



CITY COUNCIL Agenda

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

July 23, 2024, 5 p.m.

Welcome to Your City Council Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website and in the Office of the City Clerk. The City Clerk is also available to answer any questions you have about City Council meeting procedures.

How to Watch

In Person



City Council Chamber
1200 Carlsbad Village Drive

On TV



Watch the city's cable channel
Spectrum 24 and AT&T U-verse 99

Online



Watch the livestream at
carlsbadca.gov/watch

How to Participate

If you would like to provide comments to the City Council, please:

- Fill out a speaker request form, located in the foyer.
- Submit the form to the City Clerk before the item begins.
- When it's your turn, the City Clerk will call your name and invite you to the podium.
- For non-agenda public comment, speakers must confine their remarks to matters within the City Council's subject matter jurisdiction.
- For public comment on agenda items, speakers must confine their remarks to the question or matter under consideration.
- Speakers have three minutes, unless the presiding officer (usually the Mayor) changes that time.
- You may not give your time to another person, but can create a group. A group must select a single speaker as long as three other members of your group are present. All forms must be submitted to the City Clerk before the item begins and will only be accepted for items listed on the agenda (not for general public comment at the beginning of the meeting). Group representatives have 10 minutes unless that time is changed by the presiding officer or the City Council.
- Failure to comply with the rules for public participation is disruptive conduct. Continuing disruptive conduct after being asked by the presiding official to cease may result in removal from the meeting.

Reasonable Accommodations

Reasonable Accommodations Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 442-339-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday before the meeting to make arrangements. City staff will respond to requests by noon on Tuesday, the day of the meeting, and will seek to resolve requests before the start of the meeting in order to maximize accessibility.

More information about City Council meeting procedures can be found at the end of this agenda and in the Carlsbad Municipal Code chapter 1.20.

The City Council also sits as the Carlsbad Municipal Water District Board, Public Financing Authority Board, Community Development Commission and Successor Agency to the Redevelopment Agency. When considering items presented to the Carlsbad Municipal Water District Board, each member receives an additional \$100 per meeting (max \$300/month). When considering items presented to the Community Development Commission each member receives an additional \$75 per meeting (max \$150/month).

CALL TO ORDER:

ROLL CALL:

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item No. 5.

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

Minutes of the Regular Meeting Held on May 14, 2024

Minutes of the Regular Meeting Held on May 21, 2024

Minutes of the Special Meeting Held on June 11, 2024

Minutes of the Regular Meeting Held on June 11, 2024

Minutes of the Regular Meeting Held on June 18, 2024

PRESENTATIONS: None.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

PUBLIC COMMENT: *The Brown Act allows any member of the public to comment on items not on the agenda, provided remarks are confined to matters within the City Council's subject matter jurisdiction. Please treat others with courtesy, civility, and respect. Members of the public may participate in the meeting by submitting comments as provided on the front page of this agenda. The City Council will receive comments as requested up to a total of 15 minutes in the beginning of the meeting. All other non-agenda public comments will be heard at the end of the meeting. In conformance with the Brown Act, no action can occur on these items.*

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed below. There will be no separate discussion on these items prior to the time the Council votes on the motion unless members of the Council, the City Manager, or the public request specific items be discussed and/or removed from the Consent Calendar for separate action.*

1. **REPORT ON CITY INVESTMENTS AS OF MAY 31, 2024** – Accept and file Report on City Investments as of May 31, 2024. (Staff contact: Zach Korach, Administrative Services Department)
2. **ANNUAL SUBSCRIPTION RENEWAL OF TABLEAU SOFTWARE** – Adoption of a resolution authorizing the City Manager or designee to purchase the Tableau software subscription renewal from Solutions Simplified, Inc. for an amount not to exceed \$232,789 for a one-year term ending July 31, 2025. (Staff contact: Maria Callander and David van Gilluwe, Administrative Services Department)
3. **PURCHASE OF EXCESS WORKERS' COMPENSATION COVERAGE FOR POLICY YEAR 2024-25** – Adoption of a resolution authorizing the purchase of excess workers' compensation coverage through Safety National Casualty Corporation for policy year 2024-25. (Staff contact: Sarah Reiswig and Judy von Kalinowski, Administrative Services Department)

4. SETTLEMENT OF WORKERS' COMPENSATION CLAIM OF KEVIN LEHAN – Adoption of a resolution authorizing settlement of the workers' compensation claim of Kevin Lehan. (Staff contact: Sarah Reiswig and Judy von Kalinowski, Administrative Services Department)
5. QUITCLAIMING A WATER EASEMENT AT THE VALLEY MIDDLE SCHOOL CAMPUS, PD2023-012, VAC2023-0004 – Adoption of a Carlsbad Municipal Water District resolution quitclaiming a water easement over Tract No. 246 of Map No. 1681, located at the Valley Middle School Campus, 1645 Magnolia Avenue, PD2023-012, VAC2023-0004. (Staff contact: Dave Padilla and Neil Irani, Public Works Department)
6. GRANT OF EASEMENT TO SAN DIEGO GAS & ELECTRIC AND PURCHASE OF ELECTRIC VEHICLE CHARGERS FROM WESTSIDE SOLUTIONS INC. FOR THE STATE STREET PARKING LOT ELECTRIC VEHICLE CHARGING STATIONS PROJECT, CIP PROJECT NO. 4090 – 1) Adoption of a resolution authorizing execution of a grant of easement to San Diego Gas & Electric for the State Street Parking Lot Electric Vehicle Charging Stations Project, CIP Project No. 4090; and
2) Adoption of a resolution authorizing the purchase of electric vehicle chargers from Westside Solutions Inc. for an amount not to exceed \$128,365 for the State Street Parking Lot Electric Vehicle Charging Stations Project, CIP Project No. 4090. (Staff contact: John Maashoff, Public Works Department)

BOARD AND COMMISSION MEMBER APPOINTMENTS:

7. MAYORAL APPOINTMENT OF TWO MEMBERS TO THE LIBRARY BOARD OF TRUSTEES – 1) Adoption of a resolution appointing one member to the Library Board of Trustees; and
2) Adoption of a resolution appointing one member to the Library Board of Trustees. (Staff contact: Tammy McMinn, City Clerk Department)

City Manager's Recommendation: Adopt the resolutions.

8. MAYORAL APPOINTMENT OF THREE MEMBERS TO THE BEACH PRESERVATION COMMISSION – 1) Adoption of a resolution appointing one member to the Beach Preservation Commission; and
2) Adoption of a resolution appointing one member to the Beach Preservation Commission; and
3) Adoption of a resolution appointing one member to the Beach Preservation Commission. (Staff contact: Tammy McMinn, City Clerk Department)

City Manager's Recommendation: Adopt the resolutions.

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION:

9. ORDINANCE NO. CS-471 – RESTRICTING OVERNIGHT PARKING ON BABILONIA STREET – Adoption of Ordinance No. CS-471 amending Title 10, Chapter 10.40 of the Carlsbad Municipal Code by adding Section 10.40.303 to restrict parking along the west and east curb lines of Babilonia Street, from the south property line of 7151 Babilonia Street to the north property line of 7233 Babilonia Street between the hours of 11 p.m. and 5 a.m. (Staff contact: Faviola Medina, City Clerk Department)

City Manager's Recommendation: Adopt Ordinance No. CS-471.

PUBLIC HEARING:

10. DISESTABLISHING THE CARLSBAD GOLF LODGING BUSINESS IMPROVEMENT DISTRICT UNDER THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 – 1) Hold a public hearing; and
2) Introduction of an ordinance repealing Chapter 3.38 of the Carlsbad Municipal Code and disestablishing the Carlsbad Golf Lodging Business Improvement District. (Staff contact: Matt Sanford, Administrative Services Department)

City Manager's Recommendation: Take public input, close the public hearing and introduce the ordinance.

DEPARTMENTAL AND CITY MANAGER REPORTS:

11. ADVERTISE FOR BIDS FOR THE ALGA NORTE AQUATIC CENTER RESTROOM AND LOCKER ROOM RENOVATION PROJECT AND THE POOL REPLASTERING PROJECT AND AUTHORIZING AN ADDITIONAL APPROPRIATION, CIP PROJECT NOS. 4756 AND 4733 – 1) Adoption of a resolution approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for the Alga Norte Aquatic Center Restroom and Locker Room Renovation Project; and
2) Adoption of a resolution approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for the Alga Norte Aquatic Center Pool Replastering Project and authorizing an additional appropriation in the amount of \$1,487,464 from the Infrastructure Replacement Fund. (Staff contact: John Maashoff, Public Works Department)

City Manager's Recommendation: Adopt the resolutions.

12. AWARD OF A CONSTRUCTION CONTRACT TO ACE CAPITAL ENGINEERING FOR THE STAGECOACH COMMUNITY GARDEN PROJECT, CIP PROJECT NO. 4611 – Adoption of a resolution accepting bids received and awarding a construction contract to ACE Capital Engineering for the Stagecoach Community Park - Community Garden Project, Capital Improvement Program Project No. 4611, in an amount not-to-exceed \$464,353 and appropriating \$25,000 from the Park Development Capital Project Fund (Park-In-Lieu SE) to the Fiscal Year 2024-25 Capital Improvement Program Budget. (Staff contact: Nick Stupin, Community Services Department)

City Manager's Recommendation: Adopt the resolution.

13. RECOMMENDED ROBERTSON RANCH PARK MASTER PLAN – Adoption of a resolution approving the recommended Robertson Ranch Park Master Plan and directing staff to proceed with the necessary environmental permitting and entitlements for the park project. (Staff contact: Todd Reese, Community Services Department)

City Manager's Recommendation: Adopt the resolution.

COUNCIL COMMENTARY AND REQUESTS FOR CONSIDERATION OF MATTERS: *This portion of the agenda is for the City Council Members to make brief announcements, brief reports of their activities and requests for future agenda items.*

City Council Regional Assignments (Revised 12/12/23)

Keith Blackburn
Mayor
Buena Vista Lagoon JPC
Chamber of Commerce Liaison (alternate)
Encina Joint Powers JAC
Encina Wastewater Authority Board of Directors
Economic Development Subcommittee
SANDAG Board of Directors (2nd alternate)
SANDAG Shoreline Preservation Work Group (alternate)

Priya Bhat-Patel
Mayor Pro Tem – District 3
City/School Committee
Clean Energy Alliance JPA
Economic Development Subcommittee
League of California Cities – SD Division (alternate)
North County Transit District
SANDAG Board of Directors (1st alternate)

Melanie Burkholder
Council Member – District 1
City Council Legislative Subcommittee
North County Dispatch Joint Powers Authority (alternate)
SANDAG Board of Directors

Teresa Acosta
Council Member – District 4
Chamber of Commerce Liaison
City Council Legislative Subcommittee
City/School Committee
Clean Energy Alliance JPA (alternate)
Encina Joint Powers JAC (alternate)
Encina Wastewater Authority Board of Directors (alternate)
League of California Cities – SD Division
North County Dispatch Joint Powers Authority
San Diego County Water Authority

Carolyn Luna
Council Member – District 2
Buena Vista Lagoon JPC
Encina Joint Powers JAC
Encina Wastewater Authority Board of Directors
North County Transit District (alternate)
SANDAG Shoreline Preservation Work Group

PUBLIC COMMENT: Continuation of the Public Comments

This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section. In conformance with the Brown Act, no Council action can occur on these items.

ANNOUNCEMENTS:

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

CITY MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

CITY CLERK COMMENTS:

ADJOURNMENT:

In accordance with Carlsbad Municipal Code (CMC) Section 20.20.20, notice is hereby given that the City Engineer has reviewed and, immediately following this City Council Meeting of July 23, 2024 will approve the following final map:

Carlsbad Tract CT 15-07, located generally at the terminus of Twain Avenue.

Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- 1) The map substantially conforms to the approved tentative map, and approved alterations thereof and any conditions of approval imposed with said tentative map.
- 2) The map complies with the provisions of the Subdivision map Act and any local ordinances applicable at the time of approval of the tentative map.
- 3) The map is technically correct.

Said map will be finalized and recorded, unless an interested party files a valid appeal of the City Engineer's action to City Council no later than 10 calendar days from the date of the City Engineer's action. The appeal shall specifically state the reason(s) for the appeal; see CMC Section 20.20.165 and 21.54.150.

If you have any question about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact the City Clerk's Office at (442) 339-2808.

City Council Meeting Procedures (continued from page 1)

Written Materials

Written materials related to the agenda that are submitted to the City Council after the agenda packet has been published will be available for review prior to the meeting during normal business hours at the City Clerk's office, 1200 Carlsbad Village Drive and on the city website. To review these materials during the meeting, please see the City Clerk.

Visual Materials

Visual materials, such as pictures, charts, maps or slides, are allowed for comments on agenda items, not general public comment. Please contact the City Manager's Office at 442-339-2820 or manager@carlsbadca.gov to make arrangements in advance. All materials must be received by the City Manager's Office no later than noon the day before the meeting. The time spent presenting visual materials is included in the maximum time limit provided to speakers. All materials exhibited to the City Council during the meeting are part of the public record. **Please note that video presentations are not allowed.**

Decorum

All participants are expected to conduct themselves with mutual respect. Loud, boisterous and unruly behavior can interfere with the ability of the City Council to conduct the people's business. That's why it is illegal to disrupt a City Council meeting. Following a warning from the presiding officer, those engaging in disruptive behavior are subject to law enforcement action.

City Council Agenda

The City Council follows a regular order of business that is specified in the Carlsbad Municipal Code. The City Council may only make decisions about topics listed on the agenda.

Presentations

The City Council often recognizes individuals and groups for achievements and contributions to the community. Well-wishers often fill the chamber during presentations to show their support and perhaps get a photo. If you don't see an open seat when you arrive, there will likely be one once the presentations are over.

Consent Items

Consent items are considered routine and may be enacted together by one motion and vote. Any City Council member may remove or "pull" an item from the "consent calendar" for a separate vote. Members of the public may pull an item from the consent calendar by requesting to speak about that item. A speaker request form must be submitted to the clerk prior to the start of the consent portion of the agenda.

Public Comment

Members of the public may speak on any city related item that does not appear on the agenda, provided remarks are confined to matters within the City Council’s subject matter jurisdiction. State law prohibits the City Council from taking action on items not listed on the agenda. Comments requiring follow up will be referred to staff and, if appropriate, considered at a future City Council meeting. Members of the public are also welcome to provide comments on agenda items during the portions of the meeting when those items are being discussed, provided remarks are confined to the question or matter under consideration. In both cases, a request to speak form must be submitted to the clerk in advance of that portion of the meeting beginning.

Public Hearing

Certain actions by the City Council require a “public hearing,” which is a time within the regular meeting that has been set aside and noticed according to different rules.

Departmental Reports

This part of the agenda is for items that are not considered routine and do not require a public hearing. These items are usually presented to the City Council by city staff and can be informational in nature or require action. The staff report about each item indicates the purpose of the item and whether or not action is requested.

Other Reports

At the end of each meeting, City Council members and the City Manager, City Attorney and City Clerk are given an opportunity to share information. This usually includes reports about recent meetings, regional issues, and recent or upcoming meetings and events.

City Council Actions

Resolution

A resolution is an official statement of City Council policy that directs administrative or legal action or embodies a public City Council statement. A resolution may be introduced and adopted at the same meeting. Once adopted, it remains City Council policy until changed by subsequent City Council resolution.

Ordinance

Ordinances are city laws contained in the Carlsbad Municipal Code. Enacting a new city law or changing an existing one is a two-step process. First, the ordinance is “introduced” by city staff to the City Council. If the City Council votes in favor of the introduction, the ordinance will be placed on a subsequent City Council meeting agenda for “adoption.” If the City Council votes to adopt the ordinance, it will usually go into effect 30 days later.

Motion

A motion is used to propose City Council direction related to an item on the agenda. Any City Council member may make a motion. A motion must receive a “second” from another City Council member to be eligible for a City Council vote.



CITY COUNCIL
Minutes

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

May 14, 2024, 5 p.m.

CALL TO ORDER: 5 p.m.

ROLL CALL: Blackburn, Bhat-Patel, Acosta, Burkholder, Luna.

PLEDGE OF ALLEGIANCE: Council Member Luna led the Pledge of Allegiance.

ANNOUNCEMENT OF CONCURRENT MEETINGS: Mayor Blackburn announced that the City Council is serving as the City of Carlsbad City Council and the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item No. 5.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held March 12, 2024

Minutes of the Regular Meeting held March 26, 2024

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve the minutes as presented. Motion carried unanimously, 5/0.

PRESENTATIONS: None.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION: None.

PUBLIC COMMENT:

Mary Lucid spoke regarding inclusion and acceptance.

Paige DeCino, representing Preserve Calavera, spoke regarding the Buena Vista Audubon Society and Preserve Calavera Endangered Species Day Spring Open House event on May 18, 2024.

Steve Linke spoke regarding his testimony in the North County Advocates v. City of Carlsbad Superior Court case lawsuit.

CONSENT CALENDAR ITEM PULLED FOR PUBLIC COMMENT:

8. **ADVERTISE FOR BIDS FOR THE 2023 SLURRY SEAL PROJECT, AND APPROVAL OF A ROADWAY RECONFIGURATION AND ASSOCIATED LEVEL OF SERVICE FOR NORTHBOUND AND SOUTHBOUND EL FUERTE STREET FROM FARADAY AVENUE TO PALOMAR AIRPORT ROAD, CIP PROJECT NO. 6001-23SS** – Adoption of Resolution No. 2024-101 the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for construction of the 2023 Slurry Seal Project and approving a roadway reconfiguration resulting in a level of service D for northbound and southbound El Fuerte Street from Faraday Avenue to Palomar Airport Road under Mobility Element Section 3-P.15. (Staff contact: Eric Zielke and Hossein Ajideh, Public Works Department)

Council Member Acosta left the dais at 5:12 p.m. due to a potential conflict of interest.

Steve Linke expressed his concern regarding the narrow traffic lanes on the highest speed arterials throughout the city.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Burkholder, to adopt Resolution No. 2024-101. Motion carried, 4/0/1 (Acosta – Absent).

Council Member Acosta returned to the dais at 5:15 p.m.

CONSENT CALENDAR:

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve Consent Calendar Item Nos. 1 through 7 and 9. Motion carried unanimously, 5/0.

