

**TWAIN HARTE COMMUNITY SERVICES DISTRICT**  
**Policy and Procedure Manual**

**POLICY TITLE:** Investment Policy  
**POLICY NUMBER:** 3015  
**ADOPTED:** October 10, 2013  
**AMENDED:** 1/9/14, 12/10/15, 11/13/19  
**LAST AMENDED:** January 12, 2022

**3015.10 INTRODUCTION**

The purpose of this written Investment Policy is to establish the guidelines for the prudent investment of Twain Harte Community Services District funds. The objectives of this Policy are safety, liquidity, yield, and compliance with state and federal laws and policies.

District funds are to be managed with a high degree of care and prudence. Though all investments contain a degree of risk, the proper concern for prudence, maintenance of high level of ethical standards, and proper delegation of authority reduces the potential for any realized loss.

**3015.20 AUTHORITY**

The investment program shall be operated in conformance with federal, state, and other legal requirements including, but not limited to, California Government Code sections 16429.1, 53600, 53601, 53607, 53635, 53638, and 53646. As provided for by Government code, the Board of Directors delegates the authority to manage the investment program to the District Treasurer. All investment portfolio decisions made by the Treasurer shall require the endorsement of the Finance Committee & General Manager. In the event of an emergency only the General Manager's endorsement shall be required. Under no circumstances is the Treasurer permitted to make an investment that is not specifically authorized by law (see Figure 1) and this policy. The treasurer may invest up to 10% of funds in securities that have a term remaining maturity in excess of five years and up to 20% of funds with Board approval.

The Treasurer may retain the services of a qualified independent investment consultant, with a fee-only arrangement (e.g., percentage of assets under management, hourly fee, or fee per service), to perform the roles and responsibilities set forth in Attachment A.

**3015.30 SCOPE**

The District investment portfolio shall consist of surplus money in the District's treasury not required for the immediate necessities of the District.

## **3015.40 OBJECTIVES**

This policy is a conservative policy guided by three principles of public fund management. In specific order of importance, the three principles are:

**3015.41 Safety of Principal** - Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

**3015.42 Liquidity** - The investment portfolio shall remain sufficiently liquid to meet all operating requirements. This shall be accomplished by structuring the investment portfolio so that investments mature concurrent with cash needs.

**3015.43 Yield** - Investments shall be undertaken to produce an acceptable rate of return after first consideration for principal and liquidity.

## **3015.50 STANDARDS OF CARE**

**3015.51 Prudence** - Investments will be made with the same standard of care that persons of prudence, discretion and intelligence exercise when managing their own affairs, not for speculation, but for investment with particular consideration for safety of capital as well as probable income derived.

**3015.52 Conflicts of Interest** - Officers and employees involved in the investment process shall perform his/her duties under this Investment Policy in accordance with the provisions of Section 1126 of the Government Code as well as any other state law referred to in this policy.

## **3015.60 SAFEKEEPING**

All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited prior to the release of funds. Securities will be held in accordance with the provisions of Section 53601 of the Government Code.

## **3015.70 DIVERSIFICATION**

Investments will be diversified to avoid losses that may be associated with any one investment.

## **3015.80 REPORTING REQUIREMENTS**

Each quarter that an investment program is in place, the Treasurer shall prepare and submit a report of investment transactions to the Board of Directors. This report will be sufficiently detailed to provide information for investment evaluation.

**3015.90 PERFORMANCE REVIEW**

An annual appraisal of the investment portfolio shall be conducted to evaluate the effectiveness of the District's investment program once the program is implemented. The purpose of this review, in addition to evaluation of performance, is to provide the platform for changes and improvements to the portfolio.

**3015.100 APPROVAL OF INVESTMENT POLICY**

The investment policy shall be formally approved and adopted by the Board and reviewed annually in January coinciding with the annual performance review and the start of new law passed through the previous State Legislative Cycle. Consideration should be given to any changes in statute or investment strategies that may impact this policy. If the District is not engaged in an investment program, the Board may choose to review this policy once prior to program implementation instead of performing an annual review.

## **.ATTACHMENT A**

### **Investment Consultant/Advisor Role & Responsibilities**

#### **I. AUTHORIZED INVESTMENT CONSULTANT**

The Investment Consultant must be registered with either State or Federal securities regulators pursuant to the Investment Advisers Act of 1940. The Investment Consultant will provide a copy of the ADV Form Part II for the Investment Consultant and his or her company to the District during the annual investment performance review, and will disclose whether the Investment Consultant has an ownership or other interest in any of the investment options being reviewed or recommended by the Investment Consultant. The Investment Consultant will immediately notify the District of any Securities and Exchange Commission or other regulatory investigations into its actions related to the type of services provided to the District or of any felony conviction.

