

BOARD MEETING DATE: April 7, 2023

AGENDA NO. 10

PROPOSAL: Approve South Coast AQMD Annual Investment Policy and Delegation of Authority to Appointed Treasurer to Invest South Coast AQMD Funds

SYNOPSIS: South Coast AQMD adopts an annual investment policy which, if done, must be considered at a public meeting of the Board. State law additionally requires South Coast AQMD to annually renew its delegation of authority to its treasurer to invest or to reinvest funds of the local agency. This action is to approve the Annual Investment Policy and the Resolution to renew delegation of authority to the Los Angeles County Treasurer to invest and reinvest South Coast AQMD funds.

COMMITTEE: Investment Oversight, March 10, 2023; Recommended for Approval

RECOMMENDED ACTIONS:

1. Approve the attached Annual Investment Policy, and
2. Adopt the attached Resolution to renew delegation of authority to the Los Angeles County Treasurer to invest and reinvest South Coast AQMD funds.

Wayne Nastri
Executive Officer

SJ:gp

Background

State law provides that the Chief Fiscal Officer of a local agency may annually provide to any investment oversight committee and local legislative body an investment policy that the legislative body shall consider at a public meeting (Government Code Section 53646(a)(2).) In addition, state law (Government Code Section 53607) requires that a local agency's legislative body annually renew its delegation of authority to its Treasurer to invest or to reinvest funds of the local agency.

On April 12, 1996, the Board approved a recommendation to minimize South Coast AQMD investments in the Los Angeles County Pooled Surplus Investment Portfolio (PSIP), by directing staff to work with the Los Angeles County Treasurer (South Coast AQMD's Treasurer) to make specific investments on behalf of South Coast AQMD. This change required the development of an annual statement of investment policy specific for South Coast AQMD.

South Coast AQMD's investment consultant, working with staff and the Los Angeles County Treasurer's office, developed the attached statement of investment policy. This policy, which is reviewed annually for possible changes, sets forth the investment guidelines for South Coast AQMD with the objective of ensuring that funds are invested to preserve principal and provide necessary liquidity while earning a market average rate of return.

Proposal

The Investment Policy was substantially revised in 2013, including updating credit requirements, revising maturity limits, and clarifying diversification guidelines. Minor updates have been made since that time to ensure compliance with changes to the California Government Code. Minor updates are made this year, including reference to the new South Coast AQMD 401(a) plan.

Los Angeles County Treasurer has provided excellent treasury management services since inception of the South Coast AQMD. These services include providing banking services, processing electronic payments to South Coast AQMD, and the investment of South Coast AQMD's cash balances. Staff is recommending that South Coast AQMD continue with the services provided by the Los Angeles County Treasurer. Staff further recommends adoption of the resolution delegating authority to the Los Angeles County Treasurer to invest or reinvest South Coast AQMD funds, or to sell or exchange securities so purchased.

Resource Impacts

Costs associated with South Coast AQMD treasury management operations are included in the FY 2022-23 Budget and will be included in the FY 2023-24 Budget.

Attachments

1. South Coast AQMD Annual Investment Policy
2. Resolution - Delegation of Authority to Appoint Los Angeles County Treasurer

South Coast Air Quality Management District

Annual Investment Policy

I. PURPOSE

This Annual Investment Policy (the “Policy”) sets forth the investment guidelines for all general, special revenue, trust, agency and enterprise funds of the South Coast Air Quality Management District (South Coast AQMD). The objective of this Policy is to ensure all of South Coast AQMD’s funds are prudently invested to preserve principal and provide necessary liquidity, while earning a market average rate of return.

South Coast AQMD funds deposited with the Los Angeles County Treasurer may only be invested in the Los Angeles County Pooled Surplus Investment Portfolio or in Special Purpose Investments as authorized by this Policy. The South Coast AQMD Annual Investment Policy conforms to the California Government Code (the Code) as well as customary standards of prudent investment management. Irrespective of these Policy provisions, should the provisions of the Code be or become more restrictive than those contained herein, such provisions will be considered immediately incorporated in this Policy and adhered to.

