

CITY OF OAKLAND

BUDGET ADVISORY COMMISSION

Notice is hereby given that a meeting of the City of Oakland Budget Advisory Commission (BAC) is scheduled for **Wednesday, October 11, 2023, at 6:00 PM.**

The Budget Advisory Commission will be held in Hearing Room 4 in City Hall.

Members of the Public have the following options to observe the meeting:

1. Watch the meeting on KTOP using Granicus.
2. Use the Zoom link attached to this agenda to remotely observe the meeting.

Commission Members:

Armand Bryan, Larisa Casillas, Guadalupe Garcia, Margaret Grimsley, Reisa Jaffe, JohnMcKenna, Mike Petouhoff, Caitlin Prendiville, Sarah Price

City's Representative(s):

Nathan Bassett- *Finance Department*

Meeting Agenda:

1. Administrative Matters [5 minutes]
 - Welcome & Attendance
2. Approval of Prior Meeting Minutes [5 minutes]
 - Minutes of BAC Meeting held July 12, 2023
 - Minutes of BAC Meeting held September 13, 2023
3. Commissioners' protocol [5 minutes]
 - Commissioner Application review
 - Onboarding & Exit / Recruitment - Open spots
4. Finance Dept Update [5 Minutes]
5. Election of Commission Positions [30 Minutes]
 - Chairperson
 - Vice-Chairperson
 - Liaison to the Finance and Management Committee
6. Police Staffing and Resources Study Questions [10 Minutes]
7. Agenda Items for Next Meeting [10 minutes]
8. Open Forum [5 minutes]
9. Adjournment

ATTACHMENTS: Draft Meeting Minutes of BAC Meeting held July 12, 2023; Draft Meeting Minutes of BAC Meeting held September 13, 2023; Approved BAC Budget Process Evaluation Report for Biennial Budget 2023-25

**CITY OF OAKLAND
BUDGET ADVISORY COMMISSION**

Hi there,

You are invited to a Zoom webinar.

When: Oct 11, 2023 06:00 PM Pacific Time (US and Canada)

Topic: Meeting of the City of Oakland Budget Advisory Commission (BAC)

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81584763954>

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Or Telephone:

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+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

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+1 312 626 6799 US (Chicago)

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CITY OF OAKLAND

BUDGET ADVISORY COMMISSION

Notice is hereby given that a meeting of the City of Oakland Budget Advisory Commission (BAC) is scheduled for **Wednesday, July 12, 2023 at 6:00 PM.**

The Budget Advisory Commission will be held in Hearing Room 4 in City Hall.

Members of the Public have the following options to observe the meeting:

1. Watch the meeting on KTOP using Granicus
2. Use the Zoom link attached to this agenda to remotely observe the meeting

Commission Members:

Armand Bryan, Larisa Casillas, Guadalupe Garcia, Margaret Grimsley, Reisa Jaffe, John McKenna, Mike Petouhoff, Caitlin Prendiville, Sarah Price

City's Representative(s):

Ecaterina Burton & Nathan Bassett– *Finance Department*

Meeting Agenda:

1. Administrative Matters [5 minutes]
 - Welcome & Attendance
 - i. Present: Commissioners Bryan, Casillas, Garcia, Jaffe, Petouhoff, Prendiville, and Price, City of Oakland staff members Burton and Bassett, and one member of the public. Absent: Commissioners Grimsley and McKenna. Quorum was met for duration of meeting, and Prendiville departed at 7:00 PM.
 - ii. Meeting was called to order at approximately 6:00 PM.
 - iii. Price volunteered to act as Chair in the absence of Grimsley and McKenna.
2. Commissioners' protocol [10 minutes]
 - Review the CFP
 - i. Staff reviewed the CFP (Consolidated Fiscal Policy) with the Commission, and highlighted the section detailing their duty to provide a report reviewing the City's budget process.
3. Finance Dept Update [20 minutes]
 - Review the FY23-25 Adopted Budget and Council Amendments
 - i. Staff presented on the FY23-FY25 Adopted Budget, with highlights of changes made by the Mayor, as well as Council changes, and a calendar of the review report timeline.
 - Review the racial equity process for FY23-25 Budget

CITY OF OAKLAND

BUDGET ADVISORY COMMISSION

Meeting of the City of Oakland Budget Advisory Commission (BAC) held Wednesday, September 13, 2023, at 6:00 PM.

The Budget Advisory Commission meeting was held in Hearing Room 2 in City Hall.