#### **II. INVESTMENT CONSULTANT RESPONSIBILITIES**

The primary responsibility of the Investment Consultant is to inform and advise the District on various investment related issues with respect to the oversight of and potential enhancements to the portfolio. Such services include:

- A. Assisting the District with determining an appropriate process for constructing the structure of the investment menu.
- B. Providing timely, accurate, and unbiased quarterly reports evaluating return, risk and characteristics (where available) of each of the funds compared to appropriate indexes and/or peer group universes.
- C. Apprising the District of changes with regard to its funds in an appropriate time frame given the significance of the information.
- D. Conducting a fund review at the request of the District when, for example, noteworthy changes or significant under-performance occurs.
- E. Assisting the District in the search and replacement of existing funds when a review so merits this change.
- F. Ensuring the District's investments do not violate State or Federal law or anything set forth in Figure 1.

The Investment consultant has no discretionary control or authority over the Plan and its assets. However, in its role as an advisor to the District, the Investment Consultant acknowledges a limited fiduciary role with respect to the investment advice provided to the District.

FIGURE 1

ALLOWABLE INVESTMENT INSTRUMENTS PER STATE GOVERNMENT CODE (AS OF JANUARY 1, 2021)<sup>A</sup> APPLICABLE TO ALL LOCAL AGENCIES<sup>B</sup>

See "Table of Notes for Figure 1" on the next page for footnotes related to this figure.

INVESTMENT TYPE	MAXIMUM MATURITY <sup>C</sup>	MAXIMUM SPECIFIED % OF PORTFOLIO <sup>D</sup>	MINIMUM QUALITY REQUIREMENTS	GOV'T CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations— CA And Others	5 years	None	None	53601(c) 53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S Agency Obligations	5 years	None	None	53601(f)
Bankers' Acceptances	180 days	40% <sup>E</sup>	None	53601(g)
Commercial Paper—Non-Pooled Funds <sup>F</sup> (under \$100,000,000 of investments)	270 days or less	25% of the agency's money <sup>G</sup>	Highest letter and number rating by an NRSRO <sup>H</sup>	53601(h)(2)(c)
Commercial Paper—Non-Pooled Funds (min. \$100,000,000 of investments)	270 days or less	40% of the agency's money <sup>G</sup>	Highest letter and number rating by an NRSRO <sup>H</sup>	53601(h)(2)(c)
Commercial Paper— Pooled Funds <sup>I</sup>	270 days or less	40% of the agency's money <sup>G</sup>	Highest letter and number rating by an NRSRO <sup>H</sup>	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30% <sup>J</sup>	None	53601(i)
Non-negotiable Certificates of Deposit	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	50% <sup>K</sup>	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	50% <sup>K</sup>	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days <sup>L</sup>	20% of the base value of the portfolio	None <sup>M</sup>	53601(j)
Medium-Term Notes <sup>N</sup>	5 years or less	30%	"A" rating category or its equivalent or better	53601(k)
Mutual Funds And Money Market Mutual Funds	N/A	20%	Multiple <sup>O</sup>	53601(l) and 53601.6(b)
Collateralized Bank Deposits <sup>P</sup>	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-Through and Asset-Backed Securities	5 years or less	20%	"AA" rating category or its equivalent or better	53601(o)
County Pooled Investment Funds	N/A	None	None	27133
Joint Powers Authority Pool	N/A	None	Multiple <sup>Q</sup>	53601(p)
Local Agency Investment Fund (LAIF)	N/A	None	None	16429.1
Voluntary Investment Program Fund <sup>T</sup>	N/A	None	None	16340
Supranational Obligations <sup>U</sup>	5 years or less	30%	"AA" rating category or its equivalent or better	53601(q)
Public Bank Obligations	5 years	None	None	53601(r), 53635(c) and 57603

FROM CA LOCAL AGENCY INVESTMENT GUIDELINES

TABLE OF NOTES FOR FIGURE 1

- <sup>A</sup> Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, 53635.8, and 57603.
- <sup>B</sup> Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.
- <sup>C</sup> Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five-year maturity limit.
- <sup>D</sup> Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.
- <sup>E</sup> No more than 30 percent of the agency's money may be in bankers' acceptances of any one commercial bank.
- <sup>F</sup> Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.
- <sup>G</sup> Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper and medium-term notes of any single issuer.
- <sup>H</sup> Issuing corporation must be organized and operating within the U.S., have assets in excess of \$500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating agency.
- <sup>I</sup> Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).
- <sup>J</sup> No more than 30 percent of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).
- <sup>K</sup> Effective January 1, 2020, no more than 50 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service as authorized under 53601.8 (excludes negotiable certificates of deposit authorized under Section 53601(i)). On January 1, 2026, the maximum percentage of the portfolio reverts back to 30 percent. Investments made pursuant to 53635.8 remain subject to a maximum of 30 percent of the portfolio.
- <sup>L</sup> Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.
- <sup>M</sup> Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.
- <sup>N</sup> "Medium-term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States."
- <sup>O</sup> No more than 10 percent invested in any one mutual fund. This limitation does not apply to money market mutual funds.
- <sup>P</sup> A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.
- <sup>Q</sup> A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of \$500 million.
- <sup>R</sup> Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.
- <sup>S</sup> A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (o).
- <sup>T</sup> Local entities can deposit between \$200 million and \$10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.
- <sup>U</sup> Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.