

Regional Solid Waste Association

City of Del Mar
Terry Sinnott

City of Encinitas
Mark Muir

City of National City
Ron Morrison

City of Poway
John Mullin

City of Solana Beach
Mike Nichols

City of Vista
Dave Cowles

Special Contract Party
City of Escondido
Michael Morasco

General Manager
Lin Wurbs

General Counsel
Tom Nixon

ADJOURNED REGULAR MEETING AGENDA

JULY 11, 2013

9:00 a.m.

**Fletcher Cove
Community Center
133 Pacific Avenue
Solana Beach, CA**



REGIONAL SOLID WASTE ASSOCIATION
ADJOURNED REGULAR MEETING AGENDA

July 11, 2013
9:00 a.m.

Fletcher Cove Community Center
City of Solana Beach
133 Pacific Avenue
Solana Beach, CA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. SWEARING-IN OF NEW BOARD MEMBER(S) - ACTION ITEM

This item is scheduled to swear-in new board members as the delegate/representative from a member city.

3. ORAL COMMUNICATIONS

This item is scheduled to provide an opportunity for public testimony on matters within the jurisdiction of the Association. The Association may receive comments but no action may be taken. Anyone desiring to speak is requested to fill out a speaker slip.

4. REVIEW ASSOCIATION MEETING MINUTES OF MAY 16, 2013 – RECEIVE AND FILE

This item is scheduled for the Board to review and receive and file the Special Board Meeting Minutes of May 16, 2013.

5. REVIEW AND APPROVAL OF CONTRACT FOR GENERAL COUNSEL AND GENERAL MANAGER SERVICES WITH WOODRUFF, SPRADLIN AND SMART AND REVIEW AND APPROVAL OF CONTRACT FOR TRANSITION ASSISTANCE FROM LIN WURBS – ACTION ITEMS

Chairman Morrison, Vice Chair Nichols and current General Manager Wurbs will report on the negotiations and contract deliberations with Mr. Nixon to retain his services as General Manager in addition to his services as General Counsel. Chairman Morrison and Vice Chair Nichols will also report on their negotiations with Ms. Wurbs to retain her services as a Transition Assistant to RSWA.

6. REPORT BY INDIVIDUAL CITIES ON USE OF EDUCATION FUNDING - POSSIBLE ACTION ITEM

This item is scheduled for each of the Member Cities to report on the use of the RSWA supported \$1,000 per jurisdiction education funding within their respective City. The Board may want to make a recommendation regarding continued funding of this item.

7. FINANCE AND BUDGET - INFORMATION & ACTION ITEMS

A. Review the Draft 2013/2014 RSWA Investment Policy and Adopt Resolution #2013-01 Approving the Policy - Action Item

Board Treasurer Sinnott, General Manager Wurbs, Finance Manager Dale Nielsen of the City of Vista, RSWA's Fiduciary Agent, as well as General Counsel Tom Nixon are recommending approval of the Association's Investment Policy through adoption of Resolution #2013-01. The policy mirrors the investment policy of the City of Vista and there was one recommended change to the City of Vista Investment Policy for 2013/2014 that is applicable to the Regional Solid Waste Association.

B. RSWA Investment Report for the Fourth Quarter of Fiscal Year 2012/2013 -- Information Item (Receive and File)

Treasurer Sinnott, General Manager Wurbs and Fiduciary Agency representative Dale Nielsen of the City of Vista will review the investment report as of June 30, 2013.

The recommendation is to receive and file the investment report.

C. Review Budget and Expenditure Status for the Fourth Quarter of Fiscal Year 2012/2013 - Information Item (Receive and File)

Treasurer Sinnott, General Manager Wurbs and Fiduciary Agency representative Dale Nielsen of the City of Vista will review the fourth quarter budget and expenditure status as of June 30, 2013.

The recommendation is to review the status of both the budget and expenditures and receive and file the reports.

D. HHW – Door to Door Allocation & Funding – Action Item

This item is scheduled to discuss the HHW door-to-door senior and handicapped contract allocation from Philip Services (PSC) through the EDCO contract to RSWA which if approved will have an effect on the current expenditure amounts in the FY 2012/2013 Budget.

The Budget Subcommittee and General Manager Wurbs recommend allocating funding directly to the cities of Poway, National City and Vista to supplement the FY 2011/12 contract allocation which was utilized primarily by the coastal cities.

E. Review FY 2013/2014 and FY 2014/15 Budgets - Possible Action

General Manager Wurbs and the Budget Subcommittee composed of Treasurer Sinnott, Board Member Mullin and Chairman Morrison will present the draft FY 2013/2014 and FY 2014/2015 Budgets for review and approval.

The Budget Subcommittee recommends approval of the draft budgets for the two fiscal years.

8. HOUSEHOLD HAZARDOUS WASTE (HHW) ISSUES – INFORMATION AND POSSIBLE ACTION

Review HHW Items – Possible Action

This item is scheduled to review HHW issues of interest to the RSWA Board.

A. HHW Participation Reports - Information Item

General Manager Wurbs and Bill Wilson of the City of Encinitas will review the HHW participation reports with the RSWA Board and answer questions.

B. Report on the Pilot Project – HHW Education Cart Sticker – Information Item

Vice Chair Nichols will report on the HHW Education Cart Sticker that is a pilot project in the City of Solana Beach.

9. ADMINISTRATIVE MATTERS – POSSIBLE ACTION ITEMS

A. Discuss and Approve Future Meeting Schedule – Possible Action Item

October 3, 2013
January 9, 2014

This item is scheduled for discussion and approval of the future meeting schedule.

B. Reports by Board Members and/or RSWA Staff Regarding Conferences Attended – Information Item

This item is scheduled to provide an opportunity for Board Members or RSWA staff to report on conferences attended.

10. COMMENTS FROM ASSOCIATION MEMBERS, GENERAL COUNSEL AND GENERAL MANAGER

The Members may ask questions, make comments and ask that any matter be agenzized for consideration at a later meeting.

11. ADJOURNMENT

NOTE: Members of the Public may fill out a speaker slip to speak on any item on the Agenda or speak on any matter within the purview of the Association under the heading of Oral Communications.

REGIONAL SOLID WASTE ASSOCIATION

ADDRESSING THE ASSOCIATION BOARD

If you wish to speak to an item not on the posted agenda, but within the Association's subject matter jurisdiction, please submit a speaker slip to speak during Oral Communications. The Brown Act does not allow any discussion or action by the Board or staff on matters raised during public comment except: 1) to briefly respond to statements made or questions posed, 2) ask a question for clarification, 3) receive and file the matter, 4) if it is within staff's authority, refer it to them for a reply, or 5) direct that it be placed on a future board agenda for a report or action. A reasonable amount of time will be allocated by the Chair for public comment. Time donations are not permitted during Oral Communications.

If you wish to speak to an item on the agenda, please fill out a speaker slip indicating which agenda Item # you wish to speak to and hand it in before that item has been announced by the Chair. To donate time to another person, fill out a speaker slip indicating that fact. The person or persons donating time must be present when the speaker to whom they have donated time is heard.

ADDITIONAL INFORMATION: This agenda provides a brief description of each item to be considered by the Association Board. All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Board Members within 72 hours preceding a meeting, shall be available for public inspection (1) at the Solana Beach City Clerk's office during normal business hours; and (2) at the Fletcher Cove Community Center at the time of the meeting. Additional information is available through the General Manager to the Association at (619) 607-8115.

**PUBLIC NOTICE FOR THE ADJOURNED
REGULAR MEETING OF
THE REGIONAL SOLID WASTE ASSOCIATION**

**July 11, 2013
9:00 a.m.**

**Fletcher Cove Community Center
City of Solana Beach
133 Pacific Avenue
Solana Beach, CA**

In accordance with the requirements of California Government Code Section 54955, this Notice and the Agenda has been posted at Fletcher Cove Community Center, 133 Pacific Avenue, Solana Beach, CA and Solana Beach City Hall, 635 South Highway 101, Solana Beach, CA not less than 72 hours prior to the meeting date and time above.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the Association's General Manager, Lin Wurbs, at (619) 607-8115 at least forty-eight (48) hours prior to the meeting to allow the Association to make reasonable arrangements to ensure accessibility to this meeting.

I, Lin Wurbs, General Manager of the Regional Solid Waste Association, do hereby declare that on July 8, 2013 at or before 9:00 a.m., I caused the posting of the agenda for the adjourned regular meeting of the Regional Solid Waste Association for July 11, 2013 in the locations listed above which is freely accessible to the public.



**Lin Wurbs
General Manager
Regional Solid Waste Association**

**MINUTES
REGIONAL SOLID WASTE ASSOCIATION
SPECIAL MEETING**

**May 16, 2013
9:00 a.m.**

**Solana Beach City Hall
635 South Highway 101
Solana Beach, CA**

BOARD MEMBERS IN ATTENDANCE:

**Mayor Terry Sinnott, City of Del Mar – RSWA Treasurer
Council Member Michael Morasco, City of Escondido
Council Member Mark Muir, City of Encinitas
Mayor Ron Morrison, City of National City - RSWA Chairman
Mayor Mike Nichols, City of Solana Beach – RSWA Vice Chairman
Deputy Mayor John Mullin, City of Poway
Council Member Dave Cowles, City of Vista – RSWA Board Secretary**

STAFF RESOURCES IN ATTENDANCE:

**Lin Wurbs, RSWA General Manager
Tom Nixon, Legal Counsel
Denise Thomas, Finance Staff – City of Vista**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Nichols called the meeting to order at 9:20 a.m. and led the Board in the Pledge of Allegiance.

2. SWEARING-IN OF NEW BOARD MEMBER(S) - ACTION ITEM

There were no new Board members to be sworn-in.

3. ORAL COMMUNICATIONS

This item was scheduled to provide an opportunity for public testimony on matters within the jurisdiction of the Association. There was no public testimony.

4. REVIEW ASSOCIATION MEETING MINUTES OF JANUARY 10, 2013 AND SPECIAL MEETING/TOUR OF FEBRUARY 4, 2013– RECEIVE AND FILE

This item is scheduled for the Board to review and receive and file the Special Board Meeting Minutes of January 10, 2013 and the Special Meeting/Tour of February 4, 2013.

MOTION WAS MADE TO ACCEPT AND FILE THE MINUTES OF JANUARY 10, 2013 AND FEBRUARY 4, 2013. (Motion by Board Member Muir, City of Encinitas / Second by Board Secretary Cowles, City of Vista.) Motion was approved by a vote of 7 ayes, 0 nays.

5. **ELECTION OF OFFICERS - ACTION ITEM**

This item was scheduled for the election of officers. The last Election of Officers was held at the April 2012 Board meeting.

MOTION WAS MADE FOR RON MORRISON TO CONTINUE AS THE CHAIRMAN OF RSWA. (Motion by Vice Chair Nichols, City of Solana Beach / Second by Board Member Muir, City of Encinitas.) **MOTION WAS MADE TO CLOSE THE BALLOT AND VOTE ON THE MAIN MOTION.** (Motion by Board Member Muir, City of Encinitas / Second by Board Member Mullin, City of Poway.) **The motion to close the ballot was approved unanimously.**

The motion for Ron Morrison to Continue as the Chairman of RSWA was approved by a vote of 7 ayes, 0 nays.

MOTION WAS MADE TO APPROVE THE REST OF THE CURRENT OFFICERS – VICE CHAIR NICHOLS, TREASURER SINNOTT AND BOARD SECRETARY COWLES - AS A SLATE OF OFFICERS FOR 2013/2014. (Motion by Board Member Muir, City of Encinitas / Second by Board Member Mullin, City of Poway.) Motion was approved by a vote of 7 ayes, 0 nays.

6. **SOLID WASTE DISPOSAL CONTRACT RATE ADJUSTMENT – INFORMATION ITEM**

General Manager Wurbs provided an overview of the contract with EDCO and reviewed the 1.93% solid waste disposal rate adjustment for FY2013/2014 for the RSWA cities.

This item was an information item only, so no vote was taken.

7. **FINANCE AND BUDGET - INFORMATION & ACTION ITEMS**

A. **RSWA Investment Report – Information Item (Receive and File)**

Treasurer Sinnott, General Manager Wurbs and Fiduciary Agency representative Denise Thomas of the City of Vista reviewed the investment report as of April 18, 2013. The recommendation was to receive and file the investment report.

MOTION WAS MADE TO RECEIVE AND FILE THE INVESTMENT REPORT. (Motion by Board Secretary Cowles, City of Vista / Second by Board Member Mullin, City of Poway.) Motion was approved by a vote of 7 ayes, 0 nays.

B. Review Budget and Expenditure Status for the Third Quarter of Fiscal Year 2012/2013 - Information Item (Receive and File)

Treasurer Sinnott, General Manager Wurbs and Fiduciary Agency representative Denise Thomas of the City of Vista reviewed the third quarter budget and expenditure status as of April 18, 2013.

The recommendation from Treasurer Sinnott and General Manager Wurbs was to receive and file the reports.

MOTION WAS MADE TO RECEIVE AND FILE THE BUDGET AND EXPENDITURE STATUS REPORTS. (Motion by Board Secretary Cowles, City of Vista / Second by Treasurer Sinnott, City of Del Mar.) Motion was approved by a vote of 7 ayes, 0 nays.

C. Review FY 2013/2014 and FY 2014/15 Budget Process - Possible Action

General Manager Wurbs sought direction from the Board regarding the FY 2013/14 and FY 2014/15 budget process. Ms. Wurbs suggested that the Board might want to consider creating a Budget Subcommittee to review the budgets.

MOTION WAS MADE TO CREATE A BUDGET SUBCOMMITTEE COMPOSED OF TREASURER SINNOTT, BOARD MEMBER MULLIN AND CHAIRMAN MORRISON TO REVIEW BUDGETS FOR FY 2013/2014 AND FY 2014/2015. (Motion by Board Secretary Cowles, City of Vista / Second by Board Member Muir, City of Encinitas.) Motion was approved by a vote of 7 ayes, 0 nays.

8. HOUSEHOLD HAZARDOUS WASTE (HHW) ISSUES - INFORMATION ITEMS

A. PaintCare Program – Update Item

General Manager Wurbs provided an update on RSWA's involvement in the PaintCare program and provide a copy of the HHW Amendment to the Agreement for HHW Services between RSWA and EDCO.

B. HHW Participation Reports - Information Item

General Manager Wurbs and Bill Wilson of the City of Encinitas reviewed the HHW participation reports with the RSWA Board.

9. ADMINISTRATIVE MATTERS - ACTION ITEMS

A. Discuss and Approve Future Meeting Schedule -Possible Action Item

July 4, 2013 to July 11, 2013

October 3, 2013

January 2 or 9, 2014

This item was scheduled for discussion of the future meeting schedule.

MOTION WAS MADE TO APPROVE THE BOARD MEETING SCHEDULE OF JULY 11, 2013; OCTOBER 3, 2013; AND JANUARY 9, 2014. (Motion by Board Member Muir, City of Encinitas / Second by Board Secretary Cowles, City of Vista.) Motion was approved by a vote of 7 ayes, 0 nays.

B. Report by Vice Chair Nichols on RSWA Website Redesign – Information Item

This item was scheduled to provide an opportunity for Vice Chairman Nichols and General Manager Wurbs to report on the RSWA Website Redesign. Vice Chair Nichols provided an overview of the new website.

C. Reports by Board Members and/or RSWA Staff Regarding Conferences Attended – Information Item

This item was scheduled to provide an opportunity for Board Members or RSWA staff to report on conferences attended. No conferences were attended.

