



**TOWN OF LOS GATOS  
TOWN COUNCIL MEETING  
DECEMBER 19, 2017  
110 EAST MAIN STREET  
LOS GATOS, CA**

*Rob Rennie, Mayor*

*Steven Leonardis, Vice Mayor*

*Marcia Jensen, Council Member*

*Marico Sayoc, Council Member*

*Barbara Spector, Council Member*

**PARTICIPATION IN THE PUBLIC PROCESS**

**How to participate:** The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please complete a "speaker's card" located on the back of the chamber benches and return it to the Clerk Administrator. If you wish to speak to an item NOT on the agenda, you may do so during the "Verbal Communications" period. The time allocated to speakers may change to better facilitate the Town Council meeting.

**Effective Proceedings:** The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Town Council without first being recognized; interrupting speakers, Town Council or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

**Deadlines for Public Comment and Presentations are as follows:**

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Clerk's Office no later than 3:00 p.m. on the day of the Council meeting.
- Persons wishing to submit written comments to be included in the materials provided to Town Council must provide the comments as follows:
  - For inclusion in the regular packet: by 11:00 a.m. the Thursday before the Council meeting
  - For inclusion in any Addendum: by 11:00 a.m. the Monday before the Council meeting
  - For inclusion in any Desk Item: by 11:00 a.m. on the day of the Council Meeting

***Town Council Meetings Broadcast Live on KCAT, Channel 15 (on Comcast) on the 1st and 3rd Tuesdays at 7:00 p.m.***

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***[www.losgatosca.gov/Councilvideos](http://www.losgatosca.gov/Councilvideos)***

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING,  
PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN  
TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]***

**TOWN OF LOS GATOS  
TOWN COUNCIL MEETING  
DECEMBER 19, 2017**

**7:00 PM**

**MEETING CALLED TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

Noah Hale, Fisher Middle School

**PRESENTATIONS**

Small Business, Big Applause - Hanna Bistro

Health Initiative Awards

**CLOSED SESSION REPORT**

**COUNCIL/TOWN MANAGER REPORTS**

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)** (*Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action. Unless there are separate discussions and/or actions requested by Council, staff, or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.*)

1. Approve Closed Session Meeting Minutes of December 5, 2017
2. Approve Council minutes of December 5, 2017
3. Adopt Council Committee Appointments Effective January 1, 2018.
4. Adopt the ordinance amending Town Code Chapter 2, Division 4 – Conflict Of Interest, Section 2.30.615. – Filing of Statements and adding Section 2.30.620. – Relating to Electronic and Paperless Filing of Fair Political Practices Commission Campaign Disclosure Statements
5. Authorize additional compensation for legal services in an amount of \$35,000 for litigation defense services in the Matter of Eden Housing Inc., Summerhill Homes LLC, and Grosvenor USA Limited v. Town of Los Gatos for a total contract not to exceed Amount of \$135,000.
6. Authorize the Town Manager to execute an Agreement for Employee Safety Compliance and Training Services Consultant Services with BSI EHS Services and Solutions (West) Inc., in an amount not to exceed \$147,600.
7. Approve an Alternative Book Replacement and Fine Forgiveness Program in Lieu of Standard Library Fines for a Temporary Period of One Month
8. Accept a California State Library Grant in the amount of \$7,200, and authorize a revenue and expenditure budget adjustment in the amount of \$7,200 to recognize receipt and use of grant funds.

9. Annexation - 14915 Shannon Road. Annexation Application AN17-001. Property Owner/Applicant: Ray M. Elam.  
Adopt a resolution to set a date for consideration of reorganization of an uninhabited area designated as Shannon Road No. 27, approximately 28.61 acres on property pre-zoned RC. APN
10. Authorize the Town Manager to execute a Charging Station Agreement with Tesla, Inc. to provide electric vehicle charging infrastructure and services at the North Parking Lot.
11. Authorize the Town Manager to execute a Certificates of Acceptance and Notices of Completion accepting the work of Joseph J. Albanese and American Pavement Systems and authorize recordings by the Clerk Administrator for PPW Job No. 16-811-9901 and 16-811-9903 Annual Street Repair and Resurfacing and Pavement Rehabilitation – Crack Seal Project.
12. Authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion accepting the work of G. Bortolotto & Co. and authorize recording by the Clerk Administrator for PPW Job Number 16-817-0707 Pageant Way Parking Lot Reconstruction Project.
13. Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017
  - a. Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017;
  - and
  - b. Approve a resolution confirming June 30, 2017 Fund Balances in Accordance with Fiscal Year 2016/17 Final Audit and the Fund Reserve Policy
14. Adopt a resolution for a \$3,388,913 expenditure budget adjustment from available CalPERS/OPEB fund balance to deposit to the IRS Section 115 Pension Trust

**OTHER BUSINESS** (*Up to three minutes may be allotted to each speaker on any of the following items.*)

15. PPW Job Number 831-3104 - Bachman Park Rehabilitation Project
  - a. Approve the scope elements for the project.
  - b. Authorize the preparation of plans and specifications in alignment with the scope.
  - c. Authorize a revenue and expenditure budget adjustment of \$214,537 to recognize a grant award from the Urban County Community Development Block Grant Fund to the Public Access Infrastructure Improvement Project (421-821-2102).
  - d. Authorize a transfer in the amount of \$214,537 of grant funds from the Public Access Infrastructure Improvement Project (421-821-2102) to the Bachman Park Rehabilitation Project (411-831-3104).
  - e. Authorize the Town Manager to execute the CDBG agreement with the County of Santa Clara
16. Authorize the Town Manager to seek proposals to produce and manage the park summer concert series held on the Los Gatos Civic Center Lawn each June through August

**VERBAL COMMUNICATIONS** (*Members of the public are welcome to address the Town Council on any matter that is not listed on the agenda. To ensure all agenda items are heard and unless additional time is authorized by the Mayor, this portion of the agenda is limited to 30 minutes and no more than three (3) minutes per speaker. In the event additional speakers were not able to be heard during the initial Verbal Communications portion of the agenda, an additional Verbal Communications will be opened prior to adjournment.*)

**PUBLIC HEARINGS** (*Applicants/Appellants and their representatives may be allotted up to a total of ten minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.*)

17. Hillside Development Standards and Guidelines modifications. Project Location: Properties located within the Hillside Overlay. Applicant: Town of Los Gatos.  
Adopt a resolution to amend Chapter II. (Constraints Analysis and Site Selection) of the Hillside Development Standards and Guidelines regarding Visibility Analysis.  
(CONTINUED FROM October 17, 2017 and December 5, 2017 - Staff Reports and Attachments can be found on our website under the October 17, 2017 and December 5, 2017 Town Council Agendas)
18. 202 University Avenue - General Plan Amendment Application GP-17-002 and Zone Change Application Z-17-001. Property Owner: Barry and Lisa Cheskin. Applicant: Bess Wiersema.  
Requesting approval of a General Plan Amendment from Office Professional to Medium Density Residential and a zone change from O:LHP (Office with a Landmark and Historic Preservation Overlay) to R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay). APN: 529-04-001.
19. 26 Alpine Avenue - Architecture and Site Application S-16-052 and Mitigated Negative Declaration ND-17-001. Applicant: Tom Sloan. Property Owner/Appellant: Toby and Susan Corey.  
Consider an appeal of Planning Commission decision denying a request to construct a new single-family residence and remove a large protected tree on vacant property zoned R-1:20. APN 529-37-042.

