

CITY COUNCIL MEETING

JANUARY 26, 2021

PRESENTATIONS

WORK SESSION

ITEM #17

WS 21-001

MEASURE C ANNUAL REPORT REVIEW

Measure C Annual Report Update

Measure C Priorities

Capital Infrastructure Projects

Police Services

Illegal Dumping

Litter Control

Graffiti Abatement

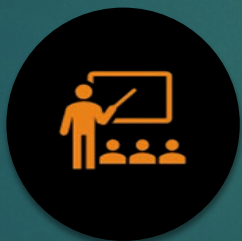
Measure C Funded Capital Projects



21st Century Library
and Community
Learning Center &
Heritage Plaza



Fire Stations 1-5
Retrofits &
Improvements



Fire Station 6 &
Regional Fire Training
Center



Pavement Improvement

Measure C Expenditures



Measure C Expenditures	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Estimated	FY 2022 Projected*
Library/Learning Center	\$ 17,051,095	\$ 11,503,558	\$ 2,739,353	\$ 3,084,000	\$ -
Fire Stations 1-5	\$ 6,913,763	\$ 1,080,185	\$ 386,882	\$ 330,000	\$ -
Fire Station 6 & Training Academy	\$ 2,091,598	\$ 1,208,621	\$ 1,597,140	\$ 23,674,000	\$ 37,600,000
Street Rehabilitation/ Other Projects	\$ 668,330	\$ 1,598,436	\$ 1,693,488	\$ 300,000	\$ -
Operating Expenditures	\$ 2,549,715	\$ 3,791,921	\$ 4,222,408	\$ 4,331,061	\$ 4,520,235
Debt Service	\$ 2,732,875	\$ 5,430,063	\$ 4,523,594	\$ 5,424,438	\$ 5,419,563
Fiscal Year Total	\$ 32,007,376	\$ 24,612,783	\$ 15,162,865	\$ 37,143,499	\$ 47,539,798

*Projected FY 2022 Expenditures in table have not yet been appropriated and approved and will be determined during the annual budgeting process

Fire Stations 1 through 5

Rehabilitation and Improvements

Fire Station 1



Fire Station 2



Fire Station 3



Fire Station 4



Fire Station 5



21st Century Library and Community Learning Center



Opened to the Community on September 14, 2019

Heritage Plaza

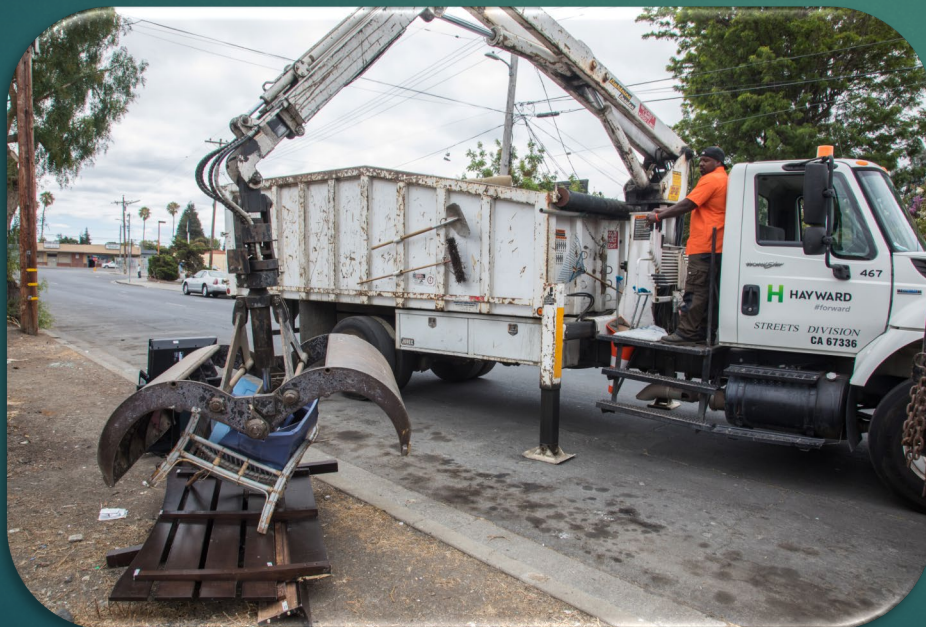
- Currently under construction, with estimated completion by end of FY 2021
- Landscaping features:
 - Event Space;
 - An arboretum housing 40 rare and mature trees; and
 - Children's Garden



