



# CITY OF MOORPARK

ADMINISTRATIVE SERVICES DEPARTMENT | 799 Moorpark Avenue, Moorpark, California 93021  
Main City Phone Number (805) 517-6200 | Fax (805) 532-2520 | moorpark@moorparkca.gov

*Pursuant to Governor Newsom's Executive Order N-29-20 et seq., members of the City of Moorpark's Administration, Finance and Public Safety Standing Committee will participate in this meeting via a teleconference from separate locations.*

*Members of the public who want to participate in the meeting are encouraged to participate electronically. To speak at the meeting, please use the Zoom Meeting Participant Registration.*

*Zoom Meeting Participant Registration:*

[https://us02web.zoom.us/webinar/register/WN\\_3KsgwbHpTeOfIcU4NqiNA](https://us02web.zoom.us/webinar/register/WN_3KsgwbHpTeOfIcU4NqiNA)

*Following registration, you will receive a link to join the Zoom meeting.*

**NOTICE AND CALL OF A  
REGULAR MEETING OF THE  
ADMINISTRATION, FINANCE & PUBLIC SAFETY STANDING COMMITTEE  
(Mayor Parvin and Mayor Pro Tem Pollock)  
Wednesday, September 2, 2020, at 5:45 p.m.**

**TO THE MEMBERS OF THE ADMINISTRATION, FINANCE AND PUBLIC SAFETY  
STANDING COMMITTEE OF THE CITY OF MOORPARK:**

**NOTICE IS HEREBY GIVEN** that a **Regular Meeting** of the Administration, Finance and Public Safety Standing Committee is hereby called to be held on **Wednesday, September 2, 2020**, commencing at **5:45 p.m.** Said meeting will be held in the Moorpark Development Services Conference Room, 799 Moorpark Avenue, Moorpark, California.

Said Regular Meeting shall be for the purpose of considering the following items:

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. PUBLIC COMMENT:**
- 4. DISCUSSION ITEMS:**
  - A. Consider Update of Annual Investment Policy and Resolution Establishing the City of Moorpark's Investment Policy for Fiscal Year (FY) 2020/21 and Ordinance Amending Chapter 3.16 (Investment of City Funds) of Title 3 (Revenue and Finance), and Section 2.14.030 (Functions) of Chapter 2.14 (Director of Finance) of Title 2 (Administration and Personnel), of the Moorpark Municipal Code. Staff Recommendation: Recommend approval of the updated Investment Policy and Resolution establishing the City of Moorpark's Investment Policy for FY 2020/21; and Ordinance Amending Chapter 3.16 (Investment of City Funds) of Title 3 (Revenue and Finance), and Section 2.14.030 (Functions) of Chapter 2.14 (Director of Finance) of Title 2 (Administration and Personnel), of the Moorpark Municipal Code to the City Council. **(Staff: Kambiz Borhani)**

**4. DISCUSSION ITEMS: (Continued)**

- B. Consider Revised City Council Policy 5.2: Fund Balance Reserve Policy. Staff Recommendation: Recommend approval of the Council Policy 5.2 – Fund Balance Reserve to the City Council. **(Staff: Kambiz Borhani)**

**5. ADJOURNMENT:**

Posted: August 28, 2020

All writings and documents provided to the members of the Finance, Administration and Public Safety Standing Committee of the City of Moorpark regarding all agenda items are available for public inspection at the City Hall public counter located at 799 Moorpark Avenue during regular business hours. The agendas and agenda reports for City Council Standing Committee meetings are available on the City's website at [www.moorparkca.gov](http://www.moorparkca.gov).

In compliance with the Americans with Disabilities Act, if you need special assistance to review an agenda or participate in this meeting, including auxiliary aids or services, please contact the City Clerk's Division at (805) 517-6223. Upon request, the agenda can be made available in appropriate alternative formats to persons with a disability. Any request for disability-related modification or accommodation should be made at least 48 hours prior to the scheduled meeting to assist the City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104; ADA Title II).

**ADMINISTRATION, FINANCE AND PUBLIC SAFETY COMMITTEE  
AGENDA REPORT**

**TO: Administration, Finance and Public Safety Committee (AFPS)  
(Mayor Parvin and Mayor Pro Tem Pollock)**

**FROM: Kambiz Borhani, Finance Director**

**DATE: 09/02/2020 Regular Meeting**

**SUBJECT: Consider Update of Annual Investment Policy and Resolution  
Establishing the City of Moorpark’s Investment Policy for Fiscal Year  
(FY) 2020/21 and Ordinance Amending Chapter 3.16 (Investment of  
City Funds) of Title 3 (Revenue and Finance), and Section 2.14.030  
(Functions) of Chapter 2.14 (Director of Finance) of Title 2  
(Administration and Personnel), of the Moorpark Municipal Code**

**BACKGROUND**

The City Council policies state the Finance, Administration and Public Safety (AFPS) committee shall review the investment policy prior to consideration by the entire City Council. On July 1, 2020, the committee reviewed changes proposed; however, additional revisions have been made since then, requiring a second review from the members.

California Government Code (CA GC) § 53646 states that the treasurer may annually render a statement of investment policy to the City Council for review and approval at a public meeting, and that any change in the policy shall also be considered by the City Council at a public meeting. State law authorizes the Council to delegate its investment authority to the City Treasurer for a one-year period, renewable annually.

The investment policy update ensures consistency with the overall objectives as well as its relevance to current laws and economic trends. It also provides an opportunity to make modifications to reflect changes in the investment environment, clarify terms, and remove ambiguity in the policy language.

## **DISCUSSION**

City investments are made only in those instruments specifically authorized by CA GC, primarily Sections 53600 et seq., 16429.1, and 53684 of the Government Code. Within these legal guidelines, primary objectives of the City's Investment Policy and Treasurer's goals and strategies in managing City's portfolio are:

- **Safety** - To safeguard the fund's under the Treasurer's control;
- **Liquidity** - To meet short term cash needs;
- **Yield** - To maximize the overall return; and
- **Diversification** - To reduce the portfolio's risk.

The City continues to follow the highest professional standards in managing public funds. On an ongoing basis, staff and City Attorney review public fund investment best practices and regulatory or legal changes to ensure City compliance.

The attached "Exhibit A" includes all the proposed policy revisions in legislative format.

Some of the major modifications proposed are:

- **4.2 Liquidity.** The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated. ~~Operational liquidity shall be one and one-half (1.5) times the City's highest level of liquidity demand within the most recent three year period. The liquidity demand calculation shall be reviewed annually; concurrently with the annual review of the Investment Policy.~~ This is accomplished by maintaining a portion of the portfolio in money market funds and the State Local Agency Investment Fund with immediate withdrawal provisions. The City's practice is to buy and hold instruments to maturity, and since all cash demands cannot be forestalled, the portfolio will include securities with active secondary or resale markets should the need to sell prior to maturity arises.

Current ratio of one and one-half (1.5) is considered healthy and will likely support City's obligations; however, in view of the unprecedented fiscal strain attendant to the COVID-19 pandemic, staff recommends that a more general statement of liquidity strategies be included instead of the operational liquidity formula. Since 2018 operation liquidity has been around \$7.5 million, and the City typically maintains that in its money market fund and investment pools accounts which are readily available for use. A general statement of liquidity strategies provides more flexibility to account for fluctuations in the market and allocation of assets to meet operational needs when necessary.

- **4.3 Return on Investment (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 provided that the requirements of safety and liquidity are first met.~~

~~The City Treasurer shall strive to maintain the level of investment of all contingency reserves and inactive funds as close to 100% as possible. While the objectives of safety and liquidity must first be met, it is recognized that portfolio 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 ordinances. Subject to the first and second objectives of safety or principal and liquidity, respectively, the investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles while adhering to the list of authorized investments.~~

The phrase (Yield) is being added because it's a more commonly used equivalent term. Staff recommends changes to the language to use updated financial terms, and in addition, in this fiscal climate, 100% investment of contingency reserves may not be prudent. Also this clause is being added to clarify and reinforce the legal requirement that, per the introductory language of Section 4.0 and Government Code Section 53600.5, the yield objective of a market rate of return must be third in priority among the three objectives.

- **8.1.18 Supranational Organizations Securities.** Limited to United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by: International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB). The stated final maturity of such security shall not exceed five (5) years from the date of purchase and rated in the category of "AA" or its equivalent or higher by a nationally recognized rating agency. Purchases may not exceed 30% of the portfolio. Section 12.0 of this policy applies with respect to issuer-concentration limits.

The above authorized investment is being added to the policy to allow the City to invest in an additional category of authorized investment added to California Government Code 53601 in 2015 which authorizes investments in any entities formed by two or more central governments with the purpose of promoting economic development for the member countries. Supranational institutions finance their activities by issuing debt, such as supranational bonds. Examples of supranational institutions include the European Investment Bank and the World Bank. Similarly to the government bonds, the bonds issued by these institutions are considered direct obligations of the issuing nations and have a high credit rating.

