-Work Session Design Employee Home Loan Program Discussion
February 17, 2021	FY 2021 Mid-Year Review & Update of General Fund Long Range Financial Model
March 17, 2021	Discussion on Mayor & City Council FY 2022 Budget FY 2022 Budget Process Update
April 21, 2021	FY 2022 Proposed Budget Discussion COVID-19 Funding Update
May 19, 2021	Annual Review of City Issued Debt Annual City Benefit Liabilities and Funding Plan Review
June 16, 2021	FY 2022 Budget Process Debrief

Non-scheduled future agenda topics:

- Fleet Utilization Study
- Community Foundation Funding
- Public Banking Update