

BP 6320 Investments

Reference:

Government Code Section 53600 et seq.

- 1.0 **Investment Philosophy:** It is the policy of the North Orange County Community College District ("District") to invest surplus monies not required for immediate necessities in a manner which will provide the maximum security of principal invested with secondary emphasis on achieving the highest yield while meeting the daily cash flow needs of the District and conforming to all applicable State and County statutes governing the investment of public funds. Investments should be consistent with the environmental goals and direction of Board Policy 3580 Sustainability Plan.
 - 1.1 All District funds adhere to this policy, with the exception of the Other Post Employment Benefit Irrevocable Trust, that was established to fund retiree health benefits, and that is governed by a separate Investment Policy Statement which is available on the District website.
- 2.0 **Objectives:** The primary objectives, in priority order, of the District's investment activities shall be:
 - 2.1 Safety of Principal: Safety of principal is the foremost objective of the District. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
 - 2.2 Liquidity: Liquidity is the second most important objective of the District. The District's investments will be sufficiently liquid to enable it to meet all operating requirements that might be reasonably anticipated. "Liquidity" refers to the ability to sell at any given moment with a minimal chance of losing some portion of principal or interest.
 - 2.3 Yield: Yield is the third most important objective of the District. The District's investments shall be designed to attain a short-term current market rate of return throughout budgetary and economic cycles.
- 3.0 **Delegation of Authority:**
 - 3.1 The Board of Trustees of the North Orange County Community College District ("the Board") is responsible for establishing the investment policy and ensuring investments are made in compliance with this policy. The Investment Committee is charged with the responsibility of renewing the investment policy and recommending modifications to the Board.
 - 3.2 The Board of Trustees delegates investment authority to the Vice Chancellor Finance & Facilities for a one-year term. Subject to review, this delegation may be renewed pursuant to this section each year. The Chancellor is ultimately responsible for compliance with this policy. The District may employ the services of a Registered Investment Advisor ("Advisor") for implementing the policy. This policy will be reviewed and approved at least annually by the Board.

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4.0 Prudence:

4.1 The standard of prudence to be used in the investment function shall be the “prudent investor” standard and shall be applied in the context of managing the overall portfolio. This standard states “investment 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 safety of their capital as well as the expected income to be derived.”

4.2 The Chancellor, Vice Chancellor Finance & Facilities, or the Advisor, acting in accordance with written procedure and this policy, shall not be held personally liable for a specific security’s credit risk or market price change, provided that any unexpected deviations are reported in a timely manner and that appropriate action is taken to control adverse developments.

5.0 **Ethics and Conflicts of Interest:** Trustees, employees and investment officials 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. Trustees, employees and investment officials shall disclose any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment position that could be related to the performance of the District’s portfolio.

6.0 **Authorized Investments:** To the extent not inconsistent with the objectives stated above and Investment Restrictions outlined below, all monies shall be invested according to the following guidelines:

6.1 Fund Segmentation: Given the various natures of the Fund’s obligations, a certain portion of the Fund should be allocated to a short duration/maturity fixed income portfolio while the remainder should be invested with an objective of higher, longer-term returns. The Fund’s allocation to the short duration/maturity fixed income portfolio should be conservatively based on an actuarial assessment of the Fund’s expected cash needs for withdrawals and benefits. The Chancellor, Vice Chancellor Finance & Facilities and the Board should review this allocation at least annually. Guidelines and restrictions for each approved investment portion are described below.

6.2 Maximum Maturity: Restrictions of the maximum maturity will vary on the different styles employed:

6.2.1 Short Duration/Maturity Fixed Income: Investments in the short duration/maturity portfolio are subject to a maximum stated term of three years. Term or tenure shall mean the remaining time to maturity when purchased.

6.2.2 Core Fixed Income: Investments in the core fixed income style are restricted to five-year terms to maturity. Term or tenure shall mean the remaining time to maturity when purchased.