## **ADJOURN TOWN COUNCIL MEETING AND CALL TO ORDER THE TOWN PENSION AND OPEB TRUSTS OVERSIGHT COMMITTEE**

### **ROLL CALL**

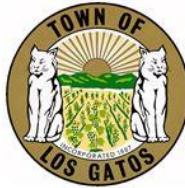
**OTHER BUSINESS** (*Up to three minutes may be allotted to each speaker on any of the following items.*)

1. Accept Council Finance Committee asset allocation recommendation for the Town of Los Gatos IRS Section 115 Pension Trust.

**ADJOURNMENT** (*Council policy is to adjourn no later than midnight unless a majority of Council votes for an extension of time*)

*Writings related to an item on the Town Council meeting agenda distributed to members of the Council within 72 hours of the meeting are available for public inspection at the front desk of the Los Gatos Town Library, located at 100 Villa Avenue, and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Council at the meeting are available for review in the Town Council Chambers*

*Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.*



**TOWN OF LOS GATOS  
TOWN PENSION AND OPEB  
TRUSTS OVERSIGHT COMMITTEE  
REPORT**

MEETING DATE: 12/19/2017

ITEM NO: 1

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DATE: DECEMBER 13, 2017

TO: TOWN PENSION AND OPEB TRUSTS OVERSIGHT COMMITTEE

FROM: LAUREL PREVETTI, TOWN MANAGER

SUBJECT: ACCEPT COUNCIL FINANCE COMMITTEE ASSET ALLOCATION  
RECOMMENDATION FOR THE TOWN OF LOS GATOS IRS SECTION 115  
PENSION TRUST

**RECOMMENDATION:**

Accept Council Finance Committee asset allocation recommendation for the Town of Los Gatos IRS Section 115 Pension Trust (115 Pension Trust).

**BACKGROUND:**

On October 9, 2017, the Council Finance Committee heard staff recommendation (Attachment 1) to invest assets earmarked for the 115 Pension Trust in the PARS Moderately Conservative asset allocation. After deliberations by the Committee, the decision was for staff to provide additional information regarding the current CalPERS asset allocation, the fees associated with the different PARS asset allocations, and lastly the amount of assets under consideration for investment.

On December 4, 2017, the Council Finance Committee received the additional information and staff maintained its recommendation (Attachment 2) to invest assets earmarked for the 115 Pension Trust in the PARS Moderately Conservative asset allocation. After deliberations by the Committee, the vote was unanimous to invest in the PARS Capital Appreciation passive asset allocation.

Committee members felt that the historic return premium of equities compared to fixed income investments warranted an asset allocation with higher exposures to equities. In addition the Committee recommended that assets placed in the 115 Pension Trust be dollar cost averaged over the next year to mitigate risks associated with a single market entry point.

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**PREPARED BY:** Steve Conway  
Finance Director

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Reviewed by: Town Manager, Assistant Town Manager, and Town Attorney

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**SUBJECT: ACCEPT COUNCIL FINANCE COMMITTEE ASSET ALLOCATION  
RECOMMENDATION FOR THE TOWN OF LOS GATOS IRS SECTION 115 PENSION  
TRUST**

**DATE: DECEMBER 13, 2017**

**DISCUSSION:**

The Town Council Pension and OPEB Trusts Oversight Committee should review the Finance Committee recommendation and select an asset allocation for the 115 Pension Trust.

**FISCAL IMPACT:**

None

**ENVIRONMENTAL ASSESSMENT:**

This is not a project defined under CEQA, and no further action is required.

**Attachments:**

1. October 9, 2017 Council Finance Committee Report
2. December 4, 2017 Council Finance Committee Report



**TOWN OF LOS GATOS  
FINANCE COMMITTEE REPORT**

MEETING DATE: 10/09/2017

ITEM NO: 2

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DATE: OCTOBER 3, 2017

TO: COUNCIL FINANCE COMMITTEE

FROM: LAUREL PREVETTI, TOWN MANAGER

SUBJECT: REVIEW, DISCUSS, AND RECOMMEND THE TOWN COUNCIL ADOPT AN OVERSIGHT COMMITTEE, INVESTMENT POLICY AND ASSET ALLOCATION FOR THE TOWN OF LOS GATOS IRS SECTION 115 PENSION TRUST AND CALIFORNIA EMPLOYERS' RETIREE BENEFIT TRUST (CERBT)

**RECOMMENDATION:**

Staff recommends that the Council Finance Committee recommend to the Town Council:

1. Establishing the Town Council as the Oversight Committee for the Town of Los Gatos IRS Section 115 Pension Trust ("115 Pension Trust") and California Employers' Retiree Benefit Trust (CERBT);
2. Adopting an Investment Policy for the Town of Los Gatos IRS Section 115 Pension Trust and California Employers' Retiree Benefit Trust (CERBT);
3. Approving staff recommended asset allocations for both the Town of Los Gatos IRS Section 115 Pension Trust and California Employers' Retiree Benefit Trust (CERBT); and
4. Adopting the Investment Guidelines Document between the Town of Los Gatos and Highmark Capital Management

**BACKGROUND:**

Pursuant to Council direction, the Town issued a Request for Proposal in April 2017 for IRS Section 115 Pension Trust Services. On August 15, 2017, Town Council approved Public Agency Retirement Services (PARS) as the administrator of the Town's Section 115 Pension Trust. In addition, Town Council appointed the Town Manager/Director of Finance as the Town's Plan Administrator in order to execute legal and administrative documents and other actions

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**PREPARED BY:** STEPHEN CONWAY  
FINANCE DIRECTOR

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Reviewed by: Town Manager, Assistant Town Manager, and Town Attorney

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SUBJECT: REVIEW AND DISCUSS OVERSIGHT BOARD, INVESTMENT POLICY AND ASSET ALLOCATION

DATE: OCTOBER 9, 2017

**BACKGROUND (Cont'd):**

necessary to initiate and maintain the Town's participation in the Public Agencies Post-Employment Benefits Trust.

