



Agenda Submittal

Agenda #: 4 **Status:** Consent Calendar
Type: Resolution **Department:** Treasurer-Tax Collector-County Clerk
File #: 21-172 **Contact:** Charles Lomeli, 784-3419
Agenda date: 3/9/2021 **Final action:** 3/9/2021
Title: Adopt a resolution to renew annual delegation of investment authority to County Treasurer; Approve the proposed County Investment Policy; and Adopt a resolution to approve the proposed County PARS 115 Trust Investment Policy
Governing body: Board of Supervisors
District: All
Attachments: 1. A - Investment Policy Resolution, 2. B - PARS 115 Policy Resolution, 3. C - Investment Policy, 4. D - PARS 115 Policy, 5. E - Investment Policy (Redline), 6. F - PARS 115 Policy (Redline), 7. Minute Order, 8. Adopted Resolution - Annual Delegation of Investment Authority, 9. Adopted Resolution - PARS 115 Trust

Date	Ver.	Action By	Action	Result
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3/9/2021	1	Board of Supervisors		
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Published Notice Required? Yes No
Public Hearing Required? Yes No

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board of Supervisors adopt the resolution renewing its annual delegation of investment authority to the County Treasurer for FY2021/22 and approve the proposed Investment Policy. It is further recommended that the Board of Supervisors adopt the resolution to approve the proposed PARS 115 Trust Investment Policy.

SUMMARY:

California Government Code section 27000.3 provides that the Board of Supervisors is the agent of the County that serves as a fiduciary and is subject to the prudent investor standard for the County Investment Pool unless an annual delegation of authority has occurred pursuant to Government Code section 53607. Section 27000.1 permits the Board to delegate to the County Treasurer the authority to invest funds in the County Treasury for a period of one year. When such a delegation occurs, the County Treasurer and not the Board of Supervisors serves as the fiduciary and is subject to the prudent investor standard.

On February 10, 2015 this Board took action to adopt Resolution 2015-21 establishing the PARS 115 Pension Trust (the Trust). The Trust is to be used exclusively to fund contractual obligations to provide pension benefits. This Board also delegated to the Treasurer investment authority for the Trust. While not mandated, in keeping with the tenets of Section 27000.1, the Treasurer is requesting an annual reaffirmation of the delegation and investment policy as a means of providing transparency.

Background

Retirement trust funds have different objectives and statutory prohibitions than the County Treasurer’s Pool and therefore require a separate investment policy that is reflective of those differences. The purpose of these funds requires staff to manage the funds to a risk profile unique from the investment pool.

These differences include an ability to purchase and hold equities, private placement securities, and fixed income investments whose risk profiles are greater than those found in a cash management pool such as the Treasurer's Pool. Since these funds will be held for a greater length of time and with a more predictable cash flow need they can be invested in securities that provide the potential for a greater return on investment that might otherwise be achievable.

FINANCING:

The preparation cost of this report is included in the Treasurer's annual appropriations. The full cost of operations for the Treasurer's Office is paid from investment earnings of the Treasury pool, which is allocated to all pool participants proportionately to their share of the pool investments. The General Fund share in the investment pool is approximately 12%.

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2020/21 Preliminary Budget.

ALTERNATIVES:

The Board may choose not to renew the delegation of authority to the Treasurer and choose instead to keep the investment responsibilities and serve as fiduciary. The Board could elect to make changes to either of the proposed policies.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the policies

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

RESOLUTION NO. 2021-35

RESOLUTION OF THE BOARD OF SUPERVISORS OF SOLANO COUNTY RENEWING DELEGATION OF INVESTMENT AUTHORITY TO THE SOLANO COUNTY TREASURER-TAX COLLECTOR-COUNTY CLERK AND APPROVING INVESTMENT POLICY

Whereas, California Government Code section 27000.1 provides that the Board of Supervisors may annually delegate authority to invest or reinvest the funds in the County Treasury to the County Treasurer; and

Whereas, Solano County Code section 2-27 has made such delegation subject to annual renewal by resolution of the Board of Supervisors on or before June 30 of each year to be effective the following fiscal year.