1. REPORT ON CITY INVESTMENTS AS OF MARCH 31, 2024 – Accept and file Report on City Investments as of March 31, 2024. (Staff contact: Craig Lindholm and Zach Korach, Administrative Services Department)
2. SETTLEMENT OF WORKERS’ COMPENSATION CLAIMS OF MICKEY WILLIAMS – Adoption of Resolution No. 2024-094 authorizing settlement of the Workers’ Compensation claims of Mickey Williams for \$86,605. (Staff contact: Sarah Reiswig and Judy von Kalinowski, Administrative Services Department)
3. PURCHASE OF RICOH MULTI-FUNCTIONAL PRINTERS FROM RICOH USA, INC. – Adoption of Resolution No. 2024-095 authorizing the City Manager or designee to execute all necessary documents to procure multi-function printers from Ricoh USA, Inc. in an amount not to exceed \$730,939.65. (Staff contact: Maria Callander and Mike Lesh, Administrative Services Department)
4. RIGHT OF ENTRY PERMIT WITH THE CALIFORNIA DEPARTMENT OF PARKS & RECREATION FOR MAINTENANCE OF THE UPPER PICNIC FACILITIES AT TAMARACK STATE BEACH AND COASTAL BLUFF AT TAMARACK/FRAZEE STATE BEACH, AND FOR REIMBURSEMENT FOR PLAN REVIEWS OF TWO CITY PROJECTS, CIP PROJECT NOS. 3896 AND 6058 – Adoption of Resolution No. 2024-096 authorizing the execution of a right of entry permit with the California Department of Parks & Recreation to maintain the upper picnic facilities at Tamarack State Beach and the coastal bluff at Tamarack/Frazee State Beach, and to reimburse the state for plan reviews of two Capital Improvement Program projects that impact state property: Beach Access Repairs and Upgrades from Pine to Tamarack Avenues (CIP Project No. 3896), and Carlsbad Boulevard and Tamarack Avenue Intersection Improvements (CIP Project No. 6058). (Staff contact: Todd Reese, Community Services Department)
5. AWARD OF CONTRACT TO SEMA CONSTRUCTION, INC. AND AUTHORIZE AN ADDITIONAL APPROPRIATION OF FUNDS FOR CONSTRUCTION OF THE CARLSBAD BOULEVARD WATER AND SEWER LINE IMPROVEMENTS AT TERRAMAR PROJECT, INCLUDING AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT WITH NORTH COUNTY TRANSIT DISTRICT, CIP PROJECT NOS.

- 5048 AND 5503-20 – 1) Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1732 accepting bids, awarding a contract to SEMAN Construction, Inc. for construction of the Carlsbad Boulevard Water Line Improvements at Terramar Project and appropriating additional funds in the amount of \$1,750,100 from the Water Connection Fund to Capital Improvement Program Project No. 5048; and
- 2) Adoption of City Council Resolution No. 2024-097 accepting bids and awarding a contract to SEMA Construction, Inc. for construction of the Carlsbad Boulevard Sewer Line Improvements at Terramar Project, Capital Improvement Program Project No. 5503-20; and
- 3) Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1733 authorizing the Executive Manager to execute a license agreement between the North County Transit District and the Carlsbad Municipal Water District for the Carlsbad Boulevard Water Line Improvements at Terramar Project; and
- 4) Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1734 delegating authority to the Executive Manager to file North County Transit District permit applications and execute license agreements for water district Capital Improvement Program projects; and
- 5) Adoption of City Council Resolution No. 2024-098 delegating authority to the City Manager to file North County Transit District permit applications and execute license agreements for city Capital Improvement Program projects. (Staff contact: Dave Padilla and Sean Diaz, Public Works Department)
6. AWARD OF CONTRACT TO AMTEK CONSTRUCTION FOR CONSTRUCTION OF THE POINSETTIA LIFT STATION GENERATOR REPLACEMENT PROJECT, CIP PROJECT NO. 3840-23 – Adoption of Resolution No. 2024-099 accepting bids and awarding a contract to AMTEK Construction for construction of the Poinsettia Lift Station Generator Replacement Project in an amount not to exceed \$370,340. (Staff contact: Dave Padilla and Zackry Taylor, Public Works Department)
7. AGREEMENT TO PURCHASE HABITAT MITIGATION BANK CREDITS FOR REMOVAL OF SEDIMENT AND VEGETATION IN THE BUENA VISTA CREEK CONCRETE CHANNEL NEAR EL CAMINO REAL – Adoption of Resolution No. 2024-100 authorizing an agreement to purchase 1.88 acres of habitat mitigation bank credits in the amount of \$1,222,000 for removal of sediment and vegetation in the Buena Vista Creek Concrete Channel near El Camino Real. (Staff contact: Tom Frank, Public Works Department)
8. ADVERTISE FOR BIDS FOR THE 2023 SLURRY SEAL PROJECT, AND APPROVAL OF A ROADWAY RECONFIGURATION AND ASSOCIATED LEVEL OF SERVICE FOR NORTHBOUND AND SOUTHBOUND EL FUERTE STREET FROM FARADAY AVENUE TO PALOMAR AIRPORT ROAD, CIP PROJECT NO. 6001-23SS – Adoption of a resolution approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for construction of the 2023 Slurry Seal Project and approving a roadway reconfiguration resulting in a level of service D for northbound and southbound El Fuerte Street from Faraday Avenue to Palomar Airport Road under Mobility Element Section 3-P.15. (Staff contact: Eric Zielke and Hossein Ajideh, Public Works Department)

9. CONTINUATION OF PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REPAIR OF THE SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE – Adoption of Resolution No. 2024-102 continuing the proclamation of a storm-related local emergency for repair of the slope between El Camino Real and Trieste Drive. (Staff contact: Tom Frank, Public Works Department)

BOARD AND COMMISSION MEMBER APPOINTMENTS:

10. MAYORAL APPOINTMENT OF TWO MEMBERS TO THE HISTORIC PRESERVATION COMMISSION – 1) Adoption of Resolution No. 2024-103 appointing one member to the Historic Preservation Commission; and
2) Adoption of Resolution No. 2024-104 appointing one member to the Historic Preservation Commission. (Staff contact: Tammy McMinn, City Clerk Department)

City Manager’s Recommendation: Adopt the resolutions.

Motion by Mayor Blackburn to adopt Resolution No. 2024-103 appointing Jamie Latiano Jacobs and Resolution No. 2024-104 appointing Patty Schreiber to the Historic Preservation Commission. Motion carried unanimously, 5/0.

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARING: None.

DEPARTMENTAL AND CITY MANAGER REPORTS:

11. ECONOMIC AND FINANCIAL UPDATE FOR THE THIRD QUARTER OF FISCAL YEAR 2023-24 – 1)
Receive a report on the economic and financial update for the third quarter of fiscal year 2023-24 and provide direction as appropriate; and
2) Adoption of Resolution No. 2024-105 authorizing the City Manager or designee to appropriate \$5,200,000 from the General Fund to transfer to the Risk Management Fund and to appropriate \$5,200,000 from the Risk Management Fund for claims, settlement and reserves costs to the Fiscal Year 2023-24 Operating Budget. (Staff contact: Zach Korach and Matt Sanford, Administrative Services Department)

City Manager’s Recommendation: Receive the report, provide direction as appropriate and adopt the resolution.

Chief Innovation Officer David Graham and Finance Director Zach Korach reviewed the report and presented a PowerPoint presentation (on file in the Office of the City Clerk).

Council received the report.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-105. Motion carried unanimously, 5/0.

12. REPORT REEVALUATING PROPOSITION H, BASED ON A RECOMMENDATION FROM THE CARLSBAD TOMORROW: GROWTH MANAGEMENT CITIZENS COMMITTEE AND IN RESPONSE TO CITY COUNCIL MOTION – Receive a report addressing City Council’s July 18, 2023, motion to discuss reevaluating Proposition H, based on a recommendation from the Carlsbad Tomorrow: Growth Management Citizens Committee, and provide direction. (Staff contact: Allegra Frost, City Attorney Department, Zach Korach, Administrative Services Department)

City Manager’s Recommendation: Receive the report and provide direction to staff.

Assistant City Attorney Allegra Frost and Finance Director Zach Korach reviewed the report and presented a PowerPoint presentation (on file in the Office of the City Clerk).

Steve Linke spoke regarding a new ballot for large discretionary capital improvement projects that use city funds.

Jean Walker expressed her concerns with large expenditures adding that spending priorities need to be top of mind with public safety as the priority.

Minute motion by Mayor Blackburn, seconded for discussion by Mayor Pro Tem Bhat-Patel, to choose Option No. 1 but increasing the expenditure limit to \$5 million and exempting public safety facilities and infrastructure.

Substitute Minute Motion by Council Member Burkholder, seconded by Council Member Luna, directing staff to return to the City Council on June 11, 2024, with a recommended expenditure limit, tying it to an inflation index and also creating categories of exemption for public safety. Motion carried unanimously, 5/0.

COUNCIL REPORTS AND COMMENTS: Mayor Blackburn and the City Council Members reported on activities and meetings of some committees and subcommittees of which they are members.

ANNOUNCEMENTS: None.

CITY MANAGER COMMENTS: None.

CITY ATTORNEY COMMENTS: None.

CITY CLERK COMMENTS: None.

ADJOURNMENT: Mayor Blackburn adjourned the duly noticed meeting at 6:29 p.m.

Tamara R. McMinn, CPMC, CMC
Senior Deputy City Clerk



CITY COUNCIL
Minutes

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

May 21, 2024, 5 p.m.

CALL TO ORDER: 5 p.m.

ROLL CALL: Blackburn, Bhat-Patel, Acosta, Burkholder, Luna.

PLEDGE OF ALLEGIANCE: City Attorney Cindie McMahon led the Pledge of Allegiance.

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item No. 1 and as the City of Carlsbad City Council, the Carlsbad Municipal Water District Board of Directors, the Public Financing Authority, the Community Development Commission, and City Council as Successor Agency to the Redevelopment Agency on Departmental and City Manager Reports Item No. 7.

APPROVAL OF MINUTES: None.

PRESENTATIONS:

Proclamation in Recognition of Water Safety Month

Council Member Burkholder presented the proclamation to Paramedic Lifeguard Lieutenant Drew Francis.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

City Attorney Cindie McMahon reported out that in a closed session this afternoon, the City Council voted unanimously to authorize the City Attorney's Office to file a cross complaint for indemnity and other causes of action against a co-defendant in the case of Jan Prins v. Kolbe del D Revocable Trust, et al., Superior Court Case No. 37-2024-00019163-CU-PO-NC.

PUBLIC COMMENT:

Mary Lucid spoke regarding the Parks and Recreation Department.

Diana Ricker spoke regarding being cyber stalked and harassed.

Robert Beck spoke regarding his concerns with additional dwelling units (ADU's) in his community.

CONSENT CALENDAR:

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve Consent Calendar Item Nos. 1 through 3. Motion carried unanimously, 5/0.

1. **AMENDMENT NO. 3 TO AGREEMENT WITH DUDEK TO EXTEND THE TERM AND AUTHORIZE ADDITIONAL ENGINEERING SERVICES FOR THE EL FUERTE AND MAERKLE MOTORIZED VALVES PROJECT** – Adoption of a Carlsbad Municipal Water District Board of Directors Resolution No. 1735 authorizing execution of Amendment No. 3 to the professional services agreement with Dudek to extend the agreement term and authorizing additional engineering services for the

El Fuerte and Maerkle Motorized Valves Project. (Staff contact: Dave Padilla and Sean Diaz, Public Works Department)

2. AWARD OF CONTRACT TO COMMERCIAL & INDUSTRIAL ROOFING CO. INC. FOR THE LAS PALMAS ROOF REPLACEMENT PROJECT AND ADDITIONAL APPROPRIATION, CIP PROJECT NO. 4752 – Adoption of Resolution No. 2024-106 authorizing the purchase of roofing materials from Weatherproofing Technologies, Inc., and accepting bids and awarding a contract to Commercial & Industrial Roofing Co. Inc. for construction of the Las Palmas Roof Replacement Project, in an amount not to exceed \$294,952, and authorizing an additional appropriation in the amount of \$130,000 from the Infrastructure Replacement Fund for construction of the project. (Staff contact: John Maashoff, Public Works Department)
3. CONTINUATION OF PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REPAIR OF THE SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE – Adoption of Resolution No. 2024-107 continuing the proclamation of a storm-related local emergency for repair of the slope between El Camino Real and Trieste Drive. (Staff contact: Tom Frank, Public Works Department)

BOARD AND COMMISSION MEMBER APPOINTMENTS: None.

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARING: None.

DEPARTMENTAL AND CITY MANAGER REPORTS:

4. ANNUAL WORK PLANS FOR THE PLANNING COMMISSION AND HISTORIC PRESERVATION COMMISSION – 1) Adoption of Resolution No. 2024-108 accepting the Fiscal Year 2023-24 Planning Commission Work Plan Annual Report and approving the Fiscal Year 2024-25 Planning Commission Work Plan;
2) Adoption of Resolution No. 2024-109 accepting the Fiscal Year 2023-24 Historic Preservation Commission Work Plan Annual Report and approving the Fiscal Year 20024-25 Historic Preservation Commission Work Plan. (Staff contact: Eric Lardy and Mike Strong, Community Services Department)

City Manager's Recommendation: Adopt the resolutions.

City Planner Eric Lardy and Assistant Director of Community Development Mike Strong presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Chair of the Planning Commission Chair Bill Kamenjarin spoke in support of the annual work plans.

Chair of the Historic Preservation Commission Chad Majer spoke in support of the annual work plans.

Minute Motion by Council Member Burkholder, seconded by Council Member Luna, to direct staff to develop a series of options for the regulation of drive-thru facilities ranging from a continued ban to citywide allowance and have these options presented to the Planning Commission and the Economic Development Subcommittee for their recommendation before returning to the City Council for consideration and possible direction – 5/0.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-108 and Resolution No. 2024-109. Motion carried, 5/0.

5. ANNUAL WORK PLAN FOR THE COMMUNITY-POLICE ENGAGEMENT COMMISSION – Adoption of Resolution No. 2024-110 approving the Community-Police Engagement Commission Work Plan for Fiscal Year 2024-25. (Staff contact: Sheila Cobian, City Manager Department)

City Manager’s Recommendation: Adopt the resolution.

Legislative & Constituent Services Director Sheila Cobian presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Community Police Engagement Commissioner Vice Chair Michael Zepeda spoke in favor of the adoption of the work plan.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-110. Motion carried, 5/0.

6. ACQUISITION OF REAL PROPERTY AT 945 CHESTNUT AVENUE FROM SOLUTIONS FOR CHANGE, CONSIDERATION OF A REQUEST FOR PROPOSALS TO IDENTIFY A NEW OWNER FOR THE CONTINUED USE OF PROPERTY AS AN AFFORDABLE HOUSING PROJECT AND DECLARATION OF THE PROPERTY TO BE EXEMPT SURPLUS LAND – 1) Adoption of Resolution No. 2024-111 authorizing the City Manager to execute all documents necessary to complete the acquisition of 945 Chestnut Avenue from Solutions for Change, and authorizing the City Clerk to execute the certificate of acceptance and consent to the recording of the grant deed to complete the property transfer; and
2) Adoption of Resolution No. 2024-112 authorizing the City Manager to release a request for proposals with the intent to identify a new owner for the 100 percent affordable housing project at 945 Chestnut Avenue; and
3) Adoption of Resolution No. 2024-113 declaring the property located at 945 Chestnut Avenue as exempt surplus land in accordance with California Government Code Sections 54221(f)(1)(A) and 37364. (Staff contact: Mandy Mills, Community Services Department)

City Manager’s Recommendation: Adopt the resolutions.

Housing and Homeless Services Director Mandy Mills presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Chris Mickelson with Solutions for Change spoke in favor of Solutions for Change.

Julie Ajdour spoke in favor of Solutions for Change.

Brad Robbins requested City Council not approve the item.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-111, Resolution No. 2024-112 and Resolution No. 2024-113. Motion carried, 5/0.

Mayor Blackburn called for a recess at 7 p.m.

Mayor Blackburn reconvened the meeting at 7:10 p.m.

7. FISCAL YEAR 2024-25 PRELIMINARY OPERATING BUDGET, STRATEGIC DIGITAL TRANSFORMATION INVESTMENT PROGRAM AND CAPITAL IMPROVEMENT PROGRAM, FISCAL YEAR 2024-25 MASTER FEE SCHEDULE AND UPDATES TO CITY COUNCIL POLICY STATEMENT NO. 95 – COST RECOVERY POLICY FOR FEES AND CHARGES FOR SERVICES – 1)
Receive the report; and
- 2) Adoption of Resolution No. 2024-114 setting a public hearing for June 18, 2024, for adoption of the Fiscal Year 2024-25 Operating, Strategic Digital Transformation Investment Program and Capital Improvement Program budgets; Carlsbad's share of the Encina Wastewater Authority operating and capital budgets; the Gann spending limit for fiscal year 2024-25; and changes to the Master Fee Schedule; and determining the Fiscal Year 2024-25 Capital Improvement Plan Budget is consistent with the General Plan and applicable Climate Action Plan measures and actions; and
 - 3) Adoption of a Carlsbad Municipal Water District Board of Directors Resolution No. 1736 setting a public hearing for June 18, 2024, for adoption of the Fiscal Year 2024-25 Operating and Capital Improvement Program budgets and changes to the Master Fee Schedule; and
 - 4) Adoption of a Public Financing Authority Board of Directors Resolution No. 96 setting a public hearing for June 18, 2024, for adoption of the Fiscal Year 2024-25 Operating and Capital Improvement Program Budgets for The Crossings at Carlsbad Municipal Golf Course; and
 - 5) Adoption of a Community Development Commission Resolution No. 566 setting a public hearing for June 18, 2024, for adoption of the Fiscal Year 2024-25 Operating Budget of the Carlsbad Housing Authority; and 6) Adoption of a City of Carlsbad as the Successor Agency for the Carlsbad Redevelopment Agency Resolution No. 2024-115 setting a public hearing for June 18, 2024, for adoption of the Fiscal Year 2024-25 Operating Budget of the Successor Agency. (Staff contact: Laura Rocha and Zach Korach, Administrative Services Department)

City Manager's Recommendation: Adopt the resolutions.

