



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**June 17, 2008**

**Motion 12796**

**Proposed No.** 2008-0305.3

**Sponsors** Ferguson and Phillips

1                   A MOTION acknowledging receipt of the King County  
2                   investment pool advisory panel's report on the King County  
3                   investment pool, accepting its recommendations, and  
4                   creating an investment pool work group to examine these  
5                   recommendations and develop options for their  
6                   implementation.

7  
8                   WHEREAS, the King County investment pool was established in 1989 to  
9                   preserve and protect capital and provide a market rate of return on public funds through  
10                  budgetary and economic cycles and today, holds over four billion dollars in public funds,  
11                  and

12                  WHEREAS, the investment pool is available to all districts, agencies and public  
13                  authorities in King County, except incorporated cities, to invest their cash reserves, and  
14                  nearly one hundred of these entities have chosen to become participants in the investment  
15                  pool, and

16                  WHEREAS, between August 2007 and January 2008, four of the investments  
17                  held by the investment pool became impaired, where impairment is defined by section

18 210.9 of the King County investment policies as occurring when the investment's credit  
19 quality is rated below investment grade, a default has occurred on payment at maturity, or  
20 an enforcement event, as defined by the investment's program documents, has occurred,  
21 and

22 WHEREAS, in light of these impairments, the council acting in its oversight role  
23 determined a need to conduct a full scale review of the investment pool, including an  
24 examination of investment goals, policies, practices, governing structure and relationship  
25 with participants, and

26 WHEREAS, in the past, the council successfully relied on the aid of citizens with  
27 expertise in specific fields to conduct reviews of county operations, and

28 WHEREAS, through Motion 12595, the council created the King County  
29 investment pool advisory panel to review the King County investment pool, and

30 WHEREAS, Motion 12631 appointed three experts from the financial industry to  
31 the advisory panel who were selected for their knowledge of financial markets and  
32 instruments, public investment pools and macroeconomics, and

33 WHEREAS, the advisory panel appointees were: John Rose, the former chief  
34 executive officer of Seattle Northwest Securities, the region's largest underwriter of  
35 bonds; John Dobrowolski, who has thirty years of experience in capital markets,  
36 derivatives, risk management, and portfolio management and is the former senior vice  
37 president and division executive of market risk for Washington Mutual; and Mary Ellen  
38 Mullen who has over twenty-five years of institutional investment experience and is a  
39 principal at Bridgebay Consulting LLC, and

40 WHEREAS, the advisory panel interviewed county staff, reviewed written  
41 records, consulted with outside sources, and relied on its members' professional expertise  
42 to produce a report on the investment pool, and

43 WHEREAS, the investment pool advisory panel has completed its report and  
44 submitted it to the council, and

45 WHEREAS, the report recommends that the county take rapid and forceful action  
46 to bring the investment pool in line with industry best practices, and

47 WHEREAS, the report makes recommendations on how the investment pool can  
48 close the gap between its current practices and industry best practices, and

49 WHEREAS, the council has a long history of responsible stewardship of the  
50 public's money, and

51 WHEREAS, this motion is intended to provide guidance and to create an  
52 investment pool work group to advise the executive finance committee as the committee  
53 determines the appropriate policies for the management of the investment pool;

54 NOW, THEREFORE, BE IT MOVED by the Council of King County:

55 **A. Acknowledgement and thanks.** The metropolitan King County council  
56 gratefully acknowledges receipt of the report of the investment pool advisory panel and  
57 thanks John Rose, chair, John Dobrowolski and Mary Ellen Mullen for their service to  
58 the citizens of King County.

59 **B. Intent.** It is the intent of the council that the investment pool will be operated  
60 in accordance with industry best practices for a governmental investment pool.

61 **C. Joint legislative and executive branch investment pool work group**  
62 **created – responsibilities - membership.** A King County joint legislative and executive

63 branch investment pool work group is hereby created for the purpose of ensuring that the  
64 investment pool meets industry best practices for a governmental investment pool.