10. COMMENTS FROM ASSOCIATION MEMBERS, GENERAL COUNSEL AND GENERAL MANAGER

This item was scheduled for the Members to ask questions, make comments and ask that any matter be agendaized for consideration at a later meeting. Board Member Morasco asked whether the Board ever took positions on specific development proposals such as the recycling facility being proposed within the sphere of the City of Escondido. General Manager Wurbs responded that RSWA was unaware of the proposal. Vice President of EDCO Jeff Ritchie apprised the Board of the proposal from Arie de Jong. General Manager Wurbs responded that typically the Board does not take a position on an issue unless it is requested by an individual Board Member representing their City. Ms. Wurbs advised that the subject could not be discussed at the current meeting but that if Mr. Morasco requested the item to be agendaized for a future meeting it could be discussed at that time.

CLOSED SESSION AGENDA ITEMS

Legal Counsel Nixon provided the direction into Closed Session:

- 1. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION
AUTHORITY: Gov. Code 54957
TITLE: General Manager**
- 2. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION
AUTHORITY: Gov. Code 54957
TITLE: General Counsel**

(Immediately following the Closed Session)

REPORT FROM CLOSED SESSION

There was no action to report from Closed Session.

(Returned to Agenda Items of RSWA Board Meeting 5-16-2013)

Board Members Morasco and Muir did not return to the full Board Meeting and departed after the Closed Session at 10:45 a.m.

11. CONSIDERATION OF EXTENDING CURRENT GENERAL MANAGER AGREEMENT OR ALTERNATIVES

Ms. Wurbs requested a one month extension to her current contract which was to expire on June 30, 2013 and announced that she would be retiring from the job of General Manager.

MOTION WAS MADE TO APPROVE THE EXTENSION OF GENERAL MANAGER WURBS CONTRACT FOR THE MONTH OF JULY 2013. (Motion by Board Secretary Cowles, City of Vista / Second by Board Member Sinnott, City of Del Mar.) Motion was approved by a vote of 5 ayes, 0 nays with Board Member Morasco and Board Member Muir absent.

12. CONSIDERATION OF EXPANDING GENERAL COUNSEL'S DUTIES TO INCLUDE ASSISTANT GENERAL MANAGER


General Manager Wurbs recommended expanding General Counsel Nixon's duties to include the responsibilities of Assistant General Manager.

MOTION WAS MADE TO APPROVE THE EXPANSION OF THE GENERAL COUNSEL DUTIES TO INCLUDE ASSISTANT GENERAL MANAGER RESPONSIBILITIES. (Motion by Board Member Mullin, City of Poway / Second by Board Secretary Cowles, City of Vista.) Motion was approved by a vote of 5 ayes, 0 nays with Board Member Morasco and Board Member Muir absent.

13. ADJOURNMENT

The Chairman adjourned the meeting at 10:55 a.m. to the meeting of July 11, 2013.

Respectfully Submitted:



Lin Wurbs
General Manager

Approved:

Dave Cowles
RSWA Secretary

CONSULTANT SERVICES AGREEMENT

This Consultant Services Agreement (“Agreement”) is made and entered into, to be effective July 1, 2013, by and between the Regional Solid Waste Association (“Association”) and Woodruff, Spradlin & Smart (“Consultant”), both of whom agree as follows:

Section 1: Term. This Agreement shall remain in full force and effect for two (2) years, from July 1, 2013 through June 30, 2015, and may be subsequently extended by mutual agreement of the parties. Notwithstanding the foregoing, this Agreement may be terminated at any time by Association or Consultant as provided in Section 7 of this Agreement.

Section 2: Scope of Services. Consultant agrees to provide General Manager services and legal services to Association in accordance with directions from Association’s Board of Directors. Thomas F. Nixon of Consultant is the person who will provide the General Manager services and general legal support for Association’s administrative operations, assisted as necessary by other Consultant employees.

Section 3. Legal Fees and Billing Practices. Association agrees to pay a nonrefundable retainer of \$18,000.00 annually for legal services, payable in quarterly increments of \$4,500.00 on July 1, October 1, January 1 and April 1 of each fiscal year as set forth in Exhibit A hereto. The retainer will be billed against monthly at \$220.00 per hour. The parties agree to periodically review the applicable hourly rate and make adjustments as the parties deem appropriate. Once the retainer has been used, and upon expiration of each fiscal year, any remaining Consultant legal fees in excess of retainer shall be reviewed and subject to approval by the Executive Committee of Association prior to payment by Association.

Consultant will charge Association for the time spent on telephone calls relating to Association matters, including telephone conversations with Association and opposing counsel. The legal personnel assigned to Association matters may confer among themselves about the matters, as required. When they do confer, each person will charge for the time expended. Likewise, if more than one of Consultant’s legal personnel attends a meeting or other proceedings, each will charge for the time spent. Except as described in paragraph 5 below, Consultant will charge for waiting time in court and elsewhere and for travel time, both local and out of town, should any be required.

Consultant will send Association quarterly statements for fees and costs incurred. The fees and costs will be deducted from the retainer fee. Association may request a statement at intervals of no less than 30 days; upon request Consultant will provide the statement within 10 days.

Section 4: General Manager Services Billing Practices. Association agrees to pay to Consultant a nonrefundable retainer of \$2,500.00 monthly for General Manager services, payable on the first of each month as set forth on Exhibit B hereto. Consultant shall bill against the retainer at the rate of \$150.00 per hour. The parties agree to periodically review the applicable hourly rate and make adjustments as the parties deem appropriate. In accordance with Association’s request and in consideration of the General Manager’s services retainer in the amount of \$2,500.00, attendance at Board of Director meetings shall be billed by Consultant at the applicable legal services fee rate. Association shall not be charged for General Manager attendance at such meetings.

Consultant will send Association quarterly statements for hours worked and fees. Association may request a statement at intervals of no less than 30 days; upon request Consultant will provide the statement within 10 days. Consultant shall draw on the retainer for such fees. Once the retainer has been used, and upon expiration of each fiscal year, any remaining Consultant fees in excess of the retainer shall be reviewed and subject to approval by the Executive Committee of Association prior to payment by Association. If Consultant travels on behalf of Association, the maximum daily compensation shall be eight (8) hours per travel day or day of conference/meeting. In no way shall the hours spent traveling on Association's behalf cause additional fees to be paid to Consultant in excess of the retainer on the annualized basis. The Association Chairperson and Vice-Chairperson may adjust the fee rates set forth in Sections 3 and 4, which rates may be approved through the annual Association budget process.

Section 5: General Business Costs, Expenses and Reimbursement Practice. Association recognizes that certain costs and expenses of a non-personal but job-related nature will be incurred by Consultant and agrees to reimburse Consultant for such general costs and expenses in addition to the monthly retainer. Examples of such costs and expenses include long distance telephone calls, postage, parking, photocopying and other reproduction costs, clerical staff overtime, extraordinary word processing charges, charges for computer research time and other similar items. Except for the items listed on the Legal Fee Rate Schedule attached hereto and incorporated herein by this reference, all costs and expenses will be charged at Consultant's rates which are competitive with other sources of the same products or services. Consultant shall provide receipts for all business-related expenses to the Association Treasurer for approval before sending to Association's fiduciary agent, currently the City of Vista, on a monthly basis and prior to reimbursement. Travel conducted on behalf of Association shall be reimbursed in the same manner as set forth in this section and have the approval of the Association Chair or Association Board. For any expenditure over Five Hundred Dollars (\$500.00), Consultant shall first obtain the authorization of the Association Chair. General expenses as described in this section may be submitted on a quarterly basis.

(a) **Out-of-Town Travel.** Consultant will not charge Association for travel time for Association's quarterly Board of Director's meetings and two (2) other meetings per fiscal year. Other travel time to San Diego County will be billable to Association in accordance with the hourly rate set forth in Exhibit B.

Section 6. Finance Charges. Any statement not paid within sixty (60) days of the date of the statement will incur finance charges at the rate of one and one-half percent (1-1/2%) per month, compounded monthly.

Section 7. Discharge and Withdrawal. This Agreement may be terminated by either party by providing ninety (90) days written notice to the other party pursuant to Section 10 herein.

When Consultant's services conclude, all unpaid charges will immediately become due and payable. After Consultant's services conclude, Consultant will, upon Association's request, deliver Association's files to Association, along with any funds or property of Association in Consultant's possession.

Section 8: Indemnification. Association shall defend, indemnify and hold harmless Consultant against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of services as General Manager. Association may compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered therefrom.

Section 9: Bonding. Association shall bear the full cost of any fidelity or other bonds required of Consultant under any law or ordinance for General Manager services.

Section 10: Notices. Any notices to be given hereunder by either party to the other in writing may be effected either by personal delivery or by United States mail, postage prepaid. Mailed notices shall be addressed to the parties as set forth below, but each party may change its address by written notice given in accordance with this paragraph. Notices delivered personally will be deemed communicated as of actual receipt. Mailed notices will be deemed communicated and received as of five (5) calendar days following the date of mailing:

Association: Regional Solid Waste Association
 Attention: Ron Morrison, Chairperson
 City of National City
 1243 National City Boulevard
 National City, CA 91950

Consultant: Thomas F. Nixon
 Woodruff, Spradlin & Smart
 555 Anton Boulevard, Suite 1200
 Costa Mesa, CA 92626

Section 11: General Provisions.

- (a) **Integration.** This Agreement sets forth and establishes the entire understanding between Association and Consultant relating to this Agreement. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement.
- (b) **Binding Effect.** This Agreement shall be binding on Association and Consultant as well as their heirs, assigns, executors, personal representatives and successors in interest.
- (c) **Enforcement.** If either party is required to resort to court to enforce any of the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees.
- (d) **Severability.** The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in

full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

- (e) Non Liability of Officials and Employees of Association. No board member, official or employee of Association shall be personally liable to Consultant in the event of any default or breach by Association, or for any amount which may become due to Consultant.
- (f) Independent Contractor. It is agreed that Consultant shall act and be an independent contractor and not an agent or employee of Association, and shall obtain no rights to any benefits which accrue to Association's employees. In the event of any claim or action made or brought by Consultant or any other person contending that Consultant is an employee of Association, Consultant shall defend, indemnify and hold harmless Association and its directors, officers and employees from such claim or action.
- (g) Compliance with Law. Consultant shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government in the performance of services pursuant to this Agreement.
- (h) Periodic Rate Review. Association and Consultant may annually review the applicable services rates. Such rates may be adjusted by action of the Board of Directors.
- (i) Billing. Should any issue concerning billing pursuant to this Agreement arise, such issue shall be addressed by Association's Chairperson and Treasurer with Consultant.

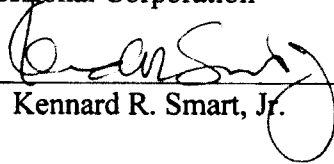
Section 12. Execution. This Agreement has been executed in duplicate and fully executed copies given to Consultant and Association, receipt of which is hereby acknowledged.

Section 13. Effective Date. This Agreement will take effect as of July 1, 2013.

"Consultant"

WOODRUFF, SPRADLIN & SMART
A Professional Corporation

Date: July 2, 2013

By: 
Kennard R. Smart, Jr.

Regional Solid Waste Association

Date: July __, 2013

By: _____
Ron Morrison, Chairperson

EXHIBIT A

LEGAL FEE RATE SCHEDULE

Identification

Client: REGIONAL SOLID WASTE ASSOCIATION

Matter: General Counsel Legal Services

Rate Structure

Retainer Fee: \$18,000.00, annually, payable in quarterly increments of \$4,500.00 on July 1, October 1, January 1 and April 1 of each fiscal year.

Attorney Time: \$220.00 per hour

Paralegal Time: \$120.00 per hour

Standard Charges

Charges for legal services shall be in minimum units of six minutes.

Costs and Expenses

Costs advanced will be charged at rates which are competitive with other sources of the same products or services. Rates for in-house costs are currently:

In-office photocopying	\$ 0.25 per page
Mileage	at Prevailing Rate
Faxing	actual telephone charges
Clerical staff overtime	\$50.00 per hour

Subject to Change

The rates on this schedule are subject to change on 30 days' written notice. If Association declines to pay any increased rates, Consultant will have the right to withdraw as Association's lawyers. Rate adjustments may be made by action taken by Association's Board of Directors.

EXHIBIT B

GENERAL MANAGER SERVICES FEE RATE SCHEDULE

Identification

Client: REGIONAL SOLID WASTE ASSOCIATION

Matter: General Manager Services

Rate Structure

Retainer Fee: \$2,500.00 monthly, payable on the first of each month.

Rate: \$150.00 per hour

Standard Charges

Charges for services shall be in minimum units of six minutes.

Costs and Expenses

Costs advanced will be charged at rates which are competitive with other sources of the same products or services. Rates for in-house costs are currently:

In-office photocopying	\$ 0.25 per page
Mileage	at Prevailing Rate
Faxing	actual telephone charges
Clerical staff overtime	\$50.00 per hour

CONSULTANT SERVICES AGREEMENT

This Consultant Services Agreement ("Agreement") is made and entered into, to be effective August 1, 2013, by and between the Regional Solid Waste Association ("RSWA") and Lin Wurbs ("Consultant"), an individual who has education, training and experience in local government solid waste issues, both of whom agree as follows:

Section 1: Term. This Agreement shall remain in full force and effect for six months, from August 1, 2013 through January 31, 2014, and may be subsequently extended by mutual agreement of the parties. Notwithstanding the foregoing, this Agreement may be terminated at any time by RSWA or Consultant as provided in Section 6 of this Agreement.

Section 2: Scope of Services. Consultant agrees to provide transition assistance services to RSWA in accordance with directions from the RSWA General Manager.

Section 3: Billing Practices for Retainer Fees. RSWA agrees to pay to Consultant a nonrefundable retainer of \$1,200 monthly, payable on the first of each month. Consultant shall bill against the retainer at the rate of \$150.00 per hour.

Consultant will send RSWA quarterly statements for hours worked and fees. RSWA may request a statement at intervals of no less than 30 days; upon request Consultant will provide the statement within 10 days. Consultant shall draw on the retainer for such fees. Once the retainer has been used, and upon expiration of the term of the agreement, any remaining Consultant fees in excess of the retainer shall be reviewed and subject to approval by the General Manager of RSWA prior to payment by RSWA.

Section 4: General Business Costs, Expenses and Reimbursement Practice. RSWA recognizes that certain costs and expenses of a non-personal but job-related nature will be incurred by Consultant and agrees to reimburse Consultant for such general costs and expenses in addition to the monthly retainer. Examples of such costs and expenses include long distance telephone calls, postage, parking, photocopying and other reproduction costs. Consultant shall provide receipts for all business-related expenses to the RSWA General Manager for approval. Specifically, RSWA shall provide \$50.00 per month for a cell phone.

Section 5: Termination. Either party may terminate this Agreement without cause, by providing thirty (30) days written notice to the other party pursuant to Section 8 herein. When Consultant's services conclude, all unpaid fees and costs will immediately become due and payable. After Consultant's services conclude, Consultant shall deliver to RSWA all RSWA files and records which are in Consultant's possession.

Section 6: Indemnification. RSWA shall defend, indemnify and hold harmless Consultant against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of her services as transition assistant. RSWA may compromise and

settle any such claim or suit and pay the amount of any settlement or judgment rendered therefrom.

Section 7: Bonding. RSWA shall bear the full cost of any fidelity or other bonds required of Consultant under any law or ordinance.

Section 8: Notices. Any notices to be given hereunder by either party to the other in writing may be effected either by personal delivery or by United States mail, postage prepaid. Mailed notices shall be addressed to the parties as set forth below, but each party may change its address by written notice given in accordance with this paragraph. Notices delivered personally will be deemed communicated as of actual receipt. Mailed notices will be deemed communicated and received as of five (5) calendar days following the date of mailing:

RSWA: Regional Solid Waste Association
Attention: Chairperson Ron Morrison
City of National City of National City
1243 National City Boulevard
National City, CA 91950

Consultant: Lin Wurbs
4444 Algeciras St.
San Diego, CA 92107

Section 9: General Provisions

- A. Independent Contractor. It is agreed that Consultant shall act and be an independent contractor and not an agent or employee of RSWA, and shall obtain no rights to any benefits which accrue to RSWA's employees. In the event of any claim or action made or brought by Consultant or any other person contending that Consultant is an employee of RSWA, Consultant shall defend, indemnify and hold harmless RSWA and its directors, officers and employees from such claim or action.
- B. Compliance with Law. Consultant shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government in the performance of services pursuant to this Agreement.