II. SCOPE

It is intended that this Policy cover all funds (except those funds invested in the two retirement systems covering South Coast AQMD employees, 401(a), and 457 deferred compensation plan funds) and investment activities under the direction of the South Coast AQMD and deposited with the Los Angeles County Treasurer.

The investment of bond proceeds will be governed by state law and the permitted investment provisions of relevant bond documents.

III. OBJECTIVES

The objectives of this Annual Investment Policy, in priority order, are SAFETY OF PRINCIPAL, LIQUIDITY, AND MARKET RATE OF RETURN.

1. Safety of Principal. The primary objective of South Coast AQMD is to reduce credit risk and interest rate risk to a level that is consistent with safe and prudent investment management. Credit risk is the risk of default or the inability of a debt issuer to make interest or principal payments when due. Credit risk is minimized by investing in only permitted investments and diversifying the portfolio according to this Annual Investment Policy so that no one type of issuer or issue will have a disproportionate impact on the portfolio. Interest rate risk is associated with price volatility introduced by

extending the maturity of instruments purchased. Interest rate risk is controlled by limiting the maturity exposure to acceptable levels.

2. Liquidity. South Coast AQMD funds will be invested to ensure that normal cash needs and scheduled extraordinary cash needs can be met. Cash flow forecasting will be used to determine the current and projected future needs of South Coast AQMD and the ability of South Coast AQMD to make Special Purpose Investments. South Coast AQMD shall invest funds in instruments for which there is a secondary market and which offer the flexibility to be easily sold at any time with minimal risk of loss of either the principal or interest based upon then prevailing interest rates.
3. Market Rate of Return. South Coast AQMD's funds shall be invested to attain a market average rate of return through economic cycles consistent with maintaining risk at a prudent level.

These objectives are to be achieved in part through the diversification of South Coast AQMD investments among the Los Angeles County Pooled Surplus Investment Portfolio and Special Purpose Investments. The combination of the Pooled Surplus Investment Portfolio and the Special Purpose Investment of South Coast AQMD funds in the State of California Local Agency Investment Fund will provide significant diversification, safety of principal and liquidity for the programs of the South Coast AQMD. Other Special Purpose Investments in a South Coast AQMD separate account will experience market price changes due to interest rate risk consistent with longer maturity investments that are permitted by this policy.

IV. RESPONSIBILITIES

The Governing Board. The South Coast AQMD Governing Board is responsible for establishing the Annual Investment Policy and ensuring investments are made in compliance with this Policy. This Policy shall be reviewed annually by the Governing Board at a public meeting pursuant to Section 53646(g) of the California Government Code. The Los Angeles County Treasurer has been appointed Treasurer of South Coast AQMD. The Treasurer shall be appointed at least annually by the South Coast AQMD Governing Board.

The Treasurer. The Treasurer is responsible for making investments and for compliance with this Policy pursuant to the delegation of authority to invest funds or to sell or exchange securities made in accordance with Code Section 53607. The Treasurer shall submit a monthly report of investment transactions to the South Coast AQMD Governing Board. If the South Coast AQMD

Governing Board appoints as Treasurer someone other than the Los Angeles County Treasurer, the new Treasurer shall be responsible for making investments and for compliance with this Policy or such other Policy which may be adopted by the Governing Board at that time.

The Chief Financial Officer. The Chief Financial Officer, based on information provided by the Treasurer, shall submit a quarterly report to the Governing Board pursuant to Code Section 53646(g). The Chief Financial Officer is responsible for preparation of cash flow forecasts for South Coast AQMD funds as described below. The Chief Financial Officer will recommend specific individual investments for the Special Purpose Investments to be made by the Treasurer.