65 1. On or before July 15, 2008, the King County investment pool work group  
66 shall submit to council an action plan for bringing the investment pool in line with such  
67 industry best practices. Additionally, the investment pool work group shall be  
68 responsible for various reports to the council as prescribed in this motion.

69 2. The investment pool work group shall be cochaired by the manager of the  
70 finance and business operations division and the council policy staff director, or their  
71 designees. The work group shall include the managers of the finance and business  
72 operations division and the office of management and budget, the council policy staff  
73 director, the lead staff to the operating budget, fiscal management and select issues  
74 committee, or its successor, the county auditor, the chief accountant and the chief  
75 economist, or their designees. The investment pool work group shall be informed by  
76 input from pool participants.

77 **D. Outsourced management.** To the extent that it is consistent with state and  
78 county law, the council accepts the advisory panel's recommendation that the county  
79 outsource the management of the investment pool. The council believes the advisory  
80 panel's finding that outsourcing is the most cost-effective, efficient and timely way to  
81 close the investment pool's current gap with best practices merits further examination.

82 1. The investment pool work group shall examine the advisory panel's  
83 recommendation to outsource the management of the investment pool and develop  
84 options to implement this recommendation to the extent deemed appropriate and  
85 consistent with state law. If the work group perceives a particular measure to be

86 beneficial to investment pool management but inconsistent with state law, the group shall  
87 advise the council of the reasons for its conclusions and the changes necessary to state  
88 law to implement such a measure.

89 2. The investment pool work group shall report its findings to council on or  
90 before September 1, 2008. Eleven copies of the report shall be filed with the clerk of the  
91 council, for distribution to all councilmembers.

92 E. **Governance.** The council accepts the advisory panel's findings that the  
93 investment pool's current governing structure does not allow representation from all  
94 participants and does not provide policy makers with adequate access to expert advice.  
95 The council accepts the advisory panel's recommendation that modifications to the  
96 governing structure are needed. The council acknowledges that the advisory panel's  
97 recommended modifications may require changes in state or county law.

98 1. The council recommends the following immediate modifications to the  
99 governing structure:

100 a. The executive finance committee is requested to immediately develop a plan  
101 for including advisory representation on the executive finance committee from non-  
102 county participants, with the object of implementing this plan as soon as possible, no later  
103 than October 1, 2008; and

104 b. The executive finance committee is urged to request briefings, at least  
105 quarterly, with an independent financial advisor who can expertly comment on the  
106 county's policies, practices, and portfolio holdings.

107 2. To address longer term modifications to the governance structure:

108 a. The investment pool work group shall review the investment pool's  
109 governance structure and shall develop options for modifying the governance structure in  
110 light of the advisory panel's recommendations that:

111 (1) the governing structure be modified to eliminate inherent conflicts of  
112 interest;

113 (2) the governing body be supported by a set of external investment  
114 professionals;

115 (3) the governing body avoid categorical restriction of specific types of  
116 investment securities and promote diversification; and

117 (4) the governing body be held directly accountable to all participants; and

118 b. The work group's review shall include the advisability of implementing the  
119 advisory panel's recommendation that the executive finance committee be replaced by an  
120 independent board comprised of both county and noncounty participant representatives  
121 and three appointed citizen experts.

122 3. The work group shall present its findings in a report transmitted to the council  
123 on or before September 1, 2008, in the form of eleven copies filed with the clerk of the  
124 council, for distribution to all councilmembers. The report shall include a discussion of  
125 any amendments to Washington state law, King County Code or King County charter that  
126 would be required to implement any of the options.

127 **F. Investment goals and metrics.** The council accepts the advisory panel's  
128 recommendation that the investment pool governing body clearly define investment goals  
129 for the investment pool. The council accepts the advisory panel's recommendation that

130 the investment pool immediately implement a set of metrics that improves transparency  
131 regarding risk and expected returns and enables appropriate performance measurement.

132 1. The investment pool work group shall provide a report on the investment  
133 pool's investment goals and metrics.

