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REPORT ON COMPLIANCE MONITORING OF THE TREASURER'S INVESTMENT PORTFOLIO

For the Month of MAY 2009



Job Number 1023 Report Date: September 10, 2009



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September 10, 2009

Job No. 1023

TO: Members, Treasury Oversight Committee

Report on Compliance Monitoring of the Treasurer's Investment Portfolio SUBJECT:

For the Month of May 2009

We have completed the compliance monitoring of the Treasurer's investment portfolio for the month of May 2009. The purpose of our monitoring was to determine whether the Orange County Money Market Fund, Educational Fund, and Extended Funds managed by the Orange County Treasurer's Office were in compliance with certain provisions specified in the Investment Policy Statement (IPS) and that all portfolio non-compliance including technical incidents and required diversification disclosures were properly reported in the May 31, 2009 Treasurer's Monthly Management Report.

We are continuing our portfolio compliance monitoring at the request of the Treasury Oversight Committee. Our monitoring is designed to provide assurance to the Board of Supervisors, the County Executive Officer, you and other stakeholders that the Treasurer's investment portfolio is in compliance with the IPS and that all non-compliance incidents and required disclosures are properly reported.

Our compliance procedures included obtaining a daily electronic download of the investment portfolio from the Treasurer's Quantum system; judgmentally selecting 10 business days for testing; importing the selected downloads into ACL for purposes of performing calculations; and validating that investment purchases were in compliance with the IPS by reviewing and testing supporting documentation. In conducting our procedures, we examined the following days in May: 1, 5, 8, 12, 15, 19, 22, 26, 28 and 29.

Based on our compliance monitoring for the selected dates, no compliance issues were identified. Our report also includes information regarding Treasury policy pertaining to the reporting of technical incidents in the monthly management report.

The following lists the procedures performed and results achieved from the compliance monitoring:

1. **Authorized Investments (IPS Section VI and VII):** We judgmentally selected a sample of 16 investments representing each pool. The selected sample consists of investments purchased in the 10 business days selected for May 2009. For the sample selected, we independently confirmed that the investments conform to authorized investment requirements in accordance with the IPS.

Whistlejacket Holdings

An auction of the Whistlejacket portfolio securities occurred on April 29, 2009, pursuant to a Restructuring Agreement between the Receivers and Whistlejacket Capital Limited. The Treasurer's Whistlejacket holdings were restructured into pass-through notes in Serpentine Funding Limited. The pass-through notes were settled on May 7, 2009. This transaction was not considered a purchase and therefore was excluded from our testing for authorized investments.

Results: We found no exceptions.

2. **Diversification Compliance (IPS Section VIII):** We performed calculations to determine that the Money Market and Extended Funds portfolios have met the diversification limits for investment types in accordance with the IPS.

Results: We found no exceptions.

3. Weighted Average Maturity (WAM) Limitations (IPS Section VIII.3): We performed calculations to determine that WAM did not exceed 60 days for the Money Market Funds in accordance with the IPS.

Results: We found no exceptions.

4. **Maximum Maturity Limitations (IPS Section VIII.3):** We confirmed that the maximum maturity of any portfolio instrument purchased did not exceed 13 months (397 days) for the Money Market Fund and 5 years (1,826 days) for the Extended Fund in accordance with the IPS.

Results: We found no exceptions.

5. **Issuer Limitations (IPS Section VIII.2):** We performed calculations to determine that no more than 5% of the total market value of each Fund is invested in securities of any one issuer with the exception of government agencies. However, a Fund may invest up to 12.5% of the total market value in securities of any one issuer for up to 3 business days or up to 10% in money market mutual funds.

Results: We found technical incidents occurred on three of the ten days selected.

Educational Investment Pool

Technical Incidents

- 1. The percentage of portfolio holdings in Toyota Motor Credit exceeded 5% of the total market value of the portfolio by no more than 0.32%. The technical incidents occurred on May 8, 12, and 22. The technical incidents were due to a reduction in the Pool's total assets resulting in an increase in securities holdings.
- Authorized Financial Dealers (IPS Section XI): We confirmed that all investments were purchased from authorized issuers.

Results: We found no exceptions.

7. Financial Reporting (IPS Section XXI): We confirmed that the May 2009 Treasurer's monthly Management Report included all statements of portfolio non-compliance including technical incidents and diversification disclosures in accordance with the IPS.

Results:

Review of "Non-Compliance Report Summary"

The Treasurer's Monthly Management Report includes a "Noncompliance Report Summary" to disclose non-compliance issues that occurred during the month. There were no non-compliance issues in May 2009.

Technical Incidents

Although the Treasurer's IPS does not require technical incidents that occurred during the month to be reported in the Treasurer's Monthly Management Report, it is Treasury policy to report the details of technical incidents outstanding at month end in the "Noncompliance Report Summary." Therefore, this month's Treasury Monthly Management Report would not include details regarding the technical incidents that occurred and were resolved before month end (see items #5.1 above).

Please let me know if you have any questions regarding our monitoring procedures.

Nancy N. Ishida, CPA

Audit Manager

cc: Members, Board of Supervisors

Members, Audit Oversight Committee

Thomas G. Mauk, County Executive Officer

Peter Hughes, Director, Internal Audit Department

Chriss W. Street, Treasurer-Tax Collector

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