Deputy City Manager of Administrative Services Laura Rocha and Finance Director Zach Korach presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Christine Davis with the Carlsbad Village Association requested that Council not approve budget cuts that will reduce service levels.

Lorie Robbins spoke against making budget cuts to the departments that generate revenue.

Marianna Wai Chan requested that Council expand the crossing guard program to high schools.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-114, Carlsbad Municipal Water District Board of Directors Resolution No. 1736, Public Financing Authority Board of Directors Resolution No. 96, Community Development Commission Resolution No. 566 and Carlsbad Redevelopment Agency Resolution No. 2024-115. Motion carried, 5/0.

COUNCIL REPORTS AND COMMENTS: Mayor Blackburn and the City Council Members reported on activities and meetings of some committees and subcommittees of which they are members.

ANNOUNCEMENTS: This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

CITY MANAGER COMMENTS: None.

CITY ATTORNEY COMMENTS: None.

CITY CLERK COMMENTS: None.

ADJOURNMENT: Mayor Blackburn adjourned the duly noticed meeting at 8:34 p.m.

Ana Marie Alarcon, CMC
Deputy City Clerk



CITY COUNCIL
Special Meeting
Minutes

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

June 11, 2024, 4:15 p.m.

CALL TO ORDER: 4:15 p.m.

ROLL CALL: Blackburn, Bhat-Patel, Acosta, Burkholder.
Absent: Luna.

ANNOUNCEMENT OF CONCURRENT MEETINGS: None.

PUBLIC COMMENT ON AGENDA ITEM: None.

CLOSED SESSION:

City Attorney Cindie McMahon read the City Council into Closed Session.

Council adjourned into Closed Session at 4:15 p.m. pursuant to the following:

1. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION:** That the City Council, by motion, authorize a closed session regarding existing litigation in the matter of:

Occiano, Nathan v. City of Carlsbad, Case No. 37-2022-00025622-CU-PO-CTL pursuant to Government Code Section 54956.9(d)(1).

Council Action: No reportable action.

ADJOURNMENT:

By proper motion, the Special Meeting of June 11, 2024, was adjourned at 4:18 p.m.

Tamara R. McMinn, CPMC, CMC
Senior Deputy City Clerk



CITY COUNCIL
Minutes

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

June 11, 2024, 5 p.m.

CALL TO ORDER: 5 p.m.

ROLL CALL: Blackburn, Bhat-Patel, Acosta, Burkholder.
Absent: Luna.

PLEDGE OF ALLEGIANCE: Council Member Burkholder led the Pledge of Allegiance.

ANNOUNCEMENT OF CONCURRENT MEETINGS: Mayor Blackburn announced that the City Council is serving as the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item Nos. 8 and 9 and as the City of Carlsbad City Council and the Carlsbad Municipal Water District Board of Directors on Consent Calendar Item No. 10.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held April 9, 2024
Minutes of the Special Meeting held April 16, 2024
Minutes of the Special Meeting held April 23, 2024
Minutes of the Special Meeting held May 7, 2024
Minutes of the Special Meeting held May 21, 2024

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve the minutes as presented. Motion carried unanimously, 4/0/1 (Luna – Absent).

PRESENTATIONS:

Proclamation in Recognition of LGBTQIA+ Pride Month
Council Member Acosta read the proclamation and Max Disposti said a few words.

Proclamation in Recognition of National Gun Violence Awareness Day
Mayor Blackburn read the proclamation and Police Sergeant Jim Willis said a few words.

Recognition of Donation from The Joyce Gammon Trust
Mayor Blackburn invited Deputy Library Director Sheila Crosby to the podium who accepted the donation.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

City Attorney announced that there was no reportable action.

PUBLIC COMMENT:

Mary Lucid spoke regarding the Senior Center.

Rosanne Bentley spoke regarding her disappointment with the June 5, 2024, Planning Commission meeting where an item was continued even though there was a quorum present.

Joni Gang spoke regarding the library's Home Bound patron delivery service.

CONSENT CALENDAR:

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve Consent Calendar Item Nos. 1 through 12. Motion carried, 4/0/1 (Luna – Absent).

1. REPORT ON CITY INVESTMENTS AS OF APRIL 30, 2024 – Accept and file Report on City Investments as of April 30, 2024. (Staff contact: Craig Lindholm and Zach Korach, Administrative Services Department)
2. ANNUAL LEVY OF BENEFIT ASSESSMENTS FOR THE BUENA VISTA CHANNEL MAINTENANCE DISTRICT BENEFIT AREA NO. 1 FOR FISCAL YEAR 2024-25 – Adoption of Resolution No. 2024-116 authorizing the annual levy of benefit assessments for the Buena Vista Channel Maintenance District Benefit Area No. 1 for fiscal year 2024-25. (Staff contact: Katie Schroeder, Administrative Services Department)
3. INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING AND LANDSCAPING DISTRICT NO. 1, A SPECIAL ASSESSMENT DISTRICT – Adoption of Resolution No. 2024-117 initiating the proceedings, approving the preliminary engineer’s report for fiscal year 2024-25 and setting a public hearing for July 16, 2024, for the annual levy of assessments within Street Lighting and Landscaping District No. 1, a special assessment district. (Staff contact: Katie Schroeder, Administrative Services Department)
4. INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING AND LANDSCAPING DISTRICT NO. 2, A SPECIAL ASSESSMENT DISTRICT – Adoption of Resolution No. 2024-118 initiating the proceedings, approving the preliminary engineer’s report for fiscal year 2024-25 and setting a public hearing for July 16, 2024, for the annual levy of assessments within Street Lighting and Landscaping District No. 2, a special assessment district. (Staff contact: Katie Schroeder, Administrative Services Department)
5. RENEWAL OF CISCO SMARTNET MAINTENANCE AND SUPPORT PLAN WITH LOGICALIS INC. – Adoption of Resolution No. 2024-119 authorizing the City Manager to execute documents necessary to procure Cisco SmartNet Maintenance and Support Services through June 30, 2025, from Logicalis Inc. for an amount not to exceed \$128,566.86. (Staff contact: Maria Callander and Mike Pugliese, Administrative Services Department)
6. CARLSBAD TOURISM BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT – Accept and file the Carlsbad Tourism Business Improvement District Annual Report for Fiscal Year 2024-25. (Staff contact: Matt Sanford, Administrative Services Department)
7. DONATION TO LIBRARY FROM THE JOYCE GAMMON TRUST ESTATE – Adoption of Resolution No. 2024-120 accepting a \$387,115 donation from the Joyce Gammon Trust Estate to the City of Carlsbad Library & Cultural Arts Department and authorizing the City Manager, or designee, to appropriate \$50,000 from a new Library & Cultural Arts Donations Special Revenue Fund to support delivery services to homebound patrons. (Staff contact: Suzanne Smithson, Community Services Department)

8. ADVERTISE FOR BIDS FOR THE VALVE REPLACEMENT PHASE III PROJECT, CIP PROJECT NO. 5019-F – Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1737 approving plans, specifications and contract documents and authorizing the Secretary to the Board of Directors to advertise for bids for the Valve Replacement Phase III Project. (Staff contact: Timothy Smith and Stephanie Harrison, Public Works Department)
9. 2024 ANNUAL WATER SHORTAGE ASSESSMENT REPORT – Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1738 approving the 2024 Annual Water Shortage Assessment Report and authorizing submittal of the assessment tabular report to the California Department of Water Resources on or before July 1, 2024, and granting authority to the Executive Manager to incorporate requested revisions made by the Carlsbad Municipal Water District Board of Directors, if any, into the report prior to its submission. (Staff contact: Keri Martinez and Mariel Cairns, Public Works Department)
10. AGREEMENT WITH KENNEDY/JENKS CONSULTANTS, INC. FOR THE POTABLE WATER AND SEWER MASTER PLAN UPDATES – 1) Adoption of Resolution No. 2024-121 approving a professional services agreement with Kennedy/Jenks Consultants, Inc. for engineering services for the Potable Water and Sewer Master Plan updates in an amount not to exceed \$791,638; and
2) Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1739 authorizing the use of the water operating budget for the Carlsbad Municipal Water District's portion of a professional services agreement with Kennedy/Jenks Consultants, Inc. for engineering services for the Potable Water and Sewer Master Plan updates. (Staff contact: Dave Padilla and Sean Diaz, Public Works Department)
11. AWARD OF A CONSTRUCTION CONTRACT AND CONSTRUCTION MANAGEMENT AND INSPECTION AGREEMENT FOR THE EMERGENCY OPERATIONS CENTER RECONFIGURATION PROJECT, CIP PROJECT NO. 4715 – 1) Adoption of Resolution No. 2024-122 accepting bids and awarding a construction contract to Gilman Builders, Inc. for the Emergency Operations Center Reconfiguration Project in an amount not to exceed \$2,661,000; and
2) Adoption of Resolution No. 2024-123 approving a professional services agreement with SchneiderCM for construction management and inspection services for the Emergency Operations Center Reconfiguration Project in an amount not to exceed \$239,480. (Staff contact: Steven Stewart, Public Works Department)
12. CONTINUATION OF PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REPAIR OF THE SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE – Adoption of Resolution No. 2024-124 continuing the proclamation of a storm-related local emergency for repair of the slope between El Camino Real and Trieste Drive. (Staff contact: Tom Frank, Public Works Department)

BOARD AND COMMISSION MEMBER APPOINTMENTS: None.

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARING:

13. REMOVING THE COLLEGE BOULEVARD AND PALOMAR AIRPORT ROAD IMPROVEMENTS PROJECT FROM THE CAPITAL IMPROVEMENT PROGRAM AND THE ASSOCIATED LEVEL OF SERVICE DEFICIENCY DECLARATION AND REVISING THE MELROSE DRIVE AND PALOMAR AIRPORT ROAD IMPROVEMENTS PROJECT'S SCOPE OF WORK, CIP PROJECT NOS. 6028 AND 6034 – 1) Hold a public hearing; and
2) Adoption of Resolution No. 2024-125 authorizing removal of the Growth Management Plan Vehicular Level of Service Deficiency Declaration for the street facility of College Boulevard and Palomar Airport Road and the Associated Project No. 6028 from the Capital Improvement Program, revising the scope of work of the Melrose Drive and Palomar Airport Road Improvements, Capital Improvement Program Project No. 6034 and adopting related California Environmental Quality Act findings. (Staff contact: Tom Frank and Nathan Schmidt, Public Works Department)

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolution.

Planning & Mobility Manager Nathan Schmidt reviewed the report and presented a PowerPoint presentation (on file in the Office of the City Clerk).

Mayor Blackburn opened the duly noticed public hearing at 5:35 p.m.

Seeing no one wishing to speak, Mayor Blackburn closed the duly noticed public hearing at 5:35 p.m.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution No. 2024-125. Motion carried, 4/0/1 (Luna – Absent).

DEPARTMENTAL AND CITY MANAGER REPORTS:

14. UPDATE ON THE COUNTY OF SAN DIEGO'S ACTION ITEMS FOR AFFIRMED HOUSING'S WINDSOR POINTE AFFORDABLE HOUSING PROJECT – Receive an update on the County of San Diego's action items related to Windsor Pointe. (Staff contact: Mandy Mills, Community Services Department)

City Manager's Recommendation: Receive the update.

Housing & Homeless Services Director Mandy Mills reviewed the report and presented a PowerPoint presentation (on file in the Office of the City Clerk).

The City Council received the update.

Rosanne Bentley expressed her concern regarding the Windsor Pointe project.

Denis Jensen spoke regarding the issues at Windsor Pointe and suggested it be closed.

Lara Benusis expressed her concern regarding Windsor Pointe and suggested it be closed.

Raul Villamar expressed his concern regarding the lack of veterans living at Windsor Pointe.

Julie Ajdour expressed her concern regarding the lack of the County of San Diego representatives at meetings to answer questions.

Michael Schertzer spoke regarding the definition of severe mental illness.

Council discussion ensued.

15. PROPOSED BALLOT MEASURE OPTIONS FOR PROPOSITION H AMENDMENTS OR EXEMPTIONS

Receive a report on proposed ballot measure options for Proposition H amendments or exemptions and provide direction to staff. (Staff contact: Cindie McMahon, City Attorney Department and Zach Korach, Administrative Services Department)

City Manager's Recommendation: Receive the report and provide direction to staff.

The City Council received the report.

City Attorney Cindie McMahon and Finance Director Zach Korach reviewed the report and presented a PowerPoint presentation (on file in the Office of the City Clerk).

Council Member Burkholder expressed her opposition for a ballot measure to cover the proposed increase in the expenditure limit to \$3.09 million.

Motion by Mayor Blackburn, seconded by Mayor Pro Tem Bhat-Patel, asking staff to return with ballot language to propose an amendment to increase the expenditure limit to \$3.09 million and to exempt public safety facilities. Motion carried, 3/1/1 (Burkholder – No; Luna – Absent).

COUNCIL REPORTS AND COMMENTS: Mayor Blackburn and the City Council Members reported on activities and meetings of some committees and subcommittees of which they are members.

ANNOUNCEMENTS: None.

CITY MANAGER COMMENTS: None.

CITY ATTORNEY COMMENTS: None.

CITY CLERK COMMENTS: None.

ADJOURNMENT: Mayor Blackburn adjourned the duly noticed meeting at 6:50 p.m.

Tamara R. McMinn, CPMC, CMC
Senior Deputy City Clerk



CITY COUNCIL
Minutes

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

June 18, 2024, 5 p.m.

CALL TO ORDER: 5 p.m.

ROLL CALL: Blackburn, Bhat-Patel, Acosta, Burkholder, Luna.

PLEDGE OF ALLEGIANCE: Senior Assistant City Attorney Allegra Frost led the Pledge of Allegiance.

ANNOUNCEMENT OF CONCURRENT MEETINGS: City Council is serving as the City of Carlsbad City Council, the Carlsbad Municipal Water District Board of Directors, the Public Financing Authority, the Community Development Commission and City Council as Successor Agency to the Redevelopment Agency on Public Hearing Item No. 11.

APPROVAL OF MINUTES: None.

PRESENTATIONS:

Proclamation in Recognition of 3rd Grade Art Contest

Mayor Pro Tem Bhat-Patel presented the proclamation to Historic Preservation Commissioners John May and Jamie Jacobs.

Proclamation in Recognition of Juneteenth

Council Member Luna presented the proclamation to I.T. Project Manager Paul Waldron.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION: None.

PUBLIC COMMENT:

Mary Lucid expressed her concerns regarding how the Parks & Recreation Department operates the Senior Center.

Lori Robbins requested that the Planning Commission be represented equally by all council districts.

CONSENT CALENDAR:

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to approve Consent Calendar Item Nos. 1 through 7. Motion carried unanimously, 5/0 with Council Member Burkholder abstaining on Consent Calendar Item No. 7. Motion carried, 4/0/1 (Burkholder – Abstain).

This item was pulled for discussion by a member of the public.

1. **DECLARING THE EXISTENCE OF A CITY TREASURER VACANCY AND CALLING THE NOV. 5, 2024, MUNICIPAL ELECTION** – 1) Adoption of Resolution No. 2024-126 declaring the existence of a City Treasurer vacancy; and
2) Adoption of Resolution No. 2024-127 calling for and giving notice of the special municipal election to be held on Tuesday, Nov. 5, 2024, for the purpose of electing a City Treasurer for

a term ending November 2026; and

3) Adoption of Resolution No. 2024-128 calling and giving notice of the general municipal election to be held on Tuesday, Nov. 5, 2024, for the purpose of electing a City Council Member District 2 and City Council Member District 4 for terms ending November 2028; and

4) Adoption of Resolution No. 2024-129 requesting that the San Diego County Board of Supervisors consolidate the general municipal election with the statewide general election to be held on Tuesday, Nov. 5, 2024; and

5) Adoption of Resolution No. 2024-130 requesting that the San Diego County Board of Supervisors consolidate the special municipal election with the statewide general election to be held on Tuesday, Nov. 5, 2024; and

6) Adoption of Resolution No. 2024-131 approving regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at the general and special municipal elections to be held in the City of Carlsbad on Tuesday, Nov. 5, 2024. (Staff contact: Faviola Medina, City Clerk Department, and Sheila Cobian, City Manager Department)

Mary Lucid requested that the City nominates a Treasurer that can help the Parks & Recreation Department so they can hire qualified people for that department.

2. COMPLIANCE REPORT FOR ANNUAL FIRE INSPECTIONS – Adoption of Resolution No. 2024-132 accepting a compliance report on the status of all state-mandated annual fire inspections in the City of Carlsbad. (Staff contact: Darcy Davidson, Fire Department)
3. PURCHASE OF PROPERTY INSURANCE COVERAGE – Adoption of Resolution No. 2024-133 approving the purchase of \$100 million of property insurance coverage through AON for fiscal year 2024-25 for an amount not to exceed \$647,396. (Staff contact: Ed Garbo, Administrative Services Department)
4. PURCHASE OF EXCESS LIABILITY INSURANCE COVERAGE – Adoption of Resolution No. 2024-134 approving the purchase of a maximum of \$43 million of excess liability insurance coverage through California Insurance Pool Authority for fiscal year 2024-2025 for an amount not to exceed \$1,258,000. (Staff contact: Ed Garbo, Administrative Services Department)
5. SETTLEMENT OF WORKERS' COMPENSATION CLAIM OF MICHAEL BRAUN – Adoption of Resolution No. 2024-135 approving the settlement of the workers' compensation claim of Michael Braun for \$70,484. (Staff contact: Sarah Reiswig and Judy von Kalinowski, Administrative Services Department)
6. ACQUISITION AND RESALE OF TWO UNITS AS PART OF THE CITY'S AFFORDABLE HOUSING RESALE PROGRAM – Adoption of Resolution No. 2024-136 authorizing the City Manager to execute all required documents to complete the purchase and resale of two at-risk affordable housing units, 2591 State Street, No. 200 and 6042 Colt Place, No. 301, as part of the City's Affordable Housing Resale Program and authorizing the City Manager, or designee, to appropriate \$633,000 from the Community Development Block Grant Fund for related costs. (Staff contact: Erin Peak, Community Services Department)

7. AWARD OF CONTRACT TO QUALITY CONSTRUCTION & ENGINEERING, INC. FOR THE TRAFFIC CALMING PLANS FOR PARK DRIVE, BLACK RAIL ROAD, PLUM TREE ROAD AND CARRILLO WAY, CIP PROJECT NO. 6070 – Adoption of Resolution No. 2024-137 accepting bids and awarding a construction contract to Quality Construction & Engineering, Inc. for the traffic calming plans for Park Drive, Black Rail Road, Plum Tree Road and Carrillo Way, Capital Improvement Program Project No. 6070, in an amount not to exceed \$247,922. (Staff contact: John Kim, Public Works Department)
8. CONTINUATION OF PROCLAMATION OF A STORM-RELATED LOCAL EMERGENCY FOR REPAIR OF THE SLOPE BETWEEN EL CAMINO REAL AND TRIESTE DRIVE – Adoption of Resolution No. 2024-138 continuing the proclamation of a storm-related local emergency for repair of the slope between El Camino Real and Trieste Drive. (Staff contact: Tom Frank, Public Works Department)

BOARD AND COMMISSION MEMBER APPOINTMENT:

9. DISTRICT 1 APPOINTMENT OF ONE MEMBER TO THE PARKS & RECREATION COMMISSION – Adoption of Resolution No. 2024-139 appointing one member to the Parks & Recreation Commission. (Staff contact: Tammy McMinn, City Clerk Department)

City Manager’s Recommendation: Adopt the resolution.

