Resolution No. 2024-03

A RESOLUTION ADOPTING AN INVESTMENT POLICY

WHEREAS, the Heceta Water People's Utility District Board of Directors wishes to adopt a policy to allow and regulate investment of District Funds in Certificate of Deposits (CD) and Oregon Short Term Fund (OSTF).

WHEREAS, the Heceta Water People's Utility District Board of Directors recognizes the need to establish a policy pursuant to Oregon Revised Statutes Chapter 294 in order to regulate the investment of public funds; and

WHEREAS, the Policy identifies guidelines, standards of care, risk parameters, reporting, and other requirement related to District investments and identifies the General Manager as the District's Investment Officer; and

WHEREAS, the District HAS NOT submitted this Policy to the Oregon Short Term Fund Board for review.

NOW THEREFORE, BE IT RESOLVED BY THE HECETA WATER PEOPLE'S UTILITY DISTRICT BOARD OF DIRECTORS AS FOLLOWS:

Section 1. The Board hereby adopts the Investment Policy in substantially the same form as the attached Exhibit A.

Section 2. Specific individual investments will be reviewed by the Board and adopted by separate resolutions.

Section 3. This Resolution is effective on the date of its passage.

Resolution adopted by the Board of Directors of the Heceta Water People's Utility District, this 19 day of Nov, 2024.

Wendy Rohner
President of the Board
Wendy Rohner

EXHIBIT A

Investment Policy

HWPUD Investment Policy

I. Purpose

This Investment Policy defines the parameters within which funds are to be invested by Heceta Water People's Utility District (District). The District is a utility district whose purpose is to provide water to its customers. This policy also formalizes the framework, pursuant to ORS 294.135, for the District's investment activities to ensure effective and judicious management of funds within the scope of this policy. These guidelines are intended to be broad enough to allow designated investment staff to function properly within the parameters of responsibility and authority, yet specific enough to adequately safeguard the investment assets.

II. Governing Authority

The District's investment program shall be operated in conformance with Oregon Revised Statutes and applicable federal law. Specifically, this investment policy is written in conformance with ORS 294.035; 294.040; 294.052; 294.135; 294.145; and 294.810. All funds within the scope of this policy are subject to laws established by the state of Oregon. Any revisions or extensions of these sections of the ORS shall be assumed to be part of this Investment Policy immediately upon being enacted.

III. Scope

This policy applies to activities of the District with regard to investing the financial assets of the District specifically General Operating Fund, Construction Fund, and SDC Fund's managed by the District that are governed by other investment policies are excluded from this policy; however, all funds are subject to Oregon Law. The amount of funds falling within the scope of this policy over the next three years is expected to range between $250,000 and $1,500,000.

IV. General Objectives

The primary objectives, in priority order, of investment activities shall be:

1. Preservation of Invested Capital

Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The goal is to mitigate credit risk and interest rate risk.

2. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all reasonably anticipated operating requirements. Furthermore, the portfolio should consist largely of securities with active secondary or resale markets. A portion of the portfolio also may be placed in the Oregon Short Term Fund which offers next-day liquidity. Where possible and prudent, the portfolio should be structured so that investments mature concurrent with anticipated demands.

3. Return

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into consideration the safety and liquidity needs of the portfolio. Although return consists of both principal return (gains and losses due to market value fluctuations) and income return (yield), this policy discourages active trading and turnover of investments. Investments should generally be held to maturity.

V. Standards of Care

1. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported and appropriate action is taken to control adverse developments within a timely fashion as defined in this policy.

The "prudent person" standard states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

2. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individuals with whom business is conducted on behalf of the District. Officers and employees shall, at all times, comply with the State of Oregon Government Standards and Practices code of ethics set forth in ORS Chapter 244.

3. Delegation of Authority and Responsibilities

i. Governing Body

The District Board of Directors will retain ultimate fiduciary responsibility for invested funds and will approve all investments. The governing body will receive reports, pursuant to, and with sufficient detail to comply with ORS 294.155.

ii. Delegation of Authority

Authority to manage investments within the scope of this policy and operate the investment program in accordance with established written procedures and internal controls is granted to District General Manager, hereinafter referred to as Investment Officer, and derived from the following: ORS 294.035 to 294.053, 294.125 to 294.145, and 294.810.

No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Officer. The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The Investment Officer may not make any investments without the approval of the Board of Directors.