134 a.(1) The report shall examine the advisory panel's recommendations  
135 regarding:

136 (a) appropriate investment goals;

137 (b) the use and selection of one market benchmark and one peer universe  
138 benchmark for the entire portfolio, consistent with the investment goals;

139 (c) the adoption of a comprehensive set of risk and performance metrics to  
140 measure, monitor, and manage the investment pool;

141 (d) the development of a risk limit framework;

142 (e) the implementation of stress tests; and

143 (f) the establishment of a contract with a third party to provide reporting for  
144 the investment pool.

145 (2) The report shall examine the panel's recommendation that absent the  
146 outsourcing of the management of the investment pool, the appropriate investment goals  
147 are those of a constant net asset value fund.

148 b. The report shall present options for implementing those recommendations it  
149 concludes are in the best interests of the investment pool.

150 2. The investment pool work group should obtain the services of a consultant to  
151 provide expert advice to inform this report.

152           3. On or before September 1, 2008, the investment pool work group shall  
153 transmit the report to the executive finance committee, the council and the executive.  
154 Eleven copies of the report shall be filed with the clerk of the council, for distribution to  
155 all councilmembers.

156           4. On or before November, 1, 2008, the executive finance committee is urged to  
157 implement new investment goals and performance metrics based on the investment pool  
158 work group's recommendations as contained in the report.

159           **G. Infrastructure.**

160           1. The council supports the advisory panel's recommendation that the  
161 investment pool's infrastructure be brought in line with industry best practices for a  
162 governmental investment pool. The council accepts the advisory panel's specific  
163 recommendations in these areas:

- 164           a. technology upgrades to automate reporting and certain aspects of the  
165 investment process;
- 166           b. consolidation of assets within one central repository or custodian bank;
- 167           c. establishment of a credit analysis process;
- 168           d. development of improved internal controls;
- 169           e. updated written investment pool policies and procedures;
- 170           f. improved staffing structures to eliminate operational risk;
- 171           g. improved accounting procedures; and
- 172           h. institution of an annual outside audit.

173           2. The investment pool work group shall review the recommendations of the  
174 advisory panel and develop options for enhancing the infrastructure of the investment



175 pool. The options shall include the feasibility of using the services of an external fund  
176 manager to the extent permitted under state law. The investment pool work group shall  
177 also review the advisory panel's recommendation that additional audits of the investment  
178 pool are needed, including audits by an auditor with a specialty in fixed income  
179 accounting and periodic internal control audits.

180 a. These options shall be presented in a report transmitted to the county council  
181 on or before September 1, 2008. Eleven copies of the report shall be filed with the clerk  
182 of the council, for distribution to all councilmembers.

183 b. The report shall contain detailed cost estimates for each option and a  
184 timeline for implementation.

185 3. The finance and business operations division is requested to review the  
186 advisory panel's recommendation to consolidate the investment pool's assets with a single  
187 custodian bank on or before October 1, 2008.

188 4. The advisory panel made several recommendations related to the accounting  
189 practices of the investment pool. The manager of the finance and business operations  
190 division is requested to examine the accounting practices of the pool and present a report  
191 to the work group on or before August 1, 2008.

192 5. On or before November 1, 2008, the executive finance committee is urged to  
193 review the King County investment policies in light of the advisory panel's  
194 recommendations to ensure the policies reflect current practice and contain policies in the  
195 relevant areas. The advisory panel recommended that the updated policies contain a  
196 provision requiring an annual review of the investment policies.

197           **H. External relations.** The council supports the advisory panel's  
198 recommendation that formal channels be created to include participants in the investment  
199 pool's policy decision making process. The council supports the advisory panel's  
200 recommendation that the investment pool improve communications with participants, the  
201 public, and the executive finance committee. The council supports the advisory panel's  
202 recommendation that the county review the fee structure of the investment pool. The  
203 council supports the advisory panel's recommendation that the investment pool continue  
204 to be rated by a nationally recognized statistical rating agency.

