



Agenda Item B.5
CONSENT CALENDAR
Meeting Date: September 20, 2016

TO: Mayor and Councilmembers
FROM: Genie Wilson, Finance Director
CONTACT: Luke Rioux, Accounting Manager
SUBJECT: Revision of City's Investment Policy

RECOMMENDATION:

Adopt Resolution No. 16-__ entitled, "A Resolution of the City Council of the City of Goleta, Adopting the City of Goleta Investment Policy."

BACKGROUND:

The City's Investment Policy was created in June 2005 to establish strategies, practices and procedures to be used in investing public funds. It was last revised in February 2014 to expand the rating requirements to allow for industry related rating services. This revision allowed privately held local banks the opportunity to serve as the City's financial institution. California Government Code (State Code) sections 53600-53610 establish legally permitted investments for local governments statewide. While not required by the State Code, each year the City's Investment Policy should be reviewed by the City Council, and any changes adopted at a public meeting.

DISCUSSION:

A review of the City's Investment Policy provides an opportunity to ensure its consistency with the overall policy objectives of safety, liquidity and yield, and its relevance to current law and economic trends. The policy serves as a guide for setting and achieving the City's own investment objectives and defines guidelines for the management of the City's portfolio.

Revisions to the investment policy are currently made as needed to incorporate policy or statutory changes affecting the City's investment program and daily investing activities. Policy revisions are generally technical in nature, such as process changes or language clarifications. Statutory changes are changes in state law affecting allowable investments or procedures related to investing activities. At this time the Goleta Investment Policy is in compliance with State Code.

Staff Recommended Changes

To be consistent with industry best practices provided by the California Debt and Investment Commission (CDIAC), staff is recommending the following:

- Amendments to Section 5, Authorized Investments, under the Certificate of Deposits (CDs) section to include language that the City may waive collateral requirements for the portion of the deposit insured up to the amount allowed per account by the Federal Deposit Insurance Corporation (FDIC), currently at \$250,000.
- Amendments to Section 11 C, Authorized Broker-dealers, in the addition to primary dealers, the City seeks to add regional-brokers to the list of institutions authorized to provide investment services. Regional broker/dealers have unique product specialties and services that are more suited to smaller agencies. In recognition of this, the majority of public agencies in California utilize regional broker/dealers along with primary dealers.
- Amendments to Section 19, to include additional language that an annual review and adoption of the City's Investment Policy be implemented.

A complete copy of the policy is provided as an Exhibit A to Attachment 1 and staff has included the above changes in red-line format for easier reference in the Investment Policy.

Currently the City's investment practice includes holding investments in a collateralized money market account within our banking institution, Community West Bank, and the Local Agency Investment Fund (LAIF) of the State of California. Based on best practices, and the recommended changes mentioned above, staff will be able to pursue the services of authorized broker-dealers as identified in the City's revised Investment Policy to further diversify and ladder investments while still prioritizing safety.

Staff met with the Finance and Audit Standing Committee on September 19, 2016, to review and discuss the policy. Staff will continue to work with the Finance Committee as staff moves forward with this process.

FISCAL IMPACTS:

There are no fiscal impacts. The Investment Policy conforms to California Government Code and if revised as proposed, will comply with CDIAC's best practices designed to meet the City's short and long term cash flow needs.

ALTERNATIVES:

Approval of the Investment Policy by the Legislative body is not required by law but is a recommended best practice. The Council may request alterations be made to any section as long as the revisions meet the requirements of the State Code.

Reviewed By:



Tim W. Giles
City Attorney

Approved By:



Michelle Greene
City Manager

ATTACHMENTS:

1. Resolution No. 16-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Adopting the City of Goleta Investment Policy."

ATTACHMENT 1:

Resolution No. 16-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Adopting the City of Goleta Investment Policy."

RESOLUTION NO. 16-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA,
CALIFORNIA, ADOPTING THE CITY OF GOLETA INVESTMENT
POLICY**

WHEREAS, On June 20, 2005, the City Council adopted and established a policy regarding the investment of City funds; and

WHEREAS, the City's Investment Policy was last modified on February 4, 2014; and

WHEREAS, the City wishes to include language waiving collateral requirements for the portion of any deposit insured up to the amount allowed per account by the FDIC, expand authorized broker-dealers to include regional broker-dealers to the list of institutions authorized to provide investment services and require that the City's Investment Policy be reviewed and adopted annually by the City Council.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES
RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

SECTION 1:

The attached exhibit, City of Goleta Investment Policy – September 20, 2016, is hereby adopted and made a part of this resolution. To supersede and replace the investment policy adopted in February 2014 by Resolution 16-__.