- **23.0 Social Responsibility.** Investments in corporate securities and depository institutions (including purchases of investments authorized by Section 8.0 of this policy and relationships for depository, custodial, brokerage and other financial services per Sections 14.0, 15.0, and 16.0 of this policy or otherwise) shall be made in furtherance of socially responsible goals to the extent that such investments achieve substantially equivalent safety, liquidity and yield compared to other similar investments permitted by state law. Investments are to be made that will bear in mind the responsibility of city government to its citizens. Investments that support community well-being; promote equality of rights regardless of sex, race, age, disability or sexual orientation; promote

community economic development; provide a positive impact on the environment, fair workplace practices, robust corporate governance, high product integrity, and positive community involvement will be considered.

This language is being added to align City's investment strategy with its commitment to social justice, protection of human life and dignity, stewardship for the planet and promotion of the common good.

The following definition was added to the Glossary:

- **Supranational:** Are organizations that provide development financing, advisory and financial services to their member countries to promote political, cultural unity, or economic growth.

In addition to the changes being made to the Investment Policy, staff also proposes an emendation to the City of Moorpark Municipal Codes to be more in compliance with the enacted California Government Codes.

The attached "Exhibit B" includes all the proposed municipal code revisions in legislative format.

Some of the major modifications proposed are:

- Chapter 3.16, Investment of City Funds, of Title 3, Revenue and Finance

Ordinance No. 2 was enacted on July 20, 1983, to establish the Moorpark Municipal Code, including but not limited to Chapter 3.16, relating to the investment of City funds, and Ordinance No. 293 was adopted on March 19, 2003, to amend Section 3.16.050 of Chapter 3.16 setting forth the requirement for the City Treasurer to provide periodic reports to the City Council containing information about City investments. Since that time, the State Legislature amended Government Code Sections 53607 and 53646, which govern the respective subject matters. The recommended revisions will update appropriate sections to conform to the above-mentioned Government Codes.

- Section 2.14.030, Functions, of chapter 2.14, Director of Finance, of Title 2, Administration and Personnel

Ordinance No. 116 was adopted on November 15, 1989 to amend the Moorpark Municipal Code to add Chapter 2.12, now renumbered as Chapter 2.14, relating to the office of the Director of Finance, to Title 2 (Administration and Personnel), including but not limited to current Section 2.14.030 relating to functions of the Director of Finance. Since that time, the State Legislature amended Government Code Section 53891 extending the amount of time stated in Government Code Section 53891 in which the report is required to be furnished to the State Controller from 90 days to seven months after the close of the fiscal year.

The City Attorney's office has reviewed the attached drafts of Investment Policy and ordinance updates.

**FISCAL IMPACT**

There is no direct impact associated with the approval of the proposed investment policy or municipal code updates.

**STAFF RECOMMENDATION**

Recommend approval of the updated Investment Policy and Resolution establishing the City of Moorpark's Investment Policy for FY 2020/21; and Ordinance Amending Chapter 3.16 (Investment of City Funds) of Title 3 (Revenue and Finance), and Section 2.14.030 (Functions) of Chapter 2.14 (Director of Finance) of Title 2 (Administration and Personnel), of the Moorpark Municipal Code to the City Council.

Attachment 1: Resolution No. 2020-\_\_\_\_\_

Attachment 2: Exhibit A – Draft City of Moorpark Investment Policy

Attachment 3: Ordinance No. 2020-\_\_\_\_\_

Attachment 4: Exhibit B – Draft City of Moorpark Municipal Code Updates

RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING THE ANNUAL INVESTMENT POLICY FOR FISCAL YEAR 2020/2021 AND RESCINDING RESOLUTION NO. 2019-3844

WHEREAS, on September 16, 2020, the City Council reviewed and adopted the City of Moorpark's annual Investment Policy, which is applicable to the City and its related entities for which the members of the City Council serve as the governing body (the "Related Entities"); and

WHEREAS, a staff report has been presented to the Council requesting adoption of the annual Investment Policy; and

WHEREAS, the Investment Policy describes the investment of City funds in compliance with the Municipal Code and state law, and, therefore, the Investment Policy is to be hereby submitted to an oversight committee in compliance with state law; and

WHEREAS, Investment Policy Resolution No. 2019-3844 is proposed to be rescinded and an updated Investment Policy Resolution adopted.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The annual Investment Policy attached hereto as "Exhibit A" has been reviewed in a public meeting and is hereby adopted.

SECTION 2. The City Council, for itself and as the legislative body of the Related Entities, hereby delegates its investment authority with respect to the funds of the City and the Related Entities to the City Treasurer-Finance Director (acting in the capacities of City Treasurer and treasurer of the Related Entities).

SECTION 3. City Council Resolution No. 2019-3844 is hereby rescinded.

SECTION 4. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 16<sup>th</sup> day of September, 2020.

ATTEST:

\_\_\_\_\_  
Janice S. Parvin, Mayor

\_\_\_\_\_  
Ky Spangler, City Clerk

Attachment: Exhibit "A" - City of Moorpark Investment Policy

## CITY OF MOORPARK INVESTMENT POLICY

**1.0 Introduction.** The purpose of this document is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy and to organize and formalize investment-related activities of the City of Moorpark, Successor Agency to the Moorpark Redevelopment Agency and Moorpark Public Financing Authority. As used in this policy, the term “City” may refer to the City, or the City and its related entities for which the members of the City Council serve as the legislative body, as the context may require. Related activities which comprise good cash management include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and arranging for a short-term borrowing program which coordinates working capital requirements and investment opportunities.

**2.0 Policy.** It is the policy of the City of Moorpark to invest public funds not required for immediate day-to-day operations in accordance with the principals of sound treasury management and the provisions of California Government Code § 53600 et seq., the Municipal Code and this policy.

**3.0 Scope.** This policy applies to all investment activities of the City of Moorpark, except for the proceeds of certain debt issues that are invested and managed by trustees appointed under indenture agreements.

**3.1 Pooled Investments.** Investments for the City and its component units will be made on a pooled basis, including the City of Moorpark, the Successor Agency to the Moorpark Redevelopment Agency, and the Moorpark Public Financing Authority.

All pooled funds are accounted for in the Comprehensive Annual Financial Report of the City of Moorpark. Funds include the General Fund, Special Revenue Funds, Debt Service Fund, Capital Projects Funds and Trust and Agency Funds.

**3.2 Investments held separately.** Investments of bond proceeds will be held separately when required by the bond indentures or when necessary to meet arbitrage regulations. If allowed by the bond indentures, or if the arbitrage regulations do not apply, investments of bond proceeds will be held as part of the pooled investments.

**4.0 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:

**4.1 Safety.** Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure preservation of capital in the overall portfolio.

**4.2 ~~Liquidity.~~** The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated. ~~Operational liquidity shall be one and one-half (1.5) times the City's highest level of liquidity demand within the most recent three year period. The liquidity demand calculation shall be reviewed annually; concurrently with the annual review of the Investment Policy. This is accomplished by maintaining a portion of the portfolio in money market funds and the State Local Agency Investment Fund with immediate withdrawal provisions. The City's practice is to buy and hold instruments to maturity, and since all cash demands cannot be forestalled, the portfolio will include securities with active secondary or resale markets should the need to sell prior to maturity arises.~~

**4.3 ~~Return on Investment (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 provided that the requirements of safety and liquidity are first met.~~

~~The City Treasurer shall strive to maintain the level of investment of all contingency reserves and inactive funds as close to 100% as possible. While the objectives of safety and liquidity must first be met, it is recognized that portfolio 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 ordinances. Subject to the first and second objectives of safety or principal and liquidity, respectively, the investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles while adhering to the list of authorized investments.~~

**5.0 Duties and Responsibilities.** The State of California gives the City Council, in its capacity as legislative body of the City and its related entities, the ability to delegate the investment authority to the City Treasurer (acting in the capacities of City Treasurer and treasurer of the City's related entities) for a one-year period in accordance with Section 53607 of the California Government Code. The delegation will require renewal each year. So long as the City Council's annual delegation of investment authority pursuant to California Government Code Section 53607 to the City Treasurer is effective, no person may engage in investment transactions unless

directed by the City Treasurer, or in the absence of such effective delegation, unless directed by the City Council.

In the execution of this delegated authority, the City Treasurer may establish accounts with well qualified, financially sound financial institutions and/or brokers/dealers for the purpose of completing investment transactions in accordance with this policy. The criteria used to select qualified financial institutions and broker/dealers for effecting purchases of authorized investments are identified in Section 14 of this policy. The criteria used to select qualified financial institutions for the custody of the City's investments are identified in Section 16 of this policy.

The City Treasurer (acting in the capacities of City Treasurer and treasurer of each City-related entity) may designate in writing a Deputy City Treasurer, who in the absence of the City Treasurer, will assume the City Treasurer's duties and responsibilities. The City Treasurer shall retain full responsibility for all transactions undertaken under the terms of this policy.

Pursuant to Section 53607 of the California Government Code, so long as the City Council, in its capacity as legislative body of the City and its related entities, has delegated its investment authority to the City Treasurer (acting in the capacities of City Treasurer and treasurer of the City's related entities) and such delegation is in full force and effect, the City Treasurer shall make a monthly report of the investment transactions to the City Council, as described in Section 18.2 of this policy.

The City Treasurer ~~is required to~~shall annually, as well as when any change is proposed to be made to the policy, -render a statement of investment policy to the City Council to be considered at a public meeting.