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6.3 Permitted Investments:

- 6.3.1 State of California Local Agency Investment Fund (LAIF): LAIF is a pooled fund managed by the State Treasurer whose permitted investments are identified in the Government Code Section 16429.2.
- 6.3.2 Orange County Investment Pool (OCIP): Orange County Treasury Investment Pool is managed by the Orange County Treasurer whose permitted investments are identified in Government Code 53600, et seq.
- 6.3.3 U.S. Treasuries: United States Treasury notes, bonds, bills, or certificates of indebtedness, for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- 6.3.4 Federal Agencies: Obligations, participations, or other instruments, including those issued by or guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- 6.3.5 Corporate Notes: Corporate and depository institution debt securities issued by corporations organized and operating within the United States or depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated "A" or better. The maximum remaining maturity shall be five years or less and shall not exceed 30% of the District's investments. Furthermore, no more than 10% is to be invested in any one company.
- 6.3.6 Asset-Backed Securities: Any mortgage pass-through security, collateralized mortgage obligation, or other pay through bond, equipment lease-backed certificate, or consumer receivable pass-through certificate, consumer receivable back bond. Securities eligible for investment under this subdivision shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided for by a nationally recognized rating service. For maturity purposes the average life of the securities return of principal will be used as the implied maturity and will not exceed five years. The investments shall not exceed 20% of the District's investments.
- 6.3.7 Commercial Paper: Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions: (1) Is organized and operating in the United States as a general corporation, (2) has total assets in excess of five hundred million dollars (\$500,000,000), and (3) has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization; or (1) Is organized within the United States as a special purpose corporation, trust, or limited liability company, (2) has program-wide credit enhancements including, but not limited to, over-collateralization, letters of credit, or surety bond, and (3) has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally

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recognized statistical-rating organization (NRSRO). Eligible paper shall have a maximum maturity of 270 days or less. The District shall not invest more than 25% of their money in eligible commercial paper. Furthermore, the District shall not purchase more than 10% of the outstanding commercial paper of any single issuer.

6.3.8 Negotiable Certificates of Deposit: Negotiable certificates of deposit issued by a nationally or state-chartered bank or state or federal association with total assets of at least one billion dollars or by a state-licensed branch of a foreign bank, provided such foreign bank is one of the 75 largest foreign banks in terms of total assets. The investments shall not exceed 30% of the District's investments.

6.3.9 Repurchase Agreements: Investments in repurchase agreements (pursuant to section 53601(i) "repurchase agreement") means a purchase of securities pursuant to an agreement by which the seller will repurchase the securities on or before a specified date and for a specified amount and will deliver the underlying securities to the District by book entry, physical delivery, or by third party custodial agreement. The term of repurchase agreements shall be for one year or less. The term "securities" for the purposes of repurchase agreements shall mean securities issued or guaranteed by the U.S. Government and its agencies or instrumentalities. The Investment Restrictions enumerated below shall further limit such securities. With respect to any repurchase agreement the District will require the seller to maintain the market value of such securities that underlie the repurchase agreement at 102% of the repurchase price (including accrued interest). Furthermore, the investments provided should have certain standards of qualifications (i.e. the highest short-term rating or AA rating).

6.3.10 Bankers Acceptances: Known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of bankers acceptances may not exceed 180 days maturity or 40 percent of the District's money that may be invested pursuant to this section. However, no more than 10 percent of the District's money may be invested in the bankers acceptances of any one commercial bank pursuant to this section.

6.3.11 Money Market Fund: Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940.

6.3.12 If additional types of securities are approved for investment by public funds by State Statute, they will not be eligible for investment by the District until this policy is amended and the amendment is passed by the Board. (Calif. Govt. Code Sect 53600, et seq.)

6.4 Investment Restrictions And Prohibited Transactions: The following types of transactions are restricted or prohibited:

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- 6.4.1 Borrowing for investment purposes (“Leverage”) is prohibited.
- 6.4.2 Reverse Repurchase Agreements, as defined by California Government Code Sections 53601(i) and 53636(i) or otherwise are prohibited.
- 6.4.3 The District shall not invest in instruments known as Structured Notes (e.g. inverse floaters, range notes, mortgage-derived, interest-only strips, leveraged floaters, structured certificate, or deposit, equity-linked securities) or any security that could result in zero interest accrual if held to maturity. Investment in any instrument which is commonly considered a “derivative” instrument (e.g., options, futures, swaps, caps, floors, collars) is prohibited.
- 6.4.4 No more than 10% of total assets may be invested in securities of any one issuer with the exception of LAIF, the OCIP or obligations of the U.S. Government and its agencies or instrumentalities.
- 6.4.5 All investments will be U.S. dollar denominated.
- 6.4.6 Securities that are downgraded below the minimum acceptable rating levels should be reviewed for possible sale within a reasonable amount of time following a downgrade.
- 6.4.7 Direct or indirect investment in the stock market is prohibited. Indirect investments in the stock market are investments of District funds in the stock market by outside agents, brokers, or other intermediaries acting on behalf of the District.