The 115 Pension Trust acts as an additional investment vehicle for the overall funding of pension liabilities associated with the Town's Miscellaneous and Safety Pension Plans (the "Pension Plans"). In addition, in 2009, the Council approved participating in the California Employer's Retiree Benefit Trust (CERBT) Fund. The CERBT Fund is a Section 115 trust fund dedicated to the prefunding of other post-employment benefits ("OPEB"). The CERBT is the single investment vehicle for the Town's OPEB Plan ("OPEB Plan").

With the adoption of the 115 Pension Trust, it is now appropriate to establish the requisite governance and oversight controls reflective of the fiduciary responsibilities inherent in the management of pension and OPEB assets. Both Highmark Capital Management and the California Employers' Retiree Benefit Trust (CERBT) provide multiple options for investment of the Town's pension and healthcare assets. The differing investment options provided by the firms represent varying degrees of investment risk/return profiles. As such, staff recommends the establishment of an Oversight Committee and Investment Policy for the management of both the Town of Los Gatos IRS Section 115 Trust and California Employers' Retiree Benefit Trust (CERBT).

**DISCUSSION:**

The following discussion will follow the sequence of recommendations listed above:

*Oversight Committee*

The approval of PARS as the administrator of the Town's Section 115 Pension Trust established the operational structure necessary for the administration of pension assets. This structure includes PARS as the Trust Administrator with responsibilities for recordkeeping, reporting, servicing, compliance monitoring, and general program coordination. In addition, U.S. Bank serves as the Trustee and Custodian entrusted with a fiduciary role to safeguard the Town's assets. U.S. Bank has delegated the management of investments to Highmark Capital Management who provides active portfolio management for a series of portfolio options.

In addition, The CERBT trust initially provided a single investment vehicle similar to the CalPERS pension fund; however, the CERBT has since established three investment strategies with varying degrees of risk/return profiles. Given that CERBT maintains all the assets of the OPEB Plan and with the addition of multiple asset allocation strategies; the CERBT should be included in this governance structure. The Town Council as the governing body is responsible for the

DISCUSSION (Cont'd):

overall oversight of the pension and OPEB assets. This oversight includes ensuring compliance with the following:

- Federal laws and regulations (primarily those administered by the Internal Revenue Service and the US Treasury Department)
- State and local laws and regulations
- Industry standards, such as those set forth for accounting, financial reporting, and actuarial valuations, and
- The Pension and OPEB Plans' own strategic plan; policies, rules, and procedures.

Of note, Article XVI of the California State Constitution covers public finance. Section 17 of this article provides for the provision of pensions by a retirement board, who is vested with the responsibility of administering pension funds. Among other actions, Article XVI, Section 17, stipulates that investment of moneys and administration of the system are subject to the following:

*"The members of the retirement board of a public pension or retirement system shall discharge their duties with respect to the system solely in the interest of, and for the exclusive purposes of providing benefits to, participants and their beneficiaries, minimizing employer contributions thereto, and defraying reasonable expenses of administering the system. A retirement board's duty to its participants and their beneficiaries shall take precedence over any other duty."*

*"The assets of a public pension or retirement system are trust funds and shall be held for the exclusive purposes of providing benefits to participants in the pension or retirement system and their beneficiaries and defraying reasonable expenses of administering the system."*

*"The members of the retirement board of a public pension or retirement system shall discharge their duties with respect to the system with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims."*

*"The members of the retirement board of a public pension or retirement system shall diversify the investments of the system so as to minimize the risk of loss and maximize the rate of return, unless under the circumstances it is clearly not prudent to do so."*

**DISCUSSION (Cont'd):**

In addition to ensuring regulatory compliance, the Government Finance Officers Association opines that pension plan trustees and administrators carry out four primary functions in oversight of the investment process:

- Adopt an IRS 115 Pension Trust and OPEB Trust Assets Investment Policy
- Develop an asset allocation plan
- Assemble an investment team
- Monitor the investment program's implementation and performance

The establishment of a separate 115 Pension Trust and OPEB Trust Oversight Committee comprised of the entire Council will ensure that the oversight of pension and healthcare assets receives the requisite attention commensurate with the fiduciary responsibility as stated in a draft Investment Policy for the Trusts' Assets (Attachment 1). Additional training will be provided to the Council to prepare it for these responsibilities. The Finance Committee would retain its role as advisory to the Town Council/Trusts Oversight Committee.

***IRS 115 Pension Trust and OPEB Trust Assets Investment Policy***

The Government Finance Officers Association (GFOA) recommends that state and local entities establish a formal IRS 115 Pension Trust and OPEB Trust Assets Investment Policy that is approved by the governing board of the Pension and OPEB Plans (Attachment 1). This Investment Policy would govern the investments for the Town of Los Gatos IRS Section 115 Pension Trust and California Employers' Retiree Benefit Trust (CERBT). The purpose of the Investment Policy is to provide a framework for the management of the 115 trust assets. GFOA recommends that an investment policy contain the following elements:

- Statement of purpose – This section would articulate the rationale for the policy as well as the investment goals and objectives.
- Roles and Responsibilities – This section documents accountability for all stages of Investment Policy development and implementation.
- Standard of care – This section identifies the standard of prudence that the decision makers are expected to meet in carrying out their investment responsibilities.
- Asset Allocation – This section would summarize the long-term asset allocation strategy of the plan.
- Reporting and monitoring – This section will describe the frequency and manner in which external and internal parties report investment results.

DISCUSSION (Cont'd):

In addition to the GFOA suggested elements; the Certified Financial Analyst (CFA) Institute identifies the following elements of the Investment Policy:

- Scope and Purpose
- Governance
- Investment, return, and risk objectives
- Risk Management

*Section 115 Pension and OPEB Trusts' Asset Allocations*

The ultimate goal of a defined benefit (DB) plan is to provide retirement benefits to retirees. Historically, approximately two-thirds of pension assets are derived from investment earnings. In addition, research consistently shows that about 90% of the variation in portfolio returns is attributable to strategic asset allocation. The Town's Pension and OPEB Trusts were initially established with the following objectives in mind:

- Assets placed in the trusts remain controlled by the Town.
- The Trusts provide a mechanism for the Town to fund its pension and OPEB liabilities, as an additional way to reduce the amount of the Town's unfunded liabilities.
- The 115 Pension Trust can be "pre-funded" at a lower discount rate should there be flexibility in revenues available in the operating budget or with some portion of available year-end savings.
- Earnings in the 115 Pension Trust in the long term will very likely exceed the returns made on the Town's general portfolio because of a wider range of available investment choices and fewer restrictions such as the ability to invest in equities (stocks).
- 115 Pension Trust earnings can be used in future years to pay for increased pension costs as potential augmentation to the Town's operating budget revenues.
- The 115 Pension Trust provides a funding vehicle to accumulate assets that can be used in the future to pay down the unfunded pension liabilities in a variety of ways, including lump sum payments made to CalPERS to identified actuarial bases, or to make additional payments to CalPERS in each fiscal year cycle assuming a lower discount rate assumption of ongoing annual returns.
- Assets placed in the 115 Pension Trust can be invested strategically at a level of risk that provides a hedge against market downturns and volatility experienced by the fairly aggressive asset allocation utilized for the CalPERS portfolio.