~~The City Treasurer is required to submit quarterly investment reports to the City Council and City Manager. As further described in Section 18.1 of this policy, the investment report shall comply with the requirements of Gov. Code, §53646.~~  
Pursuant to Sections 53607 and 53646 of the California Government Codes, the City Treasurer shall submit reports to the City Council as described in Section 18.0 of this policy.

**6.0 Prudence.** Section 53600.3 of the California Government Code identifies the legal standard applicable to the City Council, as legislative body of the City and its related entities, and to those persons authorized to make investment decisions on behalf of a local agency and Section 53600.3 deems the legislative body and such authorized persons to be trustees, and therefore fiduciaries subject to the "prudent investor" standard. As a trustee and fiduciary, 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. Specifically, as set forth in Section 53600.3, when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, the City Council, as legislative body of the City and its related entities, and other persons authorized to make investment decisions on its behalf, 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 with like aims, to safeguard the principal and maintain the liquidity needs of the agency.

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.

**7.0 Ethics and Conflicts of Interest.** All participants in the City's investment process shall seek to 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. Employees and investment officials shall make all disclosures appropriate under the Fair Political Practices Act, and may seek the advice of the City Attorney and the Fair Political Practices Commission whenever there is a question concerning personal financial or investment positions that could represent potential conflicts of interest.

## **8.0 Authorized Investments.**

**8.1 Pooled Investments.** The City Treasurer may invest City funds in the following instruments as specified in the California Government Code, Section 53601, subject to the limitations set out in that section and as further limited in this policy. See also Section 12.0 for limitations on issuer concentration for certain types of investments authorized under this Section 12.0. Investments will be made only in readily marketable securities actively traded in the secondary market.

**8.1.1 U.S. Treasury Bills, Notes and Bonds:** provided that the stated final maturity of such security does not exceed five (5) years from the date of purchase.

**8.1.2 Federal Agency debentures and mortgage-backed securities** with a final maturity not exceeding five (5) years from the date of purchase issued by the Government National Mortgage Association (GNMA).

**8.1.3 Federal Instrumentality (government sponsored enterprise) debentures, discount notes, bullets, callables and step-up securities,** with a final maturity not exceeding five (5) years from the date of purchase, issued by the following only: Federal Home Loan Banks (FHLB), Federal National Mortgage Association (FNMA), Federal Farm Credit Bureau

(FFCB), Federal Home Loan Mortgage Corporation (FHLMC), and Federal Agricultural Mortgage Corporation (FAMCA).

**8.1.4** Time Certificates of Deposit, nationally or state-chartered banks; savings or federal associations; or state or federal credit unions: Deposits should not exceed five-year maturity and shall be collateralized as specified in paragraph 9.0 of this policy or FDIC or NCUA insured up to \$250,000. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.5** Negotiable Certificates of Deposit issued by nationally or state-chartered banks; savings or federal associations; state or federal credit unions; or federally licensed or state licensed branches of foreign banks. Purchases may not exceed 30% of the portfolio and final maturity may not exceed five (5) years from date of purchase. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.6** Banker's Acceptances, Foreign/Domestic, with a minimum rating of "A1" by S&P Global Ratings or "P1" by Moody's Investors Service, Inc. (prime) rating provided that the acceptances are eligible for purchase by the Federal Reserve System and the maturity does not exceed 180 days maturity or 40% of the total portfolio. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.7** Commercial Paper: Short-term instruments with a maximum maturity of 270 days or less, an "A1/P1" (prime) rating or better, with fixed coupons, fixed maturity and no call provisions and meeting all of the additional conditions in either paragraph (A) or (B) below.

(A) The issuer is a general corporation organized and operating within the United States, has total assets in excess of five hundred million dollars, and has debt other than commercial paper, if any, that is rated in a rating category of "A" or its equivalent or higher by a nationally recognized rating agency.

(B) The issuer is organized within the United States as a special purpose corporation, trust, or limited liability company; has programwide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond, and has commercial paper that is rated "A1/P1" (prime) or better by a nationally recognized rating agency.

Purchases of commercial paper may not exceed 25% of the portfolio. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.8** Medium-term Corporate Notes of a maximum of five years until maturity issued by corporations organized and operating within the United States and rated in the rating category of “A-” or better of Moody’s Investors Service, Inc. and S&P Global Ratings. Purchases may not exceed 30% of the portfolio. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.9** Repurchase Agreements with a maximum maturity of one year. Repurchase Agreements will only be with primary dealers of the Federal Reserve Bank of New York, and who have long-term debt rated in the “AAA” or “AA” categories of Moody’s Investors Service, Inc. or S&P Global Ratings. Investments will be collateralized as specified in paragraph 9.0 of this Investment Policy. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.10** Money Market Funds registered under the Investment Company Act of 1940 which (1) are “no-load” (meaning no commission or fee shall be charged on purchases or sales of shares); (2) have a constant daily net asset value per share of \$1.00; (3) invest only in the securities and obligations authorized in this investment policy and (4) have a rating of at least two of the following: AAAm by S&P Global Ratings, Aaa by Moody’s or AAA/V1+ by Fitch. The aggregate investment in money market funds shall not exceed 20% of the City’s total portfolio. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.11** County Pooled Investment Funds in accordance with the laws and regulations governing those Funds and State law (GC 53684).

**8.1.12** State of California pooled “Local Agency Investment Fund” in accordance with the laws and regulations governing those Funds and State law (GC 16429.1 et seq.).

**8.1.13** Insured deposits: Deposits not exceeding \$250,000 shall be permitted only in those nationally or state-chartered banks, savings or federal associations, or state or federal credit unions that are active members of the Federal Deposit Insurance Corporation (FDIC) and provided that the final maturity does not exceed five (5) years from date of purchase. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.14** The “Sweep” account for the overnight investment of idle funds shall be subject to this policy.

**8.1.15** City of Moorpark bonds, or bonds issued by its related entities for which the members of the City Council serve as the legislative body, provided that the stated final maturity of such security does not exceed

five (5) years from the date of purchase. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.16** Registered state warrants, treasury notes or bonds of the State of California. Registered treasury notes or bonds from any of the remaining 49 States. The stated final maturity of such security shall not exceed five (5) years from the date of purchase. Rated in the rating category of “A-” or “A-1” or better of Moody’s Investors Service, Inc. and S&P Global Ratings. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.17** Bonds, notes, warrants, or other indebtedness of any local government agency within California. The stated final maturity of such security shall not exceed five (5) years from the date of purchase. Rated in the rating category of “A-” or “A-1” or better of Moody’s Investors Service, Inc. and S&P Global Ratings. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.1.18** Supranational Organizations Securities, Limited to United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by: International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB). The stated final maturity of such security shall not exceed five (5) years from the date of purchase and rated in the category of “AA” or its equivalent or higher by a nationally recognized rating agency. Purchases may not exceed 30% of the portfolio. Section 12.0 of this policy applies with respect to issuer-concentration limits.

**8.2 Investments held separately.** Investments of bond funds will be made in conformance with the trust indenture for each issue. Such investments will be held separately when required.

**9.0 Collateralization.** Investments in time certificates of deposit shall be fully insured for the entire term of the certificate by the Federal Deposit Insurance Corporation (FDIC). The FDIC limit has been established by the Congress at \$250,000.00. Investments in time certificates of deposit, or deposits not insured in accordance with Section 8.1.13 of this policy, in excess of the limit shall be properly collateralized in accordance with California Government Code Section 53630 et seq. (constituting Article 2 of Chapter 4 of Part 1 of Division 2 of Title 5 of the California Government Code). Without limiting the foregoing, Section 53652 of the California Government Code requires that the depository pledge securities with a market value of at least 10% in excess of the City’s deposit as collateral in government securities, and 50% in excess of the deposit as collateral in mortgage pools. Section 53649 of the

California Government Code specifies that the City Treasurer is responsible for entering into deposit contracts with each depository.

Investments in repurchase agreements must also be collateralized. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% or greater of market value of principal and accrued interest.

**10.0 Unauthorized Investments/Investment Activities.** Section 53601.6 of the California Government Code prohibits the following investments: inverse floaters, range notes, or mortgage-derived, interest-only strips.

**10.1** No investment will be made that has either (1) an embedded option or characteristic which could result in a loss of principal if the investment is held to maturity, or (2) an embedded option or characteristic which could seriously limit accrual rates or which could result in zero accrual periods.

**10.2** No investment will be made that could cause the portfolio to be leveraged.

**11.0 Investment Strategy.**

**11.1 Pooled Investments.** A buy and hold strategy will generally be followed; that is, pooled investments once made will usually be held until maturity. A buy and hold strategy will result in unrealized gains or losses as market interest rates fall or rise from the coupon rate of the investment. Unrealized gains or losses, however, will diminish as the maturity dates of the investments are approached or as market interest rates move closer to the coupon rate of the investment. 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, but this should be only on an exception basis and only when it is clearly favorable to do so.

**11.2 Investments held separately.** Investments held separately for bond proceeds will follow the trust indenture for each issue.

**12.0 Diversification.** To the extent feasible the portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions. In addition to the limitations on specific security types indicated in Section 8.0 of this Investment Policy, and with the exception of U.S. Treasury/Federal agency securities and authorized pools, for each type of investment, no more than five percent (5%) of the City's portfolio will be placed with a single issuer.