7.0 **Diversification:** It is the policy of the District to diversify its investment portfolio. Within each investment style, invested funds shall be diversified to minimize the risk of loss resulting from over concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. At a minimum, diversification standards by security type and issuer shall be:

7.1	State of California Local Agency Investment Fund (LAIF)	100%
7.2	Orange County Investment Pool	100%
7.3	U.S. Treasuries and securities having principal and interest guaranteed by the U.S. Government	100%
7.4	U.S. Government agencies, instrumentalities and government sponsored enterprises	no more than 50%
7.5	Corporate notes	no more than 30%
7.6	Asset-backed securities	no more than 20%
7.7	Commercial Paper	no more than 25%
7.8	Fully insured or collateralized CD's	no more than 30%

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- 7.9 Negotiable Certificates of Deposit no more than 30%
- 7.10 Repurchase Agreements no more than 50%
- 7.11 Bankers Acceptances no more than 40%
- 7.12 Money Market Fund no more than 10%
- 7.13 The Chancellor, Vice Chancellor Finance & Facilities, or the designated investment advisor shall also be required to diversify maturities, and to the extent possible, will attempt to match investments with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk.

8.0 Authorized Financial Dealers And Institutions:

- 8.1 The Chancellor, Vice Chancellor Finance & Facilities, or Investment Advisor may place orders for the execution of transactions with or through such brokers, dealers, banks and repurchase agreement counterparties as may be selected from an approved list of broker/dealers.
- 8.2 The District or the Advisor shall maintain a list of broker/dealers that are authorized to provide investment services to the District. Institutions shall provide their most recent "Consolidated Report of Condition" (call report) at the request of the District. At a minimum, the District or the Advisor shall conduct an annual evaluation of each institution's creditworthiness to determine whether it should be on the "Qualified Institution" listing.

9.0 Performance Evaluation:

- 9.1 The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles commensurate with the investment risk constraints and the cash flow needs of the District.
- 9.2 The District shall maintain an active investment strategy. Given this strategy, the basis used by the Vice Chancellor Finance & Facilities to determine whether market yields are being achieved shall be to identify a comparable benchmark upon establishing the structure of the portfolio.

10.0 Reporting:

- 10.1 The Chancellor, Vice Chancellor Finance & Facilities, and the Advisor shall submit a monthly list of transactions to the Board of Trustees and quarterly reports to the Investment Committee and the Board of Trustees. The quarterly report shall state compliance of the portfolio to the statement of investment policy or the manner in which the portfolio is not in compliance.
- 10.2 The monthly reports shall include the type of investment, issuer, date of maturity, par and dollar amount invested on all securities, market value as of the date of the report, and shall include the source of this same valuation.

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- 11.0 **Safekeeping and Custody:** All funds managed by an investment advisor shall be held by a third party custodian. All security transactions, including collateral for repurchase agreements, entered into by the District shall be conducted on a delivery-versus-payment (DVP) basis. All securities will be held by a third-party custodian except for LAIF, OCIP and money market fund because these securities are not deliverable. The Treasurer shall maintain evidence of delivery. Securities shall be held by a third-party custodian designated by and approved by the Investment Committee. The third-party custodian shall be required to issue a safekeeping statement to the District listing the specific instrument, rate, maturity and other pertinent information.
- 12.0 **Collateralization:** In order to anticipate market changes and provide a level of additional security for all funds, collateralization shall be required on the following types of investments:
- 12.1 Repurchase Agreements: For repurchase agreements, the minimum collateralization level shall be 102% of the market value of principal and accrued interest.
- 13.0 **Bond Proceeds:** The investment of bond proceeds shall be governed by the bond documents relevant to each specific bond issuance and the County Investment Policy Statement. If the bond documents are silent as to permitted investments, then this policy shall govern the investment of bond proceeds. In such case, Guaranteed Investment Contracts (GICs) shall be deemed permitted investments, solely for the purpose of bond proceeds and shall be limited in the following manner (1) investment agreements with providers with claims-paying, financial strength, or whose obligations are fully guaranteed by a company, rated at least “AA-” and “Aa3” by S&P and Moody’s, respectively or (2) collateralized investment agreements with providers with claims-paying, financial strength, or whose obligations are fully guaranteed by a company, rated at least “A-” and “A3” by S&P and Moody’s, respectively.

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