The Investment Oversight Committee. The South Coast AQMD Governing Board shall appoint an Investment Oversight Committee. The duties and responsibilities of the Investment Oversight Committee shall consist of the following:

1. Annual review of South Coast AQMD's Investment Policy before it is considered by the Governing Board, and recommend revisions, as necessary, to the Chief Financial Officer.
2. Quarterly review of South Coast AQMD's investment portfolio for conformance with South Coast AQMD's Annual Investment Policy diversification and maturity guidelines and make recommendations to the Chief Financial Officer as appropriate.
3. Provide comments to the South Coast AQMD Chief Financial Officer regarding potential investments and potential investment strategies.
4. Perform such additional duties and responsibilities as may be required from time to time by specific action and direction of the Governing Board.

It shall not be the purpose of the Investment Oversight Committee to advise on particular investment decisions of South Coast AQMD.

V. IMPLEMENTATION

This Policy establishes and defines investable funds, authorized instruments, credit quality requirements, maximum maturities and concentrations, collateral requirements, and qualifications of brokers, dealers, and financial institutions doing business with or on behalf of the South Coast AQMD.

A. Standard of Care.

South Coast AQMD's Governing Board or persons authorized to make investment decisions on behalf of South Coast AQMD are trustees and fiduciaries subject to the prudent investor standard, as required by Code Section 53600.3, and shall be applied in the context of managing an overall portfolio. South Coast AQMD's investment professionals acting in accordance with written procedures and the Annual 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 fashion and appropriate action is taken to control developments.

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.

B. Investable Funds.

Investable Funds for purposes of this Policy are the South Coast AQMD general, special revenue, trust, ~~fiduciary~~agency and enterprise funds that are available for investment at any one time including any estimated bank account float. Investable Funds are idle or surplus funds of the South Coast AQMD including all segregated funds. All bond proceeds are excluded from Investable Funds. The Cash Flow Horizon is the time period in which the South Coast AQMD cash flow can be reasonably forecast. This Policy establishes the Cash Flow Horizon for South Coast AQMD idle or surplus funds to be three (3) years. The South Coast AQMD cash flow forecast must be updated at least every six months.

When the South Coast AQMD Chief Financial Officer determines that the cash flow forecast can be met, the Treasurer, at the request of the Chief Financial Officer, may invest a maximum of up to 75% of the minimum amount of funds available for investment during the Cash Flow Horizon in Special Purpose Investments ("SPI"), exclusive of investments in the State of California Local Agency Investment Fund ("LAIF"), in a separate account

outside of the Pooled Surplus Investment (“PSI”) Portfolio, in accordance with this Policy.

C. Authorized Investments.

Authorized investments shall match the general categories established by the California Government Code Sections 53601 et seq. and 53635 et seq.

Authorization for specific instruments within these general categories as well as portfolio concentration and maturity limits are established below as part of this Policy. No investments shall be authorized that have the possibility of returning a zero or negative yield when held to maturity; for example: inverse floaters, range notes or interest only STRIPS. As the California Government Code is amended, this Policy shall likewise become amended.

South Coast AQMD investments or deposits in the County of Los Angeles PSI Portfolio are governed by the County of Los Angeles Treasurer’s Investment Policy for Pooled Surplus Funds. South Coast AQMD investments or deposits in the LAIF are governed by the investment policy and guidelines for LAIF as established by the Office of the Treasurer for the State of California. Investments in LAIF are an SPI investment and are limited in amount to the investment limits established for LAIF by the California State Treasurer.

South Coast AQMD funds and segregated funds that are invested by the Treasurer in an SPI separate account outside of the County of Los Angeles PSI Portfolio or LAIF are subject to this Policy. South Coast AQMD funds invested in an SPI separate account will be governed by various approved lists that may be established and maintained by the Los Angeles County Treasurer or the South Coast AQMD’s Investment Advisor.

