

# **CITY OF DIBOLL, TEXAS**

## **INVESTMENT POLICY**



February 11, 2025

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## I. SCOPE

The Investment Policy applies to the investment activities of the City of Diboll. These policies serve to satisfy the statutory requirement of the Public Funds Investment Act Chapter 2256, Texas Government Code (the "Act"), to define and approve a formal investment policy.

**Funds Included.** All financial assets of the City, including the General Fund, Water and Sewer Utility Fund, Solid Waste Disposal Fund, Economic Development Fund, Diboll Convention and Visitors Bureau Fund, Capital Projects Funds, Special Revenue Funds, Debt Service Funds, and all other Funds that may be created from time to time, shall be administered in accordance with the provisions of these policies.

**Funds Excluded.** The Act specifically excludes deferred compensation plans.

## II. OBJECTIVES

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

**Liquidity.** The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated.

**Yield.** The yield on investment instruments shall reflect market conditions at time of execution and will achieve the best allowable yield commensurate with the risk criteria of this Policy.

## III. RESPONSIBILITY AND CONTROL

**Delegation.** Management responsibility for the investment program is hereby delegated to the City Manager.

**Finance Committee.** A Finance Committee consisting of the City Manager, Director of Finance, City Secretary, and three Council members (appointed by the Mayor) shall monitor the investment activities of the City, select independent training sources, authorize broker/dealer firm, and assist in the development of the investment policies and strategies. The City's Independent Auditor and Investment Advisor shall be non-voting members of the Finance Committee.

**Investment Officers.** The City Manager and Director of Finance are the "Investment Officers" of the City. As Investment Officers they are authorized to deposit, withdraw, invest, transfer, execute documentation, and otherwise manage the City funds according to this Policy.

In order to ensure qualified and capable investment management, the Investment Officers shall attend training, sponsored by an independent source approved by the Finance Committee, receiving not less than 10 hours within twelve months of assuming investment responsibilities, and thereafter, receiving not less than 8 hours during a two-year period that begins on the first day of the City's fiscal year and consists of the two consecutive fiscal years after that date.

**Management and Internal Controls.** The following system of internal controls shall govern all investment transactions. The Finance Committee, City Manager, and the Independent Auditor shall review the internal controls. The controls are designed to reasonably prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City.

**Internal Controls System:**

1. Documentation from the Investment Advisor or investment provider;
2. Two Investment Officer Signatures required on all investment transactions;
3. City Manager review of all investment transactions; and
4. Full and complete documentation of investment transactions.

**Transaction Authority.** Certain signatory responsibilities are required to transact investments. The Investment Officers shall be authorized as depository signatories within guidelines established by the City Manager.

Upon receiving written confirmation from the Investment Advisor or investment provider, the Investment Officers are authorized to transact wire transfers, buy/sell, and trade investments in accord with the goals and objectives of the City's investment strategy and this Policy.

Bonding of all individuals authorized to place, purchase, or sell investment instruments shall be required.

**Prudence.** Investments shall be made with the exercise of due care, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their own capital as well as the probable income to be derived.

Investment Officers acting in accordance with written procedures and exercising prudence shall be relieved of personal responsibility for an individual instrument's credit risk or market price dangers, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. The investment portfolio as a whole, and not just a single investment, shall be reviewed when determining whether or not the actions of an Investment Officer are considered prudent.

#### IV. ETHICS

**Conflicts of Interest.** Investment 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 decisions.

**Disclosure.** Investment Officers shall disclose to the City Manager, City Council, and the Texas Ethics Commission any financial interests in financial institutions or any relationship within the second degree by affinity or consanguinity to an individual that conducts business with the City. All Investment Officers shall further disclose any large personal financial investment positions that could be related to the performance of the City's portfolio. Investment Officers and employees involved in the investment process shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales.

