

**BE IT RESOLVED:**

1. That the City of Los Angeles (City) Charter provides that the Board of Water and Power Commissioners (Board) may, after the close of a fiscal year, consent to a transfer of money from the Power Revenue Fund to the Reserve Fund of the City based on audited financial data; and
2. That this Board finds and determines, after first considering, and subject to, all covenants made by the Los Angeles Department of Water and Power (LADWP), and further, subject to the presentation of the audited financial statements for Fiscal Year (FY) 2016/17 to LADWP prior to December 31, 2017, with respect to transfers from the Power Revenue Fund, that there is surplus money, as defined in the City Charter and applicable contracts, in the Power Revenue Fund as of the close of Fiscal Year (FY) 2016/17 and consents to the transfer of \$241,848,000 of said surplus money to the Reserve Fund of the City during FY 2017/18 and pursuant to the terms of this resolution;
3. That this Board finds and determines that, in the event that the audited financial statements for FY 2016/17 presented disclose financial data materially different from that disclosed herein, LADWP staff will return this matter to this Board for information and further direction; and
4. That this Board does further consent that the Council of the City of Los Angeles adopt an ordinance in words and figures substantially as follows, to wit:

**"ORDINANCE NO. \_\_\_\_\_**

An ordinance directing the transfer of surplus money from the Power Revenue Fund of LADWP to the Reserve Fund of the City during FY 2017/18.

**THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:**

Section 1. Subject to audited financial data for FY 2016/17 and all covenants made by LADWP with respect to transfers from the Power Revenue Fund, subject to there having been, and only to the extent that there was, surplus money in the Power Revenue Fund at the close of FY 2016/17, and subject to the declaration of consent adopted by the Board, it is hereby directed that \$241,848,000 be transferred from the Power Revenue Fund of LADWP to the Reserve Fund of the City during FY 2017/18.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with City Council policy, either in a daily newspaper circulated in the City or by posting for ten days in three public places in the

City: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.”

**BE IT FURTHER RESOLVED** that, after the adoption of an ordinance as set forth in (4) above, the Chief Accounting Employee of the LADWP is directed, upon certification by its General Manager, to cause to be transferred \$120,924,000 within ten days after the effective date of the ordinance in one lump-sum payment from the Power Revenue Fund of the LADWP to the Reserve Fund of the City and the remaining amount in approximately equal monthly installments from the Power Revenue Fund of the LADWP to the Reserve Fund of the City so that by June 30, 2018, the full amount of \$241,848,000 has been paid.

**I HEREBY CERTIFY** that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held on NOV 28 2017

APPROVED AS TO FORM AND LEGALITY  
MICHAEL N. FEUER, CITY ATTORNEY

  
Secretary

  
BY NOV 17 2017  
RICHARD TOM  
ASSISTANT GENERAL COUNSEL