D. Maximum Maturities.

The maximum maturity of any SPI investment shall be five (5) years. The weighted average maturity of the SPI separate account portfolio may not exceed three (3) years. Maturity shall mean the nominal maturity of the security, or the unconditional put option date, if the security contains such provision. Term or tenure shall mean the remaining time to maturity when purchased.

E. Permitted Investments.

1. U.S. Treasuries.

Direct obligations of the United States of America and securities which are fully and unconditionally guaranteed as to the timely payment of principal and interest by the full faith and credit of the United States of America.

U.S. Treasury coupon and principal STRIPS are not considered to be derivatives for the purpose of this Annual Investment Policy and are, therefore, permitted investments pursuant to the Annual Investment Policy.

2. Federal Agencies and U.S. Government Sponsored Enterprises.

Obligations, participations, or other instruments of, or issued by, a federal agency or a United States government sponsored enterprise.

3. Los Angeles County Pooled Surplus Investment Portfolio.

The County of Los Angeles Pooled Surplus Investment Portfolio is a pooled fund managed by the County Treasurer whose permitted investments are authorized in the Code and are governed by the Treasurer's Investment Policy with credit requirements and maturity limits established by the County Treasurer and adopted by the County Board of Supervisors.

4. State of California Local Agency Investment Fund.

LAIF is a pooled fund managed by the Office of the State Treasurer whose permitted investments are identified in the Code and whose credit requirements and maturity limits are established by the State Treasurer.

5. Shares of Money Market Mutual Funds.

Credit requirements for approved money market funds shall be limited to ratings of AAA by at least two nationally recognized statistical rating organizations (NRSRO) or managed by an investment advisor registered with the Securities and Exchange Commission with not less than five years' experience and with assets under management in excess of five hundred million dollars (\$500,000,000), and such investment may not represent more than ten percent (10%) of the total assets in the money market fund.

6. Bankers' Acceptances.

Bankers' acceptances must be issued by national or state-chartered banks or a state-licensed branch of a foreign bank. Eligible bankers' acceptances shall have the highest ranking or the highest letter and number rating as provided for by at least two NRSRO.

Maximum maturities for bankers' acceptances are 180 days.

7. Negotiable Certificates of Deposit.

Negotiable certificates of deposit must be issued by national or state-chartered banks, a federally- or state-licensed branch of a foreign bank, savings associations and state or federal credit unions. Negotiable CDs must be rated in a rating category of “A-1/A” or its equivalent, or higher, by at least two NRSRO.

The South Coast AQMD will not purchase negotiable certificates of deposit of a savings association or credit union as Special Purpose Investments if a South Coast AQMD Board member or a member of management staff, with investment authority, also serves on the Board of Directors or a committee of that savings association or credit union.

Maximum maturities for all negotiable certificates of deposit are three (3) years.

8. Commercial Paper.

Commercial paper of “prime” quality of the highest ranking or of the highest letter and number rating as provided for by a NRSRO. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph a. or paragraph b.:

- a. The entity meets the following criteria:
 - i. Is organized and operating in the United States as a general corporation.
 - ii. Has total assets in excess of \$500 million.
 - iii. Has debt other than commercial paper, if any, that is rated in a rating category of “A”, or its equivalent, or higher, by a NRSRO.
- b. The entity meets the following criteria:
 - i. Is organized within the United States as a special purpose corporation, trust, or limited liability company.
 - ii. Has program wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond.
 - iii. Has commercial paper that is rated in a rating category of “A-1”, or the equivalent, or higher, by a NRSROs.

Investments may not represent more than ten percent (10%) of the outstanding paper of the issuing corporation.

Maximum maturities for commercial paper are 270 days.

9. Medium Term Maturity Corporate Securities.

Medium-term corporate notes shall be rated in a rating category “A” or its equivalent or higher by two NRSRO.

Floating rate medium term notes may be used if interest resets at least quarterly.

Maximum maturities for medium term maturity corporate securities are three years.