#### V. REPORTING

**Quarterly Reports.** The Investment Officers and the Investment Advisor shall submit quarterly to the City's Finance Committee and City Council an investment report that:

1. Summarizes current strategies and possible risks,
2. Explains recent results by investment category,
3. Discloses the quarter ' s fully accrued interest and compares the interest with budgetary expectations when applicable,
4. Describes in detail the investment position of the City,
5. States the reporting period beginning book and market values and ending book and market values for the period of each pooled fund group,
6. States the reporting period ending book and market value for each investment by asset type and fund type,
7. States the final maturity date of each investment,
8. States the fund for which each investment was purchased, and
9. States the compliance of the investment portfolio with the City's Investment Policy, Investment Strategy Statement, and the Public Funds Investment Act.

The market valuations obtained by the City or the City's Investment Advisor shall be from sources believed to be accurate and representative of the investments' true value. This report shall be prepared jointly by all of the Investment Officers, and each Investment Officer shall sign the report.

**Annual Report.** Within sixty (60) days of the end of the fiscal year, the Investment Officers and the Investment Advisor shall present an annual report on the investment program activity to the City ' s Finance Committee for review by the City Council. The annual report may be incorporated into the fourth quarter report and shall include twelve (12) month performance information and shall suggest improvements that might be made in the investment program.

This Investment Policy establishes "weighted average yield to maturity" as the standard portfolio performance measurement.

The City, in conjunction with its annual financial audit, shall perform a compliance audit of management controls on investments and adherence to the City's Investment Policy and Investment Strategy Statements.

Additionally, the City's Independent Auditor shall formally review each quarterly report and that Auditor shall report the result of the review to the City Council.

## VI. **INVESTMENTS**

**Active Portfolio Management.** The City intends to pursue active versus passive portfolio management philosophy. That is, investments may be sold before they mature if market conditions present an opportunity for the City to benefit from the trade. A competitive yield environment shall be achieved by soliciting quotes from multiple investment providers, monitoring comparable investment alternatives, and reviewing general market conditions

**Authorized Investments.** Financial assets of the government of the City may be invested in:

- A. U. S. Treasury securities;
- B. Obligations of U. S. Government Agencies and Instruments, including the Federal Home Loan Banks, other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the United States or its agencies and instrumentalities, and obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States, but excluding principal-only and interest-only mortgage backed securities, collateralized mortgage obligations and real estate mortgage investment conduits;
- C. Obligations of the State of Texas or its agencies and instrumentalities, and obligations of counties, cities, and other political subdivisions of this State rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
- D. Fully insured or collateralized deposits at eligible depositories placed in compliance with this Policy and the Act;
- E. Repurchase agreements structured in compliance with the Act. The term includes direct security repurchase agreements entered into by the City and reverse repurchase

agreements only obtained in connection with investment by the City in an Eligible Investment Pool or Money Market Mutual Fund. All the City repurchase agreement transactions shall be governed in accordance with a written repurchase agreement;

- F. Money Market Mutual Funds registered with and regulated by the Securities & Exchange Commission; that fully invest dollar-for-dollar all the City funds without sales commissions or loads; that are categorized as a "Treasury " or "Government " money market fund; and, whose investment objectives include seeking to maintain a stable net asset value of \$1.0000 per share. the City may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market fund,
- G. Eligible Investment Pools as defined by and in compliance with the Act, that have been authorized by the City Council, maintain a rating of a least AAA or Aaa, and whose investment philosophy and strategy seek to maintain a stable net asset value of \$1.00.