SECTION 2.

The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 20th day of September 2016.

JIM FARR, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

TIM W. GILES
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 16-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 20th day of September, 2016 by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

RESOLUTION EXHIBIT

CITY OF GOLETA, CALIFORNIA INVESTMENT POLICY – September 20, 2016

1. PURPOSE

It is the purpose of the City's investment policy to establish strategies, practices and procedures to be used in investing public funds in a prudent manner, which will provide the maximum security while meeting daily cash flow needs and conforming to all statutes governing the investment of public funds.

Secondly, this document will identify policies that enhance opportunities for a prudent and systematic investment of public funds. This policy is intended to guide the investment of City funds toward the goals of safety, liquidity and yield.

2. POLICY

It is the policy of the City of Goleta, hereafter referred to as the "City", to invest public funds not required for immediate day-to-day operations, also referred to as idle funds, in safe and liquid investments having acceptable rates of return while conforming to all state statutes and this City's Investment Policy.

Any conflict between this City Investment Policy and Government Code Section 53600 et. seq., shall be interpreted in favor of the Government Code.

3. SCOPE

It is intended that this policy cover all funds and investment activities of the City. These funds are reflected in the annual audit report and include:

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Projects Funds
- Fiduciary Funds

Any additional funds that may be created from time to time shall also be administered within the provisions of this policy and comply with the California State Government Code.

This policy covers the investment activities of idle funds under the direct authority of the City.

A. Pooled Investments

Investments for the City and its component units will be made on a pooled basis, except as provided for below.

B. Investments Held Separately

In some instances, investments cannot be included in the City's investment pool. These may include investments of bond proceeds. In such cases the funds will be held separately when required by law, contract or other authority.

4. OBJECTIVES

Section 53600.5 of the California Government Code outlines the primary objectives of a trustee investing public money. The primary objectives, in order of priority, of the City's investment activities shall be:

A. Safety

Safety of principal is the foremost objective of the investment program. Investments by the City shall be undertaken in a manner that seeks to ensure preservation of capital in the overall portfolio and reduce both credit and market risk. The type of investment instruments and diversification of investments are critical components to ensuring investment portfolio safety.

B. Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated. Liquidity also refers to the ability to convert an investment to cash without loss of principal and minimal loss of interest.

C. Yield

Investment return becomes a consideration only after the basic requirements of safety and liquidity have been met. The City shall attempt to obtain an acceptable return for additional income for City operations relative to the risk being taken.

The City Treasurer shall strive to maintain the level of investment of all idle funds as close to 100% as possible. While the objectives of safety and liquidity must first be met, it is recognized that investment assets represent a potential source of significant revenues. It is to the benefit of the City that these assets be managed to produce optimum revenues consistent with State statutes and local policies.

5. **AUTHORIZED INVESTMENTS**

A. **Pooled Monies for Investment Purpose.** The City Treasurer may invest City funds in the following instruments as specified in California Government Code Section 53601, and as further limited in this policy.

- (1) Local Agency Investment Fund (LAIF) of the State of California. Investments in accordance with the laws and regulations governing those funds.
- (2) Obligations of the U.S. Government, its agencies and instrumentalities, including mortgage-backed securities with a fixed coupon issued by an agency of the U.S. Government.
- (3) Certificates of Deposit (CDs). CDs shall not exceed five-year maturity. CDs shall be collateralized as specified in Section 6 of this investment policy. CDs shall be issued by nationally or state chartered banks and cannot exceed thirty percent (30%) of the total portfolio. The City may waive collateral requirements for the portion of any deposit insured up to the amount allowed per account by the FDIC.
- (4) Prime Commercial Paper of the highest numerical rating of Moody's Investment Service, Inc. or Standard & Poor's Corporation (S&P) from issuing corporations that are organized and operating within the United States and having total assets in excess of \$500 million and having the equivalent to an "AA-" or higher rating from either Moody's or S&P for other debt of the issuer. Commercial Paper shall not exceed 270 days maturity or 25% of the portfolio.
- (5) Money market funds with portfolios consisting of one or more of the indicated legal investments and none of the prohibited investments.
- (6) Sweep account for the investment of overnight funds when the funds are swept into investments authorized by this policy.
- (7) Passbook accounts maintained solely to provide for ongoing operational needs shall be subject to the requirements of this policy.