**13.0 Maximum Maturities.** To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities with a final stated maturity date

of more than five (5) years from the date of purchase settlement. Any investment in securities with a final stated maturity date of more than five (5) years from the date of purchase settlement can only be made if the City Council has granted express authority to make that investment either specifically or as part of an investment program approved by City Council no less than three months prior to the investment.

13.1 Callable investments will be recorded at their maturity dates.

~~13.1 Pooled Investments. A policy of laddered maturities will be followed for pooled investments. The following maturity requirements will apply as of the month end of each reporting period.~~

~~13.1.1 At least twenty percent (20%) of the portfolio shall mature within one year from the current date. No more than fifty percent (50%) of the entire portfolio may have a maturity date between three (3) and five (5) years from the current date. Investments with a maturity greater than five (5) years will not be made. The average portfolio investment maturity shall be three (3) years or less. A dollar-weighted average will be used in computing the average maturity of the portfolio.~~

~~13.1.2 Callable investments will be recorded at their maturity dates.~~

**13.2 Investments Held Separately.** Maturities for investments held separately will conform to the trust indenture for each issue.

**14.0 Selection of Financial Institutions and Broker/Dealers.** Investments shall be purchased only through well established, financially sound institutions meeting the requirements of California Government Code Sections 53601.5 or 53601.8, as applicable. The City Treasurer shall maintain a list of financial institutions and broker/dealers approved for investment. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions will be given a copy of the City's Investment Policy, and a return cover letter which must be signed indicating that the investment policy has been read and understood. Qualified financial institutions and broker/dealers must supply the City Treasurer with the following:

**14.1 Financial Institutions.**

- Current audited financial statements.
- Depository contracts, as appropriate.
- A copy of the latest FDIC call report.
- Proof that commercial banks, savings banks, or savings and loan associations are state or federally chartered.

**14.2 Broker/Dealers.**

- Current audited financial statements.

- Proof that brokerage firms are members in good standing of a national securities exchange.

~~Commercial banks, savings banks, and savings and loan associations must maintain a minimum net worth to asset ratio of 3% (total regulatory net worth divided by total assets), and must have had a positive net earnings for the last reporting period.~~

**15.0 Purchase, Payment, and Delivery.** A competitive bid process, when applicable or practical, will be used to place all investment transactions. ~~When two or more investment opportunities offer essentially the same maturity, liquidity, yield, and quality, priority will be given first to the financial institutions based in the City of Moorpark, and second to other financial institutions in the State of California. This does not apply to investment pools.~~ Purchases on margin will not be made. Payment for securities will be done on a Delivery Versus Payment (DVP) basis via the City's custodian. Delivery of securities will be made to the City in accordance with the third party custodial agreement.

**16.0 Safekeeping and Custody.** All security transactions, including collateral for repurchase agreements, entered into by the City shall be conducted on a delivery-vs.-payment basis. All securities owned by the City will be held by a third-party custodian meeting the requirements of California Government Code Section 53608 and designated by the City Treasurer, and the securities will be evidenced by a monthly statement from the custodian. Collateral for time deposits in savings and loans will be held by the Federal Home Loan Bank of an approved Agent of Depository. Collateral for time deposits in banks will be held in the City's name in the bank's Trust Department or in the Federal Reserve Bank.

**17.0 Performance Standard ~~for Pooled Investments.~~** Investment performance is regularly monitored and evaluated. ~~Laddered maturities and a buy and hold strategy for pooled investments will cause the investment portfolio~~ to attain a market-average rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs. The rate of return of the investment portfolio will be based on the maturity value of the investments. ~~A dollar-weighted average of yields to maturity will be used in calculating the rate of return of the entire portfolio.~~

**18.0 Reporting.** Pursuant to California Government Code Sections 53646(b) and 53607, respectively, City Treasurer shall render a quarterly investment ~~portfolio holdings reports~~report and shall make a monthly ~~investment transactions reports~~ report ~~shall be provided~~ in accordance with subsections 18.1 and 18.2, respectively, below.

**18.1 Quarterly ~~Portfolio Holdings Reports~~ Investment Report.** In furtherance of Section 53646(b) of the California Government Code ~~allows a~~ quarterly investment report shall be submitted to the City Council ~~and the City~~

~~Manager. This policy requires a quarterly investment report to be submitted no later than within 30 days following the end of the quarter covered by the report.~~

**18.1.1 Pooled Investments.** The quarterly investment report shall be submitted ~~quarterly~~ by the City Treasurer within 30 days following the end of the quarter covered by the report. The quarterly report shall include the following elements:

- Itemized listing of portfolio investments by type, date of maturity, and issuer.
- Par value, dollar amount invested, amortized cost, and current market value as of the date of the report will be given for the total of all securities, investments, and moneys held by the City and its component units. The source of the market values will be cited.
- ~~Accrued income.~~
- Investment transactions for the reporting period.
- Statement that the investment portfolio has the ability to meet the City's cash flow demands for the next six (6) months, or an explanation as to why sufficient money shall, or may not be available.
- Statement of compliance of the portfolio with the City's Investment Policy. When applicable, any material exceptions will be noted.

**18.1.2 Investments Held Separately.** A report of investments held separately shall be ~~made rendered~~ quarterly within 30 days ~~following~~ following the end of the quarter submitted as an exhibit in the City Treasurer's quarterly investment report. The quarterly investment report shall contain the information required by Section 53646 when available.

**18.2 Monthly Transactions Reports.** So long as the City Council, in its capacity as legislative body of the City and its related entities, has delegated its investment authority to the City Treasurer (acting in the capacities of City Treasurer and treasurer of the City's related entities) and such delegation is in full force and effect, the City Treasurer shall make a monthly report of all investment transactions to the City Council, pursuant to Section 53607 of the California Government Code.

**19.0 Short-term Borrowing.** The City is permitted by law to borrow money to meet current short-term cash flow needs. These needs may arise either because projected cash disbursements exceed projected cash receipts, or because the City's cash accounts may be temporarily overdrawn due to the efforts to invest 100% of inactive funds at all times. To provide for these contingencies the City Treasurer is authorized to take the following actions, in each instance subject to compliance with applicable California law authorizing and establishing limitations on such borrowings:

**19.1 Short-term Loan.** When there is a shortfall between projected cash revenues and projected cash disbursements, the City Treasurer will secure a loan in the amount that would equal the cash deficit plus projected cash disbursements for one month. Any such loan will be repaid within one year.

**19.2 Line of Credit.** The City Treasurer may maintain a line of credit with the City's bank in an amount to cover sums temporarily overdrawn because of efforts to invest all inactive funds at all times.

**20.0 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, e.g. the rating of a corporate note held in the portfolio is downgraded below an "AA" rating, or total assets in the portfolio decline causing the percentage invested in corporate notes to rise above 30%.

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 and City requirements. 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.

**21.0 Internal Control.** The City Treasurer shall establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures.

**22.0 Investment Policy Adoption.** California Government Code § 53646(a) ~~allows the(2) states that a~~ -City Treasurer ~~to~~ may annually render to the City Council a statement of investment policy, which the City Council shall consider for adoption at a public meeting. Pursuant to Section 5.0 of the policy, the City Treasurer shall annually, as well as when any change is proposed to be made to the policy, render a statement of investment policy to the City Council which City Council should consider for adoption at a public meeting. no less frequently than once a year for adoption. ~~This policy requires the City Treasurer to submit the investment policy to the City Council on an annual basis. The City's investment policy and any modifications thereto shall be considered at a public meeting. Adoption shall be made by resolution of the City Council.~~

**23.0 Social Responsibility.** Investments in corporate securities and depository institutions (including purchases of investments authorized by Section 8.0 of this policy and relationships for depository, custodial, brokerage and other financial services per Sections 14.0, 15.0, and 16.0 of this policy or otherwise) shall be made in furtherance of socially responsible goals to the extent that such investments achieve substantially equivalent safety, liquidity and yield compared to other similar investments permitted

by state law. Investments are to be made that will bear in mind the responsibility of city government to its citizens. Investments that support community well-being; promote equality of rights regardless of sex, race, age, disability or sexual orientation; promote community economic development; provide a positive impact on the environment, fair workplace practices, robust corporate governance, high product integrity, and positive community involvement will be considered.

## INVESTMENT POLICY

### GLOSSARY

**Administrator of Local Agency Security:** The State office or entity designated by California Government Code Section 53661 from time to time to approve and authorize “agents of depositories” to hold securities that secure and collateralize local agency deposits. Currently, the “Administrator of Local Agency Security” is the California Commissioner of Business Oversight.

**Agent of Depository:** Any one of the following entities that is duly authorized pursuant to California Government Code Section 53657 and by the Administrator of Local Agency Security to hold securities that secure and collateralize a local agency’s deposits, as more specifically designated by the local agency’s treasurer in the applicable contract for deposit of the local agency’s funds under California Government Code Section 53649: a trust company located within the State of California, the trust department of a bank located in the State of California, or the Federal Home Loan Bank of San Francisco.

**Amortized Cost:** The cost of investments adjusted for amortized premiums and discounts. Amortized cost is used to maintain comparability with market value.

**Arbitrage Regulation:** The law to control the use of profit making by purchasing securities on one market for immediate resale on another in order to profit from a price difference.