Consultant:

Lin Wurbs

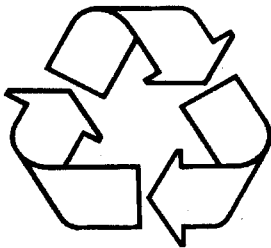
Date: _____, 2013

By _____
Lin Wurbs, an individual

Regional Solid Waste Association

Date: _____, 2013

By _____
Ron Morrison, Chairperson



REGIONAL SOLID WASTE ASSOCIATION

Member Agencies: Cities of Del Mar, Encinitas, Escondido,
National City, Poway, Solana Beach, and Vista

To: RSWA Board Members
 From: General Manager Lin Wurbs *L. Wurbs*
 Subject: RSWA Investment Policy
 Date: RSWA Agenda 7/11/2013

HISTORY/BACKGROUND

On January 7, 2010 the Regional Solid Waste Association (RSWA) approved a new Investment Policy and investment approach to work through the City of Vista to invest the RSWA's funds. The RSWA invests its funds in accordance with the parameters set forth in State Law. The Investment Policy adopted in January of 2010 mirrored the Investment Policy of the City of Vista. Subsequent to the RSWA's adoption of the policy, the City of Vista has made some changes to their Investment Policy and for consistency the RSWA Board amended its Investment Policy on April 7, 2011. The City of Vista City Council made no changes to the Investment Policy in 2012.

STATEMENT ON THE SUBJECT

The City of Vista City Council approved changes to their Investment Policy on June 11, 2013 and it is recommended that the RSWA Board also approve the change to Authorized Investments. The change is needed due to the removal of the ending date of January 1, 2012, in the California Government Code relating to the investment of certificates of deposit through the CDARS Program. This recommended change is under the heading Authorized Investments, section G, paragraph 7 in the Attachment #2 – RSWA Investment Policy with proposed amended language.

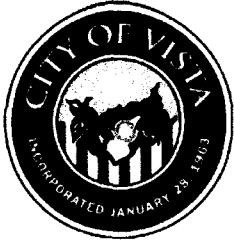
Current policy states, "The RSWA may not invest funds with a selected depository institution for placement as certificates of deposit on or after January 1, 2012. However, funds invested pursuant to this section before January 1, 2012, may remain invested in certificates of deposit issued through CDARS for the full term of each certificate of deposit." The proposed change will eliminate this language in its entirety for the Policy.

RECOMMENDATION

It is recommended by the RSWA Treasurer Sinnott, RSWA General Manager Wurbs and General Counsel Nixon that the Investment Policy be approved through adoption of Resolution No. 2013-01.

ATTACHMENTS:

- 1) City of Vista Agenda Report (page 1-3) – dated 6/21/13
- 2) RSWA Investment Policy with proposed amended language
- 3) Resolution No. 2013-01



AGENDA REPORT

- CITY COUNCIL
- COMMUNITY DEVELOPMENT COMMISSION
- SUCCESSOR AGENCY
- BUENA SANITATION DISTRICT
- JOINT POWERS FINANCING AUTHORITY

Department: Finance

Item No: C10

Prepared By: Denise E. Thomas, Deputy City Treasurer

Meeting Date: June 11, 2013

Dale Nielsen, Finance Manager/Treasurer

Approved By: Patrick Johnson, City Manager

Agenda Location: Consent Calendar

SUBJECT: REVISIONS TO CITY COUNCIL POLICY 700-07, INVESTMENT OF CITY FUNDS

RECOMMENDATION: Adopt City Council Resolution No. 2013- , revising City Council Policy 700-07, Investment of City Funds.

PRIOR ACTION: On January 24, 2012, re-adopted City Council Policy 700-07 (Vote: 5-0).

On December 3, 1984, adopted City Council Resolution No. 84-253, adopting investment policies pertaining to the investment of public funds (Vote: 4-0, McClellan absent).

A complete list of prior actions is included in Exhibit 2 on page 16.

STATEMENT ON THE SUBJECT: City Council Policy 700-07 is subject to annual review by the Investment Advisory Committee (IAC). The IAC reviews the current policy, including any proposed changes recommended by the City Treasurer and provides input as to the recommended changes. The IAC then votes on the proposed changes and the proposed changes are then brought before the City Council for review and adoption. On an annual basis the City Council is required to review and approve the investment policy, regardless of whether or not any changes are being recommended. The Policy was reviewed by the IAC and the City Treasurer at a meeting held on April 24, 2013. The following three revisions to the policy were proposed by the City Treasurer, approved by the IAC (Vote: 5-0, Bigelson and Tobey absent), and are recommended for City Council approval:

- **Annual Investment Delegation Requirement:** This change is recommended because California Government Code Section 53607 specifies that the authority to invest funds that is delegated to the Treasurer by the City Council must be renewed annually. This recommended change is under the heading Responsibility and Delegation of Authority on page 1 of Exhibit 2.
- **Appointment of City Treasurer:** This new language is recommended because the position of Director of Finance could be vacant and this proposed change will provide the City Manager additional flexibility in making this assignment to the Finance Manager within the Finance Department. This recommended change is under the heading Responsibility and Delegation of Authority on page 1 of Exhibit 2.

ACTION: Approved above recommendation, adopted City Council Resolution No. 2013-88.
Vote: 5-0



Clerk/Secretary

700-07 INVESTMENT OF CITY FUNDS

PURPOSE

The investment policies and practices of the City of Vista are based upon state law, city ordinances, prudent money management and the "Code of Ethics on Professional Conduct" of the California Municipal Treasurer's Association. The primary goals of these policies are:

1. To assure compliance with all Federal, State and Local laws governing the investment of monies under the control of the City Treasurer.
2. To protect the principal monies entrusted to this office.
3. To generate the maximum amount of investment income within the parameters of prudent risk management.
4. To insure ample liquidity to meet budgeted expenditures for at least a six-month period.

POLICY

RESPONSIBILITY AND DELEGATION OF AUTHORITY

Pursuant to Section 53601 of the California Government Code, the City Council as the legislative body of the City has primary responsibility for investment of surplus monies, or monies held in sinking funds, in the City treasury. As authorized under Section 53607 of the Government Code, the City Council hereby delegates its authority to invest or reinvest the funds of the city, and to sell or exchange securities so purchased, to the City Treasurer who shall assume full responsibility for all such transactions. This delegation of authority shall be in effect for one fiscal year and subject to annual renewal by the City Council, or until such time as this delegation of authority may be revoked by the City Council.

~~Because the City Manager of the City is authorized pursuant to Chapter 2.24 of the Vista Municipal Code to appoint the Finance Director who shall serve ex officio as the City Treasurer, Pursuant to Chapter 2.24 of the Vista Municipal Code, the City Manager shall appoint the Director of Finance or the Finance Manager to serve as the City Treasurer. The City Manager shall be responsible and accountable under this policy to oversee the day-to-day investment activities of the City Treasurer and to require the faithful performance of all administrative duties delegated under this Policy, pursuant to Section 2.20.020 of the Vista Municipal Code.~~

SUBJECT: REVISIONS TO CITY COUNCIL POLICY 700-07, INVESTMENT OF CITY FUNDS

- **Change to Authorized Investments:** This change is needed due to the removal of the ending date of January 1, 2012, in the California Government Code relating to the investment of certificates of deposit through the CDARS Program. This recommended change is under the heading Authorized Investments, section G, paragraph 7 on page 9 of Exhibit 2.

Current policy states, "The City may not invest funds with a selected depository institution for placement as certificates of deposit on or after January 1, 2012. However, funds invested pursuant to this section before January 1, 2012, may remain invested in certificates of deposit issued through CDARS for the full term of each certificate of deposit."

The proposed change will eliminate this language in its entirety from the Policy.

FISCAL IMPACT: There is no direct fiscal impact associated with the staff recommendation.

EXHIBITS:

1. City Council Resolution No. 2013- , revising City Council Policy 700-07, Investment of City Funds
2. City Council Policy 700-07, Investment of City Funds, with proposed changes marked (page 4)
3. City Council Policy 700-07, Investment of City Funds, including proposed changes without markups (pg 20)

REGIONAL SOLID WASTE ASSOCIATION STATEMENT OF INVESTMENT POLICY

July 11, 2013

INTRODUCTION

This statement is intended to outline the policies for maximizing the efficiency of the Regional Solid Waste Association's Cash Management System to provide prudent investment of the Regional Solid Waste Association's Funds, and to provide for guidelines for suitable investments.

The ultimate goal is to enhance the economic status of the Regional Solid Waste Association (RSWA) while protecting its funds.

The Regional Solid Waste Association's Cash Management System is designed to accurately monitor and forecast expenditures and revenues, thus striving to maintain the level of investment of all idle funds as near 100% as possible, through daily and projected cash flow determinations. The Regional Solid Waste Association shall attempt to obtain the highest yield, provided that all investments meet the criteria established for safety and liquidity.

The investment policies and practices, idle cash management, and investment transactions are the responsibility of the RSWA General Manager and RSWA Treasurer. These Regional Solid Waste Association policies and practices are based upon federal, state, and local law and prudent money management. The primary goals of these policies are:

1. To assure compliance with all federal, state and local laws governing the investment of monies under the control of the General Manager and Treasurer.
2. To protect the principal monies entrusted to these offices.
3. To ensure that money is always available when needed.
4. To generate the maximum amount of investment income within the parameters of this Statement of Investment Policy and the guidelines for suitable investments.

SCOPE

The Regional Solid Waste Association is authorized to invest its funds in accordance with the California Government Code Sections 53601 and 53602. This investment policy applies to all financial assets and investment activities of the Regional Solid Waste Association (debt issues are invested by trustees appointed under the indenture, pursuant to the terms of the indenture, with direction from the RSWA General Manager and RSWA Treasurer.)

All monies entrusted to the City of Vista Treasurer will be pooled in an actively managed portfolio. The Investment Pool or "Portfolio" will be referred to as the "Fund" throughout the remainder of this document.

The Regional Solid Waste Association's Fund will be invested by the City of Vista Treasurer.

The City of Vista Treasurer will observe, review and react to changing conditions that affect the fund. The City of Vista Treasurer will keep the RSWA General Manager and RSWA Board apprised of the changing investment environment and any potential restructuring of the portfolio which could result.

OBJECTIVES

The primary objectives, in priority order, of the Regional Solid Waste Association's investment activities shall be:

A. Safety of Principal

Safety of principal is the foremost objective of the Regional Solid Waste Association. Each investment transaction shall seek to ensure that all capital losses are avoided, whether from securities default, broker-dealer default, or erosion of market value. The Regional Solid Waste Association shall seek to preserve principal by mitigating the two types of risk: credit risk and market risk.

1. Credit risk, defined as the risk of loss due to failure of the issuer of a security, shall be mitigated by investing in only very safe securities (see authorized investments) and by diversifying the investment portfolio so that the failure of any one issuer would not unduly harm the Regional Solid Waste Association's cash flow.
2. Market risk, defined as the risk of market value fluctuations due to overall changes in the general level of interest rates, shall be mitigated by structuring the portfolio so that securities mature at the same time that major cash outflows occur, thus eliminating the need to sell securities prior to their maturity; and by prohibiting the taking of short positions, that is, selling securities that the Regional Solid Waste Association does not own. It is explicitly recognized herein, however, that in a diversified portfolio, occasional measured losses are inevitable and must be considered within the context of overall investment return.

B. Liquidity

The Regional Solid Waste Association's investment portfolio will remain sufficiently liquid to enable the Regional Solid Waste Association to meet all operating requirements which might be reasonably anticipated. Investments will be authorized only in "readily marketable" securities; i.e. those securities that are actively traded in the secondary market.

C. Return on Investment

The Regional Solid Waste Association's investment portfolio shall be designed to attain a market average rate of return through economic cycles. The market average rate of return is defined as the average return on the two-year U.S Treasury Bond. Whenever possible, and consistent with risk limitations as defined herein and prudent investment principles, the Regional Solid Waste Association shall seek to augment returns above the market average rate of return.

MATURITIES

The maturity date of new investments should not be further away than the time the Regional Solid Waste Association anticipates that it will need to utilize the funds. Cash flow estimates of when the Regional Solid Waste Association will need cash shall be prepared in a prudent manner. Maturities shall be selected to anticipate cash needs, thereby reducing the possibility of the need for forced investment liquidation.

To insure that investment funds are always available when needed, the City of Vista Treasurer or her/his designee will analyze, prepare and maintain a cash plan projection. Liquidity levels will be estimated by the City of Vista Treasurer or her/his designee bi-weekly.

All investments shall have a maturity of five years or less from the date of purchase.

ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the Regional Solid Waste Association's portfolio. Employees and officers of RSWA and the City of Vista shall subordinate their personal investment transactions to those of the Regional Solid Waste Association, particularly with regard to the timing of purchases and sales. The City of Vista Treasurer shall avoid any transaction that might impair public confidence in the Regional Solid Waste Association's ability to govern effectively.

TRADING

The Regional Solid Waste Association shall not make investments for the purpose of trading or speculation as the dominant criterion, such as anticipating an appreciation of capital value through changes in market rates.

REPORTING

The City of Vista Treasurer shall provide the Regional Solid Waste Association General Manager with a monthly "Treasurer Cash Report" at the same time the report is provided to the City of Vista City Council. The report will generally be available 60 days following the end of the preceding month or as close to that as practical given the meeting schedule of the City Council. The report shall identify the type of investment, name of the issuer, purchase and maturity dates, par and book values, coupon and yield to maturity rates, market value and source of valuation, weighted average maturity of the investments, and any funds, investments, or programs, including loans, that are under the management of contracted parties. It must include a listing of all investment transactions for the month, including purchases, sales, calls and maturities, and show any capital gain or loss on each transaction. The report shall state compliance of the portfolio to the investment policy, or manner in which the portfolio is not in compliance. It shall also include a statement denoting the Regional Solid Waste Association's ability to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may, not be available.

INTERNAL CONTROL

The City of Vista Treasurer in consultation with the RSWA General Manager of the Regional Solid Waste Association shall establish an annual process of independent review by an external auditor. The purpose of this review shall be to obtain suggestions for improved future performance, and to verify that investments have been made in accordance with policies and procedures.

QUALIFIED DEALERS

The Regional Solid Waste Association shall transact business only with banks and savings and loans, and with investment securities dealers. The dealers must be primary dealers regularly reporting to the Federal Reserve Bank. Exceptions to this rule will be made at the discretion of the City of Vista Treasurer in consultation with the RSWA General Manager. Dealers must provide a list of references, including at least three California cities, counties or districts. Investment staff of the City of Vista shall investigate dealers wishing to do business with the Regional Solid Waste Association and determine if they are adequately capitalized, make markets in securities appropriate to the Regional Solid Waste Association's needs, and are recommended by managers of portfolios similar to the Regional Solid Waste Association's. The City of Vista Treasurer shall provide information regarding any newly acquired dealer to the Regional Solid Waste Association General Manager. All securities purchased from the list of qualified dealers shall be held in the Regional Solid Waste Association's name by a third party safekeeper. No securities will be held by the dealers initiating the transaction.

All financial institutions and securities dealers who desire to engage in investment transactions with the Regional Solid Waste Association shall submit a certification. The document will certify that the supervising officer has reviewed the Regional Solid Waste Association's investment policy and agrees to disclose potential conflicts or risks to public funds that might arise out of business transactions between the firm/depository and the Regional Solid Waste Association. All financial institutions shall agree to undertake reasonable efforts to preclude imprudent transactions involving Regional Solid Waste Association funds. The supervising officer shall agree to exercise due diligence in monitoring the activities of other officers and subordinate staff members engaged in transactions with the Regional Solid Waste Association. Employees of any financial institution offering securities or investments to the Regional Solid Waste Association shall be trained in the precautions appropriate to public-sector investments and shall be required to familiarize themselves with our investment objectives, policies and constraints.