B. **Investments Held Separately.** Investments of bond funds shall be made in conformance with the trust indenture for each issue. Such investments shall be held separately when required.

6. **COLLATERALIZATION**

Investments in certificates of deposit, sweep accounts and passport accounts shall be fully insured up to the limit set by the Federal Deposit Insurance

Corporation or the Federal Savings & Loan Insurance Corporation (FDIC). Investments in certificates of deposit, sweep accounts and passport accounts in excess of the FDIC limit shall be properly collateralized as required by law.

7. UNAUTHORIZED INVESTMENTS/INVESTMENT ACTIVITIES

Investments not specifically authorized herein are disallowed. Additionally, Section 53601.6 of the California Government Code disallows the following: inverse floaters, range notes, or interest-only strips that are derived from a pool of mortgages. Futures, options, all leveraged purchases, reverse repurchases, and speculations on interest rates are specifically not allowed by this policy.

8. INVESTMENT STRATEGY

- A. **Buy and Hold.** A buy and hold strategy shall generally be followed. A buy and hold strategy requires that the portfolio be kept sufficiently liquid to preclude the undesirable sale of investments prior to maturity. Occasionally, the City Treasurer may find it advantageous to sell an investment prior to maturity, such as when the return for an alternative investment would significantly exceed the loss on the current investment. The sale of investments prior to maturity should be only on an exception basis and only when it is clearly favorable to do so. To further provide for liquidity, investments will be made only in readily marketable securities actively traded in the secondary market.
- B. **Benchmark.** The City shall use the LAIF interest rate as a benchmark to measure whether or not the City's portfolio net yields are matching or surpassing the market yield. The benchmark and investment performance will be reviewed by the Finance and Audit Standing Committee as market conditions warrant or when the benchmark is not met for a consecutive one-year period.
- C. **Per Indenture Provisions.** Investments held separately for bond proceeds will follow the trust indenture for each issue.

9. MAXIMUM MATURITIES

- A. **Pooled Monies for Investment Purpose.** A policy of laddered portfolio shall be followed for pooled investments. At least thirty-five percent (35%) of the portfolio value shall be invested in instruments maturing within one year from the investment date. No more than twenty-five percent (25%) of the entire portfolio value shall have a maturity date between three (3) and five (5) years from the investment date, unless the Treasurer can demonstrate via a comprehensive cash-flow analysis that higher percentages allows the City to meet its cash-flow requirements. Investments having a maturity greater than five (5) years shall not be made.

- B. **Investments Held Separately.** Maturities for investments held separately shall conform to the trust indenture for each issue.

10. **DIVERSIFICATION**

The portfolio instrument composition shall be diversified to the extent feasible to avoid incurring unreasonable and avoidable risks regarding specific security types indicated in Section 5 of this investment policy. No more than ten percent (10%) of the value of the City's portfolio will be placed with any single issuer, with the exception of the U.S. Treasury/Federal agency securities, authorized pools, and collateralized investments.

11. **SELECTION OF FINANCIAL INSTITUTIONS AND BROKERS/DEALERS**

- A. **General.** Investments shall be purchased only through well-established, financially sound institutions. All financial institutions and broker/dealers who desire to become qualified vendors for investment transactions will be given a copy of the City's investment policy and certification form. The completion and submission of the certification form by a broker-dealer or financial institution shall constitute proof that it has received the City's Statement of Investment Policy, read it, and intends to comply with it. Qualified financial institutions must provide current audited financial statements and provide either verification of a federal or a state charter or of being an eligible institution per the California Government Code. Broker/dealers must provide current audited financial statements and verification that the firm is in good standing with one of national securities exchange that is registered with the Securities Exchange Commission.

- B. **Authorized Financial Institutions.** The City Treasurer shall maintain an Approved List of all commercial banks and all savings and loan associations which may serve as public depositories of City monies. That list will be reviewed by the Finance and Audit Standing Committee within three months of modifying the list.

The City shall only deposit public monies in financial institutions that have: (1) at least \$500 million in total assets; (2) a core capital-to-total assets ratio of at least five percent; (3) favorable ratings from a recognized financial institution rating service, as determined by the City Treasurer; (4) a federal or a state charter; or are eligible institutions per the California Government Code and (5) a branch office within Santa Barbara County.

Under no circumstances shall the City's deposits in a financial institution exceed the total shareholders' equity of that institution.