**Ask:** The price at which securities are offered.

**Bankers’ Acceptances (BA):** A time draft of invested funds that have been drawn on and accepted for repayment by a bank. By accepting the draft (investment of City funds), the bank is liable for the payment at maturity. The credit worthiness of Bankers’ Acceptances is enhanced because they are secured by the issuing bank, the goods themselves, and the importer. This financial instrument is short-term, not more than 180 days and is sold on a discounted basis.

**Bear Market:** A period of generally pessimistic attitudes and declining market prices.

**Bid:** The price offered for securities.

**Bond:** An interest-bearing security issued by a corporation, government, governmental agency or other body, which can be executed through a bank or trust company. A bond is a form of debt with an interest rate, maturity, and face value, and is usually secured by specific assets. Most bonds have a maturity of greater than one year, and generally pay interest semiannually.

**Bond Indenture:** Written agreement specifying the terms and conditions for issuing bonds, including; the form of the bond, the maturity date and payment schedule with interest rate, call provisions and protective covenants, if any, collateral pledged, and other terms. Obligations of the bond issuer are identified as well as the trustee's responsibility for ensuring that interest payments are made to registered bondholders.

**Bond Rating:** The classification of a bond's investment quality.

**Book Value:** A term synonymous with amortized cost.

**Broker:** A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; a broker does not position. In the money market, brokers are active in markets, in which banks buy and sell money, and in inter-dealer markets.

**Bull Market:** A period of generally optimistic attitudes and increasing market prices.

**Bullet Bond:** A debt instrument whose entire face value is paid at once on the maturity date. Bullet bonds are non-callable. Bullet bonds cannot be redeemed early by an issuer, so they pay a relatively low rate of interest because of the issuer's exposure to interest-rate risk. Both corporations and governments issue bullet bonds, and bullet bonds come in a variety of maturities, from short- to long-term.

**Buy and Hold:** Management strategy in which the intent is to hold each security until maturity.

**Callable Bond:** A bond that can be redeemed by the issuer prior to its maturity. Sometimes, a premium is paid to the bond owner when the bond is called. It is also known as a "redeemable bond." The main cause of a "call" is a decline in interest rates. If interest rates have declined since an issuer first issued the bonds, it will likely want to refinance this debt at a lower rate of interest. In this case, the issuer will "call" its current bonds and issue replacement bonds at a lower rate of interest.

**Certificate of Deposit (CD):** A time deposit with a specific maturity and interest rate evidenced by a certificate. Maturities range from a few weeks to several years. Interest rates are set by competitive forces in the marketplace. There is a penalty for early withdrawal. CD's in large denominations are typically negotiable.

**Collateralization:** Refers to securities pledged by a bank to secure deposits of public monies. Also refers to evidence of deposit or other property that a borrower pledges to secure repayment of a loan.

**Commercial Book-Entry:** The commercial book-entry system is operated by the Federal Reserve Banks in their capacity as fiscal agents of the Treasury. Investors who maintain their securities in this system generally have purchased their securities through a financial institution or a government securities broker or dealer. These

securities are recorded in the commercial book-entry system as book-entry issues held for the account of a depository institution. The depository institution (e.g., bank, brokerage firm or securities clearance organization) maintains records identifying the owners of securities held in its account in the system.

**Commercial Paper:** A short-term IOU, or unsecured money market obligation, issued by prime rated commercial firms and financial companies, with maturities from two (2) days up to 270 days. A promissory note of the issuer used to finance current obligations, and is a negotiable instrument. The notes are typically in minimum denominations starting at \$100,000.00 to comply with criteria for exemption from registration under federal securities laws.

**Commission:** The broker's or agent's fee for purchasing or selling securities for a client.

**Coupon:** The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value or a certificate attached to a bond evidencing interest due on a payment date.

**Dealer:** A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for their own account.

**Debenture:** An unsecured bond backed only by the general credit of the issuer.

**Delivery Versus Payment:** There are two methods of delivery of securities: "delivery versus payment" and "delivery versus receipt" (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities indicating payment is due when the buyer has securities in hand or in book entry.

**Discount:** The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be a discount.

**Discount Securities:** (1) Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills; or (2) any security sold below face value and which can be re-sold later at a higher price.

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

**Embedded Option:** A statement within the bond structure that gives the issuer a right to perform a specific action in the future and may alter the interest rate earned by the bond. Examples of embedded options include the right of redemption, a put feature, or mortgage prepayment rights in a mortgage-backed security.

**Federal Credit Agencies:** Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., small business firms, farmers, farm cooperatives, and exporters. These are securities such as the Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac), Federal Farm Credit Bureau (FFCB), Government National Mortgage Association (GNMA) and the Small Business Administration (SBA).

**Federal Funds Rate:** The rate of interest at which FED funds are traded. This rate is currently pegged by the Federal Reserve through open market operations.

**Federal Open Market Committee:** Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve Guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

**Federal Reserve System:** The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., twelve Regional Banks and commercial banks that are members of the system.

**Federal Deposit Insurance Corporation (FDIC):** A federal agency that insures bank deposits, currently up to \$250,000.00 per depositor per insured bank.

**Federal Home Loan Banks (FHLB):** Eleven regional banks within the Federal Home Loan Bank System, a government sponsored enterprise, that lend to its member financial institutions, which generally consist of thrift institutions, commercial banks, credit unions, insurance companies, and certified community development financial institutions. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-à-vis member commercial banks.

**Fiscal Year:** An accounting or tax period comprising any twelve month period. The City's fiscal year begins on July 1.

**Interest-Only Strips:** Financial instrument where investor receives only the interest, no principal, from a pool of debt instruments such as mortgages, treasuries, or other bonds. Issues are highly interest rate sensitive. Cash flows vary between interest periods. As well, the maturity date may occur earlier than that stated if all loans within the pool are pre-paid. High prepayments on underlying debt instruments can return less to the holder than the dollar amount invested.

**Inverse Floater:** A bond or note that does not earn a fixed rate of interest. Rather, the interest rate that is earned is tied to a specific interest-rate index identified in the bond/note structure. The interest rate earned by the bond/note will move in the opposite direction of the index, e.g. if market interest rates as measured by the

selected index rises, the interest rate earned by the bond/note will decline. An inverse floater increases the market rate risk and modified duration of the investment.

**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:** (1) Investing with borrowed money with the expectation that the interest earned on the investment will exceed the interest paid on the borrowed money; or (2) the use of debt to undertake an investment or project.

**Liquidity:** A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked price is narrow and reasonable size can be done at those quotes.

**Local Agency Investment Fund (LAIF):** The State of California Local Agency Investment Fund held in the custody of the State Treasurer for investment and reinvestment, created in 1977 by California Government Code Section 16429.1 to provide an investment alternative for California's local governments and special districts. This is a voluntary investment program offering agencies the opportunity to participate in a major portfolio which daily invests billions of dollars and 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:** The risk that market interest rates will rise causing a loss of value in investments held. All investments made by the City involve a degree of market risk. See also "Unrealized Gains (Losses).

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

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

**Medium Term Corporate Notes:** Corporate notes issued with fixed coupons and maturity. A promissory note of the issuer used to finance current obligations, which is a negotiable instrument.

**Modified Duration:** A measure of the sensitivity that the value of a fixed-income security has exposure to changes in market rates of interest. Modified duration is the best single measure of a portfolio's or security's exposure to market risk. Modified duration identifies the potential gain/loss in value before the gain/loss actually occurs. It is a prospective measurement, e.g., a modified duration of 1.5 indicates that when and if a 1% change in market interest rates occurs, a 1.5% change in the value of a

security will result. Investments with modified durations of one to three are considered to be relatively conservative.

**Money Market:** The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

**Negotiable Certificates of Deposit (NCD):** A certificate of deposit that can be bought and sold on the secondary market prior to maturity. Negotiable certificates of deposit were developed so large deposits (\$100,000.00 or more) could be made at a competitive interest rate with some liquidity.

**Nominee Name:** Registered owner of a stock or bond if different 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.

**Offer:** The price asked by the seller of securities. When buying securities you ask for an offer. See Ask and Bid.

**Open Market Operations:** Purchases and sales of government and certain other securities by the New York Federal Reserve Bank as directed by the Federal Open Market Committee in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

**Operational Liquidity:** To insure that adequate funds are available to meet current obligations without having to sell securities prior to maturity. This dollar amount will be set at a level equal to one and one-half times the City's highest level of liquidity demand within the most recent three year period.

**Pooled Investments:** Resources grouped for advantage of the participants.

**Portfolio:** Collection of securities held by an investor.

**Primary Dealer:** A group of government security dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks, and a few unregulated firms.

**Principal:** The face or par value of an instrument.

**Prudent Person Rule:** An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a legal list of securities selected

by the state. In other states, the trustee may invest in a security if it is one, which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

**Range Note:** Investment whose coupon payment varies (e.g. either 7% or 3%) and is dependent on whether the current benchmark (e.g. 30 year Treasury) falls within a pre-determined range (e.g. between 6.75% and 7.25%).

**Rate of Return:** The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

**Rating:** The designation used by investors' services to rate the quality of a security's creditworthiness. Moody's ratings range from the highest Aaa, down through Aa, A, Bbb, Ba, B, etc. while S&P's ratings range from the highest AAA, down through AA, A, BBB, BB, B, etc.

