

# **Orange County Mosquito and Vector Control District**

## **Statement of Investment Policy for Liquid Assets**

**Fiscal Year 2016-17**

**Policy No. 38**

**August 18, 2016**

**1. Purpose:** The purpose of this policy is to comply with the requirements of California Government Code Section 53600 et. seq. and to provide clear guidance for the investment of all monies of the Orange County Mosquito and Vector Control District (District).

**2. Application:** This regulation applies to all liquid financial assets of the District. This regulation shall not apply to assets designated as post-retirement health care plan funds by the District.

### **3. Regulation:**

#### **A. Investment Objectives**

The investment of all funds of the District is structured to achieve, in priority order, the goals of safety, liquidity, and yield within the parameters established by law.

The primary objective of the investment policy of the District is safety of principal. To attain this objective, the District will diversify its investments by investing funds among a variety of securities and financial institutions. The goal will be to mitigate credit risk and interest rate risk. Most investments will be highly liquid. Maturities will be selected to anticipate cash needs, thereby, avoiding the need for forced liquidation. The District's investment portfolio shall be designed with the objective of attaining a benchmark rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints of safety and liquidity needs.

#### **B. Legal and Policy Constraints**

The authority governing investments for municipal government agencies is set forth in the California Government Code Section 53600 et. seq. In all instances, the District shall comply with the requirements of state law as it is amended from time to time. In addition to the requirements of state law, the District:

- ◆ shall not purchase or sell securities on margin.
- ◆ shall not borrow funds for the sole purpose of arbitrage.

#### **C. Prudence**

The Board of Trustees and persons authorized to make investment decisions for the District are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a

prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.

Investment officials acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

***D. Ethics and Conflict of Interest***

Officers and employees of the District involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the District Manager/Treasurer any material financial interests in financial institutions that conduct business with the District, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the District, particularly with regard to the time of purchases and sales. The District Manager/ Treasurer shall make similar disclosures to the Board of Trustees.

Officers and employees shall refrain from undertaking any personal investment transactions with the same individual with whom business is conducted on behalf of the District. Under no circumstances shall investment officers or employees accept gifts, trips, or any type of gratuity from individuals or institutions engaged in investment practices with the District.

***E. Investment Authority***

Authority to manage the City's investment program is derived from California Government Code Section 53607. The Board of Trustees will retain ultimate fiduciary responsibility for the portfolio. The Board will receive monthly reports, designate investment officers and review the investment policy making any changes necessary by adoption.

The Board of Trustees delegates to the District Manager/Treasurer the primary responsibility for the District's investment program and the authority to make investments on behalf of the District. Such investments shall be limited to the instruments authorized under California Government Code Sections 53601 and 53635 and further described in Appendix A.

All investments of the District shall be approved by the District Manager/Treasurer.

No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the District Manager /Treasurer.

***F. Authorized Financial Institutions and Broker/Dealers***

The District Manager/Treasurer will maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained for approved security broker/dealers selected by conducting a process of due diligence. These may include "primary"

dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

Selection of authorized broker/dealers shall be made by the District Manager/Treasurer with the guidance of the Budget and Finance Committee. Periodically, the District will distribute a Broker/Dealer Questionnaire to interested and known financial institutions and broker/dealers. Qualified broker/dealers selected to do business with the District shall submit annually a current audited financial statement. After the annual adoption of the District's investment policy by the Board of Trustees, a copy shall be sent to all broker/dealers approved to do business with the District. Confirmation of receipt of this policy shall be considered evidence that the dealer understands the District's investment policies and intends to sell the District only appropriate investments authorized by this policy.

Selection of financial institutions to serve as depositories for the District shall be made by the Board of Trustees upon the recommendation of the District Manager/Treasurer.

### ***G. Deposits***

Money must be deposited in state or national banks, state or federal savings associations, or state or federal credit unions in the State of California. Money may be in:

- Active deposits
- Inactive deposits
- Interest-bearing active deposits
- Passbook savings accounts

The depository must secure the District's deposits by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the District) with the pledged securities having a market value of 110% of the total amount of the deposits. State law also allows financial institutions to secure deposits by pledging first trust deed mortgage notes having a value of 150% of the total amount of the deposits.

The District Manager/Treasurer may, at his/her discretion, waive the collateral requirement for deposits which are fully insured up to \$250,000 by the FDIC.

From time to time certain institutions may ask to reduce the existing certificate of deposit of \$250,000 down by a few thousand dollars so the accrued interest on the deposit will also be insured. It is to the District's advantage to reduce the principal deposit to the lower level for full insurance coverage of principal and accrued interest if the financial institution requests the reduction and if there is no penalty assessed for the reduction. If deposits exceed the FDIC insurance level, then the deposits must be collateralized as described in the preceding paragraphs of this section.

***H. Safekeeping of Securities***

All purchased securities shall be held by an independent third-party safekeeping institution selected by the Board of Trustees and evidenced by safekeeping receipts in the District's name. All security transactions entered into by the District shall be conducted on a delivery-versus-payment (DVP) basis to ensure the securities are deposited in the District's safekeeping institution prior to the release of funds.