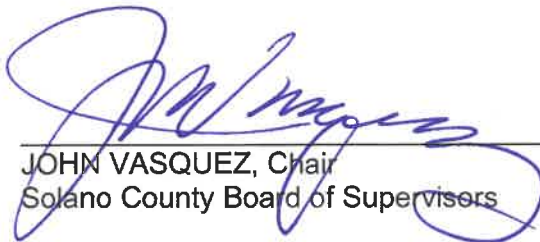
Resolved, the Board of Supervisors of Solano County renews its delegation of authority to invest or reinvest the funds of the County and the funds of other depositors in the County Treasury, pursuant to California Government Code Section 53600, et seq., to the Solano County Treasurer-Tax Collector-County Clerk.

Resolved, the County Treasurer will assume full responsibility for such transactions.

Resolved, the Solano County Board of Supervisors approves the Investment Policy attached to this resolution and incorporated by this reference.

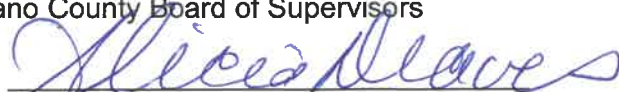
Passed and adopted by the Solano County Board of Supervisors at its regular meeting on March 9, 2021 by the following vote:

AYES:	SUPERVISORS	<u>Hannigan, Brown, Spring, Mashburn, and Chair Vasquez</u>
NOES:	SUPERVISORS	<u>None</u>
EXCUSED:	SUPERVISORS	<u>None</u>



JOHN VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: 
Alicia Draves, Chief Deputy Clerk

SOLANO COUNTY TREASURER

115 RETIREMENT TRUST

INVESTMENT POLICY

2021



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Purpose

In accordance with Government Code §53646, this policy is intended to provide guidance, control, and direction for the management 115 Retirement Trust Funds entrusted to the care of the Solano County Treasurer. These funds are invested collectively and referred to as the 115 Retirement Trust Fund. These funds are invested within the scope of all applicable government codes, trust agreements, or other restrictions in affect at the time of the deposit and during the holding period. Any funds entrusted and invested outside the 115 Retirement Trust Fund are accounted for separately.

Funds deposited in the 115 Retirement Trust Fund will be invested to optimize their earnings, within acceptable risk parameters, as recommended by the Pension Advisory Committee and adopted by the Board of Supervisors.

The parameters, recommended for adoption by the Board are no withdrawals of assets during the next fiscal year through June 30, 2021, and an expectation that the funds may be invested with a longer duration target, additional credit risk, and principal risk including exposure to equities or other non-fixed income investments. Investments of these types should be considered long term holdings and will restrict availability of 115 Trust funds.

Scope

This policy applies to all 115 Retirement funds over which the Treasurer has been granted fiduciary responsibility and direct control for their management.

Implementation

The guidelines and restrictions found herein shall be applied to all actions taken after its adoption by the Board of Supervisors and shall remain in effect until replaced.

Participants

This investment policy restricts deposits to those funds designated by the Solano County Board of Supervisors as self-directed 115 Retirement Trust Funds to be held in care of the County Treasurer.

General Policy Statement

It shall be the policy of the Solano County Treasurer to manage the 115 Retirement Trust Funds in accordance with all applicable Federal, State, or Local statutes, laws, regulations, ordinances or codes. The Treasurer will make every reasonable effort to maintain the profile of the 115 Retirement Trust Fund within an acceptable risk – return

profile based on the funds purpose and objectives. To achieve and maintain said acceptable risk – return profile, and to manage the portfolio within the guidelines and objectives outlined in this policy, the Treasurer may direct investment purchases, sales, or other investment actions to adjust the credit risk, interest rate risk, liquidity risk, or other risks inherent in investment pools.

Objectives

It is the objective of the Solano County Treasurer to invest public funds in a manner that provides security of principal, sufficient liquidity to ensure the specific portfolio is able to meet its cash flow needs, and generates returns commensurate with the inherent risks being managed. This practice is generally referred to as the “SLY” principal; which is Safety, Liquidity, and Yield.