Commission Members:

Armand Bryan, Larisa Casillas, Guadalupe Garcia, Margaret Grimsley, Reisa Jaffe, JohnMcKenna, Mike Petouhoff, Caitlin Prendiville, Sarah Price

City's Representative(s):

Nathan Bassett– *Finance Department*

Meeting Agenda:

1. Administrative Matters [5 minutes]
 - Welcome & Attendance
 - i. Present: Commissioners Bryan, Casillas, Garcia, Grimsley, McKenna, and Petouhoff, and City of Oakland staff member Bassett. Absent: Commissioners Jaffe, Prendiville, and Price. Quorum was met for duration of meeting.
 - ii. Meeting was called to order by BAC Chair McKenna at approximately 6:05 PM.
2. Approval of Prior Meeting Minutes [5 minutes]
 - Minutes of BAC Special Meeting held August 23, 2023
 - i. Bassett noted that the minutes from the prior meeting would now be provided as draft with meeting materials and voted upon in subsequent meetings. Meetings prior to August still need approval and will be approved as they become available.
 - ii. McKenna requested a motion to approve the minutes after Commissioners reviewed. Petouhoff motioned, with Grimsley seconding and all present Commissioners voting aye.
3. Commissioners' protocol [5 minutes]
 - Commissioner Application review
 - Onboarding & Exit / Recruitment – Open spots
 - i. McKenna asked Bassett to provide an update on potential new Commissioners and whether there were updates. Bassett responded that he had no updates to provide presently.
 - ii. McKenna stated that he would be discussing item 6 for a moment, regarding election of the BAC Chair and Vice Chair, as he is stepping down from the board completely, and encouraged the other members to consider service as

either chair or vice chair. Commissioners also inquired of staff as to whether or not the elections needed to be formalized or informal. Bassett responded that he would review the charter and provide further information during the next meeting.

4. Finance Dept Update (5 Minutes)

- McKenna inquired if there were any specific updates from staff, to which Bassett responded that the only item he had was related to follow up on a request from the prior meeting to discuss the scope of the forthcoming police staffing and resource study with the City's Inspector General. He noted that he had scheduled a meeting with the Inspector General to discuss availability and the potential items that Commissioners may have questions on during their review.

5. BAC ad hoc on Review of Council's Budget Revisions - attached (45 Minutes)

- Prior to handoff to the BAC Ad Hoc group to discuss the memo, Bassett noted that they had received public comment for this item, and read an email sent by Loren Taylor on the subject of use of one-time funds for recurring expenses.
- Revise and approval final recommendation to Council
 - i. Commissioners discussed the budget process review memo, with discussion focused on overall review of the edits that the ad hoc group had made since the prior meeting. Casillas lead the discussion, noting that they had revised the memo to reduce the length, and provided clarifications where needed. Grimsley requested that the document be reviewed to ensure that all acronyms are spelled out on first usage.

The page about vegetation management that had been part of the initial draft had been removed and replaced with language to discuss the concerns of the public regarding administrative consolidations, with the mention of vegetation management as an example. Bassett requested that they add the word "contracting" after "vegetation management" in the paragraph under 5.1 on page 7. The Commissioners supported the minor edit, after which Commissioners discussed Bryan's request to include language about the costing of items by City Council members in their proposed amendments, with a question about the process of amending the City's Consolidated Fiscal Policy (CFP). Bassett replied that he could look into the process, and McKenna responded that this could be discussed in a future meeting but was not germane to the budget process review memorandum.

Petouhoff requested a friendly amendment to add language regarding use of one-time funds that had been removed from the memo through the editing process, and proposed to add this following wording on page 5 in Section 1.1 at the end of the section:

"In regard to the City Budget Presentation attributing the deficit to the loss of one-time COVID funds, both the CFP (section 1d) and the past policies of the Budget Advisory Commission recommend against using one-time funds for continuing cost commitments. However, when it is necessary to override this policy there should be a clear statement of the reasons for doing so, and including this in the City's budget presentation would have improved the

informational quality of the budget materials.”

Commissioners reviewed the language, with Grimsley motioning to add the language as provided in the amendment request, and Garcia seconding the motion. All present Commissioners voted aye.