205           1. The manager of the finance and business operations division is requested to  
206 inform all participants of the date, time, and place of all executive finance committee  
207 meetings and to send a complete agenda for each meeting to all participants five business  
208 days before the meeting.

209           2. As recommended by the advisory panel, the manager of the finance and  
210 business operations division is requested to hold an annual meeting beginning in 2008 to  
211 discuss the performance of the investment pool during the prior year, solicit participant  
212 input on investment pool policies and outline the investment strategy for the coming year.  
213 The manager of finance and business operations division is requested to inform all  
214 participants of the date, time and place of this annual meeting thirty calendar days before  
215 the meeting.

216           3.a. Beginning on or before August 1, 2008, the finance and business operations  
217 division is requested to produce an improved monthly report on the investment pool that  
218 includes elements recommended by the advisory panel:

219           (1) investments by type and as a percentage of the portfolio;

- 220 (2) a listing of issuers;
- 221 (3) the cost of each investment, its yield to maturity at both cost and market
- 222 value, accrued interest and maturity date;
- 223 (4) the market value of each investment;
- 224 (5) the par value of each investment;
- 225 (6) total returns for prior periods;
- 226 (7) comparison of current incomes against forecasts and budgeted income
- 227 projections;
- 228 (8) investments by maturity date;
- 229 (9) average weighted yield to maturity of the portfolio, including comparison
- 230 to applicable benchmarks;
- 231 (10) percentage of the total portfolio held by each institution; and
- 232 (11) principal and type of investment by fund.

233 b. The report should be updated monthly and made available to the executive

234 finance committee, all participants and the public. Eleven copies of the report and each

235 update shall be filed with the clerk of the council, for distribution to all councilmembers.

236 4. As recommended by the advisory panel, the finance and business operations

237 division is requested to enhance its current website for the investment pool. The website

238 should include general information about the investment pool, a current copy of the

239 investment pool policies, and monthly reports on the investment pool. These

240 enhancements should be operational no later than August 1, 2008, and updated on a

241 monthly basis.

242           5. The council understands that the executive finance committee is currently  
243           undertaking a review of the investment pool fee structure. The executive finance  
244           committee is requested to update the council on its review on or before July 15, 2008.

245           **I. Impaired investments.** The council supports the advisory panel's  
246           recommendation to bifurcate the impaired investments from the performing investments.  
247           The council supports the advisory panel's recommendation that the county obtain the  
248           services of a qualified investment manager to advise the county on the management of  
249           impaired investments.

250           1. The executive finance committee is urged to immediately consider the issue  
251           of bifurcation.

252           2. The executive finance committee is requested to immediately obtain the  
253           services of a qualified investment manager to advise the county on the management of  
254           impaired investments.

255           **J. Audit.** The council supports the advisory panel's recommendation that an  
256           audit be performed of the treasury operations section of the finance and business  
257           operations division to ensure that cash management and investment functions work  
258           together efficiently. The council will consult with the county auditor about such an audit.

259           **K. Business review.** The council supports the advisory panel's recommendation  
260           that the investment pool conduct a business review every three years. The executive  
261           finance committee is requested to consider implementing such a review.

262           **L. Quarterly report by manager of finance and business operations division.**  
263           The manager of the finance and business operations division is requested to report to the  
264           council each quarter regarding the specific steps taken and progress made on the

**Motion 12796**


---

265 recommendations in this motion. The first report shall cover the third quarter of 2008.  
266 The manager shall file eleven copies of the reports to the clerk of the council two weeks  
267 after the end of each calendar quarter, for distribution to all councilmembers. The last  
268 report shall be made in January 2011, unless otherwise determined by motion by the  
269 council.  
270

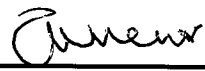
Motion 12796 was introduced on 5/27/2008 and passed as amended by the Metropolitan King County Council on 6/16/2008, by the following vote:

Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
\_\_\_\_\_  
Julia Patterson, Chair

ATTEST:

  
\_\_\_\_\_  
Anne Noris, Clerk of the Council

**Attachments**      None