All participants in the investment process shall seek to act responsibly as custodians of the public trust. No officer or designee may engage in an investment transaction except as provided under the terms of this policy and supporting procedures.

iii. Investment Committee

The District Board of Directors may seek to establish an investment committee to provide guidance to the Investment Officer(s) and monitor investment policy compliance.

iv. **Investment Adviser**

The District General Manager may engage the services of one or more external investment managers to assist in the management of the entity's investment portfolio in a manner consistent with this investment policy. Investment advisers will be hired on a non-discretionary basis. All investment transactions by approved investment advisers must be pre-approved in writing by the Investment Officer and compliant with this Investment Policy. If District hires an investment adviser to provide investment management services, the adviser is authorized to transact with its direct dealer relationships on behalf of the Board. The Investment Officer may not hire an investment advisor without the approval of the Board of Directors.

VI. Depositories and Competitive Transactions

1. Direct Issuers

Obligations that are permitted for purchase by this policy may be purchased directly from the issuer.

2. Depositories

All financial institutions who desire to become depositories must be qualified Oregon Depositories pursuant to ORS Chapter 295.

3. Competitive Transactions

i. The Investment Officer shall obtain and document competitive bid information on all investments purchased or sold in the secondary market. Competitive bids or offers should be obtained, when possible, from at least three separate brokers/financial institutions or through the use of a nationally recognized trading platform.

ii. In the instance of a security for which there is no readily available competitive bid or offering on the same specific issue, then the Investment Officer shall document quotations for comparable or alternative securities.

iii. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities at the same original issue price. However, the Investment Officer is encouraged to document quotations on comparable securities.

iv. If an investment adviser provides investment management services, the adviser must retain documentation of competitive pricing execution on each transaction and provide upon request.

VII. Administration and Operations

1. Delivery vs. Payment

All trades of marketable securities will be executed (cleared and settled) by delivery vs. payment (DVP) to ensure that securities are deposited in the District's safekeeping institution prior to the release of funds.

2. Third-Party Safekeeping

Securities will be held by an independent third-party safekeeping institution selected by the District. All securities will be evidenced by safekeeping receipts in the District's name. Upon request, the safekeeping institution shall make available a copy of its Statement on Standards for Attestation Engagements (SSAE) No. 16.

3. Internal Controls

The investment officer is responsible for establishing and maintaining an adequate internal control structure designed to reasonably assure that invested funds are invested within the parameters of this Investment policy and, protected from loss, theft, or misuse. Specifics for the internal controls shall be documented in writing. The established control structure shall be reviewed and updated annually by the District Board of Directors.

The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and the valuation of costs and benefits requires estimates and judgments by management.

The internal controls shall address the following points at a minimum:

i. Compliance with Investment Policy
ii. Control of collusion
iii. Separation of transaction authority from accounting and record keeping
iv. Custodial safekeeping
v. Avoidance of physical delivery of securities whenever possible and address control requirements for physical delivery where necessary
vi. Clear delegation of authority to subordinate staff members
vii. Confirmation of transactions for investments and wire transfers in written or digitally verifiable electronic form
viii. Dual authorizations of wire and automated clearing house (ACH) transfers
ix. Staff training
x. Review, maintenance and monitoring of security procedures both manual and automated

An external auditor shall provide an annual independent review to assure compliance with Oregon state law and District policies and procedures.

VIII. Suitable and Authorized Investments

1. Permitted Investments

The following investments are permitted pursuant to ORS 294.035, 294.040, and ORS 294.810.

- *Oregon Short Term Fund (OSTF)*
- *Qualified Institution Time Deposits/Savings Accounts/Certificates of Deposit*

2. Approval of Permitted Investments

If additional types of securities are considered for investment, per Oregon state statute they will not be eligible for investment until this Policy has been amended and the amended version adopted by the District.

3. Prohibited Investments

i. Private Placement or "144A" Securities

Private placement or "144A" securities are not allowed. For purposes of the policy, SEC Rule 144A securities are defined to include commercial paper privately placed under section 4(a)(2) of the Securities Act of 1933.

ii. US Agency Mortgage-backed Securities

US agency mortgage-backed securities such as those securities issued by FNMA and FHLMC are not allowed.

iii. Securities Lending

The District shall not lend securities nor directly participate in a securities lending program.