Fire Station 6 & Regional Fire Training Center

- Currently under construction, with estimated completion by Fall of 2022.
- Partnership for Regional Fire Training Center between City of Hayward and Chabot-Los Positas Community College District





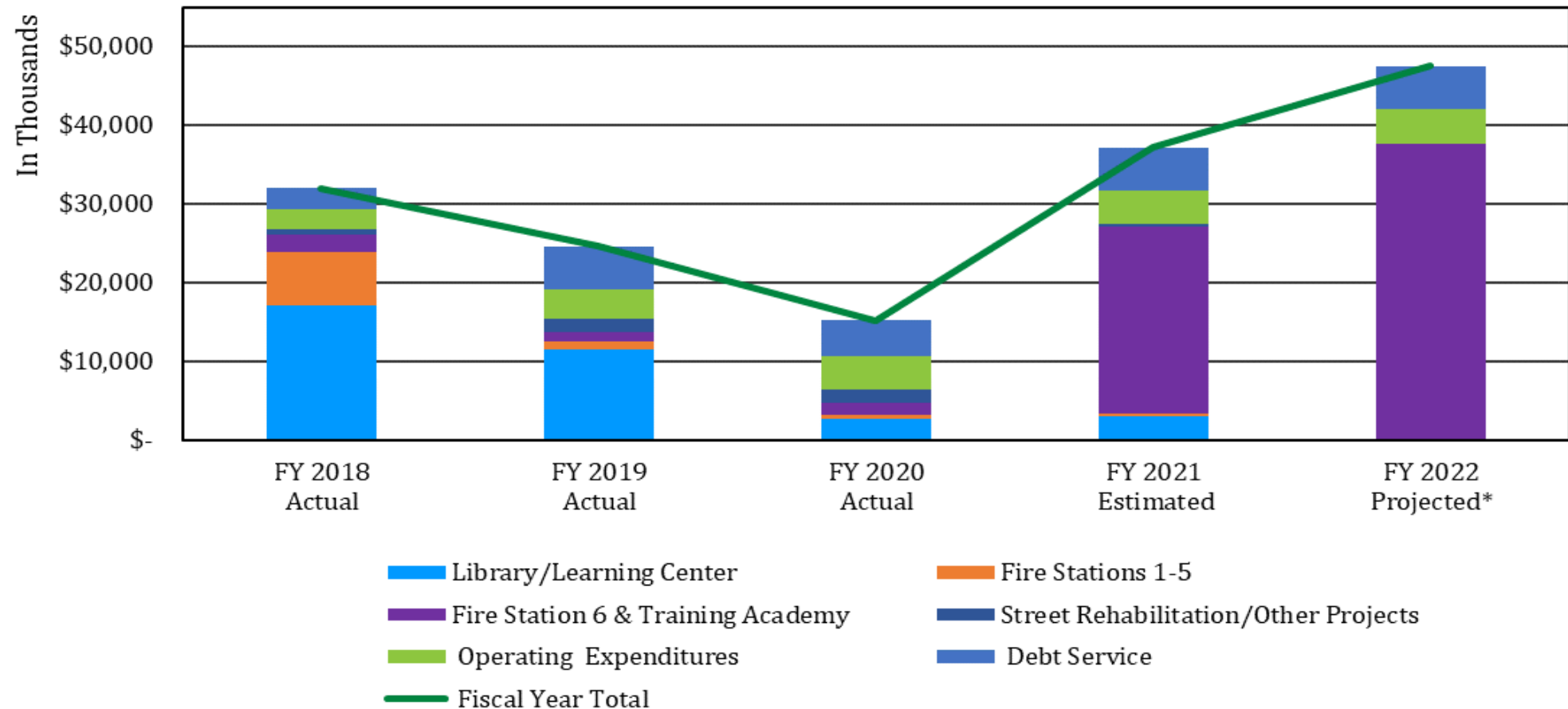
MEASURE C
#haywardupward

Measure C Funded Positions



Positions	Authorized	Budgeted	Filled	Vacant
Groundskeeper I	5.0	5.0	5.0	0.0
Groundskeeper II	1.0	1.0	1.0	0.0
Maintenance Worker / Laborer	2.0	2.0	2.0	0.0
Maintenance Lead	1.0	1.0	1.0	0.0
Police Officer	3.0	3.0	3.0	0.0
Police Lieutenant	1.0	1.0	1.0	0.0
Crime Analyst	1.0	1.0	1.0	0.0
Certified Latent Print Examiner	1.0	1.0	1.0	0.0
Communications Supervisor	1.0	1.0	1.0	0.0
Communications Operator	7.0	7.0	7.0	0.0
TOTAL FTE	23.0	23.0	23.0	0.0