Commissioners made a few final comments on the document, including Petouhoff mentioning that he felt the budget presentation needed to include a racial equity analysis component more clearly. McKenna asked for a motion to approve the document. Petouhoff motioned to approve the document with the addition of the word “contracting” after “vegetation management” in the paragraph under 5.1 on page 7, and the friendly amendment previously noted, and then forward to the Finance & Management Committee and City Council. Grimsley seconded the motion, and all Commissioners present voted aye.

- Send to ad hoc with guidelines for final edits and presentation
 - i. McKenna asked staff what the next steps were for the memorandum, and Bassett responded that he would research the timeline for the submission to the Finance & Management Committee, as well as City Council.

6. Agenda Items for next Meeting [10 minutes]

- BAC norms review
 - i. McKenna noted that he wasn’t clear what this item referred to, and Petouhoff responded that this item was intended to be a discussion of how the ad hoc groups and memorandum timelines need to be structured to ensure proper time for review, as well as the duties and specifics of what the ad hoc groups need to review as part of their work. He mentioned that this had been placed on the agenda prior to the work on the budget process review memo, and that it would be good for discussion.
- Election of BAC Chair, Vice-Chair

7. Open Forum [5 minutes]

- McKenna inquired if there was any other business, to which Bassett noted that he planned to meet with the Inspector General the following morning and wanted further direction from the Commissioners on the elements of the Oakland Police Department (OPD) staffing and resource study that the Commissioners had specific questions on. Grimsley noted that Council President Bas had requested the input of the Budget Advisory Commission on the study, and the Commissioners asked the following questions, which Bassett stated he would provide to the Inspector General as part of the request for her to appear before the Commission:
 - i. Are these items included in the scope of the OPD staffing study?
 1. Review of self-initiated calls, which Commissioner Grimsley stated constitute 60% of Police worktime in Oakland, according to information previously provided to her.
 2. Crime solving (case closure) rate
 3. Police Overtime usage
 - a. Commissioner Petouhoff expressed a concern that the vacancy savings used in prior years would not be available in the FY23-25 biennial
 4. How is the overall OPD budget being spent?

5. Patrol draw – the determination of OPD shifts and locations by seniority which determines deployment of officers and may impact the efficacy of policing
 6. Number of officers on scene during an incident
 7. Racial equity and bias training of officers, previously conducted by professor Eberhardt of Stanford University
 8. Crime rate versus the number of officers, and the marginal return
 9. Crime rate versus (un)employment statistics
 10. What units will be included in the study and why?
 - a. Will this include Measure Z, special unit, and task force sworn officers?
 - ii. Is this study or audit building on previous studies or audits?
 - iii. What is the timeline for the Police Audit and Study? When will it begin and end?
- Petouhoff noted that the Commission still needed to determine who would present to the Finance & Management Committee and City Council. Casillas volunteered to be the presenter.
 - Commissioners also requested that staff inquire about having the Director of Economic & Workforce Development present to the Commission on the City's economic development efforts, as well as the Director of Race & Equity on the City's efforts to incorporate racial equity into the budgeting process.

8. Adjournment

- Commissioner Petouhoff motioned to adjourn, with the meeting adjourned at approximately 7:15 PM.

ATTACHMENTS: Final draft BAC Report for Biennial Budget 2023-25; Draft Meeting Minutes of BAC Special Meeting held August 23, 2023

Pursuant to the Consolidated Fiscal Policy (“CFP”) (13279 C.M.S.), the Budget Advisory Commission (“BAC” or “Commission”) submits this Report on the City of Oakland’s Biennial 2023-25 Budget Cycle. The Report was approved by the BAC at a meeting held on Wednesday, September 13, 2023.

Overview

This report contains the BAC’s comments and recommendations related to the 2023-25 budget process of the recently concluded budget cycle. We review the effectiveness of the budget process and how well the process supports the City’s goals of addressing longer-term priorities, including incorporating community feedback provided during the budget deliberation process, and ensuring accessibility, transparency, outreach, education, and community input into the budget process overall.

Oakland’s Consolidated Fiscal Policy CFP in Section 3, Item 12 asks the BAC to create a report addressing

1. The informational quality of the Proposed Budget;
2. The City Administration's and City Council's attention to engaging the public and its impacts on the budget process and product;
3. The level of transparency and open dialogue in all public meetings dedicated to the budget; and
4. Opportunities for improving the process in future years.