DISCUSSION (Cont'd):

115 Pension Trust: Highmark Capital Management currently provides the 115 Pension Trust with five different asset allocation options. Each asset allocation has varying degrees of exposure to equity, fixed income, and cash. The five asset allocations are intended to provide the Pension Plans with five distinct risk/reward profiles. The following are the asset allocations:

	Conservative	Moderately Conservative	Moderate	Balanced	Capital Appreciation
<b>Equity</b>	15%	30%	50%	60%	75%
<b>Fixed Income</b>	80%	65%	45%	35%	20%
<b>Cash</b>	5%	5%	5%	5%	5%
<b>Expected Return</b>	4.95%	5.68%	6.48%	6.85%	7.39%
<b>Expected Standard Deviation</b>	4.13%	5.26%	7.54%	8.84%	10.9%

OPEB Trust: The CalPERS managed CERBT provides three distinct asset allocations. Each asset allocation has varying degrees of exposure to equity, fixed income, TIPs, REITs, and commodities. Similar to Highmark each asset allocation provides different risk/return profiles. Currently the OPEB Plan is invested in Strategy 1. Following are the asset allocations:

	Strategy 1 Less conservative	Strategy 2 Balanced	Strategy 3 More Conservative
<b>Equity</b>	57%	40%	24%
<b>Fixed Income</b>	27%	39%	39%
<b>TIPs</b>	5%	10%	26%
<b>REITs</b>	8%	8%	8%
<b>Commodities</b>	3%	3%	3%
<b>5 Year Return (net)</b>	7.8%	6.4%	4.9%

Given the aforementioned prudent fiduciary principles, diversification mandate, uncertainty of timing of withdrawals, and recognizing that one of the primary goals of the 115 Pension Trust is to provide a steadily increasing level of funds, staff recommends choosing an asset allocation that maintains a relatively more conservative level of risk at this time. In the case of Highmark Capital Management, staff recommends the PARS Moderately Conservative allocation. For the

CERBT asset allocation, staff recommends maintaining Strategy 1 due to the anticipated longer time horizon prior to any withdrawals. It should be noted that the expected return for

DISCUSSION (Cont'd):

PARS Moderately Conservative portfolio and the 5 year net return for CERBT Strategy 1 both exceed the return of the operating portfolio. In addition, staff believes that the recommended asset allocations are prudent pending an actuarial review by the Town's contracted actuary. A holistic review of the Town's existing and future pension and OPEB responsibilities will help inform the Committee and the Council as to: the maturity stage, future growth estimates, projected level of benefit payments, etc. A better understanding of the liabilities associated with the Town's future pension and OPEB obligations may dictate appropriate levels of risk and return for plan assets.

*Highmark Capital Management Investment Guidelines Document (115 Pension Trust)*

As part of Highmark Capital Management's fiduciary role, it has provided the Town with an Investment Guidelines Document (IGD) which establishes the Investment Policy between Highmark and the Town. Similar to the draft Investment Policy for the Trusts, it is prudent to have a formal documented investment understanding between the Town and our Investment Manager. The purpose of the IDG is to:

- Reflect the 115 Pension Trust goals including which investment allocation strategy best aligns with the Town's approved Investment Policy for the Trusts.
- Facilitate the process of ongoing communication between the Plan Sponsor (Town Council) and its plan fiduciaries (Union Bank as trustee, PARS acting as Administrator, and Highmark Capital Management as a designated investment manager).
- Confirm the 115 Pension Trust's investment goals and objectives and investment management policies applicable to the investment portfolio identified below and obtained from the Town.
- Provide a framework to construct a well-diversified asset mix that can potentially be expected to meet the 115 Pension Trust's short- and long-term needs that is consistent with the overall Pension Plan's investment objectives, liquidity considerations and risk tolerance.
- Identify any unique considerations that may restrict or limit the investment discretion of its designated investment managers.
- Help maintain a long-term perspective when market volatility is caused by short-term market movements.

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**SUBJECT: REVIEW AND DISCUSS OVERSIGHT BOARD, INVESTMENT POLICY AND ASSET ALLOCATION**  
**DATE: OCTOBER 9, 2017**

Staff has provided a sample IDF as Attachment 2 of this report which provides sample details of the investment policy and procedures and assumes the recommendation of the Moderately Conservative. Staff has reviewed the document and concurs with the Moderately Conservative

**DISCUSSION (Cont'd):**

recommendation with modest revisions, including more specificity regarding investment discretion. If this is also the recommendation of the Finance Committee, then this IDF will be prepared for Council consideration.

**CONCLUSION AND STAFF RECOMMENDATION:**

Staff recommends that the Council Finance Committee recommend to the Town Council:

1. Establishing the Town Council as the Oversight Committee for the Town of Los Gatos IRS Section 115 Pension Trust and California Employers' Retiree Benefit Trust (CERBT);
2. Adopting an Investment Policy for the Town of Los Gatos IRS Section 115 Pension Trust and California Employers' Retiree Benefit Trust (CERBT);
3. Approving staff recommended asset allocations for both the Town of Los Gatos IRS Section 115 Pension Trust and California Employers' Retiree Benefit Trust (CERBT); and
4. Adopting the Investment Guidelines Document between the Town of Los Gatos and Highmark Capital Management for the 115 Pension Trust.

**Attachments:**

1. Draft IRS 115 Pension and OPEB Trust Assets Investment Policy
2. Highmark Investment Guidelines Document

**Draft**

**Town of Los Gatos IRS Section 115 Pension Trust and  
California Employers' Retiree Benefit Trust (CERBT)  
Investment Policy**

**Purpose**

The Town of Los Gatos (the "Town") has established the Town of Los Gatos IRS Section 115 Pension Trust (the "115 Pension Trust") and the California Employers' Retiree Benefit Trust (the "CERBT"), collectively the "115 Trusts", in order to provide for funding of pension, retiree health and other post-employment benefits for the City's eligible retirees. The 115 Pension Trust acts as an additional investment vehicle for the overall funding of pension liabilities associated with the Town's Miscellaneous and Safety Pension Plans (the "Pension Plans"). The CERBT is the single investment vehicle for the Town's OPEB Plan ("OPEB Plan"). The Town has established the 115 Trusts Oversight Committee (the "Oversight Committee") to oversee the assets of the 115 Trusts and to perform the duties and responsibilities set forth in this Investment Policy (IP).