Measure C Expenditures



Measure C

Revenue vs. Expenditures

	FY 2019 Actual	FY 2020 Actual	FY 2021 Estimated	FY 2022 Projected*	FY 2023 Projected*	FY 2024 Projected*
Total Revenue	\$ 16,906,772	\$ 18,713,637	\$ 34,510,850	\$ 16,815,000	\$ 17,759,000	\$ 18,142,000
Total Expenditures	\$ 24,612,783	\$ 15,162,865	\$ 37,143,499	\$ 47,539,798	\$ 14,751,964	\$ 12,883,155
<i>Annual Cash Flow</i>	<i>\$ (7,706,011)</i>	<i>\$ 3,550,772</i>	<i>\$ (2,632,649)</i>	<i>\$ (30,724,798)</i>	<i>\$ 3,007,036</i>	<i>\$ 5,258,845</i>
Cumulative Fund Balance	\$ 24,412,738	\$ 27,963,510	\$ 25,330,861	\$ (5,393,936)	\$ (2,386,901)	\$ 2,871,945

*The amount include capital projects in future fiscal years for conceptual only and have not been approved or appropriated. Appropriations and allocation of these funds will occur annually with adoption of the City's Operating and Capital Budgets.

Project Costs Outpace Revenues: Short Term Financing Options



- Line of Credit
- Traditional public offering, 5-10 years in length
- Interfund Loan
- Private Placement Loan

Questions & Discussion



WORK SESSION

ITEM #18

WS #21-003

REVIEW OF FISCAL YEAR 2021 GENERAL FUND REVENUE

General Fund Revenue Review

City Council Meeting
January 26, 2021

Presented by:
Dustin Claussen,
Director of Finance

General Fund Revenue Comparison Trends

	FY 2020 July - November TOTALS	FY 2021 July - November TOTALS	% Change YOY
GENERAL FUND			
PROPERTY TAX	\$ 1,796,966	\$ 1,974,489	10%
SALES TAX	\$ 14,457,174	\$ 13,641,695	-6%
UTILITY USERS TAX	\$ 5,131,791	\$ 4,921,733	-4%
FRANCHISE FEES	\$ 3,067,004	\$ 2,744,986	-10%
REAL PROPERTY TRANSFER TAX	\$ 4,003,831	\$ 3,860,022	-4%
BUSINESS LICENSE TAX	\$ 105,779	\$ 110,581	5%
TRANSIENT OCCUPANCY TAX	\$ 749,712	\$ 348,820	-53%
CANNABIS REVENUE	\$ -	\$ -	
EMERGENCY FACILITIES TAX	\$ 1,205,896	\$ 1,038,891	-14%
CHARGES FOR SERVICES	\$ 5,680,518	\$ 4,286,067	-25%
INTERGOVERNMENTAL*	\$ 551,891	\$ 2,706,524	390%
FINES & FORFEITURES	\$ 769,466	\$ 641,333	-17%
OTHER REVENUES	\$ 185,964	\$ 374,561	101%
INTEREST & RENTS	\$ (11,994)	\$ (16,787)	40%
TRANSFERS IN	\$ 1,651,686	\$ 1,652,936	0%
<i>NON-COVID REVENUE SUBTOTAL</i>	<i>\$ 39,345,683</i>	<i>\$ 36,306,469</i>	<i>-8%</i>
REVENUE TOTAL	\$ 39,345,683	\$ 38,285,850	-3%

*FY 2021 includes \$1.98M in CARES Act Funding, if removed from trend comparison would result in 8% decrease.

Property Tax (December Remittance)

- FY 2020 – \$25.3 million
- FY 2021 – \$26.7 million
- Increase of \$1.4 million (or 5%)
- FY 2022 will reflect an inflation adjustment factor of 1.036%; replacing the maximum 2% adjustments factor used each year for the past four years.