When two or more investment opportunities offer essentially the same maturity, yield, quality and liquidity, the City of Vista Treasurer Regional Solid Waste Association will seek to promote local economic development by giving priority to the 1) financial institutions based in RSWA member Cities and then 2) to other financial institutions in California.

The Regional Solid Waste Association shall at least annually send a copy of the current investment policy to all dealers approved to do business with the Regional Solid Waste Association. Confirmation of receipt of this policy shall be considered evidence that the dealer understands the Regional Solid Waste Association's investment policies, and intends to show the Regional Solid Waste Association only appropriate investments.

An annual review of the financial condition and registrations of qualified financial institutions and securities dealers will be conducted by the City of Vista Treasurer. In addition, a current audited financial statement is required to be on file for each financial institution and securities dealer with which the Regional Solid Waste Association invests.

SAFEKEEPING OF SECURITIES

To protect against potential losses by collapse of individual securities dealers, all securities owned by the Regional Solid Waste Association, including collateral on repurchase agreements, shall be held in safekeeping by a third party bank trust department acting as agent for the Regional Solid Waste Association under the terms of a custody agreement executed by the bank and by the Regional Solid Waste Association. All securities will be received and delivered using standard delivery-versus-payment procedures.

PRUDENCE

Pursuant to California Government Code Section 53600.3, the Regional Solid Waste Association Board and all persons authorized to make investment decisions on behalf of the Regional Solid Waste Association are trustees and therefore fiduciaries subject to the following prudent investor standard:

"When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency."

It is deemed to be prudent and acceptable for the Regional Solid Waste Association to pay a premium for a security provided that the yield to maturity equals or exceeds market yields of other alternative securities within the same asset class and maturity range.

Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence will be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

AUTHORIZED INVESTMENTS

The Regional Solid Waste Association is further governed by California Government Code, Section 53600 et seq. Within the context of these limitations, the following investments are authorized, as further limited herein:

- A. United States Treasury Bills, Bonds, and Notes, or those for which the full faith and credit of the United States are pledged for payment of principal and interest. This category includes corporate debt that is guaranteed under the Federal Deposit Insurance Corporation's (FDIC's) Temporary Liquidity Guarantee Program (TLGP), since it is backed by the full faith and credit of the United States (as provided in the FDIC's regulations, 12 CFR Part 370, and on the FDIC's website, (www.fdic.gov/tlgp)). There is no limitation as to the percentage of the portfolio which can be invested in this category.
- B. Obligations issued by the United States Government Agencies such as the Government National Mortgage Association (GNMA), the Federal Farm Credit Bank System (FFCB), the Federal Home Loan Bank Board (FHLB), the Federal National Mortgage Association (FNMA), the Student Loan Marketing Association (SLMA) and the Tennessee Valley Authority (TVA). Although there is no percentage limitation of the dollar amount that can be invested in these issues, the "prudent investor" rule shall apply for any single agency name.
- C. Commercial paper ranked P1 by Moody's Investor Services and A1 by Standard and Poor's, and issued by a domestic corporation having assets in excess of \$500 million and having an A or better rating on its long term debentures as provided by Moody's or Standard and Poor's. Purchases of eligible commercial paper may not exceed 270 days to maturity nor represent more than 10% of the outstanding paper of an issuing corporation. Purchases of commercial paper may not exceed 15% of the book value of the portfolio at the time of purchase. No more than 10% of the book value of the portfolio at the time of purchase may be invested in commercial paper issued by any one corporation.

D. **Medium Term Notes (MTNs).** The Regional Solid Waste Association may invest in MTNs issued by corporations operating within the United States. MTNs eligible for purchase shall be rated "A" or better by Standard and Poor's or by Moody's rating services. MTNs with an "A" rating shall be limited to 24 months maximum maturity; AA rated MTNs shall be limited to 36 months. The aggregate total of all purchased MTNs may not exceed 15% of the book value of the investment portfolio at the time of purchase. No more than 5% of the book value of the portfolio at the time of purchase may be invested in notes issued by any one corporation. Commercial paper holdings shall be considered when calculating the maximum percentage in any issuer name.

E. **Local Agency Investment Fund.** The Regional Solid Waste Association may invest in the Local Agency Investment Fund (LAIF) established by the State Treasurer for the benefit of local agencies up to the maximum amount permitted by State Law, subject to the following:

Accurate and detailed accounting records must be maintained for the funds for each participating government. A separate account designated by name and number for each participant in the fund shall be kept to record individual transactions. A proportionate amount of interest earned must be credited to each account, and totals of all investments belonging to each participant shown. A monthly report showing the changes in investments made during the preceding month shall be furnished to each participant.

LAIF regulations provide that a Regional Solid Waste Association may have an account for each of the entities the Regional Solid Waste Association governs. The Regional Solid Waste Association Treasurer is authorized to establish and maintain one account for the Regional Solid Waste Association.

F. **Time Deposits.** The Regional Solid Waste Association may invest in non-negotiable time deposits collateralized in accordance with the California Government Code, in those banks and savings and loan associations which meet the requirements specified by the City of Vista Treasurer as derived from a nationally recognized statistical rating organization (NSRO), as designated by the Securities and Exchange Commission for the qualitative and quantitative analysis of financial institutions. The issuer firm should have been in existence for at least five years. The Regional Solid Waste Association may waive a portion of the collateral security equal to the current FDIC insurance level for such deposits if the institution is insured pursuant to federal law. In order to secure such deposits, an institution shall maintain in the collateral pool securities having a market value of at least 10% in excess of the total amount deposited. Real estate mortgages may not be accepted as collateral. The maximum term for deposits shall be one year. In general, issuers must meet the definition of "well capitalized" in accordance with prompt corrective action procedures outlined in 12 USC Section 18310, and their operation must have been profitable during their last reporting period.

G. **Certificates of Deposit purchased through CDARS (Certificate of Deposit Account Registry Service).** The Regional Solid Waste Association may invest in certificates of deposit at a commercial bank, savings bank, savings and loan association, or credit union that uses CDARS to place the certificates of deposit with the following conditions:

- 1) The total of all time deposits and certificates of deposit may not exceed 30% of the book value of the portfolio.
- 2) The Regional Solid Waste Association shall choose a nationally or state chartered commercial bank, savings bank, savings and loan association, or credit union in California to invest the funds, which shall be known as the "selected depository institution."
- 3) The selected depository institution shall submit the funds to CDARS, which will assist in the placement of certificates of deposit with one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States.

- 4) The full amount of the principal and interest that may be accrued during the maximum term of each certificate of deposit shall at all times be insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.
- 5) The selected depository institution shall serve as a custodian for each certificate of deposit that is issued through CDARS for the Regional Solid Waste Association's account.
- 6) At the same time that the Regional Solid Waste Association's funds are deposited and the certificates of deposit are issued, the selected depository institution shall receive an amount of deposits from other commercial banks, savings banks, savings and loan associations, or credit unions that, in total, are equal to, or greater than, the full amount of the principal that the Regional Solid Waste Association initially deposited through the selected depository institution for investment.
- ~~7) The Regional Solid Waste Association may not invest funds with a selected depository institution for placement as certificates of deposit on or after January 1, 2012. However, funds invested pursuant to this section before January 1, 2012, may remain invested in certificates of deposit issued through CDARS for the full term of each certificate of deposit.~~
- 7) No credit union may act as a selected depository institution unless it offers federal depository insurance through the National Credit Union Administration and has written authorization from the National Credit Union Administration allowing participation of federally insured credit unions in certificate of deposit placement services and affirming that the moneys held by those credit unions while participating in a deposit placement service will at all times be insured by the federal government.

H. State and Local Agency Bonds. Bonds issued by the State of California or any of the other 49 United States, or any local agency within California. This includes bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the State of California or any of the other 49 United States, or a local agency within California, or by a department, board, agency, or authority of California or any of the other 49 United States, or a local agency within California, including the Regional Solid Waste Association.

1) If a bond is rated by two or more rating services, it must have an underlying rating of at least "A" by Standard and Poor's or Fitch, or at least "A2" by Moody's. If it is only rated by one rating service, it must have an underlying rating of at least "AA-" by Standard and Poor's or Fitch, or at least "Aa3" by Moody's. Unrated bonds and bonds with a credit watch or outlook of negative from any one rating agency are not permissible investments.

2) The aggregate total of all purchased state or local agency bonds may not exceed 20 % of the book value of the investment portfolio at the time of purchase. No more than 4 % of the book value of the portfolio at the time of purchase may be invested in notes issued by any one agency.

3) No more than \$5 thousand may be invested in any one bond issue at any one time.

4) All prospective bond purchases must be reviewed and approved by the Regional Solid Waste Association General Manager prior to purchase.

I. Investment Pools and Money Market Funds. A thorough investigation of any investment pool or money market mutual fund is required prior to investing in it, as well as on an ongoing basis. The following information should be obtained and analyzed:

1) A description of eligible investment securities.

2) A written statement of investment policies and objectives.

- 3) A description of interest calculations and their distribution, and the treatment of gains and losses.
- 4) A description of how the securities are safeguarded, and how often the securities are priced and the program audited.
- 5) Information about the size and frequency of deposits and withdrawals allowed, and how much notice is needed for withdrawals.
- 6) A schedule for receiving statements and portfolio listings.
- 7) A fee schedule, as well as how and when the fees are assessed.
- 8) The rating of the pool/fund.
- 9) Information about investment advisers, including registration with the Securities and Exchange Commission, length of experience, and total assets under management.

INELIGIBLE INVESTMENTS

The Regional Solid Waste Association shall not invest in any securities or investments not described herein, including but not limited to, common stocks, corporate bonds with a final maturity exceeding 5 years at the time of purchase, mutual funds (except no-load, open-ended money market mutual funds), banker's acceptances, repurchase agreements, reverse repurchase agreements, asset-backed and mortgage-backed securities, securities or obligations where the payment of interest and principal is derived from cash flows of an underlying mortgage pool, securities or obligations where the return or value is derived from underlying assets, inverse floaters, range notes, interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest accrual if held to maturity. Further, investments which exceed five years in maturity require authorization by Regional Solid Waste Association Board prior to purchase.

SWAPPING OF SECURITIES

A swap is the movement from one security to another and may be done for a variety of reasons, such as to increase yield, lengthen or shorten maturities, to take a profit, or to increase investment quality. Losses or gains on security swaps must be recorded as a completed sale and purchase.

PORTFOLIO ADJUSTMENTS

Should an investment percentage-of-portfolio limitation be exceeded due to an incident such as fluctuation in portfolio size, the affected securities may be held to maturity to avoid losses. When no loss is indicated, the City of Vista Treasurer shall consider restructuring the portfolio, basing the decision in part on the expected length of time the portfolio will be imbalanced.

POLICY REVIEW

This investment policy shall be reviewed at least annually to ensure its consistency with the overall objectives of safety of principal, liquidity, and rate of return, its compliance with current law, and its relevance to financial and economic trends. The City of Vista Treasurer in consultation with the RSWA General Manager and RSWA Treasurer shall annually submit the investment policy to the Regional Solid Waste Association Board at a public meeting for approval. Any changes in the policy throughout the year shall also be considered by the Regional Solid Waste Association Board at a public meeting.

GLOSSARY

Agencies: Entities of the Federal Government set up to supply credit to various classes of institutions (e.g. savings and loans, small business firms, farmers, housing agency groups, etc.).

Asset-backed Securities: The bonds or notes backed by loan paper or accounts receivable originated by banks, credit card companies, or other providers of credit.

Banker's Acceptance: A time draft drawn on and accepted by a bank, the customary means of effecting payment for merchandise sold in import-export transactions, and a source of financing used extensively in international trade.

Bond: An interest-bearing or discounted government or corporate security that obligates the issuer to pay the bondholder a specified sum of money, usually at specific intervals, and to repay the principal amount at maturity.

Book Value: The value at which an asset is carried on a balance sheet.

Callables: Securities that the issuer has the right to redeem prior to maturity.

CDARS: Effective January 1, 2007, AB 2011 (Chapter 459, Statutes of 2006) provides for a Certificates of Deposit Account Registry Service (CDARS) which expanded local agencies' permissible investments to include the use of private CD placement services.

Collateral: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Commercial paper: The short-term unsecured obligations with maturities ranging from 2 to 270 days issued by banks, corporations, and other borrowers.

Constant Maturity Treasury (CMT): A yield figure calculated by the Federal Reserve based on actively traded Treasury securities with a constant, fixed maturity.

Coupon: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's par value. (b) The certificate attached to a bond evidencing interest due on a payment date.

Debenture: A security secured only by the credit of the issuer.

Debt Instrument: A written promise to repay a debt.

Delivery Versus Payment: The simultaneous delivery of securities with an exchange of money for the securities.

Derivative: A derivative is a financial instrument or obligation whose value, income, or return is based upon or linked to another asset, or index, or both, separate from the financial instrument or obligation itself.

Discount: The amount by which a security sells below its par value.

Discount Security: A non-interest bearing security issued at less than par value and redeemed at maturity for full par value.

Draft: A signed, written order by which one party (drawer) instructs another part (drawee) to pay a specified sum to a third party (payee). A time draft is a draft payable at a specified or determinable time in the future.

Floater: A debt instrument with a variable interest rate tied to another interest rate--for example, the rate paid by Treasury bills. A floating rate note pays more interest if the interest rate it is tied to rises and less interest if the rate falls. An inverse floater pays less interest if the interest rate it is tied to rises and more interest if the rate falls.

Liquidity: The ability to easily and rapidly convert assets into cash without a substantial loss.

Local Agency Investment Fund (LAIF): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment purposes.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Maturity Date: The date upon which the principal or stated value of an investment becomes due and payable.

Medium-term Note: A note with a maturity between one and ten years, although with bond, it is often shortened to mean between two and ten years.

Money Market: The market in which short-term debt instruments (bills, commercial paper, banker's acceptances, etc.) are issued and traded.

Mortgage-backed Security: An obligation where interest and principal payments are derived from the cash flows of an underlying mortgage pool. For purposes of this definition, a federal agency obligation with a fixed or variable interest rate and a final maturity date, where payments of interest and principal are not derived from the interest and principal cash flows of a mortgage pool, is not a mortgage-backed security.

Mutual Fund: A fund operated by an investment company that raises money from shareholders and invests it on their behalf. Profits are distributed to shareholders after the investment company deducts its management fee.

Negotiable: Something that can be sold or transferred to another party.

Note: A written promise to pay a specified amount on demand or on a specified date.

Par Value: The value of a security as stated on its certificate or instrument. Also referred to as **face value**.

Premium: The amount by which a security sells above its par value.

Primary Dealer: A bank or investment dealer authorized to buy and sell government securities in direct dealing with the Federal Reserve Bank of New York in its execution of Fed open market operations. Such dealers must be qualified in terms of reputation, capacity, and adequacy of staff and facilities.

Repurchase Agreement: An agreement between a seller and a buyer, usually of U.S. Government securities, whereby the seller agrees to repurchase the securities at an agreed upon price on a stated date. Dealers also arrange reverse repurchase agreements, whereby they agree to buy the securities from an investor, and the investor agrees to repurchase them at a later date for a stated price.

Safekeeping: The storage and protection of a customer's financial assets, valuable, or documents, provided as a service by an institution such as a bank or brokerage firm.

Secondary Market: The market where securities are bought and sold after their original issuance.

Security: An instrument that signifies an ownership position in a corporation (a stock), a creditor relationship with a corporation or governmental body (a bond), or rights to ownership.