10. Mortgage Securities or Asset-backed Securities.

All asset-backed securities must be rated in a rating category of “AA” or its equivalent or better rating and the issuer’s corporate debt rating must be in a rating category of “A” or its equivalent or better by at least two NRSRO.

The maximum maturity for Mortgage or Asset-backed Securities shall be five years.

11. Repurchase Agreements.

All repurchase transactions must be collateralized by U.S. Treasuries or Agencies with a market value of 102% or greater for collateral marked to market daily, entered into with a broker-dealer which is a recognized primary dealer and evidenced by a broker-dealer master purchase agreement signed by the County Treasurer and approved by South Coast AQMD.

The maximum maturity of a repurchase agreement shall be 30 days.

12. Reverse Repurchase Agreements.

Reverse repurchase agreements are not allowed except as part of investments in the County of Los Angeles Pooled Surplus Investment Portfolio and the State of California Local Agency Investment Fund.

13. Floating Rate Securities.

Floating rate securities are instruments that have a coupon or interest rate that is adjusted periodically due to changes in a base or benchmark rate.

Investments in floating rate securities must utilize commercially available U.S. denominated indexes such as U. S. Treasury bills or Federal Funds.

Investments in floating rate securities whose reset is calculated using more than one of the above indices are not permitted, i.e. dual index notes.

Floating Rate Securities that are priced based on a single common index are not considered derivative securities.

The maximum maturity is five years.

14. Obligations of the State of California or any local agency within the state.

Permitted obligations will include bonds payable solely out of revenues from a revenue producing property owned, controlled or operated by the state or any local agency, or by a department, board, agency or authority of the state or any local agency.

Obligations of the State of California or other local agencies within the state must be rated in a rating category of “A”, or its equivalent, or higher, by a NRSRO.

15. Obligations of Supranational Institutions

Permitted obligations will include U.S. dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by any of the supranational institutions identified in California Government Code Section 53601(q), with a maximum remaining maturity of five years or less, and which are eligible for purchase and sale within the U.S.

Obligations of supranational institutions must be rated in a rating category of “AA”, or its equivalent, or higher, by a NRSRO.

F. Diversification Guidelines.

Diversification limits ensure that at the time of investment the South Coast AQMD’s portfolio is not unduly concentrated in the securities of one type, industry, or issuer, thereby assuring adequate portfolio liquidity should one sector or issuer experience difficulties. The diversification limits outlined below for an individual investment instrument and issuer/counterparty are expressed as the maximum percentage of the total South Coast AQMD’s portfolio invested by the Los Angeles County Treasurer. Maximum percentage limits shall apply at the time of purchase and allocations in excess of maximum percentages due to fluctuations in portfolio size will not be considered out of compliance with this Policy.

<u>Instrument</u>	<u>Maximum % of Portfolio</u>
1. U.S. Treasuries	100%
2. Federal Agencies & U.S. Government Sponsored Enterprises	100%
3. Los Angeles County Pooled Surplus Investment Portfolio	100%
4. State of California Local Agency Investment Fund	100%
5. Shares of Money Market Mutual Funds	15%
6. Bankers Acceptances	40%
7. Negotiable Certificates of Deposit	30%
8. Commercial Paper	25 40%
9. Medium Term Maturity Corporate Securities	30%
10. Mortgage Securities or Asset-backed Securities	20%
11. Repurchase Agreements	50%
12. Reverse Repurchase Agreements*	Not Allowed
13. Variable and Floating Rate Securities	30 10%
14. Obligations of the State of California or any California local agency	30%
15. Obligations of Supranational Institutions	10 30%

* See Section V(E)(12).