COVID-19 Funding Update

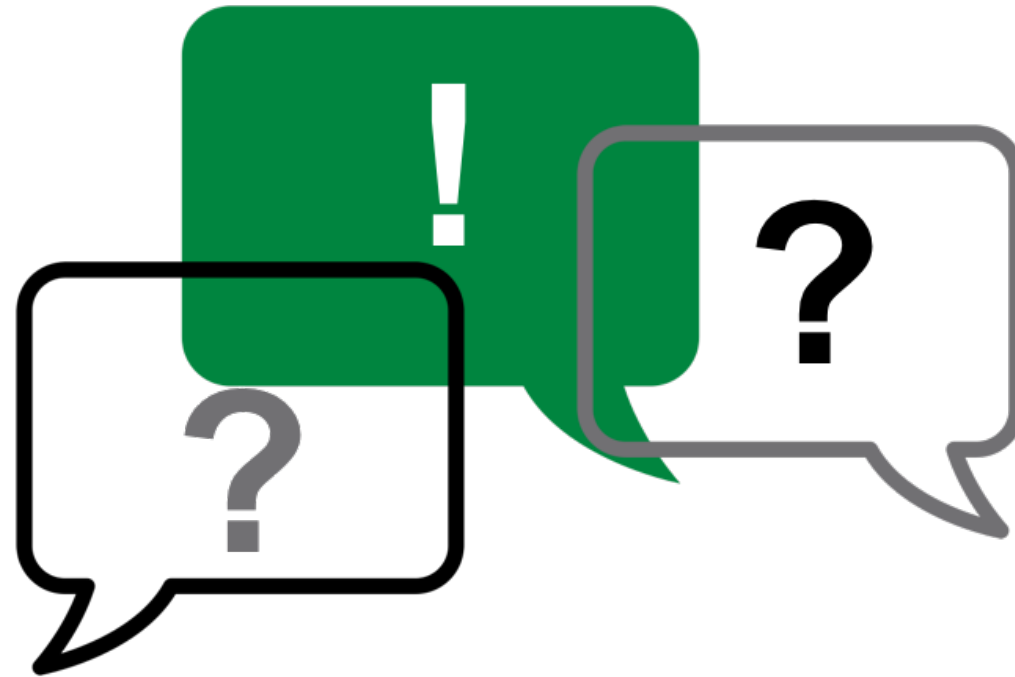
General Fund (Fund 100)

Agency	Funding Description	Fiscal Year	Amount Awarded	Amount Received
US Department of Justice	FY 2020 Coronavirus Emergency Supplemental Funding Program	2020	\$ 132,068	\$ 132,068
US Treasury	CARES Act Coronavirus Relief Fund	2021	1,979,381	1,979,381
County of Alameda	Reimbursement for Test Kits	2021	1,500,000	
Cal State East Bay	Reimbursement for Test Kits	2021	37,500	37,500
County of Alameda	COVID-Related Sanitation for Homeless Encampments	2021	6,372	6,372
TOTAL			\$ 3,655,321	\$ 2,155,321

Community Development Block Grant (CDBG) Fund (Fund 225)

Agency	Funding Description	Fiscal Year	Amount Awarded	Amount Received
US Dept. of Housing and Urban Development	CDBG-CV Emergency Funding	2021	\$2,093,514	\$902,000
TOTAL			\$ 2,093,514	\$ 902,000

Questions



LEGISLATIVE BUSINESS

ITEM #19

LB #21-002

**ADOPTION OF EMERGENCY
ORDINANCE
AMENDING TEMPORARY
MORATORIUM ON COMMERCIAL
EVICTIONS TO
EXTEND MORATORIUM
ENACTING MORATORIUM
ON RESIDENTIAL EVICTIONS**

A nighttime photograph of Hayward City Hall, a large, modern building with a curved facade and a central glass entrance. The building is illuminated by streetlights and its own lights. In the foreground, there is a circular plaza with a fountain and some trees. The text "Extension of Temporary Moratoria on Evictions Related to COVID-19 through June 30, 2021" is overlaid in white serif font across the upper half of the image. The name "HAYWARD CITY HALL" is visible on the building's facade.

Extension of Temporary Moratoria on Evictions Related to COVID-19 through June 30, 2021

Jennifer Ott, Assistant City Manager and Christina Morales, Housing Division Manager
Tuesday, January 26, 2021

Background

	Action	Start	End
State of Emergency	Declaration of State of Emergency related to COVID-19	Mar 4, 2020 (CA) Mar 11, 2020 (Hayward)	Ongoing
Executive Order	Authorizes local authority to limit evictions	Mar 16, 2020	Sept 23, 2020 (residential) Mar 31, 2021 (commercial)
Shelter-In-Place	Imposes measures to control the spread of COVID-19	Mar 17, 2020 (Alameda County) Mar 20, 2020 (CA)	Valid until lifted