Short-term: An investment with a maturity of one year or less, although with bonds it is often stretched to mean two years or less.

Sinking Fund: Money accumulated on a regular basis in a separate account that is used to redeem debt securities or preferred stock issues.

State and Local Agency Bonds: These are frequently called "Municipal Bonds" and are bonds issued by any of the 50 states of the United States, their departments, boards, agencies or authorities or a local jurisdiction of that state, such as a Regional Solid Waste Association, county or special district.

Strip: The practice of separating a bond into its corpus (principal) and coupons (interest), which are then sold separately.

Time Deposit: A savings account or certificate of deposit held in a financial institution for a fixed term.

Treasury Bill: A non-interest bearing discount security maturing in one year or less issued by the U.S. Treasury to finance the national debt.

Treasury Bond: A long-term coupon-bearing U.S. Treasury security issued as a direct obligation of the U.S. Government and having an initial maturity of more than ten years.

Treasury Note: A medium-term coupon-bearing U.S. Treasury security issued as a direct obligation of the U.S. Government and having an initial maturity from two to ten years.

Unsecured: Not backed by the pledge of specific collateral.

Weighted Average Maturity: The sum of the amount of each investment multiplied by the number of days to maturity, divided by the total amount of investments.

Yield: The rate of annual return on an investment, expressed as a percentage. Yield to maturity takes into account the total of annual interest payments, the purchase price, the value at maturity, and the amount of time remaining until maturity.

RESOLUTION OF THE REGIONAL SOLID WASTE ASSOCIATION
ADOPTING THE AMENDED INVESTMENT POLICY

WHEREAS, effective January 7, 2010 the Board of Directors of the Regional Solid Waste Association approved the Investment Policy; and

WHEREAS, the Regional Solid Waste Association is receiving fiduciary assistance from the City of Vista Finance Department effective January 2010; and

WHEREAS, the Investment Policy of the Regional Solid Waste Association adopted in January 2010 was consistent with the Investment Policy of the City of Vista; and

WHEREAS, the Investment Policy of the Regional Solid Waste Association was amended on January 7, 2011 to be consistent with the Investment Policy of the City of Vista; and

WHEREAS, the Investment Policy of the Regional Solid Waste Association was readopted with no changes on April 5, 2012 to be consistent with the City of Vista Investment Policy; and

WHEREAS, the City of Vista on June 11, 2013 amended the City of Vista Investment Policy; and

WHEREAS, from time to time the Investment Policy of the Regional Solid Waste Association is reviewed to determine whether the policy needs to be revised to remain consistent with the Investment Policy of the City of Vista; and

WHEREAS, the Regional Solid Waste Association reaffirms the delegation of authority to invest funds on the Association's behalf to the Treasurer of the City of Vista; and

NOW THEREFORE BE IT RESOLVED, the Board of Directors does hereby approve adopting the amended version of the attached Regional Solid Waste Association Investment Policy to be consistent with the Investment Policy of the City of Vista.

PASSED AND ADOPTED by the Board of Directors of the Regional Solid Waste Association, San Diego County, State of California, on July 11, 2013.

RSWA Chairman Ron Morrison

APPROVED AS TO FORM:
Thomas F. Nixon, RSWA General Counsel

By: _____

CERTIFICATION

I, _____, Chairman of the Regional Solid Waste Association, do hereby certify that the foregoing Resolution No. 2012-01 was duly adopted at a special meeting of the Association, held on the 11^h day of July, 2013, by the following vote of the members of the Association:

AYES:

NOES:

ABSENT:

And I further certify that I signed and approved said Resolution on the 11th day of July, 2013.

RSWA CHAIRMAN RON MORRISON



To: Regional Solid Waste Association Board
From: Lin Wurbs, RSWA General Manager
Initiated By: Dale Nielsen, Director of Finance/Treasurer
Date: July 1, 2013
Subject: Regional Solid Waste Association's Investment Report

BACKGROUND

Government Code Sec. 53646(b) requires the treasurer or chief fiscal officer to make a quarterly report that includes the type of investment, institution, date of maturity, amount of deposit, current market value of all maturities that exceed 12 months, and the interest rate. In accordance with Regional Solid Waste Association's Investment Policy, this report is provided on a quarterly basis.

FINDINGS

The invested cash balance as of June 30, 2013 for the Regional Solid Waste Association (RSWA) is \$345,542, not including investment interest for June 2013, which has not been calculated yet.

As of February 3, 2010, all of RSWA's cash invested in the Local Agency Investment Fund (LAIF) was transferred to the City of Vista and was taken in as part of the City of Vista's investment portfolio. The cash activities of RSWA are accounted for within a separate fund (Fund 709) within the City of Vista's general ledger structure. Investment earnings are credited to RSWA on a monthly basis, based upon RSWA's cash balance as a percentage of the overall City portfolio balance.

RSWA's cash balance is not tied to any individual investment within the City's portfolio, but rather is an undivided interest in the portfolio as a whole. For this reason all of RSWA's cash balance is available on an "on demand" basis with immediate liquidity. The most recently approved City of Vista Treasurer's Cash Report for the month ended April 30, 2013 is attached as a reference.

The Regional Solid Waste Association is in compliance with its adopted investment policy.

RECOMMENDATIONS

It is recommended that the Board accept and file this report.



AGENDA REPORT

- CITY COUNCIL
- COMMUNITY DEVELOPMENT COMMISSION
- SUCCESSOR AGENCY
- BUENA SANITATION DISTRICT
- JOINT POWERS FINANCING AUTHORITY

Department: Finance

Item No: C3

Prepared By: Denise E. Thomas, Deputy City Treasurer
Dale Nielsen, Finance Manager/Treasurer

Meeting Date: June 11, 2013

Approved By: Patrick Johnson, City Manager

Agenda Location: Consent Calendar

SUBJECT: TREASURER'S CASH REPORT FOR MONTH ENDED APRIL 30, 2013

RECOMMENDATION: Receive and file the attached Treasurer's Cash Report for the month ended April 30, 2013.

PRIOR ACTION: On May 14, 2013, received the Treasurer's Cash Report for the month ended March 31, 2013 (Vote: 5-0).

STATEMENT ON THE SUBJECT: The City Treasurer is required to submit to the City Council and City Manager on a monthly basis a report of cash and investment activity. Attached as Exhibit 1 is a report providing details of this activity for the month of April 2013.

Primarily because of their safety, the City invests a large portion of its portfolio in U.S. Agency securities (79.0% of the portfolio as of April 30). In order to avoid having to sell securities at a possible loss because of unexpected or larger than normal disbursements, the City also invests a portion of its funds in the Local Agency Investment Fund (LAIF), which offers same day liquidity at a constant net asset value (11.1% of the portfolio as of April 30). Because of the opportunity for higher yields, the City also invests in high quality municipal bonds (9.9% of the portfolio as of April 30).

In compliance with California Government Code Section 53646, the City has sufficient investment liquidity and anticipated revenues to meet the City's budgeted expenditure requirements for the next six months. All investments are in compliance with state law and the City's Investment Policy.

FISCAL IMPACT: There is no direct fiscal impact associated with the staff recommendation. As detailed on the attached Treasurer's Cash Report, cash and investments as of April 30, 2013, totaled \$172,540,668 and funds managed by fiscal agents totaled \$39,120,167.

EXHIBITS:

1. Treasurer's Cash Report for month ended April 30, 2013

ACTION: Received the report.
Vote: 5-0

Clerk/Secretary

DATE: May 21, 2013
TO: Patrick Johnson, City Manager
FROM: Dale R. Nielsen, Finance Manager/Treasurer
PREPARED BY: Denise Thomas, Deputy City Treasurer
SUBJECT: Treasurer's Cash Report for the Month Ended April 30, 2013

During the month of April 2013, the City's total cash and investments increased by \$1,389,458. Some of the major variable receipts and expenditures for the month were: regular sales tax receipts of \$740,200, Prop L sales tax receipts of \$478,800, receipts for property taxes and assessments totaling \$4,404,389, SDG&E annual franchise fee receipt of \$890,460, debt service expenditures of \$3,975,972, and capital project expenditures totaling \$1,453,449.

The City's portfolio earnings were \$148,412 in April, and the yield to maturity decreased from 1.06% on March 31 to 1.03% on April 30. The weighted average maturity of the portfolio decreased from 1,106 days on March 31 to 1,040 days on April 30. Investments available on demand totaled \$17,200,008 (11.1% of the portfolio), investments maturing in one year or less totaled \$10,214,766 (6.6% of the portfolio), investments maturing between one and two years totaled \$6,004,573 (3.9% of the portfolio), investments maturing between two and three years totaled \$24,000,000 (15.5% of the portfolio), investments maturing between three and four years totaled \$58,327,213 (37.8% of the portfolio) and investments maturing between four and five years totaled \$38,749,862 (25.1% of the portfolio).

CASH AND INVESTMENTS (EXCLUDING FUNDS MANAGED BY FISCAL AGENTS)

Total Investments Per Attached Detail List		\$ 154,496,421.78
Plus Cash in Bank		\$ 18,044,246.62
TOTAL CASH AND INVESTMENTS ON APRIL 30, 2013		<u>\$ 172,540,668.40</u>

Total Cash and Investments on March 31, 2013		\$ 171,151,210.68
April Receipts	\$ 11,704,099.91	
April Disbursements	\$ (10,314,642.19)	
Net Change in Total Cash and Investments		\$ 1,389,457.72
TOTAL CASH AND INVESTMENTS ON APRIL 30, 2013		<u>\$ 172,540,668.40</u>

FUNDS MANAGED BY FISCAL AGENTS		<u>\$ 39,120,167.07</u>
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INVESTMENTS ON APRIL 30, 2013

Investment Type	Coupon/ Discount	Purch. Date	Face Value	Purch. Price	Next Call Date	Maturity Date	Yield	Book Value	% of Portfolio	Market Value*	Est. Unrealized Gain/(Loss)	Change In Unrealized Gain/(Loss)	Broker/ Dealer
<u>INVESTMENT POOLS</u>													
LAIF	N/A	VARIOUS	17,200,008	100.00000		LIQUID	0.264%	17,200,007.69	11.13%	17,200,008	0	0	State Treas.
<u>FEDERAL AGENCY ISSUES</u>													
<u>FEDERAL FARM CREDIT BANK</u>													
FFCB	0.8000%	06/21/12	5,000,000	100.00000	06/21/13	03/21/16	0.800%	5,000,000.00	3.24%	5,004,688	4,688	(2,763)	Citigroup
Sub-Totals								5,000,000.00	3.24%	5,004,688	4,688	(2,763)	
<u>FEDERAL HOME LOAN BANK</u>													
FHLB	2.0000%	01/25/13	5,000,000	105.30360		09/09/16	0.520%	5,245,657.55	3.40%	5,257,850	12,192	(5,999)	Wedbush
FHLB	1.0000%	02/12/13	5,000,000	99.97000	05/12/13	11/09/17	1.010%	4,999,862.07	3.24%	5,001,050	1,188	(4,817)	Citigroup
FHLB	1.1000%	02/15/13	5,000,000	100.00000	05/15/13	02/15/18	1.100%	5,000,000.00	3.24%	5,001,650	1,650	7,150	Citigroup
Sub-Totals								15,245,519.62	9.87%	15,260,550	15,030	(3,668)	
<u>FEDERAL HOME LOAN MORTGAGE CORP</u>													
FHLMC	1.0000%	01/26/12	4,000,000	101.50900		08/20/14	0.408%	4,030,637.27	2.61%	4,041,040	10,403	1,750	Wedbush
FHLMC	1.0000%	12/16/11	4,000,000	100.00000	12/16/13	06/16/15	1.000%	4,000,000.00	2.59%	4,015,360	15,360	(1,280)	Wedbush
FHLMC	0.6250%	02/21/12	5,000,000	100.00000	02/21/14	08/21/15	0.625%	5,000,000.00	3.24%	5,017,188	17,188	688	Wedbush
FHLMC	1.0000%	01/13/12	5,000,000	100.00000	01/13/14	10/13/15	1.000%	5,000,000.00	3.24%	5,023,800	23,800	(1,900)	Citigroup
FHLMC	1.0500%	02/10/12	5,000,000	100.00000	02/10/14	08/10/16	1.050%	5,000,000.00	3.24%	5,031,300	31,300	(2,800)	Vining Sparks
FHLMC	1.0000%	02/24/12	5,000,000	100.00000	02/24/14	08/24/16	1.000%	5,000,000.00	3.24%	5,030,550	30,550	(1,200)	Vining Sparks
FHLMC	0.7000%	09/27/12	5,000,000	100.00000	09/27/13	09/27/16	0.700%	5,000,000.00	3.24%	5,007,150	7,150	1,900	Vining Sparks
FHLMC	0.7500%	10/24/12	5,000,000	100.00000	07/05/13	10/05/16	0.750%	5,000,000.00	3.24%	5,004,600	4,600	4,100	Citigroup
FHLMC	0.7500%	01/16/13	5,000,000	100.00000	07/05/13	10/05/16	0.750%	5,000,000.00	3.24%	5,004,600	4,600	4,100	Citigroup
FHLMC	1.0000%	02/27/12	5,000,000	100.00000	02/27/15	02/27/17	1.000%	5,000,000.00	3.24%	5,038,700	38,700	(31,850)	Wedbush
Sub-Totals								48,030,637.27	31.09%	48,214,288	183,650	(26,493)	
<u>FEDERAL NATIONAL MORTGAGE ASSOCIATION</u>													
FNMA	1.0500%	11/25/11	5,000,000	100.00000	11/25/13	11/25/15	1.050%	5,000,000.00	3.24%	5,021,450	21,450	(2,450)	Citigroup
FNMA	1.1560%	12/30/11	5,000,000	99.97500	12/30/13	06/30/16	1.156%	4,999,585.07	3.24%	5,028,000	28,415	(3,152)	Citigroup
FNMA	0.7500%	08/29/12	5,000,000	100.00000	08/29/13	07/28/16	0.750%	5,000,000.00	3.24%	5,005,950	5,950	(1,700)	Wedbush
FNMA	0.8000%	07/26/12	5,000,000	100.00000	07/26/13	07/26/16	0.800%	5,000,000.00	3.24%	5,005,800	5,800	(1,650)	Citigroup
FNMA	0.7000%	12/19/12	5,000,000	100.00000	12/19/13	12/19/16	0.700%	5,000,000.00	3.24%	5,011,600	11,600	10,819	Citigroup
FNMA	1.3000%	02/21/12	5,000,000	100.00000	02/21/14	02/21/17	1.300%	5,000,000.00	3.24%	5,049,219	49,219	(2,231)	Wedbush
FNMA	1.0500%	10/04/12	3,750,000	100.00000	10/04/13	10/04/17	1.050%	3,750,000.00	2.43%	3,762,863	12,863	1,800	Citigroup
FNMA	0.8750%	01/08/13	5,000,000	100.00000		10/26/17	0.875%	5,000,000.00	3.24%	5,033,594	33,594	26,894	Wedbush
FNMA	1.0000%	11/15/12	5,000,000	100.00000	05/15/13	11/15/17	1.000%	5,000,000.00	3.24%	5,001,900	1,900	(4,250)	Vining Sparks
FNMA	1.0000%	02/27/13	5,000,000	100.00000	02/27/15	11/27/17	1.000%	5,000,000.00	3.24%	5,050,050	50,050	23,850	Citigroup