It is the objective of this fund to be managed in a manner consistent with a retirement trust fund. Retirement trust funds will be subject to additional risk levels over and above those found in the Treasurer’s Pool. This includes the purchase and holding of equities and other securities that may be subject to substantial changes in value.

Safety: Safety of principal seeks to ensure the preservation of capital within acceptable risk tolerances. These risk tolerances will be greater than those found in the Treasurer’s Pool. Some capital risk is deemed acceptable given the longer duration and intended purpose of the 115 Retirement Trust Fund.

Within these higher risk tolerances, the Treasurer will employ management tools intended to mitigate and manage some of the credit and liquidity risks.

Credit risk, also known as default risk, is the risk the issuer of a security may be unable to make timely principal, interest, or dividend payments; resulting in a default on a fixed income; or the value of the equity investment will decline to zero. This risk is mitigated through diversification, a process whereby funds are invested in multiple issuers as opposed to a single name.

Liquidity risk is the risk an investment will be difficult or impossible to sell at a reasonable price relative to its potential return. Marketability risk increases or decreases based on a number of factors including the notoriety of the issuer and the frequency at which they issue. The size, structure, and complexity of the particular security, and the size of the market issued in are also factors that impact marketability of the security. Market risk is mitigated in the portfolio through the purchase and holding of securities issued by larger, more well-known, and higher rated issuers, such as the United States Treasury, Federal Agencies, and larger more widely recognized Corporations. Purchases of equities, either individually or as part of a mutual fund will be done in such a way as to provide earnings potential while managing overall portfolio risks.

Liquidity: The 115 Retirement Trust shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by purchasing securities from large, well known, and highly rated issuers. As well as maintaining a ladder of investment whose maturities are timed to match anticipated needs of 115 Retirement Trust. As a longer duration retirement portfolio, it is anticipated that the 115 Retirement Trust Fund will be maintained at a substantially lower liquidity position relative to a cash management pool.

Yield: The 115 Retirement Trust shall be managed with the objective of maintaining a rate of return commensurate with the risk while bearing in mind the funds are intended to be longer duration and higher risk. However, as a consequence of purchasing longer maturity investments with higher yields, and equity investments, the total return on the 115 Trust Fund can be expected to fluctuate with changes in market conditions.

Standard of Care

The following policies are designed in accordance with Government Code §53215 et al and the recommended best practices of the Government Finance Officers Association (GFOA) to provide transparency to Treasury operations while enhancing portfolio controls.

- a) **Mark to Market:** In accordance with Governmental Account Standards Board (GASB) Statement 40, the portfolio will be marked to market on a monthly or more frequent basis and treated as “Available” for Sale” for reporting purposes.
- b) **Disbursements** will be made in accordance with the Trust agreement.
- c) **Prudent Investor:** Treasury staff will at all times be held to the “Prudent Investor Standard” when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds. The County Treasurer and his/her deputies shall act with care, skill, prudence, and diligence under the circumstances then prevailing, specifically including, but not limited to, the general economic conditions and the anticipated needs of the County and other depositors a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of investing funds of a like character and with like aims to safeguard the principal and maintain the liquidity needs of the County and other depositors.
- d) **Indemnification:** The Treasurer and his or her staff, when 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. 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. Investments will not be made for speculation but for investment consistent with the stated objectives.

- e) **Ethics and Conflicts of Interest:** County officers, employees, agents and any others who may be directly involved in the investment decision process shall adhere to all applicable laws regarding conflicts of interest and refrain from personal business activity could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. The receipt of gifts is subject to the disclosure requirements and limitations set forth in sections §§87200 - 87210 and §§89503 - 89503.5 of the Government Code. In addition, the receipt of honoraria is prohibited.
- f) **Transactions Records:** All Treasury records will be maintained in accordance with the County's adopted records retention policy.

Banking

Banking services are not currently utilized in connection with the PARS 115 Trust. Should any such services be required, they will be selected in accordance with Government Code §53635.2.