**Investment Maturity Limitations.** In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the Funds. Stated final maturity guidelines by Fund are as follows:

- A. **Operating Funds.** The weighted average days to maturity for the operating fund portfolio shall be less than 300 days and the maximum allowable maturity shall be two years.
- B. **Construction, Bond and Loan Funds.** The investment maturity of construction, bond and loan funds (excluding reserve and debt service funds) shall be limited to the anticipated cash flow requirements of the projects or the "temporary period," as defined by Federal Tax Law, whichever is shorter.
- C. **Debt Service Funds.** Debt Service Funds shall be invested in such a manner as not to exceed an "unfunded" debt service date with the maturity of any investment. An unfunded debt service date is defined as a coupon or principal payment date that does not have cash or maturing investment available to satisfy said payment.
- D. **Bond Reserve Funds.** Bond Reserve Fund maturity shall generally not exceed the call provisions of the Bond Resolution, Loan Covenants or Insurance Policy restrictions and shall not exceed the final maturity of the bond issue or five years, whichever is shorter.
- E. **The City Internal Investment Pool.** The maximum average days to maturity for the internal investment pool shall be 300 days and the maximum allowable maturity shall be two years.
- F. **Depreciation Funds.** The investment maturity of depreciation funds shall be limited to the anticipated cash flow requirements of the plant or equipment being depreciated, replaced or repaired.

**G. Economic Development Corporation Funds.** EDC Funds will be segregated from the Internal Investment Pool and invested as a "non-public unit" as defined by the FDIC. Maturity shall be limited to the anticipated cash flow requirements the Fund.

Investments purchased prior to this Policy's revision that do not meet the revised requirements of this Policy are not required to be liquidated. The Finance Committee shall monitor each investment's status to determine whether it is in the best interest of the City to hold or liquidate the investment.

Any Authorized Investment that requires a minimum rating does not qualify during the period the investment does not have the minimum rating. The City shall monitor the rating of each issuer, as applicable, at least quarterly, and take all prudent measures that are consistent with this Policy to liquidate an investment that does not have the minimum rating.

## VII. SELECTION OF DEPOSITORIES AND DEALERS

**Bidding Process.** A Primary Depository shall be selected through the City's banking services procurement process, which shall include a formal Request for Application (RFA) issued in compliance with applicable State law. This contract can be extended as per the RFA specifications. In selecting a Primary Depository, the credit worthiness of institutions shall be considered, and the Director of Finance shall conduct a comprehensive review of prospective depository's credit characteristics and financial history.

**Insurability.** Depositories seeking to establish eligibility for the City's competitive certificate of deposit and interest-bearing account purchase program shall submit financial statements, evidence of federal deposit insurance, and any other information as required by the Director of Finance.

**Collateralized Deposits.** All depository deposits shall be insured or collateralized in compliance with applicable State law. Ledger Balance shall be used to determine the appropriate insurance or collateral level. The City reserves the right, in its sole discretion, to accept or reject any form of insurance or collateralization pledged towards depository deposits. Financial institutions serving as the City Depositories will be required to sign a Depository Agreement with the City. The collateralized deposit portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the Agreement must be in writing;
- the Agreement has to be executed by the Depository and the City contemporaneously with the acquisition of the asset;
- the Agreement must be approved by the Board of Directors or Designated Committee of the Depository and a copy of the meeting minutes must be delivered to the City; and

- the Agreement must be part of the Depository's "official record" continuously since its execution.

**Investment Advisors and Broker/Dealers.** Investment Advisors shall adhere to the spirit, philosophy, and specific term of this Policy and shall invest within the same "Standard of Care". Investment Broker/Dealers shall adhere to the spirit and philosophy of this Policy and shall avoid recommending or suggesting transactions outside that "Standard of Care".

The Finance Committee shall perform selection of Investment Advisors and Broker/Dealers. The Investment Officers shall establish criteria to evaluate Investment Advisors and Broker/Dealers, including:

- A. Adherence to the City's policies and strategies;
- B. Investment performance and transaction pricing within accepted risk constraints;
- C. Responsiveness to the City's request for services, information and open communication;
- D. Understanding of the inherent fiduciary responsibility of investing public funds; and
- E. Similarity in philosophy and strategy with the City's objectives.

Selected Investment Advisors and Broker/Dealers shall provide timely transaction confirmations and monthly activity reports.

Selected Investment Advisors must be registered under the Investment Advisors Act of 1940 or with the State Securities Board. A contract with an Investment Advisor may not be for a term longer than two years and the City Council must approve any renewal or extension.