INVESTMENTS ON APRIL 30, 2013

Investment Type	Coupon/ Discount	Purch. Date	Face Value	Purch. Price	Next Call Date	Maturity Date	Yield	Book Value	% of Portfolio	Market Value*	Est. Unrealized Gain/(Loss)	Change in Unrealized Gain/(Loss)	Broker/ Dealer
FNMA	1.0300%	01/30/13	5,000,000	100.00000	01/30/14	01/30/18	1.030%	5,000,000.00	3.24%	5,019,600	19,600	19,900	Vining Sparks
Sub-Totals								53,748,585.07	34.79%	53,990,025	240,440	67,829	
TOTAL FEDERAL AGENCY ISSUES								122,025,741.96	78.98%	122,469,550	443,806	34,907	
<u>MUNICIPAL BONDS</u>													
San Francisco Airport	2.4210%	12/10/10	1,725,000	101.39900		05/01/13	1.820%	1,725,000.00	1.12%	1,725,000	0	(1,833)	Stone
Univ. of CA Revenue	4.8500%	12/16/09	1,000,000	107.72700		05/05/13	2.475%	1,000,880.21	0.65%	1,001,640	760	(1,654)	Stone
LA Unified School	3.0000%	10/15/09	2,000,000	100.17100		07/01/13	2.950%	2,000,153.59	1.29%	2,006,980	6,826	(3,063)	Citigroup
Contra Costa Pension	4.7600%	09/02/09	2,000,000	104.00000		08/01/13	3.853%	2,005,110.01	1.30%	2,015,300	10,190	(3,517)	Stone
S.Coast Air Quality	5.4000%	08/30/10	2,275,000	108.55200		08/01/13	2.500%	2,290,760.77	1.48%	2,296,431	5,670	(2,072)	Stone
San Marcos Tax Alloc	4.7600%	05/24/10	600,000	104.68500		08/01/13	3.200%	602,205.87	0.39%	603,222	1,016	(369)	Stone
Indian Wells Redev	4.4800%	12/20/10	590,000	100.90000		09/01/13	4.122%	590,656.23	0.38%	590,879	223	(90)	Stone
Fresno Co. Pension	4.2780%	08/17/09	2,000,000	94.95000		08/15/14	5.446%	1,973,935.48	1.28%	2,057,380	83,445	95	Citigroup
Oceanside Unified	4.5000%	06/01/11	3,000,000	104.47800		05/01/16	3.500%	3,081,970.17	1.99%	3,304,320	222,350	(2,193)	Stone
TOTAL MUNICIPAL BONDS								15,270,672.13	9.88%	15,601,152	330,479	(14,695)	
TOTAL INVESTMENTS								154,496,421.78	100.00%	155,270,709	774,288	20,212	

WEIGHTED AVERAGE MATURITY = 1,040 DAYS

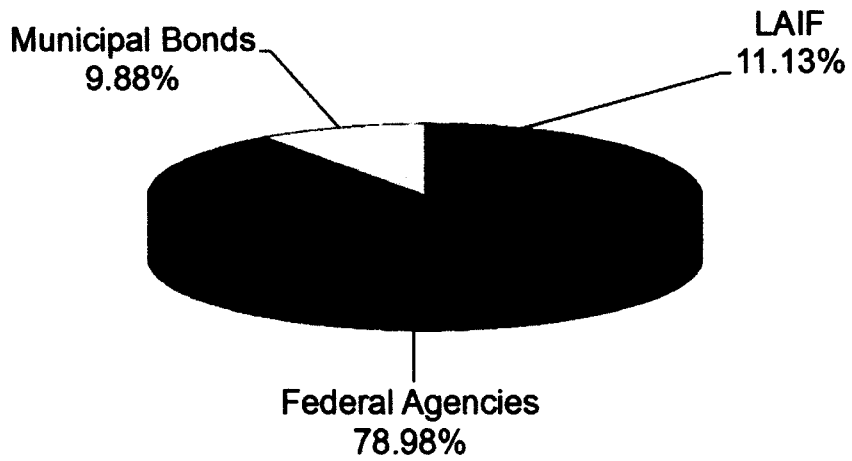
YIELD TO MATURITY = 1.029%

As required by Gov't Code 53646, the City has sufficient liquidity and anticipated revenues to meet the budgeted expenditures for the next 6 months.

All investments are in compliance with California Government Code and the City's Investment Policy.

*Market values were obtained from Bank of New York Mellon. They are only estimates, and do not necessarily reflect what we could sell a security for on any given day.

DISTRIBUTION OF INVESTMENTS

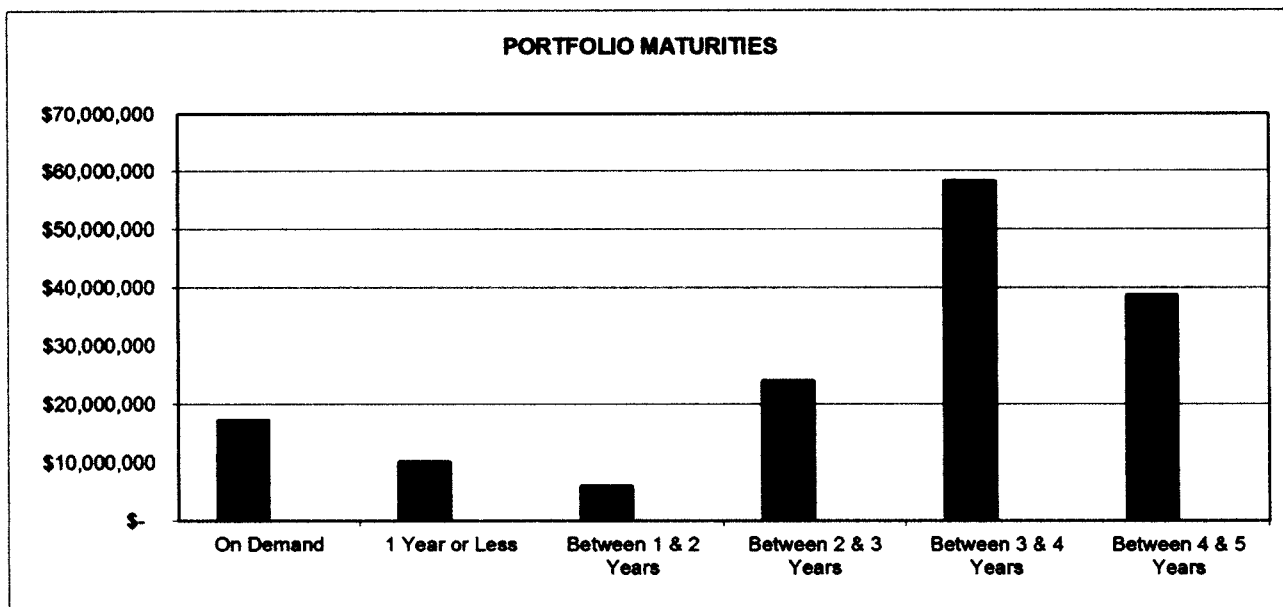


INVESTMENT TRANSACTIONS FOR APRIL 2013

Date	Trans. Type	Investment Description	Purch. Date	Matur. Date	Yield	PURCHASES/ DEPOSITS	SALES/CALLS/ MATURITIES/ WITHDRAWALS		
						Book Value	Book Value	Proceeds (Principal)	Capital Gain/(Loss)
04/22/13	Call	FHLB	02/22/13	02/22/18	1.25%		\$ 5,000,000.00	\$ 5,000,000.00	\$ -
04/27/13	Call	FHLB	02/27/13	02/27/18	1.30%		\$ 5,000,000.00	\$ 5,000,000.00	\$ -
04/30/13	Call	FNMA	04/30/12	10/30/15	0.75%		\$ 5,000,000.00	\$ 5,000,000.00	\$ -
TOTALS						\$ -	\$ 15,000,000.00	\$ 15,000,000.00	\$ -

**PORTFOLIO MATURITIES
APRIL 30, 2013**

	LENGTH OF TIME UNTIL MATURITY						TOTAL
	On Demand	1 Year or Less	Between 1 & 2 Years	Between 2 & 3 Years	Between 3 & 4 Years	Between 4 & 5 Years	
Investment Pool	\$ 17,200,008						\$ 17,200,008
Federal Agency Issues			\$ 4,030,637	\$ 24,000,000	\$ 55,245,243	\$ 38,749,862	\$ 122,025,742
Municipal Bonds		\$ 10,214,766	\$ 1,973,935		\$ 3,081,970		\$ 15,270,872
TOTAL	\$ 17,200,008	\$ 10,214,766	\$ 6,004,573	\$ 24,000,000	\$ 58,327,213	\$ 38,749,862	\$ 154,496,422
% OF TOTAL	11%	7%	4%	16%	38%	25%	100%

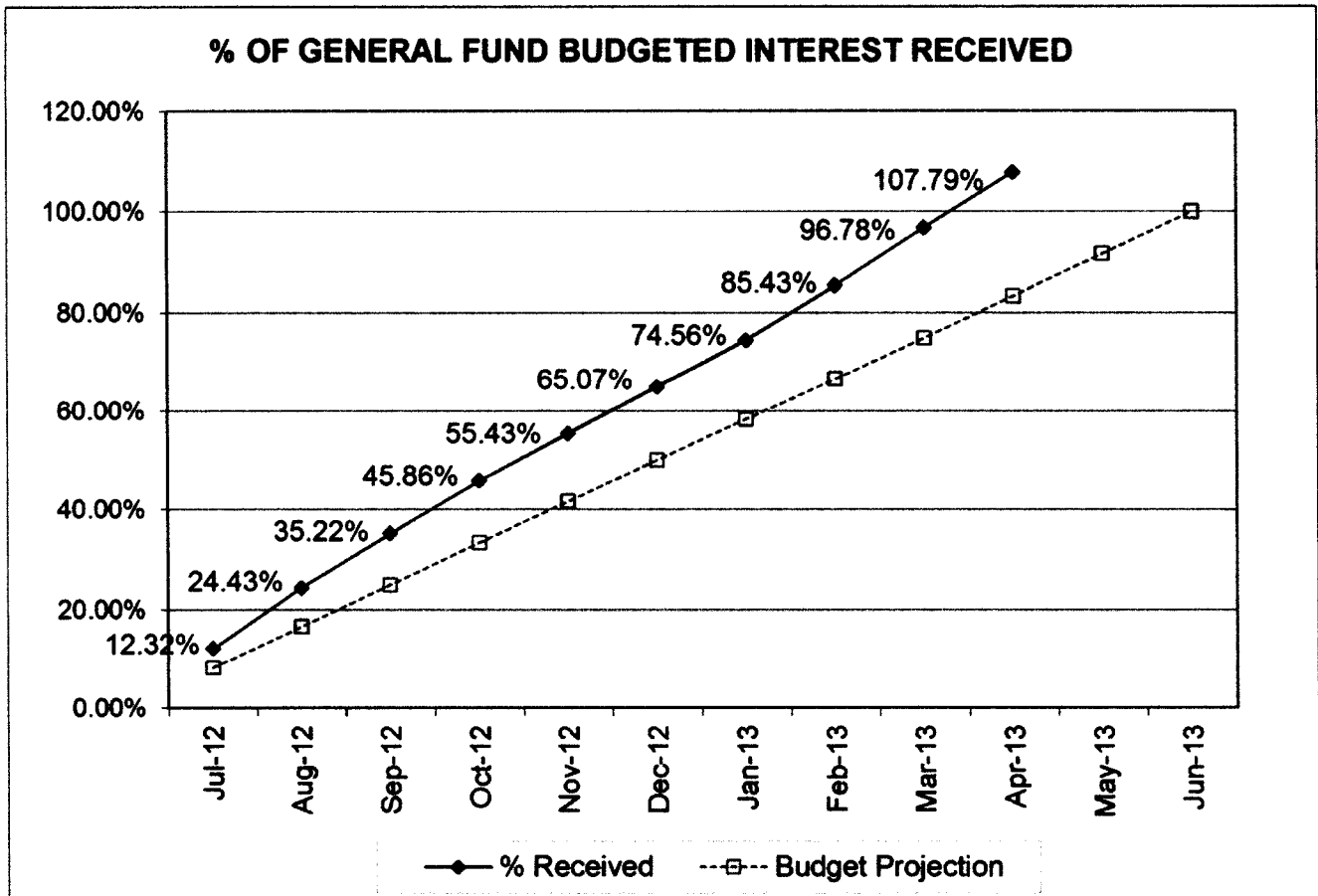


**INTEREST EARNINGS
FISCAL YEAR 2012-2013**

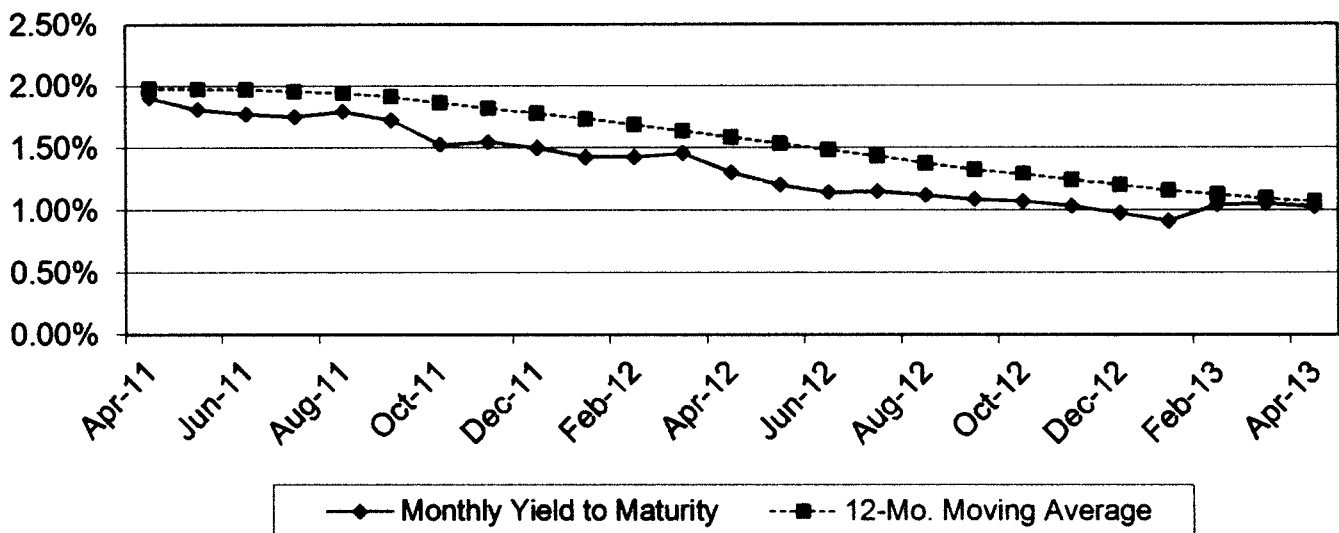
Month	ALL FUNDS			GENERAL FUND		
	Monthly Amount	Portfolio Yield	YTD Amount	Monthly Amount	YTD Amount	% Of Budgeted Amount
Jul-12	\$ 172,817	1.15%	\$ 172,817	\$ 59,578	\$ 59,578	12.32%
Aug-12	\$ 164,610	1.12%	\$ 337,427	\$ 58,579	\$ 118,157	24.43%
Sep-12	\$ 145,116	1.09%	\$ 482,543	\$ 52,229	\$ 170,386	35.22%
Oct-12	\$ 145,021	1.07%	\$ 627,564	\$ 51,444	\$ 221,830	45.86%
Nov-12	\$ 135,310	1.03%	\$ 762,873	\$ 46,272	\$ 268,102	55.43%
Dec-12	\$ 133,156	0.98%	\$ 896,029	\$ 46,632	\$ 314,734	65.07%
Jan-13	\$ 132,003	0.91%	\$ 1,028,032	\$ 45,939	\$ 360,673	74.56%
Feb-13	\$ 140,869	1.04%	\$ 1,168,702	\$ 52,556	\$ 413,229	85.43%
Mar-13	\$ 152,416	1.06%	\$ 1,321,118	\$ 54,932	\$ 468,161	96.78%
Apr-13	\$ 148,412	1.03%	\$ 1,469,530	\$ 53,249	\$ 521,410	107.79%
May-13			\$ 1,469,530		\$ 521,410	107.79%
Jun-13			\$ 1,469,530		\$ 521,410	107.79%