Mary Lucid spoke regarding drawing in more seniors to the Senior Center.

Nomination by Council Member Burkholder to adopt Resolution No. 2024-139 appointing James Revell to the Parks & Recreation Commission. Motion carried, 3/2 (Bhat-Patel, Luna – No).

ORDINANCES FOR INTRODUCTION: None.

ORDINANCES FOR ADOPTION: None.

PUBLIC HEARINGS:

10. TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2024-25 THROUGH 2028-29 AND TRANSFER OF FUNDS BETWEEN TRANSNET PROJECTS – 1) Hold a public hearing; and
2) Adoption of Resolution No. 2024-140 approving the Carlsbad TransNet Local Street Improvement Program of Projects for fiscal years 2024-25 through 2028-29 for inclusion in the 2025 San Diego Association of Governments Regional Transportation Improvement Program; and
3) Adoption of Resolution No. 2024-141 authorizing the transfer of funds between TransNet projects. (Staff contact: Hossein Ajideh, Public Works Department)

City Manager’s Recommendation: Take public input, close the public hearing and adopt the resolutions.

Engineering Manager Hossein Ajideh presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Mayor Blackburn opened the duly noticed public hearing at 5:42 p.m.

Seeing no one wishing to speak on this item, Mayor Blackburn closed the duly noticed public hearing at 5:42 p.m.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt Resolution Nos. 2024-140 and 2024-141. Motion carried unanimously, 5/0.

11. ADOPTION OF THE FISCAL YEAR 2024-25 OPERATING BUDGET, STRATEGIC DIGITAL TRANSFORMATION INVESTMENT PROGRAM AND CAPITAL IMPROVEMENT PROGRAM, THE FISCAL YEAR 2024-25 APPROPRIATION LIMIT AND REVISION OF FEES AND CHARGES FOR SERVICES, AND UPDATES TO CITY COUNCIL POLICY STATEMENT NO. 95 – COST RECOVERY POLICY FOR FEES AND CHARGES FOR SERVICES 1) Hold a public hearing; and
- 2) Adoption of Resolution No. 2024-142 adopting the final Operating Budget, Strategic Digital Transformation Investment Program and Capital Improvement Program for FY 2024-25 for the City of Carlsbad and establishing controls on changes in appropriations for budget funds; and
- 3) Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1740 adopting the water district's final Operating Budget, Strategic Digital Transformation Investment Program and Capital Improvement Program for FY 2024-25 and establishing controls on changes in appropriations for budget funds; and
- 4) Adoption of Community Development Commission Resolution No. 567 adopting the final Operating Budget of the Carlsbad Housing Authority for FY 2024-25 and establishing controls on changes in appropriations for budget funds; and
- 5) Adoption of Public Financing Authority Board of Directors Resolution No. 97 adopting the final Operating Budget and Capital Improvement Program of The Crossings at Carlsbad Municipal Golf Course for FY 2024-25 and establishing controls on changes in appropriations for budget funds; and
- 6) Adoption of City Council of the City of Carlsbad, acting as the Successor Agency for the Carlsbad Redevelopment Agency Resolution No. 2024-143 adopting the final Operating Budget of the successor agency and the enforceable debt obligations of the City of Carlsbad's Redevelopment Obligation Retirement Fund for FY 2024-25 and establishing controls on changes in appropriations for budget funds; and
- 7) Adoption of Resolution No. 2024-144 the FY 2024-25 appropriation limit as required by Article XIII B of the California State Constitution and state law; and
- 8) Adoption of Resolution No. 2024-145 adopting changes to the Master Fee Schedule; and
- 9) Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1741 adopting changes to the Master Fee Schedule; and
- 10) Adoption of Community Development Commission Resolution No. 568 adopting changes to the Master Fee Schedule; and
- 11) Adoption of Resolution No. 2024-146 approving City Council Policy Statement No. 95

- updates to the Cost Recovery Policy for fees and charges for services; and
- 12) Adoption of Carlsbad Municipal Water District Board of Directors Resolution No. 1742 approving City Council Policy Statement No. 95 updates to the Cost Recovery Policy for fees and charges for services; and
- 13) Adoption of Community Development Commission Resolution No. 569 approving City Council Policy Statement No. 95 updates to the Cost Recovery Policy for fees and charges for services; and
- 14) Adoption of Resolution No. 2024-147 designating \$17,500,00 of the city's unassigned fund balance in the General Fund as of July 1, 2024, for asset replacement; and
- 15) Adoption of Resolution No. 2024-148 approving the City of Carlsbad's share of the FY 2024-25 Operating and Capital Budgets of the Encina Wastewater Authority; and
- 16) Adoption of Resolution No. 2024-149 determining that the FY 2024-25 Capital Improvement Program is consistent with the General Plan and applicable Climate Action Plan measures and actions; and
- 17) Adoption of Resolution No. 2024-150 adopting a list of projects and authorizing the allocation of Road Maintenance and Rehabilitation Account funds to the pavement management and concrete replacement programs for fiscal year 2024-25; and
- 18) Adoption of Resolution No. 2024-151 authorizing a budget amendment to the Tyler Court Apartment Fund for emergency repairs at the Tyler Court Senior Apartments. (Staff contact: Laura Rocha and Zach Korach, Administrative Services Department)

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolutions.

Deputy City Manager of Administrative Services Laura Rocha and Finance Director Zach Korach presented the report and reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

Mayor Blackburn opened the duly noticed public hearing at 6:08 p.m.

Mary Lucid requested that a senior center be built in South Carlsbad.

Seeing no one else wishing to speak, Mayor Blackburn closed the duly noticed public hearing at 6:11 p.m.

Motion by Mayo Pro Tem Bhat-Patel, seconded by Council Member Acosta, to retain the Diversity, Equity & Inclusion (D.E.I.) Manager position. Motion failed, 2/3 (Blackburn, Burkholder, Luna – No).

Mayor Pro Tem Bhat-Patel stated for the record, that she would be voting yes on the Diversity, Equity & Inclusion (D.E.I.) Manager position, but she cannot in good conscience vote yes to remove that position.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, to adopt the following:

City Council Resolution No. 2024-142; and
Carlsbad Municipal Water District Board of Directors Resolution No. 1740; and
Community Development Commission Resolution No. 567; and
Public Financing Authority Board of Directors Resolution No. 97; and
Carlsbad Redevelopment Agency Resolution No. 2024-143; and
City Council Resolution No. 2024-144; and
City Council Resolution No. 2024-145; and
Carlsbad Municipal Water District Board of Directors Resolution No. 1741; and
Community Development Commission Resolution No. 568; and
City Council Resolution No. 2024-146; and
Carlsbad Municipal Water District Board of Directors Resolution No. 1742; and
Carlsbad Community Development Commission Resolution No. 569; and
City Council Resolution No. 2024-147; and
City Council Resolution No. 2024-148; and
City Council Resolution No. 2024-149; and
City Council Resolution No. 2024-150; and
City Council Resolution No. 2024-151. Motion carried unanimously, 5/0.

DEPARTMENTAL AND CITY MANAGER REPORTS:

12. **PROPOSITION H BALLOT MEASURE** – Adoption of Resolution No. 2024-152 calling a municipal election to submit a ballot measure to the voters to amend the city charter and Carlsbad Municipal Code Chapter 1.24 to increase the expenditure limit, add inflation index to the limit, and exempt public safety facilities from the limit; requesting consolidation services from the San Diego County Board of Supervisor; directing the preparation of an impartial analysis; and establishing procedures for ballot arguments and rebuttals. (Staff contact: Cindie McMahan, City Attorney Department, Faviola Medina, City Clerk Department, and Sheila Cobian, City Manager Department)

City Manager’s Recommendation: Adopt the resolution.

Senior Assistant City Attorney Allegra Frost provided an overview of the agenda item.

Motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta to adopt Resolution No. 2024-152. Motion carried, 3/2 (Burkholder, Luna – No).

COUNCIL REPORTS AND COMMENTS: Mayor Blackburn and the City Council Members reported on activities and meetings of some committees and subcommittees of which they are members.

ANNOUNCEMENTS: This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

Thursday, June 20, 2024
10:00 – 10:30 a.m.
Chick-fil-A Carlsbad West Ribbon Cutting
5848 Avenida Encinas
Carlsbad, CA 92008

CITY MANAGER COMMENTS: None.

CITY ATTORNEY COMMENTS: None.

CITY CLERK COMMENTS: None.

ADJOURNMENT: Mayor Blackburn adjourned the duly noticed meeting at 7:03 p.m.

Ana Marie Alarcon, CMC
Deputy City Clerk



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Zach Korach, Finance Director/Deputy City Treasurer
zach.korach@carlsbadca.gov, 442-339-2127

Subject: Report on City Investments as of May 31, 2024

District: All

Recommended Action

Accept and file Report on City Investments as of May 31, 2024.

Executive Summary

The city's Investment Policy requires the City Treasurer to report the status of the city's pooled investment portfolio to the City Council each month.

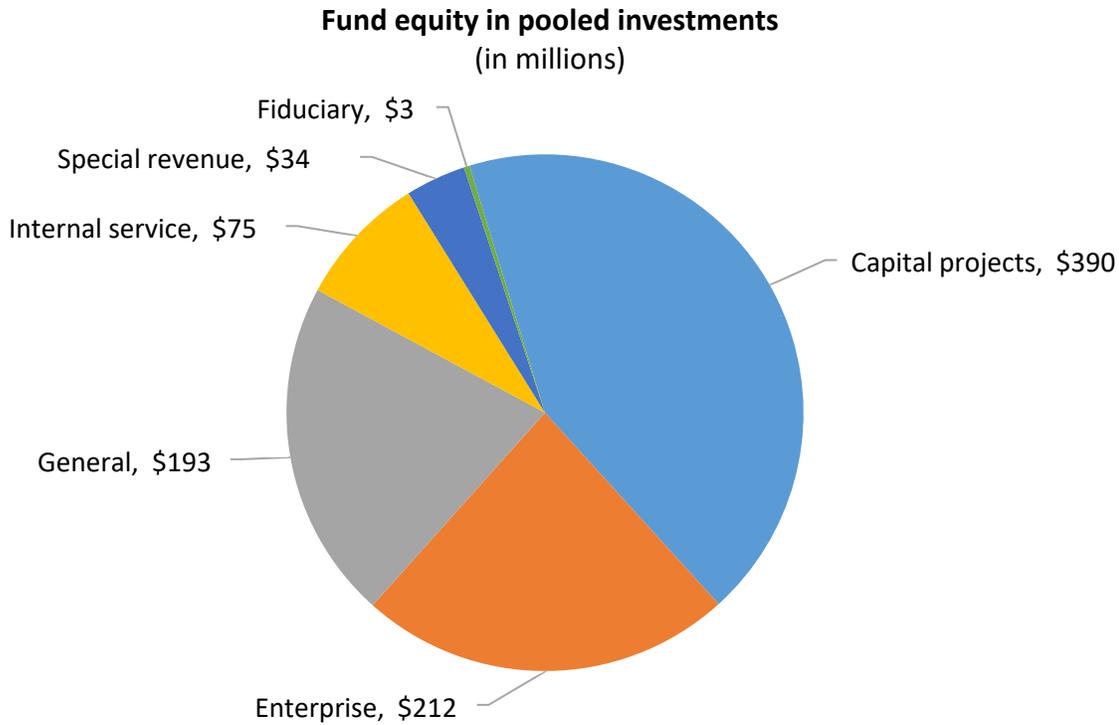
Discussion & Fiscal Analysis

The city's pooled investment portfolio as of the month ending May 31, 2024, is summarized below.

Pooled investment portfolio (cash and securities)		
	Current month	Prior month
Par value ¹	\$908,293,378	\$903,065,595
Investment cost	\$905,226,727	\$901,605,020
Amortized cost ²	\$902,529,630	\$898,039,725
Market value ³	\$874,827,309	\$866,553,557

- (1) The face value of the investments.
- (2) The cost of investments adjusted for amortized premiums and discounts.
- (3) The amount at which the investments could be sold. Source of market value is Principal custodial report.

The equity portion of the various funds in the total portfolio, that is, the part of the total investment portfolio assigned to each fund, is summarized in the graph below. Fund balances are restricted for various purposes (See Exhibit 6 for a more detailed breakdown).



Pooled investment interest income⁴

	Fiscal year to date	Current month	Prior month
Cash income	\$19,416,122	\$1,574,890	\$2,117,256

(4) The cash income received is adjusted for any received interest previously purchased.

Pooled investment performance

	Average life (years)	Yield ⁵	Modified duration
March 2024	1.90	2.65%	1.63
April 2024	1.83	2.77%	1.56
May 2024	1.83	2.83%	1.57

(5) Yield is computed by totaling the weighted average of each investment's return less any costs.

All pooled investments have been made in accordance with the city's Investment Policy, which was adopted Jan. 2, 1985, and last revised Mar. 12, 2024; however, events after the purchase might result in perceived non-compliance with the current policy. These events are typically a change in the credit rating after a purchase, a change in the city's Investment Policy, or a temporary reduction in total portfolio assets.

Exhibit 7 shows the investments out of compliance with the current policy that experienced a subsequent change in credit rating. Ratings on one investment has dropped to less than the rating required by the Investment Policy since their initial purchase. Corporate notes and municipal bonds require a “split rating” of AA from one rating company and an A rating from a second. Mortgage-backed securities require an AA rating from one rating company.

The city’s Investment Policy allows the City Treasurer to determine the course of action that would correct exceptions to the policy. These investments are paying interest at the required times and their principal is considered secure. It is the intent of the City Treasurer to hold these assets in the portfolio until maturity unless events indicate they should be sold.

Not less than two-thirds of the current fiscal year operating budget shall mature within one year. The maturity value within one year is \$331,590,607.32 which is 87.9% of the current year operating budget. The investment portfolio has the ability to meet the city’s anticipated cash flow demands for the next six months.

Next Steps

The report on city investments will continue to be produced monthly by the City Treasurer.

Environmental Evaluation

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

Exhibits

1. Investments by cost, market value, cash income and average yield by class
2. Maturities by classification and length of time at market value
3. Yield comparison & market yield curve
4. Cash income by month & cumulative cash income
5. Maturities, calls and purchases this quarter
6. Fund equity in pooled investments
7. Security ratings and outlooks
8. Portfolio allocation at amortized cost by issuer
9. Investment detail
10. Section 115 Trust activity

City of Carlsbad investment portfolio
Investments by cost, market value, cash income and average yield by class

Exhibit 1

May 31, 2024

Class	Investment cost		Market value		YTD net income	Average yield		Percent of total
	Current month	Prior month	Current month	Prior month		Current month	Prior month	
Certificate of deposit	\$ 22,721,876.92	\$ 22,484,876.92	\$ 21,857,797.81	\$ 21,641,427.59	\$ 372,347.08	2.13%	2.06%	2.50%
Corporate notes	118,131,404.93	128,758,267.43	111,010,986.71	120,137,577.66	3,604,594.76	2.20%	2.11%	12.69%
Federal agency	353,523,492.04	343,476,052.04	339,651,953.22	327,709,842.41	4,207,503.14	1.99%	1.89%	38.83%
Mortgage passthrough securities	74,401,307.43	75,260,043.21	72,026,232.83	72,312,197.11	1,250,246.14	3.79%	3.77%	8.23%
Municipal bonds	101,371,706.65	96,804,936.65	97,501,362.75	92,558,610.70	1,781,099.20	2.61%	2.51%	11.15%
Supranational securities	22,183,412.00	22,183,412.00	21,164,214.50	21,019,802.60	329,360.86	1.99%	1.99%	2.42%
US Treasury	54,471,925.29	53,743,395.34	53,193,160.00	52,280,062.50	816,469.85	2.55%	2.31%	6.08%
General cash account	2,066,656.00	2,095,704.00	2,066,656.00	2,095,704.00	-	0.00%	0.00%	0.24%
Sweep account	21,203,661.45	9,233,807.09	21,203,661.45	9,233,807.09	448,794.21	5.19%	5.17%	2.42%
Investment cash account	7,659,786.05	5,601,749.38	7,659,786.05	5,601,749.38	99,115.38	2.95%	2.95%	0.88%
California Asset Mgmt Program (CAMP)	125,644,819.29	140,116,096.94	125,644,819.29	140,116,096.94	6,438,762.21	5.43%	5.44%	14.36%
Local Agency Investment Fund (LAIF)	1,846,678.87	1,846,678.87	1,846,678.87	1,846,678.87	67,829.38	4.33%	4.27%	0.21%
Total	\$ 905,226,726.92	\$ 901,605,019.87	\$ 874,827,309.48	\$ 866,553,556.85	\$ 19,416,122.21	2.83%	2.77%	100.00%

Policy:

Certificates of deposit and corporate notes are limited to 30% of total portfolio at the time of purchase.