**Primary Broker/Dealers and Approved List.** For Brokers/Dealers of government securities, selection shall be made only from those Broker/Dealers reporting to the Market Reports Division of the Federal Reserve Bank of New York, also known as the "Primary Government Securities Dealers," unless a Broker/Dealer questionnaire and certification reveals that other firms are adequately financed to conduct public business.

The Finance Committee shall review, revise, and adopt a list of qualified Brokers/Dealers at least annually.

**Eligible Business Organizations.** Business organizations, as defined by the Act, eligible to transact investment business with the City shall be presented a written copy of this Investment Policy. Additionally, the qualified representative of the business organization seeking to transact investment business shall execute a written instrument substantially to the effect that the qualified representative has:

1. Received and thoroughly reviewed this Investment Policy, and

2. Acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio, requires an interpretation of subjective investment standards, or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

The City shall not enter into an investment transaction with a business organization prior to receiving the written instrument described above.

### **VIII. SAFEKEEPING AND CUSTODY**

**Insurance, Pledged Collateral or Purchased Securities.** All deposits of the City funds with eligible depositories shall be secured by pledged collateral with a market value equal to or greater than 102% of the deposits plus accrued interest, less any amount insured by the FDIC. Repurchase agreements shall be documented by a specific agreement noting the "purchased securities" in each agreement. Collateral pledged and purchased securities shall be reviewed at least monthly to assure the market value equals or exceeds the related the City investment.

**Eligible Securities for Pledged Collateral or Purchased Securities.** The City shall accept only the following securities as pledged collateral or purchased securities:

- A. U. S. Treasury securities;
- B. Obligations of U. S. Government Agencies and Instrumentalities, including letters of credit, but excluding principal-only and interest-only mortgage-backed securities;
- C. Federal Deposit Insurance Corporation (FDIC) coverage;
- D. Direct or unconditionally guaranteed obligations of the State of Texas;
- E. States, agencies, counties, cities, or political subdivisions naturally rated "A" or higher.

A letter of credit of the United States or its agencies or instrumentalities issued to the City with a value equal to or greater than 102% of the deposits plus accrued interest, less any amount insured by the FDIC, and with an expiration date greater than the anticipated term of the deposit is also acceptable to enhance eligible depository deposits.

**Subject to Audit.** All collateral shall be subject to inspection and audit by the Director of Finance or the City's Independent Auditors.

**Delivery versus Payments.** All repurchase agreements and investment security transactions shall be purchased using the Delivery Versus Payment (DVP) method. That is, funds shall not be wired or paid until verification has been made that the City's Agent or Trustee received the security or collateral. The security or collateral shall be held in the account of the City. The Trustee or Agent's records shall assure the notation of the City's ownership of or explicit claim on the security or collateral. The original copy of all safekeeping receipts shall be delivered to the City.

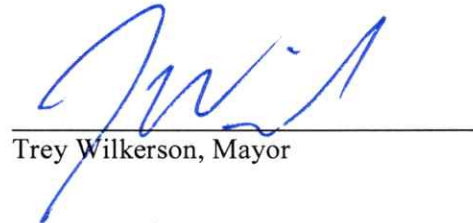
**Investment Strategy.** The City Council shall adopt an Investment Strategy Statement for each of the City's fund-types and internal investment pools. The Investment Strategy Statement must describe the investment objectives for each particular fund according to the following priorities:

1. Investment suitability,
2. Preservation and safety of principal,
3. Liquidity,
4. Marketability prior to maturity of each investment,
5. Diversification, and
6. Yield.

**Review and Amendment.** The City Council shall review the Investment Policy and Investment Strategy Statements annually. Amendments must be approved by the Finance Committee and adopted by the City Council. The City Council shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed or changed the investment policy and investment.

  
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Jason Arnold, City Manager

Date: 2-12-25

  
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Trey Wilkerson, Mayor

Date: 2-11-2025