GENERAL FUND BUDGETED INTEREST REVENUE:

\$ 483,718.00



Portfolio Yield To Maturity April 2011 - April 2013



**CASH AND INVESTMENTS BY FUND
(EXCLUDING FUNDS MANAGED BY FISCAL AGENTS)**

APRIL 30, 2013

FUND	FUND NAME	CASH & INVESTMENTS
001	GENERAL FUND	43,892,048.52
002	GENERAL FUND CIP	4,087,893.37
003	2007 CITY OF VISTA COP'S	14.34
102	PARK DEVELOPMENT	261,006.21
103	COMM DEVELOPMENT BLOCK GRANT	608,140.94
106	GAS TAX	2,740,842.87
107	SENIOR CITIZEN NUTRITION PROGRAM	-237,779.92
108	1972 LIGHTING & LANDSCAPE MAINTENANCE	61,442.83
109	PLANNED LOCAL DRAINAGE	394,568.64
110	DEVELOPMENT	3,597,192.10
111	PROPOSITION "A" SALES TAX	-1,528,579.31
112	HOUSING SET ASIDE FUNDS	0.00
113	SOUTH MELROSE LANDSCAPE AD	42,186.10
114	LA MIRADA CANYON MAINT DIST	89,607.44
117	GRANTS	-720,608.66
120	JPFA 1993 "C" NORTH CO. SQUARE	110,762.37
122	VISTA HOUSING AUTHORITY	18,801.72
124	HOME PROGRAM	32,362.28
125	STATE COPS GRANT	136,691.11
126	CALHOME PROGRAM	48,527.83
127	STATE PROPOSITION IB	538.29
301	VISTA REDEVELOPMENT AGENCY	-272,318.25
302	REDEVELOPMENT REVOLVING FUND	0.00
303	RDA HOUSING BONDS	-1,414.10
305	PASEO SANTA FE FACILITIES PROJ	15,884,549.85
310	REDEVELOPMENT SCHOOL SAFETY	1,784,616.17
404	81-2R SOUTH SYCAMORE D.S.	165,724.94
406	86-2 HUFF STREET DEBT SERVICE	32,308.24
407	REDEVELOPMENT DEBT SERVICE	9,501.60
408	REDEV OBLIGATION RETIREMENT	0.00
412	JPFA 1993 D WATERPARK	-303.00
413	JPFA 1993 "C" NORTH CO. SQUARE	786,192.17
414	JPFA 1995 "A" RACEWAY BASIN	192,681.22
418	JPFA 1997 SERIES "A" HACIENDA	67,474.27
421	2007 CITY OF VISTA COP'S	-3,496,880.12
422	LEASE REVENUE DEBT SERVICE	452,312.29
501	CITY SEWER REVENUE	17,064,947.29
502	CITY CAPITAL EXPANSION	-147,381.00
503	CITY CAPITAL REPAIRS AND REPLACEMENT	20,684,790.28
504	BUENA SEWER REVENUE	6,282,870.40
505	BUENA CAPITAL EXPANSION	1,321,557.11
506	BUENA CAPITAL REPAIRS AND REPLACEMENT	37,328,384.37
507	WAVE WATERPARK	721,388.72
601	RISK MANAGEMENT	10,829,221.69
602	BUILDING AND FACILITIES MAINT	-328,560.62
603	VEHICLE MAINTENANCE	2,364,918.16
604	INFORMATION TECHNOLOGY	2,185,386.00
701	TRUST DEPOSITS	962,893.16
702	86-1-R RACEWAY REFUNDING BONDS	208,319.59
704	CFD 1993 "A" NORTH CO. SQUARE	-257,060.73
708	DEFERRED STREET CONSTRUCTION	3,682,312.93
709	RSWA AGENCY FUND	396,576.70
	TOTAL	<u>172,540,668.40</u>

**FUNDS MANAGED BY FISCAL AGENTS
APRIL 30, 2013**

DESCRIPTION	BOOK VALUE
<i>FUNDS MANAGED BY U.S. BANK:</i>	
1993 CFD 92-1 (N. County Square), Series A	1,763.57
1993 JPFA Revenue Bonds (Aquatic Park), Series D	136,250.00
1993 JPFA Revenue Bonds (N. County Square), Series C	9,206,477.64
1995, 1998, 2001 & 2005 CDC Tax Allocation Bonds (Vista Redev. Project)	3,967,387.04
1997 JPFA Lease Revenue Refunding Bonds (Hacienda & Buena Vista), A & B	192,988.93
2005 CDC Tax Allocation Refunding Bonds (Hidden Valley)	0.04
2007 City of Vista Certificates of Participation	14,288,805.72
2010 CDC Bond Anticipation Notes (Vista Redevelopment Project)	1,701,533.00
2010 CDC Tax Allocation Bonds (Vista Redevelopment Project)	8,627,497.12
2011 CDC Tax Allocation Bonds	919,989.58
TOTAL FUNDS MANAGED BY U.S. BANK	39,042,692.64
 <i>FUNDS MANAGED BY TRISTAR:</i>	
Worker's Compensation Trust Account	77,474.43
 TOTAL FUNDS MANAGED BY FISCAL AGENTS	39,120,167.07

CITY OF VISTA

MEMORANDUM

TO: Lin Wurbs, RSWA General Manager

FROM: Dale Nielsen, Director of Finance/Treasurer

DATE: July 1, 2013

SUBJECT: RSWA Budget Status

Attached are the Financial Status Report and Cash Activity Report for the Regional Solid Waste Association (RSWA) for the fourth quarter of fiscal year (FY) 2012/2013. The reports show actual activity from July 1, 2012 through June 30, 2013. The investment interest earned for June 2013 has not yet been calculated, so it is not included.

ACCOUNT RECONCILIATION

Each account has been reviewed and reconciled against the transactions contained in the City of Vista's financial database as of June 30, 2013.

REVENUES

Year-to-date (YTD) activity includes actual revenue of \$256,241, which represents 98% of the FY 12/13 budgeted revenue. As stated above, interest earnings have not yet been posted for the month of June. The household hazardous waste non-member payment from PSC Environmental Services for the period April 1 through June 30, 2013 is expected to be received in August 2013.

EXPENDITURES

The YTD activity includes actual expenditures through June 30, 2013 totaling \$257,274, which represents 90% of the FY 12/13 budgeted amount.

FUND BALANCE

The total fund balance as of June 30, 2013 is \$347,692.

**REGIONAL SOLID WASTE ASSOCIATION
FY2012-2013 FINANCIAL STATUS REPORT
AS OF JUNE 30, 2013**

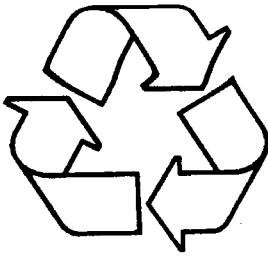
	<u>BUDGET</u>	<u>YTD ACTUAL</u>
BEGINNING BALANCE (6-30-2012 Fund Balance)	348,725	348,725
REVENUE		
DISPOSAL AGREEMENT VOLUME REBATE	228,108	228,108
HHW NON-MEMBER	33,000	25,045
INVESTMENT EARNINGS	1,370	3,088
TOTAL REVENUE	<u>262,478</u>	<u>256,241</u>
EXPENSES		
STIPENDS	10,000	4,500
INSURANCE	5,500	5,446
TRAVEL AND MEETINGS	8,000	
AUDIT SERVICES	2,750	2,500
LEGAL SERVICES	18,000	18,000
CONSULTANT SERVICES	48,000	48,000
REIMBURSEMENTS	3,500	1,412
HHW EDUCATION	7,000	7,000
HHW PERMITS	1,600	1,462
HHW HOTLINE	6,600	1,650
HHW FACILITY SECURITY & PHONE	3,000	3,028
WEBSITE MAINTENANCE	2,000	2,780
RSWA PHONE, FLYERS	7,800	405
INTERGOVERNMENTAL PROGRAMS	161,090	161,090
TOTAL EXPENSES	<u>284,840</u>	<u>257,274</u>
ENDING FUND BALANCE	<u>326,363</u>	<u>347,692</u>
CASH		345,542
ACCOUNTS RECEIVABLE		
PREPAID EXPENSE (INSURANCE)		2,150
ACCOUNTS PAYABLE		
TOTAL FUND BALANCE	<u>326,363</u>	<u>347,692</u>

RSWA CASH ACTIVITY
JULY 1, 2012 - JUNE 30, 2013

<u>Date</u>	<u>Ck.#</u>	<u>Name</u>	<u>Description</u>	<u>Deposit</u>	<u>Disbursement</u>	<u>Cash Balance</u>
			Balance carried forward from 6/30/12			\$ 332,880.78
7/1/12	70604	COUNTY OF SAN DIEGO -	VISTA HHW FACILITY PERMIT-RSWA		\$ 731.00	\$ 332,149.78
7/1/12	70605	COUNTY OF SAN DIEGO -	POWAY HHW FACILITY PERMIT		\$ 731.00	\$ 331,418.78
7/12/12	70654	CITY OF NATIONAL CITY	RSWA HHW ALLOCATION (FY11/12)		\$ 1,296.00	\$ 330,122.78
7/12/12	70655	CITY OF POWAY	RSWA HHW ALLOCATION (FY11/12)		\$ 1,368.00	\$ 328,754.78
7/12/12	70656	CITY OF VISTA	RSWA HHW ALLOCATION (FY11/12)		\$ 1,080.00	\$ 327,674.78
7/12/12	70736	MORRISON, RON	RSWA STIPEND (6/28/12 MEETING)		\$ 150.00	\$ 327,524.78
7/12/12	70737	MUIR, MARK ANDERSON	RSWA STIPEND (6/28/12 MEETING)		\$ 150.00	\$ 327,374.78
7/12/12	70738	MULLIN, JOHN	RSWA STIPEND (6/28/12 MEETING)		\$ 150.00	\$ 327,224.78
7/12/12	70743	NICHOLS, MICHAEL EDWIN	RSWA STIPEND (6/28/12 MEETING)		\$ 150.00	\$ 327,074.78
7/12/12	70782	SINNOTT, TERRY	RSWA STIPEND (6/28/12 MEETING)		\$ 150.00	\$ 326,924.78
7/12/12	70818	WALDRON, MARIE	RSWA STIPEND (6/28/12 MEETING)		\$ 150.00	\$ 326,774.78
7/12/12	70832	CITY OF DEL MAR	HHW EDUCATIONAL APPROPRIATION		\$ 1,000.00	\$ 325,774.78
7/12/12	70834	CITY OF ENCINITAS	HHW EDUCATIONAL APPROPRIATION		\$ 1,000.00	\$ 324,774.78
7/12/12	70835	CITY OF ESCONDIDO	HHW EDUCATIONAL APPROPRIATION		\$ 1,000.00	\$ 323,774.78
7/12/12	70836	CITY OF NATIONAL CITY	HHW EDUCATIONAL APPROPRIATION		\$ 1,000.00	\$ 322,774.78
7/12/12	70837	CITY OF POWAY	HHW EDUCATIONAL APPROPRIATION		\$ 1,000.00	\$ 321,774.78
7/12/12	70838	CITY OF SOLANA BEACH	HHW EDUCATIONAL APPROPRIATION		\$ 1,000.00	\$ 320,774.78
7/12/12	70839	CITY OF VISTA	PHONE-RSWA HHW (FY 2012/2013)		\$ 400.00	\$ 320,374.78
7/12/12	70840	CITY OF VISTA	HHW EDUCATIONAL APPROPRIATION		\$ 1,000.00	\$ 319,374.78
7/12/12	70868	PROGRESSIVE TECHNOLOGY	HHW SECURITY MONITORING-VISTA		\$ 2,448.00	\$ 316,926.78
7/12/12	70882	WOODRUFF, SPRADLIN & SMART	RSWA LEGAL RETAINER (JUL-SEP)		\$ 4,500.00	\$ 312,426.78
7/12/12	70883	WURBS, LIN H.	RSWA CONSULTANT RETAINER-JULY		\$ 4,000.00	\$ 308,426.78
7/16/12		EDCO WASTE & RECYCLING	CONTRACT VOLUME REBATE	\$ 57,027.00		\$ 365,453.78
7/26/12	71246	WURBS, LIN H.	RSWA CONSULTANT RETAINER-AUG		\$ 4,000.00	\$ 361,453.78
7/31/12		CITY OF VISTA	INTEREST RECEIVED FOR JULY 2012	\$ 353.56		\$ 361,807.34
8/13/12		PSC ENVIRONMENTAL SERV	HHW NON-MEMBER APRIL-JUNE 2012	\$ 18,338.00		\$ 380,145.34
8/23/12	72077	WURBS, LIN H.	RSWA CONSULTANT RETAINER-SEP		\$ 4,000.00	\$ 376,145.34
8/31/12		CITY OF VISTA	INTEREST RECEIVED FOR AUGUST 2012	\$ 372.06		\$ 376,517.40
9/6/12	72109	CITY OF DEL MAR	ENVIRONMENTAL ENHANCEMENT FUND		\$ 3,252.00	\$ 373,265.40
9/6/12	72110	CITY OF ENCINITAS	ENVIRONMENTAL ENHANCEMENT FUND		\$ 29,100.00	\$ 344,165.40
9/6/12	72111	CITY OF NATIONAL CITY	ENVIRONMENTAL ENHANCEMENT FUND		\$ 17,580.00	\$ 326,585.40
9/6/12	72113	CITY OF POWAY	ENVIRONMENTAL ENHANCEMENT FUND		\$ 22,680.00	\$ 303,905.40
9/6/12	72115	CITY OF SOLANA BEACH	ENVIRONMENTAL ENHANCEMENT FUND		\$ 6,600.00	\$ 297,305.40
9/6/12	72116	CITY OF VISTA	ENVIRONMENTAL ENHANCEMENT FUND		\$ 40,788.00	\$ 256,517.40
9/6/12	72243	PSC ENVIRONMENTAL SERV	2012-Q1 RSWA HOTLINE SERVICES		\$ 1,650.00	\$ 254,867.40
9/20/12	72327	ALLIANT INSURANCE SERV	2012/13 RSWA SPECIAL LIAB INS		\$ 3,296.27	\$ 251,571.13
9/30/12		CITY OF VISTA	INTEREST RECEIVED FOR SEPT 2012	\$ 223.05		\$ 251,794.18
10/4/12	72718	PROGRESSIVE TECHNOLOGY	ALARM BATTERIES - HHW FACILITY		\$ 180.43	\$ 251,613.75
10/4/12	72782	WURBS, LIN H.	RSWA CONSULTANT RETAINER-OCT		\$ 4,000.00	\$ 247,613.75
10/11/12		EDCO WASTE & RECYCLING	CONTRACT VOLUME REBATE	\$ 57,027.00		\$ 304,640.75
10/18/12	72835	COWLES, RALPH DAVIS	RSWA STIPEND (10/4/12 MEETING)		\$ 150.00	\$ 304,490.75
10/18/12	72937	MORRISON, RON	RSWA STIPEND (10/4/12 MEETING)		\$ 150.00	\$ 304,340.75
10/18/12	72938	MUIR, MARK ANDERSON	RSWA STIPEND (10/4/12 MEETING)		\$ 150.00	\$ 304,190.75
10/18/12	72939	MULLIN, JOHN	RSWA STIPEND (10/4/12 MEETING)		\$ 150.00	\$ 304,040.75
10/18/12	72944	NICHOLS, MICHAEL EDWIN	RSWA STIPEND (10/4/12 MEETING)		\$ 150.00	\$ 303,890.75
10/18/12	72996	SINNOTT, TERRY	RSWA STIPEND (10/4/12 MEETING)		\$ 150.00	\$ 303,740.75
10/18/12	73045	WALDRON, MARIE	RSWA STIPEND (10/4/12 MEETING)		\$ 150.00	\$ 303,590.75
10/18/12	73057	WOODRUFF, SPRADLIN & SMART	RSWA LEGAL RETAINER (OCT-DEC)		\$ 4,500.00	\$ 299,090.75
10/18/12	73058	WURBS, LIN H.	REIMB-RSWA PHONE EXP (JUL-SEP)		\$ 300.63	\$ 298,790.12
10/18/12	73059	WURBS, LIN H.	RSWA CONSULTANT RETAINER (NOV)		\$ 4,000.00	\$ 294,790.12
10/31/12		CITY OF VISTA	INTEREST RECEIVED FOR OCT 2012	\$ 258.54		\$ 295,048.66
11/1/12	73273	WURBS, LIN H.	REIMB-RSWA PHONE-HHW CALL FWD		\$ 61.03	\$ 294,987.63
11/15/12	73400	LANCE, SOLL & LUNGHARD, LLP	2012 RSWA GOVERNMENT AUDIT		\$ 2,250.00	\$ 292,737.63
11/29/12	73697	WURBS, LIN H.	RSWA CONSULTANT RETAINER (DEC)		\$ 4,000.00	\$ 288,737.63
11/30/12		CITY OF VISTA	INTEREST RECEIVED FOR NOV 2012	\$ 245.19		\$ 288,982.82
12/6/12		PSC ENVIRONMENTAL SERV	HHW NON-MEMBER JULY-SEPT 2012	\$ 10,735.25		\$ 299,718.07
12/31/12		INVESTMENT EARNINGS	DEC INT ALLOC	\$ 243.79		\$ 299,961.86
1/10/13	74260	WURBS, LIN H.	RSWA CONSULTANT RETAINER (JAN)		\$ 4,000.00	\$ 295,961.86
1/22/13		EDCO WASTE & RECYCLING	CONTRACT VOLUME REBATE	\$ 57,027.00		\$ 352,988.86
1/24/13	74314	COWLES, RALPH DAVIS	RSWA STIPEND (1/10/13 MEETING)		\$ 150.00	\$ 352,838.86
1/24/13	74371	LANCE, SOLL & LUNGHARD, LLP	2011/2012 ANNUAL AUDIT		\$ 250.00	\$ 352,588.86
1/24/13	74393	MORASCO, MICHAEL K.	RSWA STIPEND (1/10/13 MEETING)		\$ 150.00	\$ 352,438.86
1/24/13	74394	MORRISON, RON	RSWA STIPEND (1/10/13 MEETING)		\$ 150.00	\$ 352,288.86