**Refinancing:** Rolling over the principal on securities that have reached maturity or replacing them with the sale of new issues. The object may be to save interest costs or to extend the maturity of the loan.

**Repurchase Agreement:** A transaction where the seller (bank) agrees to buy back from the buyer (City) the securities at an agreed upon price after a stated period of time.

**Reverse Repurchase Agreement:** A transaction where the seller (City) agrees to buy back from the buyer (bank) the securities at an agreed upon price after a stated period of time.

**Safekeeping:** A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection. See Third Party Custodian.

**Secondary Market:** A market made for the purchase and sale of outstanding issues following the initial distribution.

**Securities and Exchange Commission (SEC):** Agency created by Congress to protect investor's transactions by administering securities legislation.

**SEC Rule 15C3-1:** See uniform net capital rule.

**Spread:** The difference between two figures or percentages. For example, it may be the difference between the bid and asked prices of a quote, or between the amount paid when bought and the amount received when sold.

**Structured Notes:** Notes issued by Government sponsored enterprises and corporations which have imbedded options in their debt structure (e.g., call features, step-up coupons, floating rate coupons and derivative-based returns). Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the yield curve. This includes securities from the Federal National Mortgage Association (FNMA) and Federal Home Loan Bank (FHLB).

**Supranational:** Are organizations that provide development financing, advisory and financial services to their member countries to promote political, cultural unity, or economic growth.

**Sweep Account:** Short-term income account into which all uninvested cash balances from the non-interest bearing checking account are automatically transferred on a daily basis. The sweep is used in conjunction with “zero balance” accounts to maximize investment of idle cash.

**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 services include securities safekeeping, and collection of dividends and interest. The custodial bank acts only as a transfer agent and makes no buy or sell recommendations.

**Treasury Bills:** A short-term non-interest bearing security that matures in one year or less and are issued by the U.S. Treasury to finance the national debt. Bills (commonly known as “T” bills) are sold at a discount (a price less than par (face) value) and are paid at par value at maturity. They do not pay interest before maturity. Return is the difference between par and discount price.

**Treasury Bonds:** Long-term coupon bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than ten years. The bonds pay a fixed rate of interest every six months.

**Treasury Notes:** Medium term coupon bearing U.S. Treasury securities issued as direct obligations of the U.S. Government. Treasury notes mature in two, three, five, seven, or ten years. The notes pay a fixed rate of interest every six months.

**Trustee:** A bank designated as the custodian of funds and the official representative for bondholders.

**Underwriter:** A dealer bank or financial institution which arranges for the sale and distribution of a large batch of securities and assumes the responsibility for paying the net purchase price.

**Uniform Net Capital Rule:** Securities and Exchange Commission requirement that member firms, as well as non-member broker/dealers in securities, maintain a

maximum ratio of indebtedness to liquid capital of 15 to 1: also called net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, and is one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

**Unrealized Gains (Losses):** Increases (decreases) in the value of investments representing the difference between the amortized cost of the investments and their current market value. Increases (decreases) in value are caused primarily by changes in market interest rates subsequent to purchasing the investments. Increases (decreases) in value indicate two (2) things: 1. The portfolio has a potential gain (loss) in principal if the securities are sold, and 2. The portfolio is over-performing (underperforming) the current market for similar investments. An increase in value indicates the portfolio is earning relatively more interest than current market conditions, and a decrease in value indicates that the portfolio is earning relatively less interest than current market conditions.

**U.S. Government Agencies Debt:** Instruments issued by various U.S. Government Agencies or U.S. government-sponsored enterprises, most of which are secured only by the credit worthiness of the particular agency.

- U.S. Agency Callable: A callable federal agency or government security gives the issuer of the bond the right (not the obligation) to redeem it at predetermined prices at specified times prior to maturity. Yields on callable bonds tend to be higher than yields on noncallable, “bullet” maturity bonds because the investor must be rewarded for taking the reinvestment risk the issuer will call the bond if interest rates decline, forcing the investor to reinvest the proceeds at lower yields.
- U.S. Agency Bullet: A security issued by various U.S. Government Agency which cannot be “called” back by the issuer. The security is non-callable and therefore the reinvestment risk is zero.

**Yield:** The rate of annual return on an investment expressed as a percentage. Income yield is calculated by dividing the current dollar income by the current market price for the security. Net yield, or yield to maturity, is the current income minus any premium or plus any discount from par on purchase price, with the adjustment amortized over the period from the date of purchase to the date of maturity of the instrument.

**Zero Accrual Periods:** A period of time in which an investment accumulates no interest.

## ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING CHAPTER 3.16 (INVESTMENT OF CITY FUNDS) OF TITLE 3 (REVENUE AND FINANCE), AND SECTION 2.14.030 (FUNCTIONS) OF CHAPTER 2.14 (DIRECTOR OF FINANCE) OF TITLE 2 (ADMINISTRATION AND PERSONNEL), OF THE MOORPARK MUNICIPAL CODE

WHEREAS, Ordinance No. 2 was enacted by the Moorpark City Council on July 20, 1983 to establish the Moorpark Municipal Code, including but not limited to Chapter 3.16, relating to the investment of City funds, of Title 3 (Revenue and Finance); and

WHEREAS, Ordinance No. 293 was adopted by the Moorpark City Council on March 19, 2003 to amend Section 3.16.050 of Chapter 3.16 setting forth the requirement for the City Treasurer to provide periodic reports to the City Council containing information about City investments; and

WHEREAS, since the City Council's adoption of Ordinance No. 2, the State Legislature has amended Section 53607 of the California Government Code to limit the authorization for the City Council to delegate its investment authority to a one-year period, renewable annually subject to review; and

WHEREAS, since the City Council's adoption of Ordinance No. 293, the State Legislature has amended Section 53646 of the California Government Code to make optional, rather than mandatory, the City Treasurer's rendering to the City Council of an annual investment policy and quarterly investments reports with respect to City investments; and

WHEREAS, the City Council now wishes to amend certain provisions of Chapter 3.16 of Title 3 of the Moorpark Municipal Code to address the updated provisions of the California Government Code; and

WHEREAS, Ordinance No. 116 was adopted by the Moorpark City Council on November 15, 1989 to amend the Moorpark Municipal Code to add Chapter 2.12, now renumbered as Chapter 2.14, relating to the office of the Director of Finance, to Title 2 (Administration and Personnel), including but not limited to current Section 2.14.030 relating to functions of the Director of Finance; and

WHEREAS, since the City Council's adoption of Ordinance No. 116, the State Legislature has amended Section 53891 of the California Government Code to extend the amount of time in which a report of the City's financial transactions is required to be furnished to the State Controller from 90 days to seven months after the close of each fiscal year; and

WHEREAS, the City Council now wishes to amend Section 2.14.030 of Chapter 2.14 of Title 2 of the Moorpark Municipal Code to conform to the updated time frame in Section 53891 of the California Government Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK, DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 3.16.010 (Authority) of Chapter 3.16 (Investment of city funds) of Title 3 (Revenue and Finance) of the Moorpark Municipal Code is hereby amended in its entirety to read as follows:

“3.16.010 Authority.

A. Investment Authority. Pursuant to Article 1 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (commencing with Section 53600), including but not limited to Sections 53601 and 53607 therein, the authority to invest and reinvest funds of city, and to sell or exchange securities so purchased for investment, is vested in the city council. Pursuant to, and in accordance with, and to the extent allowed by, Section 53607 of the Government Code, such investment authority may be delegated by the city council to the city treasurer for a one-year period, renewable annually subject to review. Any such delegation of investment authority by the city council to the city treasurer shall be made by resolution adopted as follows:

1. In connection with the city treasurer’s annual rendering of the statement of investment policy for city council review and approval pursuant to Section 3.16.050 of this chapter; or

2. If pursuant to Section 3.16.050 the city council has provided, by resolution or in the city’s adopted statement of investment policy, that the city treasurer is only required to render the statement of investment policy to the city council for consideration and approval when a change is proposed to be made to the statement of investment policy, then in connection with either (a) the city council’s consideration and approval of the city’s annual budget, or (b) the city treasurer’s quarterly report to the city council covering the last quarter of the fiscal year; or

3. If impracticable at the times described in subsections 1 and 2 above, at a public meeting at any other time during the year that is convenient for the city council.

B. Deposit and safekeeping of investments. Pursuant to, and in accordance with, and to the extent allowed by, Section 53608 of the Government Code, the authority to deposit for safekeeping with an authorized financial institution the securities in which the money of the city is invested pursuant to Article 1 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (commencing with Section 53600) or pursuant to other legislative authority is delegated to the city treasurer.”

SECTION 2. Section 3.16.020 (Investments authorized) of Chapter 3.16 (Investment of city funds) of Title 3 (Revenue and Finance) of the Moorpark Municipal Code is hereby amended in its entirety to read as follows:

“3.16.020 Investments authorized.