Safekeeping and Custody

Delivery vs. Payment: Purchased, or otherwise acquired, investment securities will be delivered by Fed Book Entry, DTC, or physical deliver, and to the extent feasible, held in third party safekeeping with a designated custodian. To the greatest extent possible, all transactions will be conducted on a Delivery Versus Payment (DVP) methodology where funds for payment are released simultaneously with the arrival of the investment.

Third-party Safekeeping: The trust department of a bank or other qualified provider will be designated as custodian for safekeeping specific securities. The custodian shall provide reporting and as needed real time access to financial records that show the specific instrument, selling broker/dealer, issuer, coupon, maturity, CUSIP number, purchase or sale price, transaction date, and other pertinent information.

Reporting

In accordance with the recommendations of Government Code §53216.4 the Treasurer will publish on the County public website, or make available through other electronic means, a detailed report of the investment transactions on an at least annual basis. The report will include a description of securities held, transactions made, expenses incurred, compensation paid, fees paid, and the net profit or loss of the portfolio. In addition, the report will include the acquisition cost, book value, market value, and total assets of the trust.

Transaction records, bank statements, account reconciliations, and associated accounting materials are filed and maintained in accordance with Government Code §27000 - §27013 inclusive; and the County's adopted records retention policy.

Compensation

In accordance with Government Code 53216.6, the Treasurer will charge the County 115 Retirement Trust Fund an administrative fee of 5 basis points for administrative and overhead costs. Costs include, but are not limited to, employee salaries and benefits, portfolio management, bank and custodial fees, software maintenance fees, and other direct and indirect costs incurred from handling or managing funds. The 115 Retirement Trust Fund will also be charged any fees or direct costs related to its management imposed by the Trustee. The administrative fee will be subject to change annually.

Financial Dealers and Institutions

As a trustee of public funds held on behalf of other governing bodies, it is the Treasurer's policy to use those financial institutions and financial service providers who provide the greatest investment benefit to the agency whose funds are under management.

- a) Issues of public social concern and benefit will be evaluated on a case by case basis using the minimum criteria to be eligible to receive County funds, all banks, savings associations or federally insured industrial loan companies must have received an overall rating of not less than "satisfactory" in its most recent evaluation by the appropriate federal financial supervisory agency of its record meeting the credit needs of California's communities, including low, moderate income neighborhoods pursuant to Section 2906 of Title 12 of the United States Code.
- b) Any decision to conduct financial transactions with an entity shall be made exercising the care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs.
- c) Authorization of Broker/Dealers to conduct business with the County is in the sole discretion of the Treasurer. In order to assist in the determination process, Broker/Dealers must provide reasonable proof of qualifications. The criteria for authorization of Broker/Dealers are as follows:
 - i. Any individual Broker/Dealer or Broker/Dealer firm that has made any political contribution to any agency, individual, or campaign within the potential scope of this policy, at any time during the prior 48 months that

exceeds the limitations contained in Rule G-37 of the Municipal Securities Rulemaking Board shall be barred from consideration.

- ii. Individual Broker/Dealers and Broker/Dealer firms must be in good standing with the NASD.
- iii. Individual Broker/Dealer and Broker/Dealer firms must be licensed to conduct business in the State of California.

Calculating and Apportioning 115 Retirement Trust Earnings

The Solano County 115 Retirement Trust Fund is comprised of monies restricted by the Solano County Board of Supervisors for the funding of future retirement needs. All earnings from the fund, fees, costs, or expenses will recorded and retained within the Retirement Trust Fund.

- a) Earnings apportioned on a quarterly basis in accordance with the California Government Code §53645.
- b) When appropriate, earnings are calculated on an accrual basis for all investments in the 115 Retirement Trust.
- c) Management fees and related investment expenses will be deducted from the 115 Trust as needed.

Deposit and Withdrawal Requests

Deposits to and withdrawals from the 115 Retirement Trust will be made with the approval of the Solano County Board of Supervisors.