***I. Investments***

The following is a list of investments authorized by the California Government Code (see Appendix A for descriptions):

- Bankers Acceptances
- California Local Agency Bonds, Notes, Warrants, or Other Debt
- Commercial Paper
- Federal Agency Issues
- Local Agency Investment Pools
- Medium Term Corporate Notes
- Money Market Mutual Funds
- Negotiable Certificates of Deposit
- Repurchase Agreements
- Reverse Repurchase Agreements
- Securities Lending Agreements
- State Treasury Notes or Bonds
- Supranationals
- U.S. Treasury Issues

**The following types of investments can be made directly by the District:**

- U.S. Treasury Issues
- Federal Agency Issues
- Prime Bankers Acceptances
- Negotiable Certificates of Deposit
- Local Agency Investment Fund (LAIF)
- Orange County Investment Pool (OCIP)
- Money Market Mutual Funds

***J. Maturity and Term***

The District administers funds according to cash flow requirements. As a result, there is a core of funds that are not necessary for the daily operational needs of the District for paying expenses. From time to time market conditions of fixed income markets present opportunities for higher interest rates on high grade securities with a low risk exposure. It is in the best interest of the District to practice a fully diversified investment plan that will insure safety, liquidity, and the increase of acceptable yield from these situations.

To the extent possible, the District will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the District shall not directly invest in securities maturing more than two years from the date of purchase.

At no time will more than 50 percent (50%) of the District's funds be invested longer than one year. Purchases greater than two years will meet the following requirements and restrictions:

1. The security must be a U.S. Treasury note or bond or Federal Agency security.
2. A maximum of twenty-five percent (25%) of the District's invested funds can be invested in securities over two years.
3. No securities can be purchased by the District with a term remaining to maturity greater than five years unless matched to a specific cash flow or asset acquisition, and the Board of Trustees has authorized the investment no less than three months prior to the purchase.

***K. Diversification***

The District shall diversify its investments by security type and institution. With the exception of U.S. Treasury securities and authorized investment pools (i.e. LAIF or OCIP) the following shall apply:

1. Federal Agency Securities

No more than 50 percent (50%) of the District's investment portfolio shall be invested in securities of a single issuer (e.g., FFCB, FNMA, etc.)

2. All Other Securities

No more than 15 percent (15%) of the District's investment portfolio shall be invested in a single security type and no more than 5 percent (5%) with a single issuer.

***L. Internal Controls and Transfers of Investment Funds***

Management shall establish a system of internal controls, which shall be documented in writing. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the District.

The internal controls shall be reviewed annually by the external auditor. This review will provide internal control by assuring compliance with policies and procedures.

The transferring of investment funds will be carried out exclusively by use of telephonic or electronic wire transfers. Each entity with which the District does business shall receive, in writing from the District Manager/Treasurer, a listing which limits transfers of funds to preauthorized bank accounts only. The listing will also contain the names of District staff

authorized to request such transfers and will be updated, in writing, for all changes of authorized staff and bank accounts, as necessary.

***M. Performance Standards***

The investment portfolio shall be designed with the objective of obtaining a rate of return, throughout budgetary and economic cycles, commensurate with investment risk constraints and cash flow needs.

The bases used by the District Manager/ Treasurer to determine whether market yields are being achieved shall be investment return of the Local Agency Investment Fund (LAIF) and the interest rate of a U.S. Treasury obligation with a maturity that approximates the average maturity of the portfolio.

***N. Reporting***

In accordance with California Government Code Sections 41004, 53607 and 53646, the District Manager/Treasurer and the Director of Administrative Services shall render monthly reports to the Board of Trustees showing receipts, disbursements and fund balances for the month, along with: (a) type of investment; (b) issuer; (c) date of maturity; (d) par and dollar amount of deposit; (e) current market value for all securities with a maturity of more than twelve (12) months and the source of the valuation information; (f) rate of interest on each security; and (g) such other data as the Board of Trustees may, from time to time, specify, for all investments in the portfolio. The report shall also state the degree of compliance of the portfolio to the Investment Policy, and shall include a statement denoting the ability of the District to meet its expenditure requirements for the next six months.

For investments in LAIF and OCIP, the report may include the most recent statement received by the District from these institutions in lieu of the information required by the preceding paragraph.

***O. Policy Review***

1. Annual Statement of Investment Policy

The District Manager/Treasurer and the Director of Administrative Services shall annually in June render to the Board of Trustees a Statement of Investment Policy which Statement shall be adopted by Resolution of the Board of Trustees.

2. Periodic Review

To ensure a statement which is consistent with any new relevant legislation and financial trends, the District Manager/Treasurer and the Director of Administrative Services shall periodically report to the Board of Trustees proposed changes and amendments to this policy for review and approval. In any event, all changes in state law that restrict investments beyond what is allowed in this policy shall be considered incorporated immediately upon their effective date unless otherwise adopted earlier by action of the Board of Trustees.