Pass through securities are limited to 20% of total portfolio at the time of purchase.

Municipal bonds are limited to 15% of total portfolio at the time of purchase.

Supranational securities are limited to 10% of total portfolio at the time of purchase.

City of Carlsbad investment portfolio
Maturities by classification and length of time at market value
May 31, 2024

Exhibit 2

Class	Overnight	Within 12 months	13-36 months	37-60 months	Total
Certificate of deposit	\$ -	\$ 5,309,629.11	\$ 9,726,612.84	\$ 6,821,555.86	\$ 21,857,797.81
Corporate notes	-	35,929,952.21	52,017,225.50	23,063,809.00	111,010,986.71
Federal agency	-	78,997,373.59	166,917,074.78	93,737,504.85	339,651,953.22
Mortgage passthrough securities	-	7,756,269.35	12,657,364.98	51,612,598.50	72,026,232.83
Municipal bonds	-	18,758,714.40	44,121,143.50	34,621,504.85	97,501,362.75
Supranational securities	-	5,363,512.00	8,459,740.00	7,340,962.50	21,164,214.50
US Treasury	-	21,053,555.00	22,300,150.00	9,839,455.00	53,193,160.00
General cash account	2,066,656.00	-	-	-	2,066,656.00
Sweep account	21,203,661.45	-	-	-	21,203,661.45
Investment cash account	7,659,786.05	-	-	-	7,659,786.05
California Asset Mgmt Program (CAMP)	125,644,819.29	-	-	-	125,644,819.29
Local Agency Investment Fund (LAIF)	1,846,678.87	-	-	-	1,846,678.87
Totals	\$ 158,421,601.66	\$ 173,169,005.66	\$ 316,199,311.60	\$ 227,037,390.56	\$ 874,827,309.48
Percent Total	18.11%	19.79%	36.14%	25.95%	100.00%

Funds maturing within one year \$ 331,590,607.32

Percentage of the budget 87.89%

Policy:

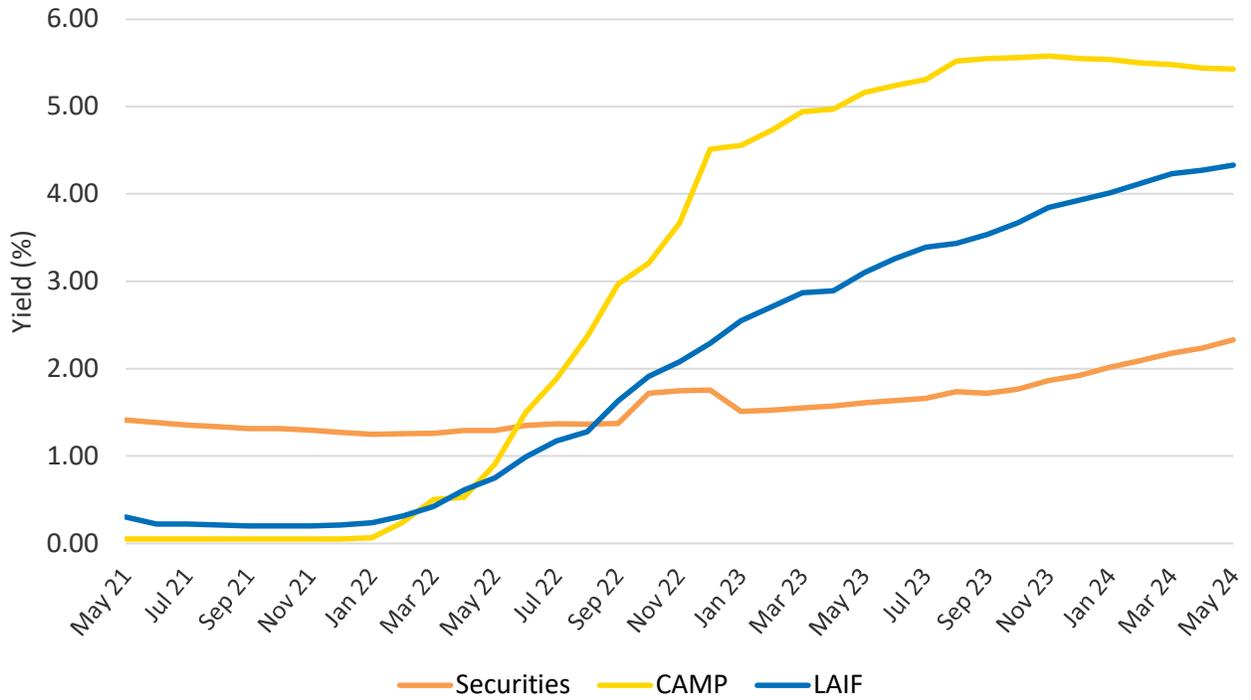
Not less than \$251,510,000 to mature within one year, two-thirds of FY 23-24 operating budget of \$377,263,607.

Maximum term for all securities is five years.

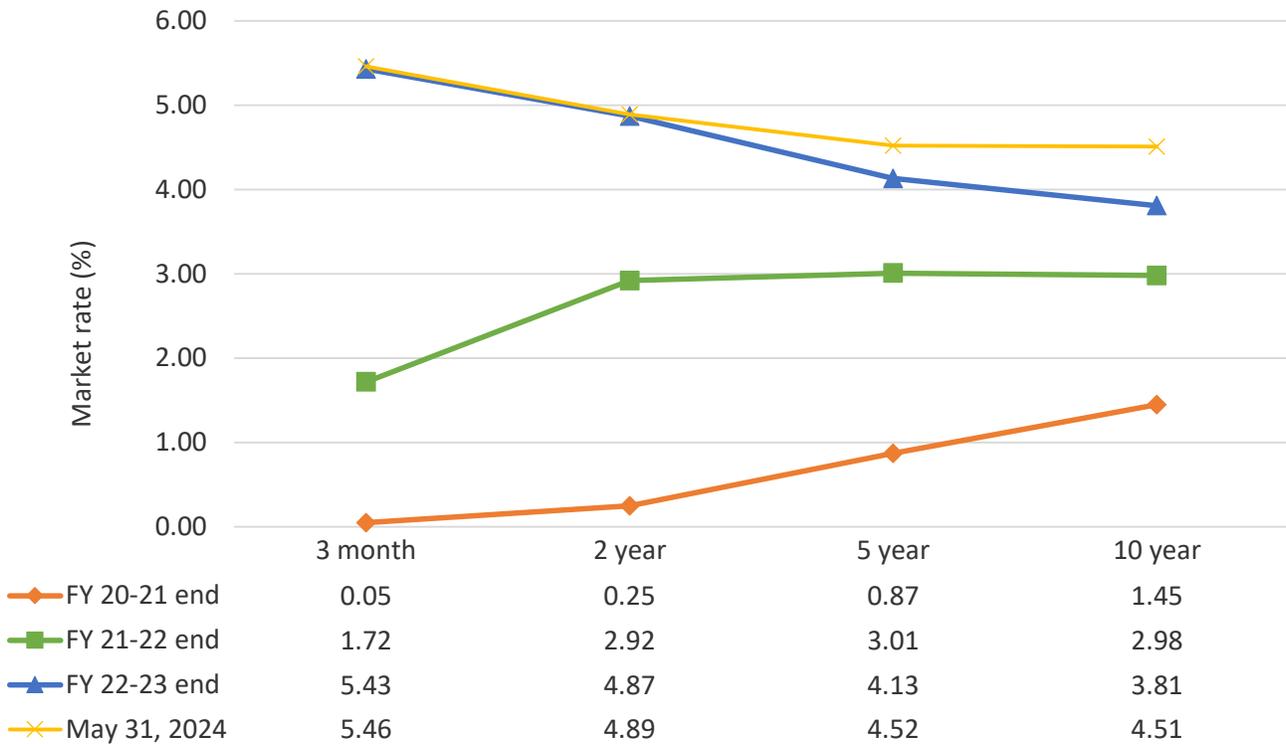
Yield comparisons

May 31, 2024

Yield comparison: Securities vs CAMP vs LAIF
Three year comparison

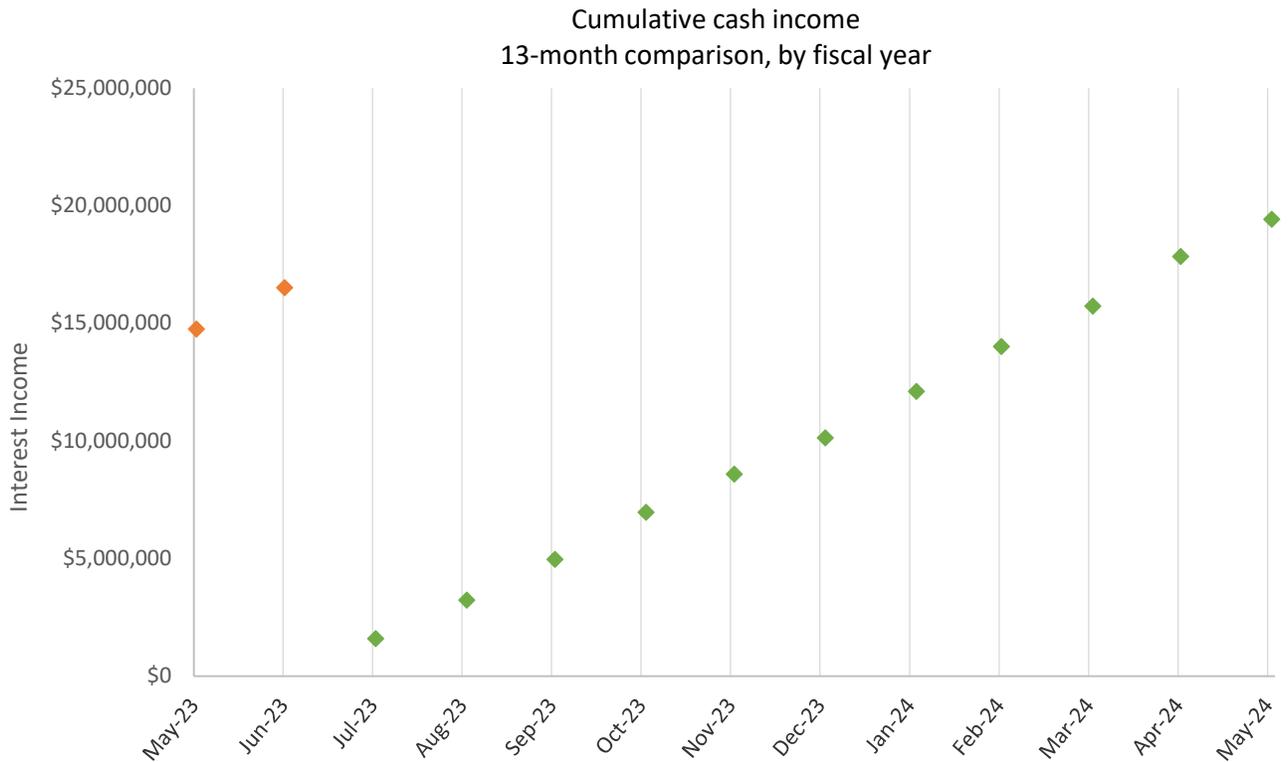
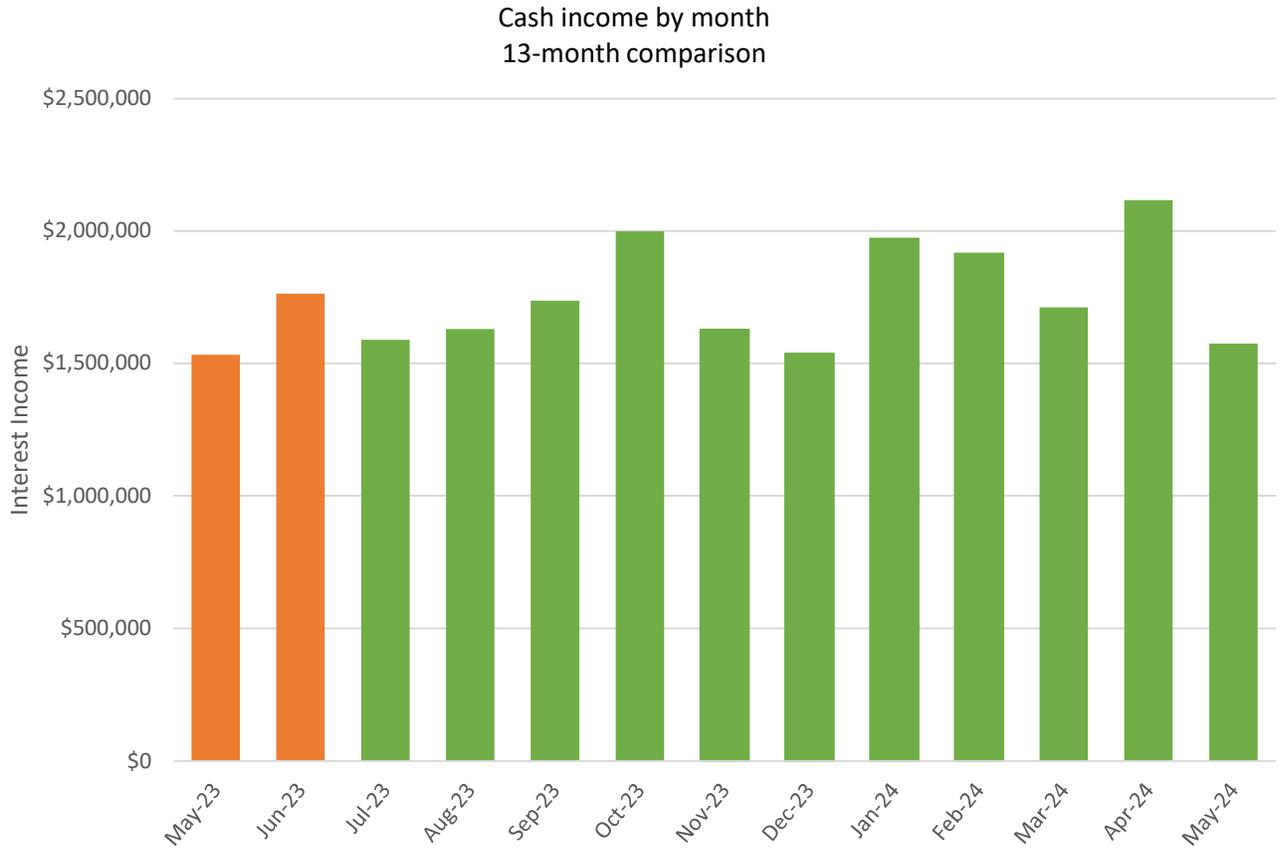


Yield comparison: market yields
Fiscal year ends compared to current



Cash income

May 31, 2024



City of Carlsbad investment portfolio
Maturities, calls and purchases this quarter

Exhibit 5

May 31, 2024

Maturities

CUSIP	Issuer	Settled	Maturity	Yield	Par value	Book value	Total Interest	Total
Certificate of deposit								
29367RKT2	Enterprise Bank	05/16/19	05/16/24	2.60%	\$ 246,000.00	\$ 246,000.00	\$ 32,015.04	\$ 278,015.04
27002YEN2	Eagle Bank	05/24/19	05/24/24	2.50%	249,000.00	249,000.00	31,159.07	280,159.07
Corporate notes								
931142DP5	Wal-Mart	04/24/20	04/22/24	3.30%	\$ 2,500,000.00	\$ 2,500,000.00	\$ 329,541.67	\$ 2,829,541.67
931142DP5	Wal-Mart	04/24/20	04/22/24	3.30%	2,000,000.00	2,000,000.00	263,633.33	2,263,633.33
48133DE55	JP Morgan Chase Bank	04/29/22	04/29/24	3.13%	1,500,000.00	1,500,000.00	93,750.00	1,593,750.00
46625HJX9	JP Morgan Chase Bank	07/31/19	05/13/24	3.63%	2,000,000.00	2,000,000.00	346,791.67	2,346,791.67
46625HJX9	JP Morgan Chase Bank	07/13/20	05/13/24	3.63%	3,000,000.00	3,000,000.00	416,875.00	3,416,875.00
46625HJX9	JP Morgan Chase Bank	12/13/21	05/13/24	3.63%	1,750,000.00	1,750,000.00	153,307.29	1,903,307.29
06406HCV9	Bank of New York Mellon	07/10/20	05/15/24	3.40%	3,000,000.00	3,000,000.00	392,416.67	3,392,416.67
Federal agency								
3133EKG2	Federal Farm Credit Banks	04/12/19	04/05/24	2.30%	\$ 2,000,000.00	\$ 2,000,000.00	\$ 229,105.56	\$ 2,229,105.56
3133EMXB3	Federal Farm Credit Banks	04/23/21	04/22/24	0.34%	2,000,000.00	2,000,000.00	20,381.11	2,020,381.11
3134GWZT6	Federal Home Loan Mtg Corp	04/05/21	04/23/24	0.32%	1,000,000.00	1,000,000.00	9,760.00	1,009,760.00
3130AGEF8	Federal Home Loan Bank	05/09/19	05/07/24	2.40%	1,000,000.00	1,000,000.00	119,866.67	1,119,866.67
Mortgage passthrough securities								
31398E6W9	FHLM - FHR 3544 BC	08/27/20	04/15/24	0.53%	\$ 4,301.02	\$ 4,506.66	\$ 27.41	\$ 4,534.07
30311SAA7	FRESB - 2022-SB97 A5F	04/22/22	04/25/24	2.80%	5,004.76	4,806.41	4,975.08	9,781.49
30315EAA4	FRESB - MFM	07/24/20	04/25/24	0.83%	1,374.92	1,381.64	610.31	1,991.95
30318NAA1	FRESB - 2021-SB83	02/19/21	04/25/24	0.51%	2,125.06	2,135.04	634.09	2,769.13
30321CAQ5	FRESB - 2021-SB88 A5F	07/23/21	04/25/24	0.75%	2,815.84	2,829.06	1,225.68	4,054.74
30324QAC2	FRESB - 2022-SB94	01/21/22	04/25/24	1.50%	7,215.76	7,249.13	5,725.02	12,974.15
30329MAA0	FRESB - 2022-SB103 A5F	10/28/22	04/25/24	4.99%	1,967.80	1,762.93	2,557.55	4,320.48
30329QAA1	FRESB - 2022-SB104 A5F	11/18/22	04/25/24	2.60%	4,537.47	4,141.98	8,436.13	12,578.11
30332EAA3	FRESB - 2023-SB107 A5F	07/20/23	04/25/24	4.09%	376.93	368.74	10,214.28	10,583.02
30333AAA0	FRESB - 2023-SB108 A5F	08/17/23	04/25/24	4.79%	800.54	783.29	12,374.95	13,158.24
30334CAA5	FRESB - 2023-SB111 A5F	11/16/23	04/25/24	5.28%	142.52	139.33	10,791.23	10,930.56
3132XGRH1	FRESB - WN2287	01/27/23	04/25/24	3.93%	3,603.81	3,571.15	9,483.58	13,054.73
3137BL6J2	FHLM - FHMS K048 A1	07/22/22	04/25/24	3.43%	71,955.00	71,235.45	1,137.51	72,372.96
3137BM7B6	FHMS - K051 A1	06/30/22	04/25/24	3.30%	91,666.18	90,950.04	4,770.72	95,720.76
3137BP4J5	FHLM - FHMS K1R1	08/20/21	04/25/24	0.41%	42,656.12	44,675.62	2,247.59	46,923.21
3137F32A1	FHLM - KHG1 A1	04/15/20	04/25/24	0.99%	85,411.11	91,550.03	1,970.85	93,520.88
3137FBTA4	FHLM - FHMS K728	03/10/21	04/25/24	3.06%	4,263.87	4,599.15	6,464.68	11,063.83
3138L7D60	FHLM - AM6424	12/16/22	04/25/24	4.21%	2,545.61	2,464.47	2,788.55	5,253.02
35564CAA5	FHLM - SLST 2018	01/11/24	04/25/24	5.37%	11,405.78	10,946.43	2,929.54	13,875.97
31398E6W9	FHLM - FHR 3544 BC	08/27/20	05/15/24	0.53%	2,538.01	2,659.36	13.08	2,672.44

City of Carlsbad investment portfolio
Maturities, calls and purchases this quarter

May 31, 2024

Maturities cont.