In evaluating the opportunities for continually improving the public participation, the CFP indicates the BAC shall consider the following guidelines

- Inclusive design
- Authentic intent
- Transparency
- Inclusiveness and equity
- Informed participation
- Accessible participation
- Appropriate process
- Use of Information: The ideas, preferences, and/or recommendations contributed by community
- Building relationships and community capacity

- Evaluation: Evaluate each public participation process with the collected feedback and learning shared broadly and applied to future public participation requirements.

Following is a summary of our recommendations, some of which are new, and some of which are carried forward from previous BAC reports to the Mayor and Council. A more detailed discussion of each recommendation follows this summary.

OVERALL PROCESS

We believe that the process adopted by the City to inform the public of the deficit had substantial merit. We would like to commend the Administration and City Council on some of the practices that went well this year:

- Racial equity analysis: Requiring each department and the City Council to engage in a comprehensive racial equity analysis to prepare for the budget cycle and process. We recognize that this remains a new practice in the city; we are heartened to know that departments are looking at the budget through this critical lens.
- Budget information: Staff did a great job of explaining how and why the City is experiencing an historic deficit and the budget process overall.
- Budget clarifying process: One of our recommendations from previous years was to explore ways for City Council and staff to engage in the clarifying process in a more efficient manner. This year, staff worked more closely with the City Council to address questions early and City Council met with each department to review their respective budgets. In addition, staff held a public meeting with the City Council to review the budget process. These initial steps helped to increase efficiencies during the budget process.
- Five-year forecast to members of BAC: Presenting the City's five-year forecast to the members of the Budget Advisory Commission was helpful to our members and much appreciated. We have recommendations on how the city can improve the way in which this information is shared, making the materials uniform.

SUMMARY OF RECOMMENDATIONS

Informational Quality of the Proposed Budget

1. Provide a complete picture of the City's budget. We recommend broadening the information shared with the public for a more comprehensive financial picture.
2. Present budget information in a consistent form that allows comparing and contrasting of budget figures and trends.

Engaging Public Impact, Process, and Product

1. Adopt a budget schedule that prioritizes early education and outreach on the budget process and avoids excessive compression late in the budget cycle. Our biennial survey of Oakland residents found that half of the residents surveyed were unsure if the city was facing a budget shortfall or surplus.
2. Share the city's racial equity analysis related to the budget at town halls, a process that involves all city departments as well as each city council member.
3. Ensure town halls are accessible to all individuals by offering interpretation, including ASL interpreters, and translation of all materials.
4. Offer recordings of town halls for district residents who cannot attend.
5. Establish benchmarks related to the consolidation of departments to understand how these changes will influence the daily lives of Oakland's residents and present regular reports to City Council.

Transparency and Open Dialogue

1. Attach all relevant reports regarding the City's Other Post-Employment Benefits (OPEB) demonstrating whether or not the City is complying with the contribution policy in the Budget Book.
2. While OPD overtime spending now has a reporting process, corrective actions will need to be more rigorous. The adopted budget harvests savings from OPD vacancies which have covered overtime overruns in the past.
3. The budget is an expression of the City's collective priorities. We have an open process that encourages City residents to participate in the budget process to hear all voices and ensure full participation. Residents would be better served by being informed of City Council expenditure priorities along with revenue streams for each priority.

Improving Process for the Future

1. Continue to improve community budget engagement, including offering accommodations for non-English speaking and hearing-impaired residents in all districts.

Community Input to the Budget Process

The BAC surveyed Oaklanders before the budget process started to understand the priorities of residents. These findings were reported to the City Council earlier this year, and include the following top items:

- The majority (54%) of those surveyed said they feel that the city is a good place to live; however, this is down five points compared to the last budget survey.

- Just under two-thirds (63%) of Oaklanders disapprove of the city’s job in providing services. This is a jump of 11 points compared to the last budget survey.
- Half of those who responded (50%) shared that their top priority is homelessness or housing for the city’s budget.

These responses reflect the comments and reactions we heard from the public in the town hall meetings, as well as the City Council meetings.