Authorized Investments and Restrictions

The Solano County Treasurer's 115 Retirement Trust Portfolio shall be governed by Government Code §53216 et seq. In addition, the portfolio is further restricted to the following percentages based on book value at the time of purchase.

Fixed Income Securities

Long-Term

Minimum Maturity:	7 Years
Maximum Maturity:	N/A
Minimum Credit Rating:	AA-
Maximum Credit Rating:	N/A
Minimum Allocation:	0%

Maximum Allocation:	10%
Intermediate Term	
Minimum Maturity:	3 Years
Maximum Maturity:	7 Years
Minimum Credit Rating:	A-
Maximum Credit Rating:	N/A
Minimum Allocation:	0%
Maximum Allocation:	50%
Short Term	
Minimum Maturity:	1 Day
Maximum Maturity:	3 Years
Minimum Credit Rating:	BBB-
Maximum Credit Rating:	N/A
Minimum Allocation:	0%
Maximum Allocation:	20%
Cash and Cash Equivalents	
Minimum Maturity:	1 Day
Maximum Maturity:	14 Months
Minimum Credit Rating:	BBB-
Maximum Credit Rating:	N/A
Minimum Allocation:	0%
Maximum Allocation:	100%
High Yield	
Minimum Allocation	0%
Maximum Allocation	10%
Convertible Debt	
Minimum Allocation	0%
Maximum Allocation	10%
Equity Securities	
Domestic Large Cap	
Minimum Allocation	0%
Maximum Allocation	55%
Domestic Mid Cap	
Minimum Allocation	0%
Maximum Allocation	20%
Domestic Small Cap	

Minimum Allocation	0%
Maximum Allocation	15%
International	
Minimum Allocation	0%
Maximum Allocation	20%
Real Estate	
Minimum Allocation	0%
Maximum Allocation	10%

Permitted Asset Classes and Security Types

Asset Class

Fixed Income

- Domestic including private placement 144A bonds
- Global

Equities

- Domestic
- Global
- Emerging Market
- Real Estate Investment Trusts (REITS)

Security Types

Fixed Income

- US Government
- US Government Sponsored Enterprises
- US Municipal Debt including private placements
- Corporate Debt
- Mortgage Backed Securities
- Asset Backed Securities
- Unit Trusts
- International Bank of Redevelopment
- World Bank

Fixed Income Mutual Funds

- US Government
- US Government Sponsored Enterprises
- Corporate Debt
- Mortgage Backed Securities
- Asset Backed Securities
- Unit Trusts
- International Bank of Redevelopment

- World Bank
- High Yield
- International and Emerging Market
- Convertible
- Preferred

Closed End Funds

Cash and Cash Equivalents

- Money Market Mutual Fund
- Commercial Paper
- Certificates of Deposit
- Bankers Acceptances

Equity Securities

- Domestic listed and unlisted securities
- Equity and equity related securities of non-US corporations, in the form of American Depository Receipts (ADR's)

Equity Mutual Funds

- Large Cap Growth and Value
- Mid Cap Core
- Small Cap Growth and Value
- International and Emerging Markets
- REIT's

Exchange Traded Funds

Prohibited Investments

- Precious Metals
- Venture Capital
- Short Sales
- Purchases of Letter Stock
- Private Placement Stock
- Direct Payments
- Leveraged Transactions
- Commodities
- Puts, Calls, Straddles, or Similar Option Investments
- Real Estate excluding REIT's
- Derivatives excluding ETF's

Any investment currently held in the portfolio that does not meet the guidelines established in this policy is exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

Other Policy Considerations

Disaster Recovery: The County Treasury maintains disaster recovery policies, procedures, and practices that are tested and updated on a regular basis as technologies and conditions change. These items are intended first and foremost to provide the maximum protection to Treasury assets in the event of a natural or manmade disaster.

The Treasury also maintains contingency operating procedures to provide business continuity in the event that key County facilities or equipment are unavailable for extended periods of time.

California Government Code Sections Referenced:

§27000-27137
§53215-53224
§53630-53886
§87200-87210 & 89503-89503.5