- C. **Authorized Broker-dealers.** ~~The City will utilize the services of brokers and security dealers only if the firm is recognized as a primary dealer by~~

~~the Federal Government. No public deposit shall be made except in a state-qualified depository. The City will maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security broker-dealers selected by credit worthiness who are authorized to provide investment services in the State of California. These may include primary dealers or regional dealers that qualify under Securities and Exchange Commission Rule 15c3-1 (uniform new capital rule). All financial institutions and broker-dealers for investment transactions must supply the City with the following: audited financial statements, proof of Financial Industry Regulatory Authority (FINRA) certification, proof of State of California registrations, completed broker-dealer questionnaire, and certificate of having read the City's investment policy.~~

12. PAYMENT, DELIVERY, SAFEKEEPING AND CUSTODY

All security transactions entered into by the City shall be conducted on a delivery-vs.-payment basis. Transactions, including wiring instructions, must be approved in writing by the City Treasurer or his/her designee, identified in advance in writing, or the City Manager. All investment transactions in excess of \$100,000 (except for deposits or withdrawals from the LAIF) shall also require the signature of the City Manager or his/her designee.

All securities owned by the City, (except the collateral for certificates of deposit in banks and/or savings and loans) shall be held by a third-party custodian designated by the City Treasurer. The third-party custodian shall annually provide a copy of their most recent report of internal controls. The custodian shall also provide periodic statements of the securities owned by the City listing the specific instrument, rate, maturity and other pertinent information. All securities shall be held in the nominee name of the custodian.

13. PRUDENCE

Section 53600.3 of the California Government Code identifies as trustees those persons authorized to make investment decisions on behalf of a local agency. As a trustee, the standard of prudence to be used shall be the "prudent investor" standard and shall be applied in the context of managing the overall portfolio. Investments shall be made with judgment and care, under circumstances then prevailing which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Investment officers, acting in accordance with written procedures and the investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk changes or market price

changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

14. DUTIES AND RESPONSIBILITIES

The management of idle cash and the investment of funds identified in paragraph 3(A) is the responsibility of the City Treasurer as directed by the City Council. Under the authority granted by the City Council, no person may engage in an investment transaction covered by the terms of this policy unless directed by the Treasurer.

In the execution of this delegated authority, the Treasurer may establish accounts with qualified financial institutions and brokers/dealers for the purpose of effecting investment transactions in accordance with this policy. The criteria used to select qualified financial institutions and brokers/dealers are identified in Part 11 of this policy.

15. INTERNAL CONTROL

The City Treasurer shall establish and maintain a system of appropriate internal controls to ensure compliance with policies and procedures. The controls are designated to prevent losses of public funds arising from fraud, error, or imprudent actions by employees and officers of the City.

16. ETHICS AND CONFLICTS OF INTEREST

All participants in the City's investment process shall act responsibly as custodians of the public trust. Officers and employees 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 recommendations and decisions. Investment officials and employees shall make all disclosures appropriate under the Fair Political Practices Act, and shall seek and follow the advice of the City Attorney and the Fair Political Practices Commission whenever there is a question of personal, financial or investment positions that could represent potential conflicts of interest.

17. REPORTING

A. **Pooled Investments.** The investment report shall be submitted to the City Council on a quarterly basis by the City Treasurer. The quarterly report shall include the following elements:

- Itemized listing of portfolio investments by type, date of maturity, yield to maturity, and issuer.
- Par value, dollar amount invested, book value and current market value if applicable. The source of the market values will be cited.

- Statement that the investment portfolio has the ability to meet the City's cash flow demands for the next six months.
- Statement of compliance of the portfolio with the City's investment policy.
- Cash investment balances

B. **Investments Held Separately.** A report of the investments held separately shall be made on a quarterly basis and submitted as an attachment to the City Treasurer's quarterly report.

18. **EXCEPTIONS**

Occasionally, exceptions to some of the requirements specified in this investment policy may occur for pooled investments because of events subsequent to the purchase of investment instruments. State law is silent as to how exceptions should be corrected. Exceptions may be temporary or more lasting; they may be self-correcting or require specific action. If specific action is required, the City Treasurer should determine the course of action that would correct exceptions to move the portfolio into compliance with State law and City policy. Disclosure of exceptions lasting more than 183 days shall be done in the quarterly investment report immediately following the 183 days. Decisions to correct exceptions should not expose the assets of the portfolio to undue risk, and should not impair the meeting of financial obligations as they fall due. Any subsequent investments should not extend existing exceptions.