**Composition**

The membership of the Oversight Committee is composed of the entire Town Council.

**Fiduciary Duties and Responsibilities**

The Oversight Committee has the following fiduciary duties and responsibilities:

1. The Oversight Committee has exclusive control of the investments of the 115 Trusts. The Oversight Committee will manage the funds under the Trusts:
  - a) solely in the interest of, and for the exclusive purposes of providing for funding of benefits for participants and their beneficiaries, minimizing employer contributions thereto, and defraying reasonable expenses of administering the Trusts;
  - b) with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims; and
  - c) by diversifying the investments of the Trusts so as to minimize the risk of loss and to maximize the rate of return, unless under the circumstances it is clearly prudent not to do so.

2. The work of the Oversight Committee shall be consistent with a written statement of Investment Policy (i.e., this Investment Policy for the Trusts). At least once every three years, the Oversight Committee will evaluate the appropriateness of the Investment Policy and, based on such evaluation, either confirm the tenets of the Investment Policy as then in effect, or amend the 115 Trusts Investment Policy as appropriate. The Investment Policy must include the following:
  - a) document investment objectives, performance expectations and investment guidelines for assets under the Trusts;
  - b) establish an appropriate investment strategy for managing all assets under the Trusts, including an investment time horizon, risk tolerance ranges and asset allocation to provide sufficient diversification and overall return over the long-term time horizon of the Trusts; and
  - d) establish periodic performance reporting requirements that will effectively monitor investment results and ensure that the investment policy is being followed.

### **Investment Objectives**

1. The primary objective of the 115 Trusts investment portfolios is to satisfy the Pension Plans and OPEB Plan obligations to pay benefits to members and their beneficiaries. To do so, the 115 Trusts will seek to achieve long-term net returns in excess of the actuarial investment return assumption while maintaining a reasonable level of investment risk.
2. The funds will be managed as an ongoing concern with a long-term investment horizon, consistent with demographic profile of the members and beneficiaries of the plans.
3. A range of risks will be managed in connection with the trusts, with an emphasis on the following:
  - a) The impact of the investment decisions on the funded status of the plans and the resulting volatility of contributions.
  - b) Risk of loss of plan assets.
4. In determining the investment strategies of the 115 Trusts, various factors will be considered including, but not limited to:
  - a) The structure and duration of the Pension Plans and OPEB Plan liabilities.
  - b) Modern Portfolio Theory.

c) The liquidity needs of Pension Plans and OPEB Plan.

### **Investment Strategy/Asset Allocation**

The Oversight Committee has delegated the investment management function to third parties. These third parties offer multiple asset allocation options with varying degrees of risk return profiles. The Oversight Committee will select the asset allocation which best aligns with the aforementioned fiduciary standards and investment objectives.

The Oversight Committee will review the selected asset allocations annually. However, the Oversight Committee can review the current asset allocation selections at any time in light of market conditions.

### **Monitoring and Reporting**

The Oversight Committee will do all of the following:

1. Monitor the 115 Trusts investment managers on an ongoing basis and may be terminated by Oversight Committee at any time due to performance or other developments that call into question the investment manager's ability to continue to effectively manage assets of the 115 Trusts.
2. Review and assess the performance of any Investment Manager(s) appointed by the Oversight Committee to perform services related to the Trusts quarterly.
3. Measure and evaluate the quarterly performance of investment managers relative to appropriate long-term performance benchmark.
4. Review the actuarial evaluations annually.
5. Monitor compliance with this Investment Policy for the Trusts.

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## Investment Guidelines Document

### Town of Los Gatos Employee Benefits Fund Pension Plan

September 2017

# Investment Guidelines Document

## Scope and Purpose

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The purpose of this Investment Guidelines Document is to:

- Facilitate the process of ongoing communication between the Plan Sponsor and its plan fiduciaries;
- Confirm the Plan's investment goals and objectives and management policies applicable to the investment portfolio identified below and obtained from the Plan Sponsor;
- Provide a framework to construct a well-diversified asset mix that can potentially be expected to meet the account's short- and long-term needs that is consistent with the account's investment objectives, liquidity considerations and risk tolerance;
- Identify any unique considerations that may restrict or limit the investment discretion of its designated investment managers;
- Help maintain a long-term perspective when market volatility is caused by short-term market movements.

## Key Plan Sponsor Account Information as of September 2017

<b>Plan Sponsor:</b>	Town of Los Gatos
<b>Governance:</b>	City Council for the Town of Los Gatos
<b>Plan Name ("Plan"):</b>	Town of Los Gatos Employee Benefit Fund Pension Plan
<b>Trustee:</b>	US Bank Contact: Susan Hughes, 949-224-7209 <a href="mailto:susan.hughes@usbank.com">susan.hughes@usbank.com</a>
<b>Type of Account:</b>	Pension Plan
<b>ERISA Status:</b>	Not subject to ERISA
<b>Investment Manager:</b>	US Bank, as discretionary trustee, has delegated investment management responsibilities to HighMark Capital Management, Inc. ("Investment Manager"), an SEC-registered investment adviser Contact: Andrew Brown, CFA, 415-705-7605 <a href="mailto:Andrew.Brown@highmarkcapital.com">Andrew.Brown@highmarkcapital.com</a>

**Investment Authority:** Except as otherwise noted, the Trustee, US Bank, has delegated investment authority to HighMark Capital Management, an SEC-registered investment adviser. Investment Manager has full investment discretion over the managed assets in the account. Investment Manager is authorized to purchase, sell, exchange, invest, reinvest and manage the designated assets held in the account, all in accordance with account's investment objectives, without prior approval or subsequent approval of any other party(ies).

## **Investment Objectives and Constraints**

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The goal of the Plan's investment program is to provide a reasonable level of growth which, will result in sufficient assets to pay the present and future obligations of the Plan. The following objectives are intended to assist in achieving this goal:

- The Plan should seek to earn a return in excess of its policy benchmark over the life of the Plan.
- The Plan's assets will be managed on a total return basis which takes into consideration both investment income and capital appreciation. While the Plan Sponsor recognizes the importance of preservation of capital, it also adheres to the principle that varying degrees of investment risk are generally rewarded with compensating returns. To achieve these objectives, the Plan Sponsor allocates its assets (asset allocation) with a strategic perspective of the capital markets.

<b>Investment Time Horizon:</b>	Intermediate-Term 5 - 7 years
<b>Anticipated Cash Flows:</b>	Assets in the Plan will seek to mitigate the impact of future rate increases from Calpers. It is not anticipated that the Plan will see a high level of disbursements in the first five years of the Plan. However, situations may arise, leading to a disbursement in assets to the Calpers Trust.
<b>Investment Objective:</b>	The primary objective is to generate a reasonable level of growth. The assets in this Plan will eventually be used to fund Pension Plan obligations for assets managed in the Calpers Trust.
<b>Risk Tolerance:</b>	<b>Moderately Conservative</b> The account's risk tolerance has been rated moderately conservative, which demonstrates that the account can accept modest price fluctuations to pursue its investment objectives.