<u>Issuer/Counterparty</u>	<u>Maximum % of Portfolio</u>
Any one Federal Agency or U.S. Government Sponsored Enterprise	50%
Securities of any single non-government issuer or its related entities, regardless of security type	5%
Securities of any State of California or California local agency	5%
Any one Repurchase Agreement or other collateralized counterparty name	50%

G. Investment Agreements (For Bond Funds Only).

Investment Agreements or Fully Flexible Repurchase Agreements shall provide a fixed spread to an index or a fixed rate of return with liquidity, usually one-to-seven day's withdrawal notice with no penalties, to meet cash flow needs of the South Coast AQMD. Investment Agreements may be with any bank, insurance company or broker/dealer, or any corporation whose principal business is to enter into such agreements, if:

1. At the time of such investment:
 - a. Such bank has an unsecured, uninsured and unguaranteed obligation rated in a rating category of “AA”, or its equivalent, or higher, by at least two NRSROs, or
 - b. such insurance company or corporation has an unsecured, uninsured and unguaranteed claims paying ability rated “AAA” or its equivalent by at least two NRSROs, or
 - c. such bank or broker/dealer has an unsecured, uninsured and unguaranteed obligation rated in a rating category of “A”, or its equivalent, or higher by at least two NRSROs (and with respect to such broker/dealer shall be rated of the highest short-term ratings by at least two NRSROs); provided, that such broker/dealer or “A” rated bank also collateralize the obligation under the investment agreement with U.S. Treasuries or Agencies.
2. The agreement shall include a provision to the effect that if any rating of any such bank, insurance company, broker/dealer or corporation is downgraded below the rating existing at the time such agreement was entered into, the South Coast AQMD shall have the right to terminate such agreement.
3. Collateralization shall be at a minimum of 102%, marked to market, at a minimum, weekly.

The maximum term for an Investment Agreement for bond proceeds will be governed by the permitted investment language of the bond indenture.

H. Rating Downgrades.

Securities that are currently under “Credit Watch-Negative” for downgrade below the minimum credit criteria of this Policy by any NRSROs are not permitted for purchase for the SPI investments under this Policy.

The South Coast AQMD SPI separate account may from time to time be invested in a security whose rating is downgraded below the quality criteria permitted by the Annual Investment Policy. Any security held as an investment whose rating falls below the investment guidelines or whose rating is put on notice for possible downgrade shall be immediately reviewed for action by the Chief Financial Officer. The decision to retain the security until maturity, sell (or put) the security, or other action shall be approved by the Treasurer. Minimum credit criteria shall apply at the time of purchase.

I. Securities Safekeeping.

Securities shall be deposited for safekeeping with a third party custodian in compliance with Code Section 53608.

J. Review and Monitoring of Investments.

The Chief Financial Officer will submit to the Governing Board the quarterly reports on investments prepared by the Treasurer for the Pooled Surplus Investment Portfolio and South Coast AQMD funds invested in the State Local Agency Investment Fund and Special Purpose Investments. The Chief Financial Officer will review at least monthly the transactions and positions of South Coast AQMD funds invested in Special Purpose Investments outside of the Local Agency Investment Fund or the Pooled Surplus Investment Portfolio.

Approved ~~March 4, 2022~~March 10, 2023

RESOLUTION NO. 23-_____

A Resolution of the South Coast Air Quality Management District Governing Board delegating authority to the Los Angeles County Treasurer to invest and reinvest funds of the South Coast Air Quality Management District.

WHEREAS, the Governing Board of the South Coast Air Quality Management District desires to reaffirm the appointment of the Treasurer of the County of Los Angeles as Treasurer of the South Coast Air Quality Management District; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District pursuant to Section 40527 of the Health and Safety Code Section has authority to appoint a Treasurer; and

WHEREAS, the Governing Board of the South Coast Air Quality Management District pursuant to Section 53607 of the Government Code is required to annually renew the delegation of authority to its Treasurer to invest or to reinvest funds, or sell or exchange securities of the District.

THEREFORE, BE IT RESOLVED that the Governing Board of the South Coast Air Quality Management District hereby delegates to the Treasurer of the County of Los Angeles the authority to invest or reinvest funds of the South Coast Air Quality Management District.

AYES:

NOES:

ABSENT:

DATE: _____

Clerk of the Boards