The city council, or the city treasurer to the extent that the city council has delegated its investment authority to the city treasurer pursuant to Section 3.16.010.A of this chapter and such delegation is in full force and effect, is authorized to purchase, at their original sale or after they have been issued, securities which are permissible investments under any provision of state law relating to the investing of general city funds, including but not limited to Sections 53601 and 53635 of the Government Code, as said sections now read or may hereafter be amended, from moneys in the city’s treasury which are not required for the immediate necessities of the city and as the city council or the city treasurer, as applicable, may deem wise and expedient, and to sell or exchange for other eligible securities and reinvest the proceeds of the securities so purchased. In connection with any such investment, the prudent investor standard set forth in Government Code Section 53600.3 and the investment objectives set forth in Government Code Section 53600.5 shall apply.”

SECTION 3. Section 3.16.030 (Sales of securities) of Chapter 3.16 (Investment of city funds) of Title 3 (Revenue and Finance) of the Moorpark Municipal Code is hereby amended in its entirety to read as follows:

“3.16.030 Sales of securities.

From time to time the city treasurer shall sell the securities in which city moneys have been invested pursuant to this chapter, so that the proceeds may, as appropriate, be applied to the purchase for which the original purchase money may have been designated or placed in the city treasury; provided, if the city council has not delegated its investment authority to the city treasurer pursuant to Section 3.16.010.A of this chapter, or such investment authority has expired or been revoked, in the absence of a designated purchase or purpose for which the original purchase money for a security was placed in the city treasury, the city treasurer shall request approval by the city council prior to selling such security.”

SECTION 4. Section 3.16.050 (Reports to council) of Chapter 3.16 (Investment of city funds) of Title 3 (Revenue and Finance) of the Moorpark Municipal Code is hereby amended in its entirety to read as follows:

“3.16.050 Reports to council.

A. The city treasurer may render, or if so provided in the city’s adopted statement of investment policy shall render, a quarterly report in furtherance of

Government Code Section 53646 to the city council of all securities, investments, and moneys held by the city within thirty (30) days following the end of the quarter.

B. Pursuant to Government Code Section 53607, the city treasurer shall make a monthly transactions report of all investment transactions made pursuant to the investment authority delegated by the city council pursuant to Section 3.16.010.A of this chapter.

C. The city treasurer shall annually, as well as when any change is proposed to be made to the policy, render a statement of investment policy to the city council which the city council shall consider for approval at a public meeting; provided, the city council, by resolution or in the city's adopted statement of investment policy, may provide that the city treasurer is only required to render the statement of investment policy to the city council for consideration and approval when a change is proposed to be made to the statement of investment policy. The statement of investment policy shall be submitted to any oversight committee determined by state law."

SECTION 5. Section 3.16.060 (Deposits of securities) of Chapter 3.16 (Investment of city funds) of Title 3 (Revenue and Finance) of the Moorpark Municipal Code is hereby amended in its entirety to read as follows:

"3.16.060 Deposits of securities.

Pursuant to the delegation of authority in Section 3.16.010.B of this chapter, the city treasurer is authorized to deposit for safekeeping, the securities in which city moneys have been invested pursuant to this chapter, in any institution or depository authorized by the terms of any state law, including but not limited to Section 53608 of the Government Code as it now reads or may hereafter be amended. In accordance with said section, the city treasurer shall take from such institution or depository a receipt for the securities so deposited and shall not be responsible for such securities delivered to and receipted for by such institution or depository until they are withdrawn therefrom by the city treasurer."

SECTION 6. Section 2.14.030 (Functions) of Chapter 2.14 (Director of Finance) of Title 2 (Administration and Personnel) of the Moorpark Municipal Code is hereby amended in its entirety to read as follows:

"2.14.030 Functions.

The director of finance is the accounting officer of the city and should maintain records readily reflecting the financial condition of the city. Within seven (7) months after the close of each fiscal year, he or she shall prepare and present to the city council a summary statement of receipts and disbursements by departments and funds, including opening and closing fund balances in the city treasury. He or she shall cause a summary of the city's financial report required by Government Code Section 53891, in a

form prescribed by the State Controller, to be published in accordance with the provisions of Section 40804 of the Government Code as required. He or she shall compile financial information necessary for the preparation of the city's budget. He or she shall supervise the preparation and submission of monthly statements of all receipts and disbursements in sufficient detail to show the financial condition of the city and each of its departments, copies of which shall be filed in the city clerk's office. He or she shall supervise and be in charge of all payroll records. He or she shall maintain a record of all insurance policies and their expiration dates. He or she shall perform other such duties as required by the city council to provide information related to the financial condition of the city."

SECTION 7. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 8. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 9. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a written record of the passage and adoption thereof in the minutes of the proceedings of the City Council at which the same is passed and adopted; and shall publish notice of adoption in the manner required by law.

PASSED AND ADOPTED this 21st day of October, 2020.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Ky Spangler, City Clerk

**CITY OF MOORPARK  
MUNICIPAL CODE UPDATE**

**2.14.030 Functions.**

The director of finance is the accounting officer of the city and should maintain records readily reflecting the financial condition of the city. Within ~~ninety (90) calendar days of~~ seven (7) months after the close of each fiscal year, he or she shall prepare and present to the city council a summary statement of receipts and disbursements by departments and funds, including opening and closing fund balances in the city treasury. He or she shall cause a summary of the city's financial report required by Government Code Section 53891, in a form prescribed by the State Controller, to be published in accordance with the provisions of Section 40804 of the Government Code as required. He or she shall compile financial information necessary for the preparation of the city's budget. He or she shall supervise the preparation and submission of monthly statements of all receipts and disbursements in sufficient detail to show the financial condition of the city and each of its departments, copies of which shall be filed in the city clerk's office. He or she shall supervise and be in charge of all payroll records. He or she shall maintain a record of all insurance policies and their expiration dates. He or she shall perform other such duties as required by the city council to provide information related to the financial condition of the city.

**3.16.010 Authority.**

~~Pursuant to, and in accordance with, and to the extent allowed by, Sections 53607 and 53608 of the Government Code, the authority to invest and reinvest moneys of the city, to sell or exchange securities, and to deposit them and provide for their safekeeping, is delegated to the city treasurer.~~

A. Investment Authority. Pursuant to Article 1 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (commencing with Section 53600), including but not limited to Sections 53601 and 53607 therein, the authority to invest and reinvest funds of city, and to sell or exchange securities so purchased for investment, is vested in the city council. Pursuant to, and in accordance with, and to the extent allowed by, Section 53607 of the Government Code, such investment authority may be delegated by the city council to the city treasurer for a one-year period, renewable annually subject to review. Any such delegation of investment authority by the city council to the city treasurer shall be made by resolution adopted as follows:

1. In connection with the city treasurer's annual rendering of the statement of investment policy for city council review and approval pursuant to Section 3.16.050 of this chapter; or

2. If pursuant to Section 3.16.050 the city council has provided, by resolution or in the city's adopted statement of investment policy, that the city treasurer is only required to render the statement of investment policy to the city council for consideration and approval when a change is proposed to be made to the statement of investment policy, then in connection with either (a) the city council's consideration and approval of the city's annual budget, or (b) the city treasurer's quarterly report to the city council covering the last quarter of the fiscal year; or

3. If impracticable at the times described in subsections 1 and 2 above, at a public meeting at any other time during the year that is convenient for the city council.

B. Deposit and safekeeping of investments. Pursuant to, and in accordance with, and to the extent allowed by, Section 53608 of the Government Code, the authority to deposit for safekeeping with an authorized financial institution the securities in which the money of the city is invested pursuant to Article 1 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (commencing with Section 53600) or pursuant to other legislative authority is delegated to the city treasurer."

### **3.16.020 Investments Authorized.**

~~Pursuant to the delegation of~~ The city council, or the city treasurer to the extent that the city council has delegated its investment authority in to the city treasurer pursuant to Section 3.16.010.A of this chapter and such delegation is in full force and effect, the city treasurer is authorized to purchase, at their original sale or after they have been issued, securities which are permissible investments under any provision of state law relating to the investing of general city funds, including but not limited to Sections 53601 and 53635 of the Government Code, as said sections now read or may hereafter be amended, from moneys in ~~his custody~~the city's treasury which are not required for the immediate necessities of the city and as ~~he may deemed~~the city council or the city treasurer, as applicable, may deem wise and expedient, and to sell or exchange for other eligible securities and reinvest the proceeds of the securities so purchased. In connection with any such investment, the prudent investor standard set forth in Government Code Section 53600.3 and the investment objectives set forth in Government Code Section 53600.5 shall apply.

### **3.16.030 Sales of Securities.**

From time to time the city treasurer shall sell the securities in which city moneys have been invested pursuant to this chapter, so that the proceeds may, as appropriate, be applied to the purchase for which the original purchase money may have been designated or placed in the city treasury; provided, if the city council has not delegated its investment authority to the city treasurer pursuant to Section 3.16.010.A of this

chapter, or such investment authority has expired or been revoked, in the absence of a designated purchase or purpose for which the original purchase money for a security was placed in the city treasury, the city treasurer shall request approval by the city council prior to selling such security.

### **3.16.050 Reports to Council.**

A. The city treasurer ~~shall make~~may render, or if so provided in the city's adopted statement of investment policy shall render, a quarterly report in furtherance of Government Code Section 53646 to the city council of all securities, investments ~~made pursuant to the authority delegated in this chapter,~~and moneys held by the city within thirty (30) days following the end of the quarter. ~~The city treasurer shall submit copies of quarterly investment reports to any oversight committee determined by state law.~~

B. Pursuant to Government Code Section 53607, the city treasurer shall make a monthly transactions report of all investment transactions made pursuant to the investment authority delegated by the city council pursuant to Section 3.16.010.A of this chapter.