4. Demand Deposits and Time Deposits

i. All demand deposits and time deposits (Examples of time deposits are: certificates of deposit and savings accounts) shall be held in qualified Oregon depositories in accordance with ORS Chapter 295.

ii. Demand deposits in qualified depository institutions are considered cash vehicles and not investments and are therefore outside the scope and restrictions of this policy. Pursuant to ORS 294.035(3)(d), time deposits, certificates of deposit and savings accounts are considered investments and within the scope of this policy.

IX. Investment Parameters

1. Credit Risk

Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. Credit risk will be mitigated by the following guidelines:

i. Diversification

It is the policy of the District to diversify its investments. Where appropriate, exposures will be limited by security type, maturity, issuance, issuer, and security type. Allowed security types and Investment exposure limitations are detailed in the table below.

ii. **Recognized Credit Ratings**

Investments must have a rating from at least one of the following nationally recognized statistical ratings organizations (NRSRO): Moody's Investors Service; Standard & Poor's; and Fitch Ratings Service as detailed in the table below. Ratings used to apply the guidelines below should be investment level ratings and not issuer level ratings.

iii. **Portfolio Average Credit Rating**

The minimum weighted average credit rating of the portfolio's rated investments shall be Aa/AA/AA by Moody's Investors Service; Standard & Poor's; and Fitch Ratings Service, respectively.

iv. **Exposure Constraints and Minimum Investment Credit Ratings**

The following table limits exposures among investments permitted by this policy:

Issue Type	Maximum % Holdings	Minimum Ratings Moody's / S&P /
Oregon Short Term Fund	Maximum allowed per	-
Time Deposits/Savings Accounts/Certificates of Deposit(2) Per Institution	50% 25%	-

(1)
25% Maximum per ORS 294.035(D)

(2)
As authorized by ORS 294.035(3)(d)
35% Maximum per ORS 294.035(D)
5% Maximum per ORS 294.035(D)

v. **Determining a Security's Rating**

A single rating will be determined for each investment by utilizing the lowest security level rating available for the security from Standard and Poor's, Moody's Investor Services and Fitch Ratings, respectively. Corporate indebtedness must be rated on the settlement date by at least one of the three nationally statistical rating organizations (NRSROs), i.e., Moody's, S&P or Fitch, respectively, as follows: If short-term commercial paper, P-1, A-1 or F1; if corporate bonds, Aa3, AA- or AA-.

vi. **Restriction on Issuers With Prior Default History**

Per ORS 294.040, the bonds of issuers listed in ORS 294.035 (3)(a) to (c) may be purchased only if there has been no default in payment of either the principal of or the interest on the obligations of the issuing county, port, school district or city, for a period of five years next preceding the date of the investment.

2. Liquidity Risk

Liquidity risk is the risk that an investment may not be easily marketable or redeemable, as well as a shortfall of operating cash resulting in the need to sell securities and, thus, principal risk. The following strategies will be employed to mitigate liquidity risks:

i. The value of at least 25% of funds available for investing or three months of budgeted operating expenditures will be invested in the Oregon Short Term Fund, with a qualified depository institution, or investments maturing in less than 30 days to provide sufficient liquidity for expected disbursements.

ii. Funds in excess of liquidity requirements are allowed for investments maturing in greater than one year. However, longer-term investments tend to be less liquid than shorter term investments. Portfolio investment maturities will be limited as follows:

Total Portfolio Maturity Constraints

Maturity Constraints	Minimum % of Total Portfolio
Under 30 days	25% or three months Estimated Operating Expenditures
Under 1 year	50%
Under 3 years	100%

iii. Reserve or Capital Improvement Project monies may be invested in securities exceeding the maximum term if the maturities of such investments are made to coincide as nearly as practicable with the expected use of the funds.

iv. Larger issuance sizes enhance liquidity as there are likely to be a greater number of investors. Issuance sizes above a minimum amount qualify a corporate or municipal debt bond issuance for index eligibility. Index eligible bonds have a significantly larger investor base which improves liquidity.

v. Limiting investment in a specific debt issuance improves secondary market liquidity by assuring there are other owners of the issuance.