Background

	Action	Start	End
Hayward Moratoria on Evictions	Prohibits residential and commercial eviction for non-payment of rent related to COVID-19 and no-fault evictions	Mar 24, 2020	Sept 30, 2020 (residential) Jan 31, 2021 (commercial)
Countywide Eviction Moratorium	Prohibits most evictions	Apr 21, 2020	60 days after local health emergency is lifted
California Courts	Limitations on Evictions filed with the Court	Apr 6, 2020 (CA) Apr 10, 2020 (Alameda County)	Aug 31, 2020 (CA) Mar 31, 2021 (Alameda County)
State Legislation	Tenant, Homeowner and Small Landlord Relief and Stabilization Act of 2020 enacted (Assembly Bill 3088)	Aug 31, 2020	Jan 31, 2021 (Eviction Protections for non-payment of rent)

Implications of State Legislation

- Statewide moratorium on residential evictions concludes on January 31, 2021
- City of Hayward did not extend residential eviction moratorium when it concluded on September 30, 2020 because it was precluded by state legislation
- Anticipated that the State will extend the protections under the Tenant, Homeowner and Small Landlord Relief and Stabilization Act this week
 - If the State does not extend eviction protections, Hayward tenants who cannot pay rent on February 1, 2021 may be left without protection
 - If the State extends, it will likely preclude extension of local moratoria
- State legislation does not provide protection against commercial evictions

Moratoria on Evictions

Applicability: All residential units, including owner-occupied residences with mortgages, and commercial units

Term: (Recommended)

- Commercial: Extend to June 30, 2021
- Residential: February 1, 2021 through June 30, 2021

Prohibitions:

- Evictions for non-payment of rent or mortgage payments related to COVID-19 and associated late fees
- No Fault evictions (except related to health and safety 'red tag' of units)
- Retaliation against tenants and homeowners

Moratoria on Evictions

Requirements:

- Good faith effort to notify landlord
- Able to provide documentation to support claim

Payment of Past Due Rent:

- Tenant liable for unpaid rent
- City expanding mediation services to negotiate repayment for residential tenants

Terms upon expiration:

- No eviction for non-payment of rent during moratorium period within 180 days after expiration.
- Requires meet and confer prior to initiating any action.

Administrative Revisions to Draft Ordinance

Commercial Eviction Moratorium – Section 10

- This Ordinance shall become effective immediately upon its adoption by five (5) or more affirmative votes of the Hayward City Council. ~~and shall be in effect through~~ For Commercial Rental Units, the moratorium previously in effect is hereby extended through June 30, 2021, or the date of the expiration of the Governor's Executive Order N-28-20 and any extensions thereof, ~~whichever is earlier, unless repealed earlier unless repealed earlier.~~

Administrative Revisions to Draft Ordinance

Residential Eviction Moratorium – Section 10

- This Ordinance shall become effective immediately upon its adoption by five (5) or more affirmative votes of the Hayward City Council and shall be in effect ~~until September 30, 2020~~ through June 30, 2021, unless repealed earlier.

Recommended Amendments to the Moratoria on Evictions

Factors to Consider

- State Moratorium on Evictions and Hayward's Temporary Moratorium on Commercial evictions concludes on January 31, 2021
- State of emergency continues
- Continued restrictions under the Shelter-in-Place-Order
- High unemployment rates

Recommendations

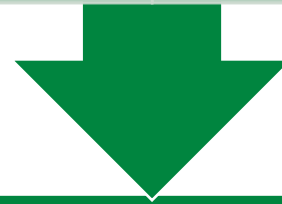
1. Extend the moratorium on commercial evictions until June 30, 2021
2. Adopt a Temporary Moratorium on Residential Eviction from February 1, 2021 through June 30, 2021 in case there is no extension of State moratorium

Emergency Ordinance Adoptions

Emergency Ordinance

5 affirmative votes

Adopted and effective
immediately



Non-Emergency Ordinance

4 affirmative votes

Adopted at next Council Meeting
and effective 30 days later

Support of State Legislation

Extension of Tenant Protections and Provision of Rental Assistance

- There are multiple legislation that will extend tenant protections and provide rental assistance (AB 15, AB 16, SB 91)
- The legislature will likely act before January 31, 2021
- SB 91 is scheduled to be heard on January 28, 2021
 - Extends tenant protects related non-payment of rent due to COVID-19 through June 30, 2021.
 - Establishes the state rental assistance program

Support of State Legislation

Extension of Tenant Protections and Provision of Rental Assistance

Recommendation

That the City Council adopts a Resolution in support of AB 15, AB 16 and SB 91, or any state legislation that is substantially consistent with the above referenced legislation.

Next Steps

If approved, continue to inform tenants and landlords of their rights and responsibilities under the Ordinance and approved state legislation.

Questions