**Strategic Asset Allocation:** The asset allocation ranges for this objective are listed below:

Strategic Asset Allocation Ranges		
Cash	Fixed Income	Equity
0-20%	50%-80%	20%-40%
Policy: 5%	Policy: 65%	Policy: 30%

Market conditions may cause the account's asset allocation to vary from the stated range from time to time. The Investment Manager will rebalance the portfolio no less than quarterly and/or when the actual weighting differs substantially from the strategic range, if appropriate and consistent with your objectives.

**Security Guidelines:**

**Equities**

With the exception of limitations and constraints described above, Investment Manager may allocate assets of the equity portion of the account among various market capitalizations (large, mid, small) and investment styles (value, growth). Further, Investment Manager may allocate assets among domestic, international developed and emerging market equity securities.

Total Equities	20%-40%
<i>Equity Style</i>	<i>Range</i>
Domestic Large Cap Equity	10%-30%
Domestic Mid Cap Equity	0%-10%
Domestic Small Cap Equity	0%-12%
International Equity (incl. Emerging Markets)	0%-12%
Real Estate Investment Trust (REIT)	0%-8%

**Fixed Income**

In the fixed income portion of the account, Investment Manager may allocate assets among various sectors and industries, as well as varying maturities and credit quality that are consistent with the overall goals and objectives of the portfolio.

Total Fixed Income	50%-80%
<i>Fixed Income Style</i>	<i>Range</i>
Long-term bonds (maturities >7 years)	0%-30%
Intermediate-term bonds (maturities 3-7 years)	30%-80%
Short-Term bonds (maturities <3 years)	0%-25%
High Yield bonds	0%-6%

**Performance Benchmarks:**

The performance of the total Plan shall be measured over a three and five-year periods. These periods are considered sufficient to accommodate the market cycles experienced with investments. The performance shall be compared to the return of the total portfolio blended benchmark shown below.

**Total Portfolio Blended Benchmark**

15.50%	S&P 500 Index
3.00%	Russell Mid Cap Index
4.50%	Russell 2000 Index
2.00%	MSCI Emerging Markets Index
4.00%	MSCI EAFE Index
1.00%	Wilshire REIT Index
49.25%	Bloomberg Barclays US Aggregate Index
14.00%	ML 1-3 Year US Corp/Gov't Index
1.75%	US High Yield Master II Index
5.00%	Citi 1Mth T-Bill Index

**Asset Class/Style Benchmarks**

Over a market cycle, the long-term objective for each investment strategy is to add value to a market benchmark. The following are the benchmarks used to monitor each investment strategy:

Large Cap Equity	S&P 500 Index
Growth	S&P 500 Growth Index
Value	S&P 500 Value Index
Mid Cap Equity	Russell Mid Cap Index
Growth	Russell Mid Cap Growth Index
Value	Russell Mid Cap Value Index
Small Cap Equity	Russell 2000 Index
Growth	Russell 2000 Growth Index
Value	Russell 2000 Value Index
REITs	Wilshire REIT Index
International Equity	MSCI EAFE Index
Investment Grade Bonds	Bloomberg Barclays US Aggregate Index
High Yield	US High Yield Master II Index

**Security Selection**

Investment Manager may utilize a full range of investment vehicles when constructing the investment portfolio, including but not limited to individual securities, mutual funds, and exchange-traded funds. In addition, to the extent permissible, Investment Manager is authorized to invest in shares of mutual funds in which the Investment Manager serves as advisor or sub-adviser.

### ***Investment Limitations:***

The following investment transactions are prohibited:

- Direct investments in precious metals (precious metals mutual funds and exchange-traded funds are permissible).
- Venture Capital
- Short sales\*
- Purchases of Letter Stock, Private Placements, or direct payments
- Leveraged Transactions\*
- Commodities Transactions Puts, calls, straddles, or other option strategies\*
- Purchases of real estate, with the exception of REITs
- Derivatives, with exception of ETFs\*

*\*Permissible in diversified mutual funds and exchange-traded funds*

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## **Duties and Responsibilities**

### ***Responsibilities of Plan Sponsor***

The Plan Administrator and Finance Committee for the Town of Los Gatos is responsible for:

- Confirming the accuracy of this Investment Guidelines Document, in writing.
- Advising Trustee and Investment Manager of any change in the plan/account's financial situation, funding status, or cash flows, which could possibly necessitate a change to the account's overall risk tolerance, time horizon or liquidity requirements; and thus would dictate a change to the overall investment objective and goals for the account.
- Monitoring and supervising all service vendors and investment options, including investment managers.
- Avoiding prohibited transactions and conflicts of interest.

### ***Responsibilities of Trustee***

The plan Trustee is responsible for:

- Valuing the holdings.
- Collecting all income and dividends owed to the Plan.
- Settling all transactions (buy-sell orders).

### ***Responsibilities of Investment Manager***

The Investment Manager is responsible for:

- Assisting the Plan Administrator and Finance Committee for the Town of Los Gatos with the development and maintenance of this Investment Policy Guideline document.
- Meeting with Plan Administrator and Finance Committee for the Town of Los Gatos to review portfolio structure, holdings, and performance.
- Designing, recommending and implementing an appropriate asset allocation consistent with the investment objectives, time horizon, risk profile, guidelines and constraints outlined in this statement.
- Researching and monitoring investment advisers and investment vehicles.
- Purchasing, selling, and reinvesting in securities held in the account.
- Monitoring the performance of all selected assets.
- Voting proxies, if applicable.
- Recommending changes to any of the above.

- Periodically reviewing the suitability of the investments, being available to meet with the committee at least once each year, and being available at such other times within reason at your request.
- Preparing and presenting appropriate reports.
- Informing the committee if changes occur in personnel that are responsible for portfolio management or research.

### **Acknowledgement and Acceptance**

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I/We being the Plan Sponsor with responsibility for the account(s) held on behalf of the Plan Sponsor specified below, designate Investment Manager as having the investment discretion and management responsibility indicated in relation to all assets of the Plan or specified Account. If such designation is set forth in the Plan/trust, I/We hereby confirm such designation as Investment Manager.

I have read the Investment Guidelines Document, and confirm the accuracy of it, including the terms and conditions under which the assets in this account are to be held, managed, and disposed of by Investment Manager. This Investment Guidelines Document supersedes all previous versions of an Investment Guidelines Document or investment objective instructions that may have been executed for this account.