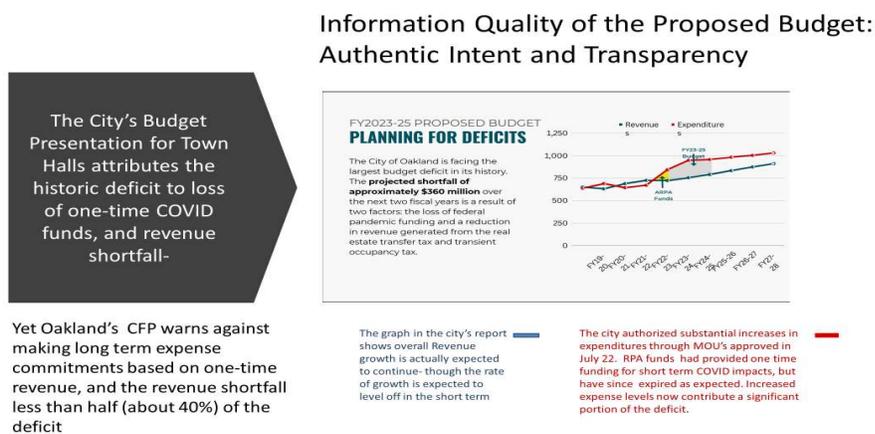
RECOMMENDATIONS

Informational quality of budget

1.1 Provide a complete picture of the city’s budget.

Oakland is experiencing an historic budget deficit of \$360 million over the two-year 2023-2025 budget cycle and \$758 million projected over 5 years. This was a significant public concern and the primary driver for major department consolidations proposed in the Mayor's budget.

The city’s budget presentation used in the town halls attributed the deficit to two factors: “loss of federal pandemic funding, and a reduction in revenue generated from the real estate transfer tax, and transient occupancy tax.” (See image below.)



Source: Adapted from the City of Oakland, Budget Basics presentation

However, an analysis of the city’s 5-year revenue projections shows that shortfalls in the categories of real estate transfer tax and transient occupancy tax are projected to fall short by about \$300 million dollars over 5 years; in other words, about 40% of the 5-year \$758 million deficit.

Addendum: Analysis of \$758M 5 Year Deficit: Only \$300M shortfall in ongoing revenue



Prior to starting the FY 23-24 budget process, decisions were made by the City that have contributed to the budget deficit, including negotiating labor union contracts prior to their expiration dates and the use of one-time funding for ongoing expenses. We recommend that all factors be shared with the public about the budget. Transparency would be increased were the City to share all the information that contributes to a budget’s deficit and surplus. Community members are better served with more information in which to be able to draw their own conclusions about the City’s budget process.

Especially of concern was that during the past fiscal year, city leadership chose to reopen the OPOA contract to give wage increases to the police when the contract was nowhere near expiration. This was done in a way that both avoided public input and impacted the city budget for future years, including the FY 23-25 cycle. The BAC recommends that all summaries of tentative agreements be publicly posted in advance of a vote by City Council.

Impact on Authentic Intent, Transparency, Equity

Decisions on the largest budget components, were made prior to the budge process and avoided public input, equity and race consideration, and contributed to the 2023-2025 budget deficit

Prior to the Budget Process

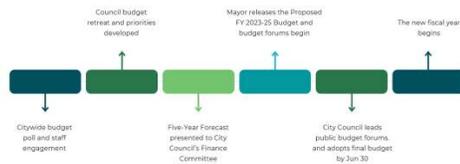
Prior to the planned Budget process, in actions completed in July 2022, the city reopened the OPD and OFD contracts to give wage increases to both police and fire when the contracts were nowhere near expiration. This was done in a way that both avoided CFP processes including those for public input and consideration of equity. This contributed to the largest deficit in the history of the city, and thus impacted the city budget for future years, including the FY 23-25 cycle. OFD and OPD are by far, the largest components of the city budget.



The Budget Process as defined by the CFP and described in the city budget presentation

Budget Process

Community and Council priorities, public engagement, and input from City staff inform the proposed budget that the Mayor and City Administrator present to City Council. The Council then hosts public deliberations and ultimately adopts the final budget.



Source: Adapted from the City of Oakland, Budget Basics presentation

In regard to the City Budget Presentation attributing the deficit to the loss of one-time COVID funds, both the CFP (section 1d) and the past policies of the Budget Advisory Commission recommend against using one-time funds for continuing cost commitments. However, when it is necessary to override this policy there should be a clear statement of the reasons for doing so, and including this in the City's budget presentation would have improved the informational quality of the budget materials.

2.1 Present budget information in a consistent form that allows comparing and contrasting of budget figures and trends.

While the five-year forecast information shared with the Budget Advisory Commission proved useful, it would be more helpful if the information were presented in a consistent format. One example: The historical revenue information (trends back to FY 2000) were provided in graphical and not tabular data form. However, on the expense side, data was provided in tabular form with numbers listed, but do not go back in time far enough to analyze recent labor cost increases. This inconsistency creates a challenge when interpreting past trends and future projections. We recommend that materials presented be consistent in format and whenever possible.

