

MINUTES
REGIONAL SOLID WASTE ASSOCIATION
Regular Meeting – January 7, 2010

Del Mar City Hall Annex
1050 Camino Del Mar
Del Mar, CA

BOARD MEMBERS IN ATTENDANCE:

Mayor Richard Earnest, City of Del Mar
Deputy Mayor Maggie Houlihan, City of Encinitas – RSWA Treasurer
Councilwoman Marie Waldron, City of Escondido
Mayor Ron Morrison, City of National City - RSWA Chairman
Deputy Mayor Carl Kruse, City of Poway
Council Member Mike Nichols, City of Solana Beach – RSWA Vice-Chairman
Council Member Frank Lopez, City of Vista - RSWA Board Secretary

STAFF RESOURCES IN ATTENDANCE:

Lin Wurbs, RSWA General Manager
Tom Nixon, General Counsel
Dale Nielsen, Fiduciary Agent – City of Vista

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Ron Morrison called the Regional Solid Waste Association meeting to order at 9:16 a.m. and then asked Vice Chairman Mike Nichols to lead the Pledge of Allegiance.

2. SWEARING-IN OF NEW BOARD MEMBER – ACTION ITEM

Carl Kruse, Council Member from the City of Poway was sworn in by General Counsel Nixon as the Board Member from Poway. Board Members welcomed Council Member Kruse. Council Member Waldron arrived at the Board Meeting.

3. APPROVAL OF ASSOCIATION MEETING MINUTES OF OCTOBER 1, 2009 - ACTION ITEM

This item was scheduled for approval of the October 1, 2009 Minutes.

MOTION WAS MADE TO APPROVE THE MINUTES OF OCTOBER 1, 2009.
(Motion by Treasurer Houlihan, City of Encinitas / Second by Board Member Richard Earnest, City of Del Mar).

Motion passed unanimously.

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

A. RSWA Investment Report – Information Item

General Manager Wurbs reviewed the investment report which was estimated for the second quarter of the fiscal year 2009/2010.

The recommendation was to accept and file the investment report. By consensus the Board approved the staff request to accept and file the Investment Report.

B. Review Budget and Expenditure Status for the Second Quarter of Fiscal Year 2009/2010 - Information Item

General Manager Wurbs reviewed in detail the second quarter budget and expenditure status report, estimated for December 30, 2009.

The recommendation was to review the status of both the budget and expenditures and accept and file the reports, which the Board did by consensus.

C. Review and Approval of Auditor’s Report – Action Item

General Manager Wurbs reviewed the audit report by Caporicci & Larson. Ms. Wurbs pointed out that newly sworn-in Board Member Kruse had identified an error on page two of the Audit Report, which is on page one of the Management Discussion and Analysis, in the section entitled Statement of Net Assets. The language should read, “the RSWA is a government entity operating as a joint powers agency.....”, there are extra words included. The recommendation was to approve the audit report with the correction.

MOTION WAS MADE TO APPROVE THE AUDIT REPORT WITH THE TYPOGRAPHICAL ERROR CORRECTION ON PAGE TWO OF THE AUDIT. (Motion by Board Secretary Frank Lopez, City of Vista / Second by Treasurer Maggie Houlihan, City of Encinitas.)

Motion passed unanimously.

D. Transition of Financial Fiduciary Assistance – Action Item

General Manager Wurbs provided a brief update regarding the transition to the City of Vista for RSWA financial fiduciary assistance and advised that she would be asking for specific approval and authorization later in this agenda item, but wanted to “set the stage” regarding the need to transition from the City of Poway to the City of Vista for fiduciary assistance.

1. General Manager Wurbs then asked that the Board consider adoption of Resolution #2010-01 thanking the City of Poway for their assistance as RSWA's fiduciary agent for several years. Board Member Kruse utilized this opportunity in the agenda to introduced Penny Riley as the new interim City Manager for the City of Poway.

MOTION WAS MADE TO APPROVE RESOLUTION # 2010-01 THANKING THE CITY OF POWAY FOR THEIR ASSISTANCE AS RSWA'S FIDUCIARY AGENT. (Motion by Board Member Richard Earnest, City of Del Mar / Second by Board Secretary Frank Lopez, City of Vista). **Motion passed unanimously.**

Chairman Morrison read the Resolution into the record and provided the signed framed resolution to Board Member Kruse who accepted on behalf of the Mayor and Council of the City of Poway and the Poway City Manager. Ms. Wurbs provided a thank-you wooden pen from RSWA to the two key staff persons who had worked with RSWA from the City of Poway – Ms. Annette Gonzales and Mr. Andrew White.

Ms. Houlihan suggested that at some point in the agenda that perhaps everyone in the audience could identify themselves. The Chairman suggested that the Board continue with this agenda item and that he would definitely handle that request further on the agenda.

2. General Manager Wurbs provided a verbal report on the requested approval of the transition of financial fiduciary agency responsibility to the City of Vista. Ms. Wurbs reviewed for the Board the recommendation which included the delegation of authority to the City of Vista to invest funds or to sell or exchange securities on behalf of RSWA. The investment approach will be to utilize the investment opportunities that the City of Vista utilizes by pooling our funds with Vista's funds when LAIF interest rates are lower than the interest rates available through the City of Vista.

Ms. Wurbs described that the new process would eliminate the need for a RSWA check book or any money being "fronted" or "floated" by the City of Vista on RSWA's behalf. RSWA's funds will be separated and discreetly held for RSWA and invested by the City of Vista. There will be a tally sheet provided on a monthly basis to the Treasurer and General Manager from Vista to ensure the reconciliation of accounts. Ms. Wurbs also explained that the City of Vista has offered to assist RSWA in finding an audit firm for the RSWA books.

Ms. Wurbs did explain that Ms. Geldert was not able to be at the meeting due to a previous engagement and Ms. Wurbs did reintroduce both Patrick Johnson the Assistant City Manager of the City of Vista and Dale Nielsen the Finance Manager of the City of Vista who were present and available to answer any questions.