RSWA CASH ACTIVITY
JULY 1, 2012 - JUNE 30, 2013

<u>Date</u>	<u>Ck.#</u>	<u>Name</u>	<u>Description</u>	<u>Deposit</u>	<u>Disbursement</u>	<u>Cash Balance</u>
1/24/13	74395	MUIR, MARK ANDERSON	RSWA STIPEND (1/10/13 MEETING)		\$ 150.00	\$ 352,138.86
1/24/13	74396	MULLIN, JOHN	RSWA STIPEND (1/10/13 MEETING)		\$ 150.00	\$ 351,988.86
1/24/13	74405	NICHOLS, MICHAEL EDWIN	RSWA STIPEND (MTGS 1/10, 1/15)		\$ 300.00	\$ 351,688.86
1/24/13	74449	SINNOTT, TERRY	RSWA STIPEND (1/10/13 MEETING)		\$ 150.00	\$ 351,538.86
1/24/13	74501	WOODRUFF, SPRADLIN & SMART	RSWA LEGAL RETAINER (JAN-MAR)		\$ 4,500.00	\$ 347,038.86
1/24/13	74503	WURBS, LIN H.	RSWA CONSULTANT RETAINER (FEB)		\$ 4,000.00	\$ 343,038.86
1/24/13	74503	WURBS, LIN H.	REIMB. 2ND QUARTER		\$ 716.14	\$ 342,322.72
1/31/13		INVESTMENT EARNINGS	JAN INT ALLOC	\$ 245.00		\$ 342,567.72
2/21/13	74977	WURBS, LIN H.	RSWA CONSULTANT RETAINER (MAR)		\$ 4,000.00	\$ 338,567.72
2/27/13		HHW NON-MEMBER	HHW NON-MEMBER OCT-DEC 2012	\$ 6,630.25		\$ 345,197.97
2/28/13		INVESTMENT EARNINGS	FEB INT ALLOC	\$ 272.00		\$ 345,469.97
3/21/13	75249	COWLES, RALPH DAVIS	RSWA STIPEND (2/4/13 MEETING)		\$ 150.00	\$ 345,319.97
3/21/13	75288	GROSCH, DAVE	RSWA STIPEND (2/4/13 MEETING)		\$ 150.00	\$ 345,169.97
3/21/13	75342	MORRISON, RON	RSWA STIPEND (2/4/13 MEETING)		\$ 150.00	\$ 345,019.97
3/21/13	75343	MUIR, MARK ANDERSON	RSWA STIPEND (2/4/13 MEETING)		\$ 150.00	\$ 344,869.97
3/21/13	75344	MULLIN, JOHN	RSWA STIPEND (2/4/13 MEETING)		\$ 150.00	\$ 344,719.97
3/21/13	75352	NICHOLS, MICHAEL EDWIN	RSWA STIPEND (2/4/13 MEETING)		\$ 150.00	\$ 344,569.97
3/21/13	75470	WURBS, LIN H.	RSWA MONTHLY RETAINER (APR)		\$ 4,000.00	\$ 340,569.97
3/31/13		INVESTMENT EARNINGS	MARCH INT ALLOC	\$ 297.00		\$ 340,866.97
4/17/13		EDCO WASTE & RECYCLING	CONTRACT VOLUME REBATE	\$ 57,027.00		\$ 397,893.97
4/18/13	75823	NICHOLS, MICHAEL EDWIN	RSWA STIPEND (WEBSITE 3/19, 3/31)		\$ 300.00	\$ 397,593.97
4/18/13	75934	WOODRUFF, SPRADLIN & SMART	RSWA LEGAL RETAINER (APR-JUN)		\$ 4,500.00	\$ 393,093.97
4/18/13	75937	WURBS, LIN H.	RSWA MONTHLY RETAINER (MAY)		\$ 4,000.00	\$ 389,093.97
4/18/13	75937	WURBS, LIN H.	REIMB. 3RD QUARTER		\$ 525.02	\$ 388,568.95
4/23/13		HHW NON-MEMBER	HHW NON-MEMBER JAN-MAR 2013	\$ 7,679.75		\$ 396,248.70
4/30/13		INVESTMENT EARNINGS	APRIL INT ALLOC	\$ 328.00		\$ 396,576.70
5/2/13	75967	CITY OF NATIONAL CITY	EQUITY ADJUSTMENT PAYMENT-RSWA		\$ 18,491.00	\$ 378,085.70
5/2/13	75969	CITY OF POWAY	EQUITY ADJUSTMENT PAYMENT-RSWA		\$ 22,599.00	\$ 355,486.70
5/30/13	76413	ALLIANT INSURANCE SERVICES INC	RSWA CRIME INS PREPAID FOR FY13-14		\$ 2,150.00	\$ 353,336.70
5/30/13	76457	COWLES, RALPH DAVIS	STIPEND-RSWA BOARD MTG-5/16/13		\$ 150.00	\$ 353,186.70
5/30/13	76557	MORASCO, MICHAEL K.	STIPEND-RSWA BOARD MTG-5/16/13		\$ 150.00	\$ 353,036.70
5/30/13	76558	MORRISON, RON	STIPEND-RSWA BOARD MTG-5/16/13		\$ 150.00	\$ 352,886.70
5/30/13	76559	MUIR, MARK ANDERSON	STIPEND-RSWA BOARD MTG-5/16/13		\$ 150.00	\$ 352,736.70
5/30/13	76560	MULLIN, JOHN	STIPEND-RSWA BOARD MTG-5/16/13		\$ 150.00	\$ 352,586.70
5/30/13	76566	NICHOLS, MICHAEL EDWIN	STIPEND-RSWA BOARD MTG-5/16/13		\$ 150.00	\$ 352,436.70
5/30/13	76628	SINNOTT, TERRY	STIPEND-RSWA BOARD MTG-5/16/13		\$ 150.00	\$ 352,286.70
5/30/13	73045	WALDRON, MARIE	VOID 10/18/12 UNCASHED STIPEND CK		(150.00)	\$ 352,436.70
5/30/13	76666	WALDRON, MARIE	REISSUE VOIDED RSWA STIPEND		\$ 150.00	\$ 352,286.70
5/30/13	76681	WURBS, LIN H.	RSWA MONTHLY RETAINER (JUNE)		\$ 4,000.00	\$ 348,286.70
5/31/13		INVESTMENT EARNINGS	MAY INT ALLOC	\$ 250.00		\$ 348,536.70
6/13/13	76950	PRIETO, ANTHONY	RSWA WEBSITE REDESIGN/MAINT		\$ 2,779.96	\$ 345,756.74
6/27/13	77115	CTS LANGUAGELINK	TRASH CART STICKER PROJ (HHW)		\$ 215.00	\$ 345,541.74



REGIONAL SOLID WASTE ASSOCIATION

Member Agencies: Cities of Del Mar, Encinitas, Escondido,
National City, Poway, Solana Beach, and Vista

To: RSWA Board Members
 From: General Manager Lin Wurbs *L. Wurbs*
 Subject: FY 2012/13 Budget Expenditure – HHW Contract Door-to-Door Allocation
 Date: RSWA Agenda 7/11/2013

HISTORY/BACKGROUND

The Household Hazardous Waste (HHW) Contract signed between EDCO Disposal and Philip Services (PSC) for HHW Services provides for an annual allocation of 120 door-to-door collections for seniors or handicapped individuals in the RSWA cities. This year the contract between EDCO and PSC was renegotiated mid-year to provide for the PaintCare program and as part of the new contract the door-to-door allocation program was eliminated in addition to the cost for the HHW Hotline being eliminated to reduce administrative costs. That being the case, RSWA was provided 60 door-to-door pick-ups for seniors or handicapped individuals for FY 2012/2013.

Staff divides these allocations between the cities on a monthly basis with PSC. Several cities do not utilize the door-to-door program either because they have a facility in their jurisdiction as in the case of Poway and Vista or because residents utilize one of two options available to them and choose to use the program through the City of Chula Vista, as in the case of National City.

From a fairness and equity standpoint, staff is suggesting allocating funds directly to the Cities of Poway, National City and Vista. It is recommended that the same allocation formula used for the Environmental Enhancement Fund be utilized for the senior/disabled door-to-door allocation. That allocation formula would provide 19% of the total number of sixty (60) to the City of Poway, 15% to the City of National City and 34% to the City of Vista. In the case of Vista, some of the allocations were already distributed so staff adjusted the calculation to account for those already provided.

City of Poway

19% of 60 = 11 x \$72 per door-to-door pick-up = \$ 792

City of National City

15% of 60 = 9 x \$72 per door-to-door pick-up = \$ 648

City of Vista

34% of 60 = 20 minus 15 already credited by RSWA on PSC billings = 5 x \$72 per door-to-door pick-up = \$ 360

Total = \$1,800

RECOMMENDATION

It is recommended by the Budget Subcommittee and RSWA General Manager Wurbs that the expenditure of \$1,800 be approved for this current year - FY 2012/13.

DRAFT BUDGET
REGIONAL SOLID WASTE ASSOCIATION

Item # 7.E. RSWA Agenda 7/11/2013

**FY 2012/13 Adopted Budget & FY 2012/13 with Expected Expenditures/Revenues
& FY 2013/14 & FY 2014/15 DRAFT BUDGETS**

	Current Budget <u>2012/13</u>	Expenditures & Revenues as of 6/2513 <u>2012/13</u>	<u>2013/14</u>	<u>2014/2015</u>
Fund Balance/Remaining Reserves (est. Beg. FY))	\$348,725	\$348,725	\$344,392_{est.}	\$349,722_{est.}
Estimated Revenue:				
Disposal Agreement Volume Rebate	\$228,108	228,108	\$232,510	\$236,000
HHW Non-member	33,000	25,045*	32,000	32,000
Interest Earnings – estimated	<u>1,370</u>	<u>3,088*</u>	<u>3,000</u>	<u>3,000</u>
REVENUE TOTAL	\$262,478	\$256,241	\$267,510	\$271,000

* Anticipated additional revenue: \$8,000 (non-member); \$ 250 (Interest) = + \$8,250

\$264,491 (Estimated)

Estimated Expenditures:

1. Administrative Costs:				
A. Directors' Stipend	10,000	4,500**	10,000	10,000
B. RSWA Insurance Premiums	5,500	5,446	5,500	6,000
C. Training/Travel	8,000	0	4,000	4,000
D. Audit	2,750	2,500	2,750	3,000
2. Legal Counsel	18,000	18,000**	18,000	18,000
3. Administrative: Consultant	48,000	48,000	41,200	30,000
Reimbursables (e.g. mileage, supplies)	3,500	1,412**	3,500	3,500
4. Special Events, Special Programs				
A. HHW Education	7,000	7,000	7,000	7,000
B. HHW Permits	1,600	1,462	1,600	1,600
C. HHW Hotline	6,600	1,650	0	0
D. HHW Facility Security & Facility Phone	3,000	3,028	3,000	3,000
E. Website Maintenance	2,000	2,780	1,000	1,000
F. Special Programs – RSWA Phone, Flyers, Stickers, Records Retention etc...	7,800	405**	5,000	5,000
5. Intergovernmental Programs				
A. Equity Adjustment Payment ¹	41,090	41,090	39,630	39,630
(To Poway and National City based on tonnage (\$.50 per ton – 2011 tonnage))				
B. Environmental Enhancement Program ²	<u>\$120,000</u>	<u>\$120,000</u>	<u>\$120,000</u>	<u>\$120,000</u>
EXPENDITURE TOTAL	\$284,840	\$257,274	\$262,480	\$251,730

**Anticipated additional expenditures: \$750(Stipends) + \$3,500(Legal Counsel) + \$500(Reim) + \$5000 (Cart Labels) + \$1800 (HHW equity) = + \$11,550

\$268,824 (Estimated)

Withdrawal from or add to Reserves to balance (Minus (-) reduces the reserves, (+) increases reserves)	<u>-22,362</u>	<u>-4,333</u>	<u>+5,330 (est.)</u>	<u>+19,270 (est.)</u>
Account held at City of Vista (ESTIMATED)	\$348,725	\$348,725	\$344,392 _(est.)	\$349,722 _(est.)
Withdrawal (-) or Addition (+) from/to reserves(estimated)	<u>-22,362</u>	<u>-4,333</u>	<u>+ 5,330</u>	<u>+19,270</u>
Fund Balance/Remaining Reserves (est. end FY)	\$326,363	\$344,392_(est.)	\$349,722_(est.)	\$368,992_(est.)

¹ When the disposal contract between RSWA and EDCO was signed in 1996 it was determined that the cities of Poway and National City were actually paying less per ton for disposal than the amount in the new agreement; therefore the equity adjustment was created to be paid out of the volume rebate, monies paid by EDCO to RSWA pursuant to the disposal contract, to offset that inequity.

² The Environment Enhancement Program allows each member city to utilize the funding allocation for environmental programs that the individual city determines are most beneficial to that jurisdiction. Funding amount is based on the prior year tonnage of the city as a percentage of the total RSWA generated tonnage.

**Environmental Enhancement Fund Distribution FY 2013/14:
Tonnage Analysis**

<u>City</u>		<u>Disbursement</u>
Del Mar	2.7	\$ 3,240
Encinitas	24.0	\$28,800
National City	15.1	\$18,120
Poway	18.9	\$22,680
Solana Beach	5.7	\$ 6,840
Vista	33.6	<u>\$40,320</u>
		Total \$120,000