CUSIP	Issuer	Settled	Maturity	Yield	Par value	Book value	Interest	Total
30311SAA7	FRESB - 2022-SB97 A5F	04/22/22	05/28/24	2.80%	44,544.92	42,779.52	4,967.66	47,747.18
30315EAA4	FRESB - MFM	07/24/20	05/28/24	0.83%	1,459.22	1,466.36	609.36	2,075.72
30318NAA1	FRESB - 2021-SB83	02/19/21	05/28/24	0.51%	2,234.49	2,244.98	632.98	2,877.96
30321CAQ5	FRESB - 2021-SB88 A5F	07/23/21	05/28/24	0.75%	2,977.68	2,991.66	1,223.62	4,215.28
30324QAC2	FRESB - 2022-SB94	01/21/22	05/28/24	1.50%	237,608.77	238,707.71	5,715.16	244,422.87
30329MAA0	FRESB - 2022-SB103 A5F	10/28/22	05/28/24	4.99%	2,109.34	1,889.73	2,554.14	4,443.87
30329QAA1	FRESB - 2022-SB104 A5F	11/18/22	05/28/24	2.60%	4,923.45	4,494.31	8,426.30	12,920.61
30332EAA3	FRESB - 2023-SB107 A5F	07/20/23	05/28/24	4.09%	426.77	417.49	10,212.99	10,630.48
30333AAA0	FRESB - 2023-SB108 A5F	08/17/23	05/28/24	4.79%	902.53	883.08	12,372.12	13,255.20
30334CAA5	FRESB - 2023-SB111 A5F	11/16/23	05/28/24	5.28%	170.05	166.24	10,790.67	10,956.91
3132XGRH1	FRESB - WN2287	01/27/23	05/28/24	3.93%	3,993.81	3,957.62	9,166.58	13,124.20
3137BL6J2	FHLM - FHMS K048 A1	07/22/22	05/28/24	3.43%	76,254.65	75,492.10	976.27	76,468.37
3137BM7B6	FHMS - K051 A1	06/30/22	05/28/24	3.30%	97,952.39	97,187.14	4,550.19	101,737.33
3137BP4J5	FHLM - FHMS K1R1	08/20/21	05/28/24	0.41%	45,218.97	47,359.80	2,160.64	49,520.44
3137F32A1	FHLM - KHG1 A1	04/15/20	05/28/24	0.99%	91,261.59	97,821.02	1,733.05	99,554.07
3137FBTA4	FHLM - FHMS K728	03/10/21	05/28/24	3.06%	209,713.95	226,204.35	6,453.80	232,658.15
3138L7D60	FHLM - AM6424	12/16/22	05/28/24	4.21%	2,554.24	2,472.82	2,781.23	5,254.05
30336BAA5	FRESB - 2024-SB113	04/25/24	05/28/24	5.22%	116.81	115.83	14,641.67	14,757.50
35564CAA5	FHLM - SLST 2018	01/11/24	05/28/24	5.37%	9,820.15	9,424.66	2,896.27	12,320.93

U.S. Treasury

91282CEG2	U.S. Treasury	06/13/22	04/01/24	2.25%	\$ 2,000,000.00	\$ 2,000,000.00	\$ 80,901.64	\$ 2,080,901.64
91282CBV2	U.S. Treasury	12/07/21	04/15/24	0.38%	2,000,000.00	2,000,000.00	17,657.97	2,017,657.97
9128286R6	U.S. Treasury	03/21/22	04/30/24	2.25%	2,000,000.00	2,000,000.00	94,972.38	2,094,972.38
91282CCC3	US Treasury	12/07/21	05/15/24	2.50%	2,000,000.00	2,000,000.00	12,196.13	2,012,196.13
912828WJ5	US Treasury	10/21/22	05/15/24	2.50%	1,750,000.00	1,750,000.00	68,597.15	1,818,597.15

Maturities Total \$ 33,175,951.89 \$ 33,203,832.33 \$ 2,905,170.88 \$ 36,109,003.21

Calls

CUSIP	Issuer	Settled	Call Date	Yield	Par value	Book value	Interest	Total
3130AW6F2	Federal Home Loan Bank	05/22/23	05/22/24	5.00%	\$ 1,500,000.00	\$ 1,500,000.00	\$ 37,500.00	\$ 1,537,500.00

Calls Total \$ 1,500,000.00 \$ 1,500,000.00 \$ 37,500.00 \$ 1,537,500.00

Purchases

CUSIP	Issuer	Settled	Maturity	Yield	First Coupon	Par value	Book value
Certificate of deposit							
61768E3D3	Morgan Stanley Private Bank	05/08/24	05/08/28	4.70%	11/08/24	\$ 244,000.00	\$ 244,000.00
38150VUH0	Goldman Sachs Bank	05/21/24	05/21/29	4.50%	11/21/24	244,000.00	244,000.00

City of Carlsbad investment portfolio
Maturities, calls and purchases this quarter

May 31, 2024

Purchases cont.

CUSIP	Issuer	Settled	Maturity	Yield	First Coupon	Par value	Book value
93883MAZ1	Washington Financial Bank	05/22/24	05/22/29	4.45%	11/22/24	244,000.00	244,000.00
Federal agency							
3130B0PR4	Federal Home Loan Bank	04/02/24	10/02/28	5.00%	10/02/24	\$ 2,000,000.00	\$ 2,000,000.00
3130B0EE5	Federal Home Loan Bank	04/23/24	03/06/28	5.00%	09/06/24	2,000,000.00	1,985,960.00
3130B14U8	Federal Home Loan Bank	04/30/24	04/27/29	5.25%	10/27/24	1,500,000.00	1,500,000.00
3130B0NE5	Federal Home Loan Bank	05/01/24	07/06/28	4.97%	07/06/24	2,400,000.00	2,376,000.00
3133EP3D5	Federal Farm Credit Banks	05/02/24	11/22/27	5.56%	05/22/24	2,500,000.00	2,497,000.00
3134GX3H5	Federal Home Loan Mtg Corp	05/15/24	09/29/27	5.05%	09/29/24	2,500,000.00	2,477,000.00
3130B1DC8	Federal Home Loan Bank	05/16/24	11/09/26	5.25%	11/09/24	1,500,000.00	1,500,000.00
3134GWS23	Federal Home Loan Mtg Corp	05/17/24	09/14/28	4.61%	09/14/24	2,000,000.00	1,719,760.00
3135GASP7	Federal National Mortgage Assc	05/28/24	05/22/29	4.82%	11/22/24	2,000,000.00	1,983,000.00
Mortgage passthrough securities							
30336BAA5	FRESB SB113	04/25/24	12/25/28	5.22%	05/25/24	\$ 3,500,000.00	\$ 3,470,705.00
Municipal bonds							
79730CJK1	San Diego Public Fin Wtr Rev	04/22/24	08/01/26	5.04%	08/01/24	\$ 2,000,000.00	\$ 1,866,860.00
593201A30	City of Miami Beach	05/01/24	05/01/29	4.73%	11/01/24	\$ 1,400,000.00	\$ 1,396,640.00
91412HGF4	University of California	05/13/24	05/15/27	4.78%	05/15/24	\$ 1,000,000.00	\$ 904,080.00
91412HGF4	University of California	05/20/24	05/15/27	4.71%	11/15/24	\$ 2,500,000.00	\$ 2,266,050.00
U.S. Treasury							
91282CKJ9	US Treasury	05/06/24	04/15/27	4.71%	10/15/24	\$ 3,000,000.00	\$ 2,982,773.44
91282CFB2	US Treasury	05/07/24	07/31/27	4.60%	07/31/24	\$ 1,500,000.00	\$ 1,417,441.41
Purchases total						\$ 34,032,000.00	\$ 33,075,269.85

City of Carlsbad investment portfolio
Fund equity in pooled investments

Exhibit 6

May 31, 2024

Cash balance by fund:

General		192,714,605.25
Special revenue		34,185,811.63
Capital projects:		
Infrastructure replacement	115,535,276.13	
Special districts	112,972,831.10	
General capital construction	46,531,674.37	
Public facilities fees	32,334,776.59	
Traffic impact fees	21,805,631.40	
Gas tax	19,006,126.55	
Park development	16,646,123.12	
Technology investment	14,604,894.16	
TransNet taxes	5,108,727.07	
Drainage fees	5,167,618.87	
Capital project subtotal		389,713,679.36
Enterprise:		
Carlsbad Municipal Water District	145,009,100.27	
Sewer fund	49,986,081.72	
Storm water	5,250,082.50	
Solid waste	3,936,862.55	
Golf course	7,336,413.14	
Enterprise subtotal		211,518,540.18
Internal service		74,978,796.46
Fiduciary		3,249,727.73
Total general ledger balance **		906,361,161.00
Reconciling adjustments (1)		(3,831,532.00)
Total treasurer's investment portfolio at amortized cost		<u>902,529,629.50</u>

**Figures based on best estimate at the time report run on 06/14/2024.

(1) The reconciling adjustments consist of differences between the general ledger which is prepared on an accrual basis and the treasurer's report which is prepared on a cash basis.

City of Carlsbad investment portfolio
Security ratings and outlooks

Exhibit 7

May 31, 2024

All investments were in compliance with the city's investment policy at the time of purchase.

Issuer	Moody's	S&P	Fitch	Outlook
Corporate notes				
Amazon.com Inc	A1	AA	AA-	Stable/Stable/Stable
Apple Inc	AAA	AA+		Stable/Stable/
Bank of America	A1	A-	AA-	Positive/ /Stable
Bank of Montreal	A2	N/A	AA-	Stable
Bank of New York Mellon Corp	A1	A	AA-	Neg/Stable/Stable
BLC Community Bank	A2	N/A	AA-	Stable
CME Group Inc	AA3	AA-	AA-	Stable/Stable/Stable
Colgate-Palmolive	AA3	A+		Stable/Negative
Florida Power and Light Co	AA2	A+	AA-	Stable/Stable/Stable
Johnson & Johnson	AAA	AAA		Stable/Neg
JP Morgan Chase Bank	A1	A-	AA-	Stable/Stable/Stable
MassMutual Global Funding	AA3	AA+	AA+	/Stable/
Merck & Co*	A1	A+		Stable/Stable/
Met Life Global	AA3	AA-	AA-	/Stable/
Microsoft	AAA	AAA		Stable/Stable/
New York Life	AAA	AA+	AAA	Stable
Nike Inc.	A1	AA-		Stable/Stable/
Novartis Capital Corp	AA3	AA-	AA-	Positive/Stable
Pacific Life Global	AA3	AA-	AA-	Stable
Private Export Funding	AAA	N/A	AA+	Stable
Procter & Gamble	AA3	AA-		Stable/Stable/
Roche Holdings Inc	AA2	AA	AA	Stable
Royal Bank of Canada	A1	A	AA-	Stable/Stable/Stable
Seattle Children's Hospital	AA2	N/A	AA	Stable
Visa Inc.	AA3	AA-		Stable/Stable/
Wal-Mart	AA2	AA	AA	Stable/Stable/Stable

Ratings of corporate notes must be AA or better by one and A or better by another of the three: Moody's, S&P, or Fitch.

Mortgage passthrough securities

FAMCA	AAA	AA+		Stable
FHLMC	AAA	AA+		Stable
FNMA	AAA	AA+		Stable
FRESB	AAA	AA+		Stable

Ratings of mortgage passthrough securities must be AA or better by one of the three: Moody's, S&P, or Fitch.

Municipal Bonds

Ada/Canyon Cty SD	AA1	AA+		Stable
Alief Independent School Dist	AAA	AAA		
Amarillo Independent SD	AAA	AAA		Stable
Bay Area Water & Utl	AA3	AA-		
Cache County SD	AAA	AAA1	AAA1	Stable
California State University	AA2	AA-		

City of Carlsbad investment portfolio
Security ratings and outlooks

May 31, 2024

All investments were in compliance with the city's investment policy at the time of purchase.

Issuer	Moody's	S&P	Fitch	Outlook
City of Anaheim	N/A	AA+	AA+	
Contra Costa Cmty College	AA1	AA+		
County of Multnomah OR	AAA	AAA		Stable
Fremont CA Unified	AA2	AA-		Stable
Honolulu Wastewater	AA3	N/A	AA-	Stable
Los Angeles Cmty Clg Dist	AAA	AA+		
Los Angeles Unified SD	AA2	AA-		Stable
Los Angeles Water & Power	AA2	AA-		Stable
Marion County SD	AA1	N/A	AA+	Stable
Mason/Kitsap Cty SD	AAA	N/A	AA+	Stable
Miami Beach FL	AA2	AA+		
Minnesota State	AAA	AAA	AAA	Stable
Oregon State Dept Admin Serv	AA2	AA		
Oregon State Dept of Transp	AA1	AAA	AA+	Stable
Pajaro Valley Unified SD	AA3	A+		
Portland Cmty College	AA1	N/A	AA+	Stable
San Bernardino CCD	AA1	AA		Stable
San Diego Cmty College	AA1	AAA		Stable
San Diego Public Finance	AA2	N/A	AA	Stable
San Francisco City Pub Utl	AA2	AA-		
San Jose Evergreen CC	AA1	AA+		Stable
San Jose Redevelopment	N/A	AA	AA+	Stable
San Ramon Valley USD	AA1	AA+		
Santa Barbara CA USD	AA1	AA		Stable
Santa Monica Cmty College	AA2	AA+		
Solano County Cmty College	AA2	AA		Stable
Southern CA Public Power	N/A	AA-	AA-	Stable
State of California	AA2	AA-	AA	Stable/positive/stable
State of Connecticut	AA3	AA-		
State of Hawaii	AA2	AA+	AA	Stable
Texas Tech University	AA1	AA+		Stable
University of California	AA2	AA	AA	Stable

Ratings of municipal bonds must be AA or better by one and A or better by another of the three: Moody's, S&P, or Fitch.

*Investments with subsequent changes in credit rating

Corporate notes	Moody's	S&P	Fitch	Maturity date	Purchased	Book value
Merck & Co	A1	A+	N/R	02/24/26	04/12/21	\$ 1,494,689
						<u>\$ 1,494,689</u>

The city's Investment Policy allows the City Treasurer to determine the course of action that would correct exceptions to the policy. The current exception is paying interest at the required times. The principal of the investment is considered secure. It is the intent of the City Treasurer to hold the asset in the portfolio until maturity unless events indicate they should be sold.