Engaging Public Impact Process and Product

1.1 Adopt a budget schedule that prioritizes education and outreach to City residents.

The City's current budget timeline gives the public little time to become familiar with the budget process, including understanding the budget and identifying how and when to provide input to the City on the budget.

We believe that it would be in the City's best interest to begin the educational process around the budget earlier in the year. We recommend that staff present information on the budget process (dates for town halls, decision-making deadlines, historical budget information, General Fund expenditures and revenues vs. specific funds, how revenue is generated) at the beginning of the year, prior to the Mayor's budget release, to prepare residents for the budget deliberations. This would relieve pressure related to the budget decision-making and create space for individuals and City leaders to understand more deeply how the budget process works and a timetable that gives residents more time to absorb information and share their priorities and perspectives related to the budget.

2.1 Share the City's racial equity analysis related to the budget at town halls, a process that involves all City departments as well as each City Council member.

We support the efforts to analyze the City's budget through a racial equity lens, a process that involves all City departments and City Council. We recommend that the City's residents be informed of this process so that they fully understand the internal workings of each department in relation to the budget. We understand that the City of Oakland is asked to share its racial equity process with other cities in the country, but our own residents are not aware of this important work.

2.2 We recommend that the City provide analysis on which communities are carrying the greatest burden when it comes to paying for services. For example, are our revenue sources placing an undue burden on the City's lowest income residents, and if so, how does the City plan to address this discrepancy? We would also like to see regular reports to update residents on the City's progress towards its racial equity goals.

3.1 Ensure town halls are accessible to all individuals by offering interpretation, including ASL interpreters, and translation of all materials.

We observed one town hall that had interpretation available, but no ASL. We believe that if residents know that there will be interpretation and translated materials available as a default, a more diverse sample of the city will attend and participate in the budget town halls. We would like to see translated materials on the website so that all our residents can be fully informed of the budget and the process to adopt a budget.

4.1 Offer recordings of town halls for district residents who cannot attend.

Make these video recordings easily available to residents. We found two video recordings of town halls; one recording was so poor that it was difficult to hear any information presented and the other was edited to cut out half of the Q&A portion of the meeting. We recommend recording all the town halls and making them higher quality so they can be viewed by residents and prove useful.

5.1. Report on how consolidation of departments impacts residents.

We recommend careful management of the consolidation of departments. It would be helpful to develop criteria to measure the success of department consolidation and provide regular updates on progress to City Council. BAC is especially concerned about how consolidation will impact the City's residents. Already, the Commission has heard from members of the public that

are concerned with consolidation; they cite previous experiences with service mergers (i.e., vegetation management contracting from OFD to OPW). Residents shared that institutional knowledge gained by decades of interaction between many community groups and OFD were lost in the transition, resulting in a great deal of confusion across the city about the scope of parcel clearance.

Transparency and Open Dialogue

1.1 Attach all relevant reports regarding the City's Other Post-Employment Benefits (OPEB) liability to the budget. Note whether or not the city is complying with the stated OPEB contribution in the Budget Book. This is a recommendation that BAC offered the City last year and continues to be of concern.

2.1 While OPD overtime spending now has a reporting process, corrective actions will need to be more rigorous because the adopted budget assumes savings from vacancies.

The adopted budget assumes savings from OPD vacant positions making it critical to manage police overtime. In the past, savings from OPD vacancies have offset OPD overtime exceedances. But, this is no longer possible since OPD vacancy savings have already been assumed in the budget. We recommend careful management of OPD overtime to not contribute further to our budget deficit.

3.1 The budget is an expression of the City's collective priorities. We have an open process that encourages City residents to participate in the budget process to hear all voices and ensure full participation.

Residents are asked to provide input on expenditures related to the General Fund, not the City's total budget. We recommend staff be clear about this portion of our budget. It makes up about 40% of the total budget while the other half is comprised of revenue and expenditures tied to specific services and projects and cannot be used for anything outside of the original intention.

The City Council meetings related to the budget made the budget process more transparent to community members. The Budget Advisory Commission encourages Councilmembers to demonstrate their desired budget appropriations or allocations through visual and numerical breakouts, using the Mayor's proposed budget as reference. We also recommend that each expenditure priority is accompanied by how that expenditure will be covered, i.e., from which fund or revenue source. We believe this will add greater transparency to the budget process.