~~BC.~~ The city treasurer shall annually, as well as when any change is proposed to be made to the policy, render a statement of investment policy to the city council which the city council shall ~~review and approve at a public meeting~~consider for approval at a public meeting; provided, the city council, by resolution or in the city's adopted statement of investment policy, may provide that the city treasurer is only required to render the statement of investment policy to the city council for consideration and approval when a change is proposed to be made to the statement of investment policy. The statement of investment policy shall be submitted to any oversight committee determined by state law.

### **3.16.060 Deposits of securities.**

Pursuant to the delegation of authority in Section 3.16.010B of this chapter, the city treasurer is authorized to deposit for safekeeping, the securities in which city moneys have been invested pursuant to this chapter, in any institution or depository authorized by the terms of any state law, including but not limited to Section 53608 of the Government Code as it now reads or may hereafter be amended. In accordance with said section, the city treasurer shall take from such institution or depository a receipt for the securities so deposited and shall not be responsible for such securities delivered to and receipted for by such institution or depository until they are withdrawn therefrom by the city treasurer.

**ADMINISTRATION, FINANCE AND PUBLIC SAFETY COMMITTEE  
AGENDA REPORT**

**TO: Administration, Finance and Public Safety Committee (AFPS)  
(Mayor Parvin and Mayor Pro Tem Pollock)**

**FROM: Kambiz Borhani, Finance Director**

**DATE: 09/02/2020 Regular Meeting**

**SUBJECT: Consider Revised City Council Policy 5.2: Fund Balance Reserve Policy**

**SUMMARY**

Staff has reviewed Council Policy 5.2, “Fund Balance Reserve” (Policy 5.2) and requests the Council approve updating this policy to clarify the following: 1) the fund balance accounting classification that the Emergency/Contingency and the \$1 million unreserved will be placed under; 2) the type of expenditure used for the 20% calculation of the Emergency/Contingency reserve; and 3) the priority list for which the unassigned General Fund surplus will be used before the remaining excess is transferred to Special Projects Fund.

Policy 5.2 changes are shown in legislative format as an attachment to this report.

**BACKGROUND**

The City Council approved revisions to Policy 5.2, Fund Balance Reserve, on May 16, 2018, to promote sound financial management practices. The policy set a minimum Emergency/Contingency reserve level to be based on 20% of General Fund expenditures, plus \$1 million of the General Fund unreserved fund balance to be set aside for budget adjustments during the fiscal year before any excess were to be transferred to Special Projects Fund.

Staff recommends clarifying this policy to designate the Emergency/Contingency reserve as a *committed* fund balance and the \$1 million of General Fund unreserved as *unassigned* fund balance, as the applicable classified fund types prescribed by Governmental Accounting Standards Board (“GASB”) Statement No. 54.

Further, for the Emergency/Contingency reserve, the policy didn’t specify which operating expenditure was to be used for the 20% calculation. Since the policy requires the reserves to be adjusted annually in conjunction with the year-end analysis and

preparation of City's Comprehensive Annual Financial Report ("CAFR") which timing is after the adoption of the subsequent year's budget, staff recommends using General Fund adopted budget operating expenditures for the purpose of calculation. For example, for fiscal year ending ("FYE") June 30, 2020, staff will adjust the ending fund balance amount for the Emergency/Contingency reserve based on FYE June 30, 2021 General Fund adopted budget operating expenditures. This clarifying change to the policy will match the beginning fund balance of the Emergency/Contingency reserve for a fiscal year to the budgeted operating expenditures adopted by the City Council for the same fiscal year.

To promote sound financial management practices, staff is also recommending establishing a priority list for allocating year-end General Fund Surplus to replenishment among the two reserves and toward reduction of liabilities associated with post-employment employee benefits. This list, in order of priority, requires the Emergency/Contingency reserve to be replenished first, followed by the \$1 million unassigned reserve to be replenished second, then proceed with payments for maintaining a minimum 95% funding for Pension Unfunded Accrued Liability ("UAL") and also Other Post-Employment Benefits ("OPEB") UAL.

During FY 2020-2021 budget presentation, staff expressed concerns about the growing Pension UAL due to the investment losses CalPERS experienced from the global pandemic resulting from coronavirus. As of June 30, 2019, CalPERS latest actuarial valuation, the City Pension UAL was \$1,341,661; however, the amount may have escalated to approximately \$4.3 million. To address this growing concern, staff recommends establishing a policy whereby a portion of the General Fund Surplus is set aside to be later appropriated towards paying down these UALs and maintaining an overall minimum of 95% funding.

Other revisions are to help comply with best practices and parse out language that can be confusing or have alternative meanings so that it can be clear, concise and easy to follow. The revisions we are proposing outline a clear vision of how the City will manage its financial resources to provide the best value to the community. It helps to promote long-term and strategic thinking, and help manage and reduce risks to the City's fiscal health.

### **FISCAL IMPACT**

There is no fiscal impact associated with recommending the approval of the Council Policy 5.2 – Fund Balance Reserve to the City Council.

### **STAFF RECOMMENDATION**

Recommend approval of the Council Policy 5.2 – Fund Balance Reserve to the City Council.

Attachment: Exhibit A – Draft City of Moorpark Council Policy 5.2 – Fund Balance Reserve

## Policy 5.2: Fund Balance Reserve

Fiscal stability is an important factor to any city. Sound financial management includes the practice and discipline of maintaining adequate reserve funds for known and unknown contingencies. Such contingencies and occurrences include, but are not limited to:

- Cash flow requirements
- Economic uncertainties and other financial hardships or downturns in the local, state or national economy
- Local disasters or catastrophic events
- Loss of major revenue source
- Unanticipated operating or capital expenditures
- Capital asset and infrastructure repair and replacement

The establishment of prudent financial reserve policies is important to ensure the long-term financial health of the City.

The City will fund annually, to the extent of available General Fund unassigned budgetary surplus, and endeavor to maintain a ~~minimum~~ General Fund ~~reserved~~ committed fund balance for an Emergency/Contingency Reserve in the minimum amount of 20% of adopted budget expenditures, plus ~~an unreserved a minimum~~ General Fund unassigned fund balance of \$1 million. ~~An~~ The Emergency/Contingency Reserve will be maintained for the purpose of sustaining General Fund operations in the case of a public emergency such as a natural disaster or other unforeseen catastrophic event. The Emergency/Contingency Reserve can be used to mitigate financial and service delivery risk due to unexpected revenue shortfalls or unanticipated critical expenditures. This reserve will not be used to fund new programs or personnel. Annually, \$1 million of General Fund unassigned fund balance may be used for budget adjustments during the fiscal year, as recommended by the City Manager from time to time.

Reserve levels will be adjusted annually in accordance with this policy. Annually, in conjunction with the year-end analysis and preparation of the City's Comprehensive Annual Financial Report (CAFR) for a completed fiscal year, any remaining General Fund unassigned fund balance from that fiscal year shall be applied as follows, in order of priority: (1) if needed, to increase the fund balance of the Emergency/Contingency Reserve to 20% of the subsequent fiscal year's adopted budget expenditures; (2) if needed, to reserve or replenish General Fund unassigned fund balance to \$1 million; (3) to pay down Unfunded Accrued Liability (UAL), if any, with respect to the City's pension plans in an effort to maintain a minimum of 95% funding; and (4) to pay down UAL, if any, with respect to the City's Other Post-Employment Benefits (OPEB) plan (i.e., post-employment healthcare plan) in an effort to maintain a minimum of 95% funding.

Annually, Any excess General Fund ~~unreserved~~ unassigned fund balance remaining after the four items required by the immediately preceding paragraph above have been fully funded will be transferred ~~out~~ to the Special Projects Fund. Pursuant to California Government Code Section 53647, ~~i~~nterest generated from the Special Projects Fund will be posted to the General Fund as interest income, which is vital to the City's General Fund operating budget. The Special Projects Fund will be used to maintain and build new projects including major rehabilitation of streets, parks and facilities (e.g. Construction of Civic Center Complex, Moorpark Library, Street Capital Improvement Projects, etc.). These funds may also be used for any other purpose as deemed appropriate by the City Council by a separate vote.

~~Reserve levels will be adjusted annually in accordance with this policy. After the Emergency/Contingency reserve has been fully funded and the \$1 million General Fund unreserved fund balance, then any excess will be transferred by the Finance Director to the Special Projects Fund in conjunction with the year-end analysis and preparation of the City's Comprehensive Annual Financial Report (CAFR).~~

#### Grant Funds

Most grant awards are reimbursement, whereby the City spends the money first and applies for reimbursement from the granting agency. The City usually has a negative fund balance in the grant funds until the grant money is actually received. Therefore, there is no minimum reserve requirement for grant funds. Grant funds shall be used to procure materials, supplies, and capital as may be permitted by the grant rules. No recurring costs shall be funded by a grant unless the City Council pre- approves the recurring costs.

#### All Other Funds

Except as otherwise described above, ~~T~~he City will maintain a minimum reserve of 10% of the annual revenue in each fund. Annual revenue is calculated based on the average of the three prior year's revenue for the fund.