



Los Angeles  
Department of  
Water & Power

RESOLUTION NO. \_\_\_\_\_

BOARD LETTER APPROVAL

Handwritten signature of Neil M. Guglielmo in blue ink.

NEIL M. GUGLIELMO  
Chief Financial Officer

Handwritten signature of David H. Wright in blue ink.

DAVID H. WRIGHT  
General Manager

**DATE:** November 16, 2017

**SUBJECT:** Transfer of Money from the Power Revenue Fund to the Reserve Fund of the City of Los Angeles During Fiscal Year 2017-2018

### **SUMMARY**

The attached resolution authorizes the adoption of an ordinance by the Los Angeles City Council to transfer money from the Power Revenue Fund of the Los Angeles Department of Water and Power (LADWP) to the Reserve Fund of the City of Los Angeles (City) during Fiscal Year (FY) 2017-2018 in the amount of \$241,848,000. This amount will be the amount available for transfer based on a review of the Power System's operations as of the close of FY 2016-2017.

### **RECOMMENDATION**

It is recommended that the Board of Water and Power Commissioners (Board) adopt the attached resolution authorizing the adoption of an ordinance to transfer money from the Power Revenue Fund to the Reserve Fund of the City during FY 2017-2018.

### **ALTERNATIVES**

The alternatives for the City transfer are described in City Charter Section 344. By December 31 of each year, the Board shall notify the City Council and the Mayor of the Board's decision to:

1. Approve that the transfer be made in full;
2. Approve that the transfer be made in part; or
3. Decide that the transfer not be made in whole or in part.

If the Board decides to not make the transfer in full, the Board shall provide the City Council and the Mayor with a detailed explanation of the basis therefore and all supporting financial information, and a preliminary assessment on the feasibility of making the transfer or the remaining portion of the transfer, as the case may be, by the end of the FY. In the event the Board notifies the City that it will be unable to make the transfer in whole or in part, the City Administrative Officer (CAO) shall verify the LADWP's findings and report to the Mayor and the City Council concurrently, by no later

than February 28, with their findings and recommendations. The Board shall after receiving the report from the CAO and consultation with the Council and Mayor, act to either amend or uphold the Board's preliminary findings.

## **BACKGROUND**

The Power System transfer recommendation is based on the financial data of FY 2016-2017, as of November 15, 2017. The transfer is subject to the following master bond covenants:

- 1) No transfer may exceed the prior FY's net income; and
- 2) No transfer may result in the prior FY's surplus less the 2016-2017 transfer amount being less than thirty-three and one-third percent (33-1/3 percent) of the total indebtedness (including the current portion) outstanding not more than ten days prior to the date of such transfer.

Based on the calculations as shown in Attachment A, both of these bond covenant requirements will be met, and LADWP recommends a transfer of \$241,848,000 during FY 2017-2018.

The attached resolution provides for \$120,924,000 to be transferred within ten days after the effective date of the ordinance in one lump-sum payment, and for the remainder to be transferred in approximately equal monthly installments so that by June 30, 2018, the full amount of \$241,848,000 will have been paid.

LADWP staff will need extra time this December to work with LADWP's auditors to finalize LADWP's information such that the auditors can issue the audited financial statements. The dollar amounts in this Board Letter, Resolution, and Power System City Transfer Calculation are based on financial data in the Power System's general ledger. Based on the general ledger as of November 15 for the June 30, 2017 fiscal year end, there is \$199.4 million positive variance difference between the City Transfer amount and funds available per the net income bond covenant test. The other financial test is the debt to equity ratio which has \$2.353 billion positive difference. The audited financial statements will be presented to LADWP prior to December 31 and are expected to reflect the numbers shown above. In the event that the audited financial statements presented disclose financial data materially different from that disclosed above, LADWP staff will return this matter to this Board for information and further direction.

## **ENVIRONMENTAL DETERMINATION**

Determine item is exempt pursuant to CEQA Guidelines 15060 (c)(3). In accordance with Section 15060 (c)(3) of the California Environmental Quality Act (CEQA) Guidelines, an activity is not subject to CEQA if it does not meet the definition of a project. Section 15378 (b)(2) states that continuing administrative or fiscal activities, do not meet that definition.

## **CITY ATTORNEY**

The Office of the City Attorney reviewed and approved as to form and legality the attached resolution.

## **ATTACHMENTS**

- Resolution
- Power System City Transfer Calculation for FY 2017-2018 (Attachment A)