City of Carlsbad investment portfolio
Portfolio allocation at amortized cost by issuer

Exhibit 8

May 31, 2024

Issuer	Amortized cost	Portfolio allocation
Corporate notes		
Amazon.com Inc.	4,508,803.31	0.50%
Apple Inc.	1,517,788.80	0.17%
Bank of America	13,495,441.04	1.50%
Bank of Montreal	2,000,000.00	0.22%
Bank of New York Mellon	3,058,285.56	0.34%
BLC Community Bank (Bank of Montreal)	2,450,000.00	0.27%
CME Group	2,817,175.87	0.31%
Colgate-Palmolive	1,965,004.35	0.22%
Florida Power & Light	3,720,509.41	0.41%
Johnson & Johnson	11,441,703.63	1.27%
JP Morgan Chase Bank	14,800,000.00	1.64%
Massmutual Global	3,764,727.53	0.42%
Merck & Co	1,494,932.79	0.17%
Met Life Global	5,131,047.51	0.57%
Microsoft	4,127,987.13	0.46%
New York Life	3,375,821.29	0.37%
Nike Inc.	2,910,399.24	0.32%
Novartis Capital Corp	3,320,110.73	0.37%
Pacific Life Global	1,005,997.78	0.11%
Private Export Funding Corp.	2,501,594.61	0.28%
Procter & Gamble	10,846,895.89	1.20%
Roche Holdings Inc	4,824,804.10	0.53%
Royal Bank of Canada	6,996,920.62	0.78%
Seattle Children's Hospital	888,197.44	0.10%
Visa Inc.	1,289,787.80	0.14%
Wal-Mart	2,007,434.29	0.22%
Mortgage passthrough securities		
FAMCA	3,545,588.13	0.39%
FHLMC	27,477,924.93	3.04%
FNMA	15,701,114.54	1.74%
FRESB	27,676,679.84	3.07%
Federal agencies		
Federal Agricultural Mortgage Corp.	23,147,780.24	2.56%
Federal Farm Credit Bank	81,968,682.00	9.08%
Federal Home Loan Bank	145,947,158.50	16.17%
Federal Home Loan Mortgage Corp.	63,308,396.23	7.01%
Federal National Mortgage Assoc.	37,898,605.61	4.20%
Tennessee Valley Authority	1,007,393.54	0.11%

City of Carlsbad investment portfolio
Portfolio allocation at amortized cost by issuer

May 31, 2024

Issuer	Amortized cost	Portfolio allocation
Municipal Bonds		
Ada/Canyon Cty SD	1,513,681.87	0.17%
Alief Independent SD	1,971,130.44	0.22%
Amarillo Independent SD	1,792,854.64	0.20%
Bay Area Water	1,198,450.00	0.13%
Cache County SD	3,253,262.49	0.36%
California State University	2,228,635.64	0.25%
City of Anaheim	1,515,843.99	0.17%
Contra Costa Cmty College	926,837.87	0.10%
County of Multnomah OR	2,001,436.08	0.22%
Fremont CA Unified	1,846,856.50	0.20%
Honolulu Wastewater	1,417,603.85	0.16%
Los Angeles Cmty College	2,042,423.29	0.23%
Los Angeles Unified SD	3,675,304.61	0.41%
Los Angeles Water & Power	1,559,548.11	0.17%
Marion County SD	1,882,363.68	0.21%
Mason/Kitsap Cty SD	640,000.00	0.07%
Miami Beach FL	1,396,696.00	0.15%
Minnesota State	1,215,000.00	0.13%
Oregon State Dept of Admin Services	953,440.14	0.11%
Oregon State Dept of Transp	3,227,075.04	0.36%
Pajaro Valley USD	1,175,806.45	0.13%
Portland CC	1,101,273.86	0.12%
San Bernardino CCD	1,377,571.68	0.15%
San Diego Cmty College	5,151,472.66	0.57%
San Diego Public Finance	1,873,200.00	0.21%
San Francisco City Pub Utl	1,000,507.72	0.11%
San Jose Evergreen CC	771,725.28	0.09%
San Jose Redevelopment	4,044,757.47	0.45%
San Ramon Valley SD	883,401.80	0.10%
Santa Barbara CA USD	947,632.82	0.10%
Santa Monica Cmty College	505,251.18	0.06%
Solano County Cmty College	1,793,535.91	0.20%
Southern CA Public Power	2,452,077.68	0.27%
State of California	15,386,772.69	1.70%
State of Connecticut	2,855,243.80	0.32%
State of Hawaii	7,997,823.79	0.89%
Texas Tech University	5,735,046.75	0.64%
University of California	9,423,329.70	1.04%

City of Carlsbad investment portfolio
Portfolio allocation at amortized cost by issuer

May 31, 2024

Issuer	Amortized cost	Portfolio allocation
<hr/>		
<i>Other</i>		
<hr/>		
Supranational	21,904,752.74	2.43%
US Treasury	54,801,843.10	6.07%
Certificate of deposits	22,725,862.24	2.52%
Cash	158,421,601.66	17.55%
<hr/>		
Total portfolio amortized cost	902,529,629.50	100.00%
<hr/> <hr/>		

Policy:

Corporate notes, non-agency mortgage passthrough securities, municipal bonds, and supranational securities may have no more than 5% invested with a single issuer.

Certificates of deposit may have no more than 10% invested with any single issuer.

Federal agencies, U.S. Treasury and agency-backed mortgage passthrough securities do not have issuer limitations.

City of Carlsbad investment portfolio

Exhibit 9

Investment detail

April 30, 2024

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
Federal investments							
3133EKNX0	08/28/19	06/03/24	Federal Farm Credit Banks	1,470,000.00	1.457%	151,263.00	1,621,263.00
3135GA5Y3	11/29/21	06/14/24	Federal National Mortgage Assoc	2,000,000.00	0.849%	19,062.50	2,019,062.50
3133EKEC6	08/28/19	06/25/24	Federal Farm Credit Banks	1,183,000.00	1.457%	139,845.39	1,322,845.39
3133ELQ56	03/21/22	07/02/24	Federal Farm Credit Banks	2,005,000.00	1.980%	26,063.33	2,031,063.33
3130AP7D1	12/10/21	07/19/24	Federal Home Loan Banks	2,000,000.00	0.878%	23,475.00	2,023,475.00
3133ELX66	07/24/20	07/22/24	Federal Farm Credit Banks	2,000,000.00	0.440%	35,151.11	2,035,151.11
3133EKWV4	08/08/19	07/26/24	Federal Farm Credit Banks	2,500,000.00	1.582%	229,708.33	2,729,708.33
3134GW4X1	10/29/20	07/29/24	Federal Home Loan Mortgage Corp	3,000,000.00	0.375%	42,187.50	3,042,187.50
3130AGWK1	11/10/20	08/15/24	Federal Home Loan Banks	4,000,000.00	1.500%	255,833.33	4,255,833.33
3133EKQA7	08/30/19	09/10/24	Federal Farm Credit Banks	2,500,000.00	1.480%	261,444.44	2,761,444.44
880591ER9	02/19/21	09/15/24	Tennessee Valley Authority	1,000,000.00	0.300%	102,701.39	1,102,701.39
3134GWVM	10/22/20	09/30/24	Federal Home Loan Mortgage Corp	3,000,000.00	0.350%	41,358.33	3,041,358.33
3134GWVM	11/06/20	09/30/24	Federal Home Loan Mortgage Corp	1,170,000.00	0.350%	15,970.50	1,185,970.50
3130ALRK2	03/30/21	09/30/24	Federal Home Loan Banks	1,500,000.00	0.520%	27,300.00	1,527,300.00
31422XMV1	10/04/21	10/04/24	Federal Agricultural Mortgage Corp	2,000,000.00	0.500%	30,000.00	2,030,000.00
3133EK3B0	11/25/20	10/16/24	Federal Farm Credit Banks	1,400,000.00	0.280%	81,725.00	1,481,725.00
31422BPG9	11/15/19	11/01/24	Federal Agricultural Mortgage Corp	2,000,000.00	1.793%	177,607.78	2,177,607.78
3133EC2D5	07/10/20	11/13/24	Federal Farm Credit Banks	1,621,000.00	0.390%	159,055.22	1,780,055.22
3135G06E8	11/18/20	11/18/24	Federal National Mortgage Assoc	2,000,000.00	0.420%	33,600.00	2,033,600.00
3130APVZ5	12/02/21	12/02/24	Federal Home Loan Banks	1,900,000.00	1.050%	59,850.00	1,959,850.00
3130AQ5L3	12/16/21	12/16/24	Federal Home Loan Banks	2,000,000.00	0.500%	70,000.00	2,070,000.00
3130AKLQ7	12/30/20	12/30/24	Federal Home Loan Banks	4,000,000.00	0.310%	49,600.00	4,049,600.00
3134GXYX6	07/07/22	12/30/24	Federal Home Loan Mortgage Corp	2,500,000.00	3.348%	207,746.53	2,707,746.53
3130AJSF7	05/27/21	01/08/25	Federal Home Loan Banks	2,000,000.00	0.648%	46,980.56	2,046,980.56
3130ASLP2	07/21/22	01/21/25	Federal Home Loan Banks	2,000,000.00	3.500%	175,000.00	2,175,000.00
3130AN7L8	07/28/21	01/28/25	Federal Home Loan Banks	1,750,000.00	0.520%	31,850.00	1,781,850.00
3133EMPV6	02/03/21	02/03/25	Federal Farm Credit Banks	2,000,000.00	0.320%	25,600.00	2,025,600.00
3134GWMM	08/27/20	02/27/25	Federal Home Loan Mortgage Corp	2,500,000.00	0.520%	58,500.00	2,558,500.00
3130A4CH3	04/09/20	03/14/25	Federal Home Loan Banks	3,000,000.00	0.778%	351,302.08	3,351,302.08
3130A4CH3	02/18/21	03/14/25	Federal Home Loan Banks	1,500,000.00	0.389%	145,072.92	1,645,072.92
3134GWP21	06/07/21	03/28/25	Federal Home Loan Mortgage Corp	1,000,000.00	0.540%	19,041.67	1,019,041.67
3130AMRJ3	06/28/21	03/28/25	Federal Home Loan Banks	3,120,000.00	0.500%	70,200.00	3,190,200.00
3133EMWH	04/21/21	04/21/25	Federal Farm Credit Banks	1,500,000.00	0.710%	42,600.00	1,542,600.00
3130APA39	09/30/22	04/21/25	Federal Home Loan Banks	1,055,000.00	4.287%	17,813.67	1,072,813.67
3135GAA43	12/23/20	04/23/25	Federal National Mortgage Assoc	3,000,000.00	0.500%	65,000.00	3,065,000.00
3134GWYW	10/30/20	04/30/25	Federal Home Loan Mortgage Corp	2,000,000.00	0.500%	45,111.12	2,045,111.12
3133ELC28	06/03/20	05/27/25	Federal Farm Credit Banks	3,500,000.00	0.734%	127,324.17	3,627,324.17
3134GVB31	06/03/20	05/28/25	Federal Home Loan Mortgage Corp	2,000,000.00	0.750%	74,791.66	2,074,791.66
3135GA5S6	12/16/20	06/16/25	Federal National Mortgage Assoc	2,000,000.00	0.450%	40,500.00	2,040,500.00
3135G04Z3	01/11/21	06/17/25	Federal National Mortgage Assoc	3,000,000.00	0.389%	66,500.00	3,066,500.00
3135G04Z3	05/20/21	06/17/25	Federal National Mortgage Assoc	2,000,000.00	0.600%	40,750.00	2,040,750.00
3136G4XZ1	07/01/20	06/30/25	Federal National Mortgage Assoc	2,500,000.00	0.740%	92,448.61	2,592,448.61
3133EMMP	01/15/21	07/14/25	Federal Farm Credit Banks	2,225,000.00	0.457%	39,024.65	2,264,024.65
3137EAEU9	09/14/20	07/21/25	Federal Home Loan Mortgage Corp	1,500,000.00	0.380%	27,296.87	1,527,296.87
3133ELZ80	07/29/20	07/29/25	Federal Farm Credit Banks	3,000,000.00	0.580%	87,000.00	3,087,000.00
3133EMFC1	10/29/20	07/29/25	Federal Farm Credit Banks	3,000,000.00	0.530%	75,525.00	3,075,525.00

City of Carlsbad investment portfolio

Investment detail

April 30, 2024

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
3134GWXM	10/01/20	07/30/25	Federal Home Loan Mortgage Corp	2,000,000.00	0.510%	49,271.67	2,049,271.67
3133EL3P7	08/12/20	08/12/25	Federal Farm Credit Banks	3,500,000.00	0.530%	92,750.00	3,592,750.00
3136G4C43	08/14/20	08/14/25	Federal National Mortgage Assoc	2,000,000.00	0.650%	65,000.00	2,065,000.00
3136G4H71	11/06/20	08/18/25	Federal National Mortgage Assoc	2,000,000.00	0.500%	47,833.33	2,047,833.33
3136G4K77	08/21/20	08/21/25	Federal National Mortgage Assoc	2,000,000.00	0.450%	45,000.00	2,045,000.00
3136G4X24	08/31/20	08/29/25	Federal National Mortgage Assoc	3,000,000.00	0.600%	89,900.00	3,089,900.00
3137EAEX3	10/22/20	09/23/25	Federal Home Loan Mortgage Corp	4,000,000.00	0.430%	73,791.67	4,073,791.67
3137EAEX3	12/28/20	09/23/25	Federal Home Loan Mortgage Corp	3,000,000.00	0.400%	53,281.25	3,053,281.25
3133EMCPE	10/14/20	10/14/25	Federal Farm Credit Banks	1,500,000.00	0.520%	39,000.00	1,539,000.00
3132X0CK5	11/01/22	10/14/25	Federal Agricultural Mortgage Corp	1,650,000.00	2.153%	184,415.59	1,834,415.59
3134GWXX	10/15/20	10/15/25	Federal Home Loan Mortgage Corp	3,000,000.00	0.550%	82,500.00	3,082,500.00
3135G06A6	12/11/20	10/20/25	Federal National Mortgage Assoc	2,410,000.00	0.590%	67,909.78	2,477,909.78
3133EMDZ	12/09/20	10/21/25	Federal Farm Credit Banks	3,000,000.00	0.560%	75,920.00	3,075,920.00
3133EMFR8	11/03/20	11/03/25	Federal Farm Credit Banks	4,500,000.00	0.540%	121,500.00	4,621,500.00
3135G06G3	12/29/20	11/07/25	Federal National Mortgage Assoc	3,000,000.00	0.410%	72,833.34	3,072,833.34
3130ALFF6	03/10/21	12/10/25	Federal Home Loan Banks	1,750,000.00	0.650%	54,031.25	1,804,031.25
31422XAT9	03/02/21	12/15/25	Federal Agricultural Mortgage Corp	3,000,000.00	0.520%	74,663.33	3,074,663.33
3134GXFV1	12/17/20	12/17/25	Federal Home Loan Mortgage Corp	5,000,000.00	0.625%	156,250.00	5,156,250.00
3134GXHDE	03/24/21	12/23/25	Federal Home Loan Mortgage Corp	1,500,000.00	0.700%	49,845.83	1,549,845.83
3135G06Q1	12/30/20	12/30/25	Federal National Mortgage Assoc	2,500,000.00	0.474%	80,000.00	2,580,000.00
3130AKMZE	01/14/21	01/14/26	Federal Home Loan Banks	4,000,000.00	0.510%	102,000.00	4,102,000.00
3130AKMZE	01/14/21	01/14/26	Federal Home Loan Banks	1,750,000.00	0.540%	44,625.00	1,794,625.00
31422B6K1	01/25/21	01/15/26	Federal Agricultural Mortgage Corp	1,500,000.00	0.480%	35,800.00	1,535,800.00
3130AKN69	01/28/21	01/28/26	Federal Home Loan Banks	3,000,000.00	0.500%	75,000.00	3,075,000.00
3130AKRF5	02/09/21	02/09/26	Federal Home Loan Banks	2,050,000.00	0.350%	14,575.00	2,064,575.00
3130AKVR4	02/12/21	02/12/26	Federal Home Loan Banks	2,000,000.00	0.550%	55,000.00	2,055,000.00
3130AKVV5	02/18/21	02/18/26	Federal Home Loan Banks	4,000,000.00	0.500%	100,000.00	4,100,000.00
3133EMSH	03/03/21	03/03/26	Federal Farm Credit Banks	674,000.00	0.790%	26,623.00	700,623.00
3133EMSU	03/09/21	03/09/26	Federal Farm Credit Banks	3,500,000.00	0.800%	140,000.00	3,640,000.00
3130ALH56	03/18/21	03/18/26	Federal Home Loan Banks	3,000,000.00	0.750%	112,500.00	3,112,500.00
3130ALUQ5	03/30/21	03/30/26	Federal Home Loan Banks	1,500,000.00	0.300%	22,500.00	1,522,500.00
31422XCX8	04/20/21	04/20/26	Federal Agricultural Mortgage Corp	2,000,000.00	1.000%	100,000.00	2,100,000.00
3130ALVB7	04/21/21	04/21/26	Federal Home Loan Banks	2,000,000.00	0.915%	90,000.00	2,090,000.00
3130AM4L3	04/29/21	04/29/26	Federal Home Loan Banks	4,000,000.00	0.500%	100,000.00	4,100,000.00
31422XFP2	05/04/21	05/04/26	Federal Agricultural Mortgage Corp	2,500,000.00	0.950%	118,750.00	2,618,750.00
3130AMCL4	09/30/22	05/19/26	Federal Home Loan Banks	1,100,000.00	4.300%	40,797.17	1,140,797.17
3130AMHN	05/26/21	05/26/26	Federal Home Loan Banks	2,500,000.00	0.500%	112,500.00	2,612,500.00
31422XGL0	05/27/21	05/27/26	Federal Agricultural Mortgage Corp	2,000,000.00	0.920%	92,000.00	2,092,000.00
3130AMQK	06/16/21	06/16/26	Federal Home Loan Banks	2,000,000.00	0.500%	94,000.00	2,094,000.00
3130AMQK	06/16/21	06/16/26	Federal Home Loan Banks	2,500,000.00	0.500%	117,500.00	2,617,500.00
3133EML67	06/22/21	06/22/26	Federal Farm Credit Banks	2,000,000.00	0.870%	80,000.00	2,080,000.00
3130AMTW	06/30/21	06/30/26	Federal Home Loan Banks	4,500,000.00	0.500%	186,750.00	4,686,750.00
3130AMWN	06/30/21	06/30/26	Federal Home Loan Banks	2,000,000.00	0.550%	88,000.00	2,088,000.00
3130ANCH1	07/27/21	07/27/26	Federal Home Loan Banks	2,500,000.00	1.000%	125,000.00	2,625,000.00
3130ANL57	08/25/21	08/25/26	Federal Home Loan Banks	3,500,000.00	0.906%	153,125.00	3,653,125.00
31422XLY6	09/01/21	09/01/26	Federal Agricultural Mortgage Corp	4,000,000.00	0.900%	180,000.00	4,180,000.00
3133EM3T7	09/07/21	09/01/26	Federal Farm Credit Banks	3,000,000.00	0.885%	130,065.00	3,130,065.00