Date: \_\_\_\_\_

Plan Sponsor: Town of Los Gatos

Date: \_\_\_\_\_

Investment Manager: Andrew Brown, CFA, Portfolio Manager, (415) 705-7605

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**TOWN OF LOS GATOS  
FINANCE COMMITTEE REPORT**

MEETING DATE: 12/04/2017

ITEM NO: 3

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DATE: NOVEMBER 28, 2017

TO: COUNCIL FINANCE COMMITTEE

FROM: LAUREL PREVETTI, TOWN MANAGER

SUBJECT: REVIEW, DISCUSS, AND RECOMMEND TO THE PENSION AND OTHER POST EMPLOYMENT BENEFIT (OPEB) OVERSIGHT COMMITTEE TO:

- A. ADOPT AN ASSET ALLOCATION FOR THE TOWN OF LOS GATOS IRS SECTION 115 PENSION TRUST
- B. EXPENDITURE BUDGET ADJUSTMENT FROM AVAILABLE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS)/OPEB FUND BALANCE TO DEPOSIT TO THE IRS SECTION 115 PENSION TRUST

**RECOMMENDATION:**

Staff recommends that the Council Finance Committee review, discuss, and recommend to the Pension and OPEB Oversight Committee to:

1. Adopt an asset allocation for the Town of Los Gatos IRS Section 115 Pension Trust
2. Recommend a \$3,388,913 expenditure budget adjustment from available CalPERS/OPEB fund balance to deposit to the IRS Section 115 Pension Trust.

**BACKGROUND:**

On August 15, 2017, Town Council approved Public Agency Retirement Services (PARS) as the administrator of the Town's Section 115 Pension Trust. The 115 Pension Trust acts as an additional investment vehicle for the overall funding of pension liabilities associated with the Town's Miscellaneous and Safety Pension Plans (the "Pension Plans"). The 115 Pension Trust provides the Town with flexibility in a variety of ways, including making lump sum payments directly to CalPERS and augmenting budget stability by using trust assets to defray pension costs in future years. In addition, the 115 Pension Trust can be utilized to either mimic or alter the risk/reward profile of assets currently invested with CalPERS.

**PREPARED BY:** STEPHEN CONWAY  
FINANCE DIRECTOR

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Reviewed by: Town Manager, Assistant Town Manager, and Town Attorney

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On October 9, 2017, the Finance Committee deliberated staff's recommendation to invest in the PARS Moderately Conservative allocation. Staff's recommendation was based on maintaining more diversification from existing equity exposures and the uncertainty of timing of future withdrawals from the Trust. The Committee opted not to accept staff's recommendation at the time and requested additional information regarding the current asset allocation with CalPERS, the costs associated with each PARS asset allocation, and the total amount of monies to be invested.

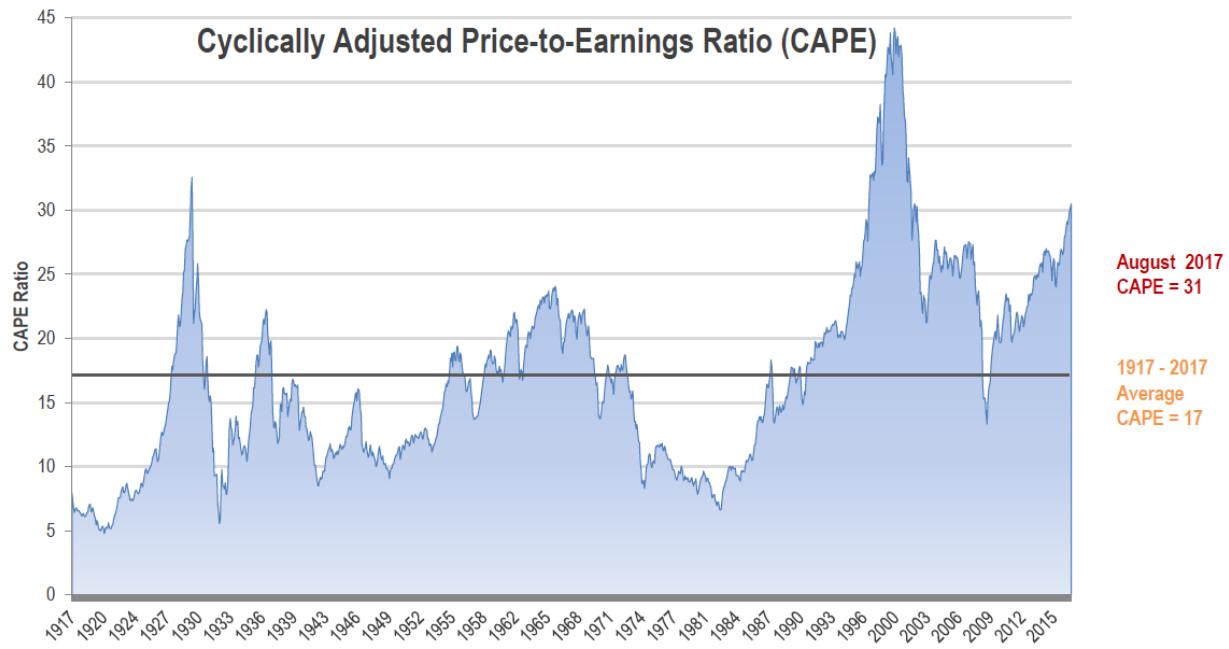
**DISCUSSION:**

*CalPERS Asset Allocation*

On October 13, 2017, staff attended the CalPERS 2017 Asset Liability Management (ALM) Workshop. During the workshop CalPERS Investment staff presented information regarding the current construct of the Public Employees' Retirement Fund (PERF) and updated expected returns. In addition the workshop presented four alternative asset allocation portfolios and the expected return/risks associated with those portfolios. The expected portfolio returns were illustrated in 1-10 year returns, 11-60 year returns, and a blended 1-60 year return. As the table below illustrates, CalPERS staff believes the expected returns for the next decade will be below the currently assumed rate of return of 7.0%. CalPERS staff partially attributes the lower short term (1-10 year) expected return on market valuations being currently high relative to historical standards. Historically, approximately two-thirds of pension assets are derived from investment earnings. In addition, research consistently shows that about 90% of the variation in portfolio returns is attributable to strategic asset allocation.