## APPENDIX A

### DEPOSITORY SERVICES

**Active deposits** are demand or checking accounts which receive revenues and pay disbursements.

**Inactive deposits** are Certificates of Deposit issued in any amount for periods of time as short as fourteen days and as long as several years.

**Interest-bearing active deposits** are money market accounts at a financial institution (i.e., bank, savings and loan, credit union). These accounts are demand accounts (i.e., checking accounts) with restricted transaction activity.

**Passbook savings account** is similar to an inactive deposit except not for a fixed term. The interest rate is much lower than Certificates of Deposit, but the savings account allows for flexibility. Funds can be deposited and withdrawn according to daily operational needs.

### INVESTMENT SECURITIES

**Bankers Acceptances** are short term credit arrangements that are high-grade, negotiable instruments. They are time drafts drawn on and accepted by a commercial bank, primarily used to finance international trade. By its acceptance, the bank becomes primarily liable for the payment of the draft at maturity. Purchases of bankers' acceptances may not exceed 180 days to maturity. Local Agencies cannot invest more than forty percent (40%) of their surplus money in Bankers Acceptances nor more than thirty percent (30%) of their

surplus money in Bankers Acceptances of any one commercial bank.

**California or Local Agency Bonds, Notes, Warrants, or Other Debt** are obligations of any U.S. state or of any local agency within the State of California. These obligations may consist of registered treasury notes or bonds or other types of obligations.

**Commercial Paper** is a short term unsecured promissory note issued by a corporation to raise working capital. These negotiable instruments must be of prime quality as defined by State law and may be purchased at a discount up to par value or as interest bearing. Purchases of eligible commercial paper may not exceed 270 days maturity. Local agencies cannot invest more than twenty-five percent (25%) of the agency's surplus funds in Commercial Paper nor more than 10% of their surplus money in Commercial Paper of any one issuer.

**Federal Agency Issues** are issued by direct U.S. Government agencies or U.S. Government-sponsored enterprises. These issues are guaranteed by the United States Government or U.S. Government-sponsored enterprises. Examples of these securities are Federal Home Loan Bank (FHLB) notes, Federal Home Loan Mortgage Association (FHLMC), Federal National Mortgage Association (FNMA) notes and Federal Farm Credit Bank (FFCB) notes and Government National Mortgage Association (GNMA) notes. GNMA securities are guaranteed by the full faith and credit of the United States Government. Securities of the other agencies are guaranteed by the

agencies and have an “implicit guarantee” of the U.S. Government.

**Local Agency Investment Pools (such as the State Treasurer’s Local Agency Investment Fund (LAIF) or the Orange County Investment Pool (OCIP))** are special funds in a state or local agency treasury which local agencies may use to deposit funds for investment. They offer high liquidity because deposits can quickly be converted to cash. All interest is distributed to participating agencies on a proportionate share basis of amount and length of time.

**Medium Term Corporate Notes** are unsecured promissory notes issued by a corporation organized and operating in the United States. These are negotiable instruments and are traded in the secondary market. Medium Term Corporate Notes (MTN) can be defined as extended maturity commercial paper. Corporations use these MTN’s to raise capital.

These investments must be in corporations rated in the top three note categories by a single nationally recognized rating service. Further restrictions are a maximum term of five years to maturity and total investments in Medium Term Corporate Notes may not exceed thirty percent (30%) of the local agency’s surplus money.

**Money Market Mutual Funds** are referred to in California Government Code Section 53601(L) as “shares of beneficial interest issued by diversified management companies.” The Mutual Fund must be restricted by its by-laws to the same investments as the local agency by the California Government Code.

The purchase price of shares shall not include any commission that the fund manager may charge and investments in these funds shall not exceed 20 percent of the agency’s funds that may be invested. In addition, no more than 10 percent of the agency’s funds may be invested in shares of any single mutual fund.

**Negotiable Certificates of Deposit (NCD)** are unsecured obligations of the financial institution. These securities are generally issued in bearer form and pay interest at maturity.

**Repurchase Agreements** are short term investment transactions. Banks buy temporarily idle funds from a customer by selling him U.S. Government or other securities with a contractual agreement to repurchase the same securities on a future date. The customer receives interest from the bank. The term of a repurchase agreement may not exceed one year.

**Reverse Repurchase Agreement** is opposite of a repurchase agreement; it is an investment in which the local agency sells securities prior to the purchase with a simultaneous agreement to repurchase the security. The term of a repurchase agreement may not exceed one year.

**Securities Lending Agreement** means an agreement with a local agency that agrees to transfer securities to a borrower who, in turn agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.



**Supranationals** are multi-national organizations, whereby member states transcend national boundaries or interests to share in the decision making to promote economic development in the member countries. Supranational securities allowed by state law are U.S. dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the Internal Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank.

**U.S. Treasury Issues** are direct obligations of the United States Government. These issues are called bills, notes, and bonds. The maturity range of new issues is from 13 weeks (T-Bills) to 30 years (T-Bonds). These are highly liquid and are considered the safest investment security.