



## Legislation Text

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**File #:** 22-0448, **Version:** 1

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Recommendation to adopt resolution decreasing appropriations in Fiscal Year 2021-2022 (FY 22) in the Water Fund Group in the Water Department by approximately \$9,000,000.  
(Citywide)

The Long Beach Board of Water Commissioners adopted the Water Department's Fiscal Year 2021-2022 (FY 22) Budget on June 24, 2021, which represented the planned expenditures and projected revenues needed to execute the Department's mission for the next fiscal year. The City Council subsequently approved a resolution approving the Water Department's FY 22 Budget on August 24, 2021.

In December 2021, an appellate court ruled against the City of Long Beach in a lawsuit challenging the legality of the City's Measure M charter amendment. On March 25, 2022, the California State Supreme Court denied a petition to review the Measure M appellate court decision. As a result, the City is required, among other things, to transfer \$9 million to the Water Fund within 30 days after the denial. The Department has terminated the Measure M transfer to the City, and will lower the current budget appropriation in the Water Fund by approximately \$9 million, reflecting the difference between the transfer amount previously authorized by Measure M and the transfer amount currently authorized by applicable law and supported by approved nexus studies.

City Council action on this matter is required within 30 days of the State Supreme Court's decision to not hear the City's Measure M appeal.

The Water Department has ceased the Measure M transfer to the General Fund. The ongoing reduction in the transfer will decrease the Water Fund's expenses. The impact upon the reserve balance will then be factored by the Board of Water Commissioners into future budget and rate deliberations.

Approve recommendation.

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CHRISTOPHER GARNER GENERAL MANAGER,  
LONG BEACH WATER