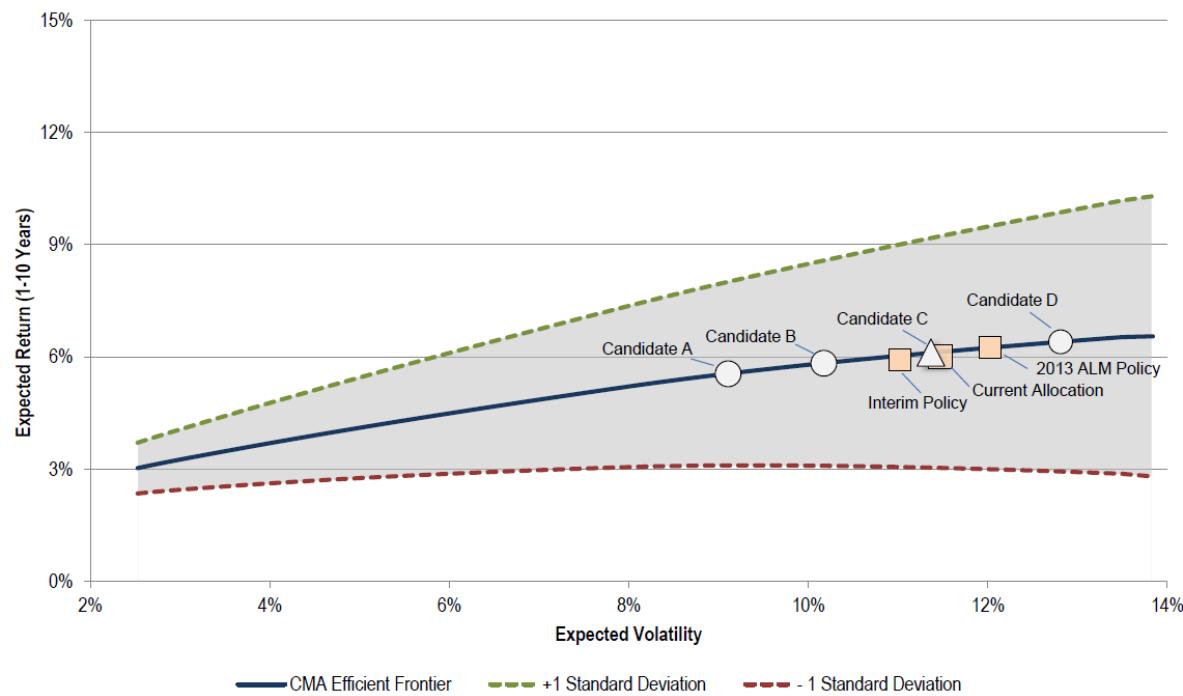
Asset Allocation of Preliminary Candidate Portfolios					Allocation 9/30/2017	Interim Policy 9/30/2016	ALM Policy 2013
Asset Class Component	Candidate A ○	Candidate B ○	Candidate C △	Candidate D ○			
Global Equity	34%	42%	50%	59%	50%	46%	47%
Private Equity	8%	8%	8%	8%	8%	8%	12%
Fixed Income	44%	36%	28%	19%	19%	20%	19%
Real Assets	13%	13%	13%	13%	-	-	-
Real Estate	-	-	-	-	9%	11%	11%
Infrastructure/Forestland	-	-	-	-	2%	2%	3%
Inflation Assets	0%	0%	0%	0%	8%	9%	6%
Liquidity	1%	1%	1%	1%	4%	4%	2%
Expected Compound Return (1-10 yrs.)	5.6%	5.8%	6.1%	6.4%	6.0%	5.9%	6.2%
Long Term Expected Return (11-60 yrs.)	7.8%	8.0%	8.3%	8.5%	8.1%	8.0%	8.3%
Blended Return (1-60 yrs.)	6.50%	6.75%	7.00%	7.25%	6.85%	6.77%	7.09%
Expected Volatility	9.1%	10.2%	11.4%	12.8%	11.5%	11.0%	12.0%
Cash Yield:	3.1%	3.0%	2.9%	2.7%	-	-	-

CalPERS 2017 Asset Liability Management Workshop



CalPERS 2017 Asset Liability Management Workshop

The ALM Workshop also provided the following analysis to illustrate the variability associated with expected returns relative to the current CalPERS and candidate portfolios.



#### *PARS 115 Trust Asset Allocation Expenses*

Highmark Capital Management currently provides the 115 Pension Trust with five different asset allocation options. Each asset allocation has varying degrees of exposure to equity, fixed income, and cash. The five asset allocations are intended to provide the Pension Plans with five distinct risk/reward profiles. Relative to the current CalPERS asset allocation, the PARS Balanced and Capital Appreciation portfolios have similar (or higher) equity exposure to CalPERS and the PARS Moderate, Moderately Conservative, and Conservative portfolios have lower equity exposure. The following are the asset allocations provided by PARS:

	PARS Conservative	PARS Moderately Conservative	PARS Moderate	PARS Balanced	PARS Capital Appreciation
<b>Equity</b>	15%	30%	50%	60%	75%
<b>Fixed Income</b>	80%	65%	45%	35%	20%
<b>Cash</b>	5%	5%	5%	5%	5%
<b>Expected Return</b>	4.95%	5.68%	6.48%	6.85%	7.39%
<b>Expected Standard Deviation</b>	4.13%	5.26%	7.54%	8.84%	10.9%

PAGE 5 OF 5

SUBJECT: REVIEW AND DISCUSS OVERSIGHT BOARDASSET ALLOCATION AND FUNDING  
LEVEL

DATE: NOVEMBER 28, 2017

The following table provides the fees associated the five asset allocations listed above:

	Weighted embedded Expense Ratio*	Weighted investment management fee**	PARS trust administration fee	Total fees
<b>PARS Conservative</b>	0.09%	0.33%	0.25%	0.67%
<b>PARS Moderately Conservative</b>	0.11%	0.34%	0.25%	0.70%
<b>PARS Moderate</b>	0.13%	0.34%	0.25%	0.72%
<b>PARS Balanced</b>	0.14%	0.34%	0.25%	0.73%
<b>PARS Capital Appreciation</b>	0.15%	0.34%	0.25%	0.74%

\*Represents the weighted embedded expense ratio for that fund (Source: Morningstar Direct)

\*\*Represents the weighted investment management fee net of any waivers in place for assets invested in funds for which HighMark serves as sub-adviser/adviser; assuming a \$5 million account

#### *115 Trust Investable Monies*

The current available balance subject to final audit and approval of the Town Council of the CalPERS/OPEB Reserve is approximately \$3.3 million. This includes the previously unallocated pension funds total of \$1.8 million held in a reserve account for future pension costs. With the creation of the 115 Pension Trust, staff recommends allocating these funds to the Trust for a total initial investment of \$3.3 million.

#### CONCLUSION AND STAFF RECOMMENDATION:

Given the aforementioned equity exposure currently obtained through the CalPERS PERF and the uncertainty of timing of withdrawals, staff still recommends choosing an asset allocation that maintains a relatively more conservative level of risk at this time. However, staff appreciates that the Finance Committee may prefer to recommend an asset allocation to the Pension and OPEB Oversight Committee which exhibits equity levels similar to PERF or higher.