19. **INVESTMENT POLICY ADOPTION**

The City's investment policy and any modifications thereto shall be considered at a public meeting. Any modifications to the Investment Policy must be approved by the City Council.

The City's investment policy shall be reviewed and adopted annually by the City Council.

INVESTMENT POLICY GLOSSARY

Bond Indenture (or Trust Indenture): Written agreement specifying the terms and conditions for issuing bonds, stating the form of the bond being offered for sale, interest to be paid, the maturity date, call provisions and protective covenants, if any, collateral pledged, the repayment schedule, and other terms. It described the legal obligations of a bond issuer and the powers of the bond trustee, who has the responsibility for ensuring that interest payments are made to registered bondholders.

Buy and Hold Strategy: Investments in which management has the positive intent and ability to hold each issue until maturity.

Certificates of Deposit: Large denomination (\$100,000 or more) interest bearing time deposits, paying the holder a fixed amount of interest at maturity. Funds cannot be withdrawn before maturity without giving advance notice and without a penalty.

Collateralization: To secure a debt in part or in full by pledge of collateral, asset pledged as security to ensure payment or performance of an obligation.

Current Yield: The interest paid on an investment expressed as a percentage of the current price of the security.

Delivery versus Payment: Securities industry term indicating payment is due when the buyer has securities in hand or a book entry receipt.

Disallowed Investments: Prohibited investments include any investments not specifically authorized within this policy, inverse floaters, range notes, interest-only strips that are derived from a pool of mortgages; futures, option, all leveraged purchases, reverse repurchases, and speculations on interest rates.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Deposit Insurance Corporation (FDIC): The central bank of the United States which consists of a seven member Board of Governors, 12 regional banks, and 5,700 commercial banks that are members.

Fiduciary Funds: Funds held in a trustee or agency capacity for outside parties.

Interest Rate: The annual yield earned on an investment, expressed as a percentage.

Liquidity: Refers to the ability to rapidly convert an investment into cash.

Laddered Portfolio: Bond investment portfolio with securities in each maturity range (e.g. monthly) over a specified period of time (e.g. five years).

Leverage: Investing with borrowed money with the exception that the interest earned on the investment will exceed the interest paid on the borrowed money.

Local Agency Investment Fund (LAIF): A voluntary investment program offering participating agencies the opportunity to participate in a major portfolio which daily invests hundreds of millions of dollars, using the investment expertise of the State Treasurer's Office investment staff at no additional cost to the taxpayer. Investment in LAIF, considered a short-term investment, is readily available for cash withdrawal on a daily basis.

Market Risk: Defined as market value fluctuations due to overall changes in the general level of interest rates. Adverse fluctuation possibilities shall be mitigated by limiting the maximum maturity of any one security to five years, structuring the portfolio based on historic and current cash flow analysis, and eliminating the need to sell securities prior to maturity. Also, avoiding the purchase of long term securities for the sole purpose of short-term speculation mitigates market risk.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Maturity: The date the principal or stated value of an investment becomes due and payable.

Nominee: Registered owner of a stock or bond if difference from the beneficial owner, who acts as holder of record for securities and other assets. Typically, this arrangement is done to facilitate the transfer of securities when it is inconvenient to obtain the signature of the real owner, or the actual owner may not wish to be identified. Nominee ownership simplifies the registration and transfer of securities.

Pooled Investments: Grouping of resources for the advantage of the participants.

Portfolio: Collection of securities held by an investor.

Prime Commercial Paper: Short-term IOU, or unsecured money market obligation, issued by prime rated commercial firms and financial companies, with maturities from 2 days up to 270 days. A promissory note of the issuer used to finance current obligations, and is a negotiable instrument.

Sweep Account: Short-term income fund into which all un-invested cash balances from the non-interest bearing checking account are automatically transferred on a daily basis.

Third-Party Custodian: Corporate agent, usually a commercial bank, who, acting as trustee, holds securities under a written agreement for a corporate client and buys and sells securities when instructed. Custody service includes securities safekeeping, and collection of dividends and interest. The bank acts only as a transfer agent and makes no buy-sell recommendations.

U.S. Government Securities: Securities issued by the U.S. Government and its agencies which are either directly or indirectly backed by the full faith and credit of the United States. U.S. Government securities include Treasury Bills, Notes and Bonds. Agency securities include those issued by the Federal National Mortgage Association, Federal Home Loan Bank, and similar agencies.

Yield to Maturity: The rate of annual income return on an investment expressed as a percentage, adjusted for any discounts, and spread over the period from the date of purchase to the date of maturity.