3. Interest Rate Risk

Longer-term investments have the potential to achieve higher returns but are also likely to exhibit higher market value volatility due to the changes in the general level of interest rates over the life of the investment(s). Interest rate risk will be mitigated by providing adequate liquidity for short term cash needs, and by making longer-term investments only with funds that are not needed for current cash flow purposes. Certain types of securities, including variable rate securities, securities with principal pay-downs prior to maturity, and securities with embedded options, will affect the interest rate risk profile of the portfolio differently in different interest rate environments. The following strategies will be employed to control and mitigate adverse changes in the market value of the portfolio due to changes in interest rates:

i. Where feasible and prudent, investment maturities should be matched with expected cash outflows to mitigate market risk.

ii. To the extent feasible, investment maturities not matched with cash outflows, including liquidity investments under one year, should be staggered to mitigate reinvestment risk.

iii. No commitments to buy or sell securities may be made more than 14 days prior to the anticipated settlement date, or receive a fee other than interest for future deliveries.

iv. The maximum percent of callable securities in the portfolio shall be 100%;

v. The maximum stated final maturity of individual securities in the portfolio shall be three years from its settlement date, except as otherwise stated in this policy.
vi. The maximum portfolio average maturity (measured with stated final maturity) shall be 1.5 years.

X. Investment of Reserve or Capital Improvement Funds

1. Pursuant to ORS 294.135(1)(b), reserve or capital Improvement project monies may be invested in securities exceeding three years when the funds in question are being accumulated for an anticipated use that will occur more than 18 months after the funds are invested, then, upon the approval of the governing body of the county, municipality, school district or other political subdivision, the maturity of the investment or investments made with the funds may occur when the funds are expected to be used.

XI. Guideline Measurement and Adherence

1. Guideline Measurement

Guideline measurements will use market value of investments.

2. Guideline Compliance

i. If the portfolio falls outside of compliance with adopted investment policy guidelines or is being managed inconsistently with this policy, the Investment Officer shall bring the portfolio back into compliance in a prudent manner and as soon as prudently feasible.
ii. Violations of portfolio guidelines as a result of transactions; actions to bring the portfolio back into compliance and; reasoning for actions taken to bring the portfolio back into compliance shall be documented and reported to the District Board of Directors.
iii. Due to fluctuations in the aggregate surplus funds balance, maximum percentages for a particular issuer or investment type may be exceeded at a point in time. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made to ensure that appropriate diversification is maintained.

XII. Reporting and Disclosure

1. Compliance

The Investment Officer shall prepare a report quarterly that allows the District Board of Directors to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the Board of Directors. The report will include, at a minimum, the following:

i. A listing of all investments held during the reporting period showing par/face value; accounting book value; market value; type of investment; issuer; credit ratings; and yield to maturity (yield to worst if callable).
ii. Average maturity of the portfolio at period-end
iii. Maturity distribution of the portfolio at period-end
iv. Average portfolio credit quality of the portfolio at period-end

v. Average weighted yield to maturity (yield to worst if callable investments are allowed) of the portfolio
vi. Distribution by type of investment
vii. Transactions since last report
viii. Distribution of transactions among financial counterparties such as broker/dealers
ix. Violations of portfolio guidelines or non-compliance issues that occurred during the prior period or that are outstanding. This report should also note actions (taken or planned) to bring the portfolio back into compliance.

2. Performance Standards/ Evaluation

The Investment Officer shall report annually comparisons of investment returns to relevant alternative investments and comparative Bond Indexes. The performance of the portfolio should be compared to the performance of alternative investments such as available certificates of deposit; the Oregon Short Term Fund; US Treasury rates; or against one or bond indices with a similar risk profile (e.g., Bond indexes comprised high grade investments and maximum maturities of three years).

When comparing performance, all fees and expenses involved with managing the portfolio shall be included in the computation of the portfolio's rate of return.

3. Marking to Market

The market value of the portfolio shall be calculated quarterly and a statement of the market value of the portfolio shall be issued at least quarterly.

4. Audits

Management shall establish an annual process of independent review by the external auditor to assure compliance with internal controls. Such audit will include tests deemed appropriate by the auditor.

XIII. Policy Maintenance and Considerations

1. Review

The investment policy shall be reviewed at least annually to ensure its consistency with the overall objectives of preservation of principal, liquidity and return, and its relevance to current law and financial and economic trends.

The annual report should also serve as a venue to suggest policies and improvements to the investment program, and shall include an investment plan for the coming year.

2. Exemptions

Any investment held prior to the adoption of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested as provided by this policy.

3. Policy Adoption and Amendments

This investment policy and any modifications to this policy must be formally approved in writing by the District Board of Directors.