



RESOLUTION NO. 023 110

BOARD LETTER APPROVAL


ANN M. SANTILLI
Chief Financial Officer


MARTIN L. ADAMS
General Manager and Chief Engineer

DATE: November 22, 2022

SUBJECT: Transfer of Money from the Power Revenue Fund to the Reserve Fund of the City of Los Angeles During Fiscal Year 2022-23

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) 2022-23 in the amount of \$232,043,000. 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 2021-22.

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 2022-23.

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 therefor 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 2021-22. 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 2022-23 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 \$232,043,000 during FY 2022-23.

The attached resolution provides for \$116,022,000 to be transferred within 45 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, 2023, the full amount of \$232,043,000 will have been paid.

ENVIRONMENTAL DETERMINATION

Determine item is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines 15060(c)(3). In accordance with this section, an activity is not subject to CEQA if it does not meet the definition of a project. Section 15378(b)(4) states that government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment 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 2022-23 (Attachment A)