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31422XNB4	09/30/21	09/30/26	Federal Agricultural Mortgage Corp	2,500,000.00	0.860%	107,798.60	2,607,798.60
3133ENAF7	12/27/21	10/07/26	Federal Farm Credit Banks	2,500,000.00	1.268%	119,444.44	2,619,444.44
3133ENT26	10/19/22	10/19/26	Federal Farm Credit Banks	3,000,000.00	5.300%	636,000.00	3,636,000.00
3134GW6C	02/15/22	10/28/26	Federal Home Loan Mortgage Corp	4,500,000.00	1.958%	169,300.00	4,669,300.00
3130APJZ9	02/25/22	10/28/26	Federal Home Loan Banks	3,500,000.00	1.979%	210,000.00	3,710,000.00
3130B1DC8	05/16/24	11/09/26	Federal Home Loan Banks	1,500,000.00	5.249%	196,875.00	1,696,875.00
3133ENFP0	12/09/21	11/30/26	Federal Farm Credit Banks	2,950,000.00	1.408%	167,958.25	3,117,958.25
3130AQF65	01/14/22	12/21/26	Federal Home Loan Banks	1,550,000.00	1.483%	95,637.15	1,645,637.15
3130AQMXX	02/07/22	01/26/27	Federal Home Loan Banks	1,250,000.00	1.331%	112,070.31	1,362,070.31
3130AQJR5	12/14/23	01/27/27	Federal Home Loan Banks	2,000,000.00	4.631%	105,000.00	2,105,000.00
3130AQLD3	03/29/22	01/28/27	Federal Home Loan Banks	2,500,000.00	2.776%	211,336.81	2,711,336.81
3130ARAB7	06/24/22	03/25/27	Federal Home Loan Banks	2,000,000.00	3.420%	260,791.67	2,260,791.67
3134GXNML	02/20/24	03/25/27	Federal Home Loan Mortgage Corp	2,000,000.00	4.419%	186,700.00	2,186,700.00
3130ARL58	06/10/22	04/26/27	Federal Home Loan Banks	4,000,000.00	3.198%	589,235.56	4,589,235.56
3133EPJP1	05/12/23	05/12/27	Federal Farm Credit Banks	2,000,000.00	3.620%	290,000.00	2,290,000.00
3130ASCT4	06/28/22	06/28/27	Federal Home Loan Banks	2,500,000.00	3.250%	406,250.00	2,906,250.00
3130ASF46	06/30/22	06/30/27	Federal Home Loan Banks	2,500,000.00	3.500%	437,500.00	2,937,500.00
3130ASLA5	09/13/23	07/26/27	Federal Home Loan Banks	1,915,000.00	4.850%	344,700.00	2,259,700.00
3133ENL99	09/30/22	09/15/27	Federal Farm Credit Banks	2,500,000.00	3.983%	418,359.37	2,918,359.37
3133EPXB6	09/28/23	09/28/27	Federal Farm Credit Banks	2,000,000.00	4.625%	370,000.00	2,370,000.00
3134GX3H5	05/15/24	09/29/27	Federal Home Loan Mortgage Corp	2,500,000.00	5.048%	415,625.00	2,915,625.00
3133EP3D5	04/30/24	11/22/27	Federal Farm Credit Banks	2,500,000.00	5.558%	517,500.00	3,017,500.00
3133EPJ30	12/06/23	12/06/27	Federal Farm Credit Banks	2,000,000.00	5.380%	430,400.00	2,430,400.00
3133EN3S7	12/07/22	12/07/27	Federal Farm Credit Banks	3,000,000.00	3.780%	562,500.00	3,562,500.00
3134H1GHC	10/30/23	12/30/27	Federal Home Loan Mortgage Corp	1,500,000.00	5.201%	312,500.00	1,812,500.00
3130AYPJ9	01/29/24	01/26/28	Federal Home Loan Banks	2,000,000.00	4.500%	359,500.00	2,359,500.00
3130AUQA5	02/02/23	02/02/28	Federal Home Loan Banks	2,500,000.00	4.050%	506,250.00	3,006,250.00
3130AYVC7	02/13/24	02/09/28	Federal Farm Credit Banks	2,000,000.00	4.625%	370,000.00	2,370,000.00
3130AUW51	03/08/23	02/17/28	Federal Home Loan Banks	1,500,000.00	4.240%	318,000.00	1,818,000.00
3133EP3Z6	02/28/24	02/28/28	Federal Farm Credit Banks	2,000,000.00	4.375%	350,000.00	2,350,000.00
3130B0EE5	04/23/24	03/06/28	Federal Home Loan Banks	2,000,000.00	5.000%	384,000.00	2,384,000.00
313382GT4	11/15/23	03/10/28	Federal Home Loan Banks	2,500,000.00	4.720%	337,500.00	2,837,500.00
3133EPDC6	03/13/23	03/13/28	Federal Farm Credit Banks	1,000,000.00	5.350%	267,500.00	1,267,500.00
3133EPFU4	04/12/23	04/12/28	Federal Farm Credit Banks	2,500,000.00	3.530%	437,500.00	2,937,500.00
3130AVK50	04/24/23	04/24/28	Federal Home Loan Banks	1,500,000.00	5.000%	375,000.00	1,875,000.00
3130ALZW7	12/14/23	04/28/28	Federal Home Loan Banks	1,000,000.00	4.362%	76,500.00	1,076,500.00
3130AVZQ8	04/12/23	05/17/28	Federal Home Loan Banks	1,880,000.00	5.150%	460,600.00	2,340,600.00
3133EPMAC	06/09/23	06/09/28	Federal Farm Credit Banks	1,500,000.00	4.690%	351,750.00	1,851,750.00
3130B0NE5	05/01/24	07/06/28	Federal Home Loan Banks	2,400,000.00	4.969%	478,773.33	2,878,773.33
3134H1GL1	10/18/23	07/18/28	Federal Home Loan Mortgage Corp	2,500,000.00	5.002%	593,750.00	3,093,750.00
3134H1GL1	11/01/23	07/18/28	Federal Home Loan Mortgage Corp	2,000,000.00	5.210%	475,000.00	2,475,000.00
3134GYXX5	09/12/23	07/26/28	Federal Home Loan Mortgage Corp	1,750,000.00	5.650%	494,375.00	2,244,375.00
3133EPTA3	09/07/23	08/14/28	Federal Farm Credit Banks	1,000,000.00	5.108%	255,500.00	1,255,500.00
3134H1BP7	10/13/23	09/11/28	Federal Home Loan Mortgage Corp	1,000,000.00	5.148%	252,500.00	1,252,500.00
3134H1BP7	09/11/23	09/11/28	Federal Home Loan Mortgage Corp	3,000,000.00	5.245%	757,500.00	3,757,500.00
3134GWS22	05/17/24	09/14/28	Federal Home Loan Mortgage Corp	2,000,000.00	4.610%	90,000.00	2,090,000.00
3134H1CM2	11/17/23	09/25/28	Federal Home Loan Mortgage Corp	1,500,000.00	4.843%	327,750.00	1,827,750.00

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3130B0PR4	04/02/24	10/02/28	Federal Home Loan Banks	2,000,000.00	5.000%	450,000.00	2,450,000.00
3130AP6J9	12/06/23	10/05/28	Federal Home Loan Banks	2,000,000.00	4.300%	135,000.00	2,135,000.00
3130APSR7	01/08/24	11/16/28	Federal Farm Credit Banks	1,500,000.00	4.107%	127,500.00	1,627,500.00
3130APTC9	01/19/24	11/22/28	Federal Home Loan Banks	1,000,000.00	4.193%	90,000.00	1,090,000.00
3130B0M8E	03/28/24	12/28/28	Federal Home Loan Banks	3,000,000.00	4.402%	570,000.00	3,570,000.00
3130AYE51	01/08/24	01/02/29	Federal Home Loan Banks	2,500,000.00	4.947%	623,958.34	3,123,958.34
3130AYCV6	01/11/24	01/03/29	Federal Home Loan Banks	2,700,000.00	5.000%	675,000.00	3,375,000.00
3135GAM8:	02/01/24	01/17/29	Federal National Mortgage Assoc	2,500,000.00	5.000%	624,305.56	3,124,305.56
3130AYJR8	02/20/24	01/17/29	Federal Home Loan Banks	2,000,000.00	4.714%	460,000.00	2,460,000.00
3130AYRG3	02/05/24	02/05/29	Federal Home Loan Banks	2,500,000.00	4.400%	550,000.00	3,050,000.00
3130AYWQ:	02/20/24	02/07/29	Federal Home Loan Banks	2,500,000.00	4.572%	568,118.05	3,068,118.05
3134H1SK0	02/09/24	02/09/29	Federal Home Loan Mortgage Corp	2,500,000.00	4.375%	546,875.00	3,046,875.00
3130B14U8	04/24/24	04/27/29	Federal Home Loan Banks	1,500,000.00	5.250%	393,093.75	1,893,093.75
3135GASP7	05/28/24	05/22/29	Federal National Mortgage Assoc	2,000,000.00	4.819%	462,500.00	2,462,500.00
Total federal investments				\$ 355,178,000.00	1.986%	\$ 30,387,670.06	\$ 385,565,670.06

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
Supranationals							
459056HV2	08/29/19	08/28/24	International Bank for Recon & Devel	2,000,000.00	1.428%	149,916.67	2,149,916.67
45818WCW	11/03/21	10/15/24	Inter-American Development Bank	1,440,000.00	0.828%	14,443.20	1,454,443.20
45950KCR9	02/04/21	10/16/24	International Finance Corporation	2,000,000.00	0.290%	101,750.00	2,101,750.00
45905U6L3	01/14/21	11/20/25	International Bank for Recon & Devel	2,000,000.00	0.510%	303,125.00	2,303,125.00
45950VPJ9	01/25/21	01/15/26	International Finance Corporation	2,000,000.00	0.500%	57,677.78	2,057,677.78
4581X0DV7	04/23/21	04/20/26	Inter-American Development Bank	3,000,000.00	0.870%	131,031.25	3,131,031.25
45950VPY6	05/28/21	05/15/26	International Finance Corporation	2,000,000.00	0.500%	49,638.89	2,049,638.89
45906M4E8	07/31/23	06/26/28	International Bank for Recon & Devel	1,250,000.00	4.684%	281,250.00	1,531,250.00
45906M4E8	09/07/23	06/26/28	International Bank for Recon & Devel	1,700,000.00	4.500%	382,500.00	2,082,500.00
459058KW2	09/28/23	08/01/28	International Bank for Recon & Devel	2,000,000.00	4.720%	448,368.06	2,448,368.06
45818WFE1	03/01/24	03/01/29	Inter-American Development Bank	2,500,000.00	4.400%	550,000.00	3,050,000.00
Total supranationals				\$ 21,890,000.00	1.993%	\$ 2,469,700.85	\$ 24,359,700.85

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
U.S. Treasury							
9128286Z8	03/01/21	06/30/24	U.S. Treasury	2,500,000.00	0.370%	145,873.62	2,645,873.62
91282CCL3	10/21/22	07/15/24	U.S. Treasury	3,000,000.00	4.302%	19,504.08	3,019,504.08
912828YH7	01/14/21	09/30/24	U.S. Treasury	2,000,000.00	1.500%	111,263.74	2,111,263.74
9128282Y5	10/21/22	09/30/24	U.S. Treasury	2,000,000.00	4.511%	82,548.08	2,082,548.08
912828YV6	06/07/21	11/30/24	U.S. Treasury	2,000,000.00	0.436%	104,426.23	2,104,426.23
91282CDS7	10/21/22	01/15/25	U.S. Treasury	4,000,000.00	4.548%	100,516.30	4,100,516.30
912828ZC7	07/15/21	02/28/25	U.S. Treasury	2,000,000.00	0.563%	81,623.64	2,081,623.64
912828ZL7	02/19/21	04/30/25	U.S. Treasury	2,000,000.00	0.400%	31,450.28	2,031,450.28
912828ZT0	02/19/21	05/31/25	U.S. Treasury	2,000,000.00	0.400%	21,387.36	2,021,387.36
91282CEU1	10/21/22	06/15/25	U.S. Treasury	3,000,000.00	4.530%	228,586.07	3,228,586.07
91282CAM:	01/11/21	09/30/25	U.S. Treasury	2,500,000.00	0.250%	29,481.46	2,529,481.46
91282CAZ4	01/11/21	11/30/25	U.S. Treasury	2,500,000.00	0.375%	45,793.27	2,545,793.27

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CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
91282CGA3	10/17/23	12/15/25	U.S. Treasury	2,000,000.00	4.930%	199,992.72	2,199,992.72
91282CBQ3	03/01/21	02/28/26	U.S. Treasury	3,000,000.00	0.740%	74,959.24	3,074,959.24
91282CBQ3	03/02/21	02/28/26	U.S. Treasury	2,000,000.00	0.750%	49,945.65	2,049,945.65
912828U24	12/27/21	11/15/26	U.S. Treasury	2,500,000.00	1.200%	244,198.90	2,744,198.90
91282CDK4	01/14/22	11/30/26	U.S. Treasury	1,500,000.00	1.463%	91,432.01	1,591,432.01
912828Z78	05/08/23	01/31/27	U.S. Treasury	1,500,000.00	3.500%	83,970.99	1,583,970.99
91282CKI9	05/06/24	04/15/27	U.S. Treasury	3,000,000.00	4.710%	404,870.90	3,404,870.90
91282CFB2	04/21/23	07/31/27	U.S. Treasury	2,500,000.00	3.770%	294,181.63	2,794,181.63
91282CFB2	05/03/24	07/31/27	U.S. Treasury	1,500,000.00	4.600%	144,375.00	1,644,375.00
91282CFU0	09/08/23	10/31/27	U.S. Treasury	1,500,000.00	4.491%	278,437.50	1,778,437.50
91282CGC9	01/25/23	12/31/27	U.S. Treasury	500,000.00	3.570%	96,393.30	596,393.30
91282CGC9	01/31/23	12/31/27	U.S. Treasury	750,000.00	3.647%	144,108.25	894,108.25
91282CGC9	09/08/23	12/31/27	U.S. Treasury	1,500,000.00	4.472%	261,562.50	1,761,562.50
91282CHA2	12/14/23	04/30/28	U.S. Treasury	1,000,000.00	4.265%	157,452.99	1,157,452.99
9128284N7	07/17/23	05/15/28	U.S. Treasury	1,000,000.00	3.952%	143,750.00	1,143,750.00
Total U.S. Treasury				\$ 55,250,000.00	2.552%	\$ 3,672,085.71	\$ 58,922,085.71

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
Corporate notes							
06048WQ6I	12/03/21	06/03/24	Bank of America	2,500,000.00	1.000%	62,500.00	2,562,500.00
742651DP4	06/27/19	07/15/24	Private Export Funding	2,500,000.00	1.900%	309,142.36	2,809,142.36
023135AZ9	08/22/19	08/22/24	Amazon.com Inc	2,000,000.00	2.800%	279,377.78	2,279,377.78
023135AZ9	10/17/19	08/22/24	Amazon.com Inc	2,500,000.00	1.860%	339,305.56	2,839,305.56
06406RAL1	02/18/20	10/24/24	Bank of NY Mellon	3,055,000.00	1.816%	300,459.25	3,355,459.25
06368G3W:	11/15/21	11/15/24	Bank of Montreal	2,000,000.00	1.000%	60,000.00	2,060,000.00
931142DV2	01/16/20	12/15/24	Wal-Mart	2,000,000.00	1.900%	260,436.11	2,260,436.11
478160CJ1	01/15/20	01/15/25	Johnson & Johnson	1,820,000.00	1.586%	238,875.00	2,058,875.00
478160CJ1	04/08/20	01/15/25	Johnson & Johnson	3,000,000.00	0.906%	375,593.75	3,375,593.75
478160CJ1	07/13/20	01/15/25	Johnson & Johnson	1,000,000.00	0.510%	118,270.83	1,118,270.83
037833AZ3	09/10/21	02/09/25	Apple Inc	1,500,000.00	0.753%	128,020.83	1,628,020.83
66989HAP3	04/13/20	02/14/25	Novartis Capital Corp	3,310,000.00	1.300%	280,131.74	3,590,131.74
12572QAGC	06/03/20	03/15/25	CME Group Inc	2,771,000.00	0.730%	397,638.50	3,168,638.50
654106AH6	12/31/20	03/27/25	Nike Inc.	2,867,000.00	0.500%	291,669.47	3,158,669.47
341081FZ5:	05/13/20	04/01/25	Florida Power & Light	3,667,000.00	1.020%	509,193.51	4,176,193.51
78015K7H1	12/07/21	06/10/25	Royal Bank of Canada	2,000,000.00	1.304%	80,691.67	2,080,691.67
478160CN2	04/23/21	09/01/25	Johnson & Johnson	1,250,000.00	0.705%	29,944.44	1,279,944.44
742718FL8	09/20/21	10/29/25	Procter & Gamble	1,500,000.00	0.757%	33,893.75	1,533,893.75
92826CAD4	05/17/21	12/14/25	Visa Inc	1,250,000.00	0.910%	180,140.62	1,430,140.62
06048WK8:	08/23/21	01/26/26	Bank of America	1,000,000.00	1.000%	33,550.00	1,033,550.00
58933YAY1	04/12/21	02/24/26	Merck & Co	1,500,000.00	0.950%	54,750.00	1,554,750.00
48128G2Q2	03/01/21	02/26/26	JP Morgan Chase Bank	2,000,000.00	0.800%	80,000.00	2,080,000.00
478160BY9	03/01/21	03/01/26	Johnson & Johnson	2,500,000.00	0.750%	306,250.00	2,806,250.00
48128G3A6	03/03/21	03/03/26	JP Morgan Chase Bank	2,000,000.00	1.000%	100,000.00	2,100,000.00
48128G3V0	06/11/21	06/11/26	JP Morgan Chase Bank	2,000,000.00	1.150%	115,000.00	2,115,000.00
06048WM6	07/12/21	06/25/26	Bank of America	3,000,000.00	1.210%	178,300.00	3,178,300.00
57629WDE:	07/22/21	07/16/26	Massmutual Global	3,750,000.00	1.010%	224,250.00	3,974,250.00

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594918BR4	08/11/21	08/08/26	Microsoft	4,000,000.00	0.900%	293,040.00	4,293,040.00
48128G5A4	08/25/21	08/25/26	JP Morgan Chase Bank	2,000,000.00	1.200%	120,000.00	2,120,000.00
06048WN6	09/10/21	09/10/26	Bank of America	2,000,000.00	1.150%	115,000.00	2,115,000.00
06048WP2C	09/24/21	09/24/26	Bank of America	2,000,000.00	1.250%	125,000.00	2,125,000.00
59217GBY4	01/19/22	12/18/26	Met Life Global	4,000,000.00	1.940%	678,116.67	4,678,116.67
06368GC39	12/30/21	12/30/26	Bank of Montreal (BLC)	2,450,000.00	2.000%	245,000.00	2,695,000.00
742718FV6	02/04/22	02/01/27	Procter & Gamble	2,000,000.00	1.331%	189,683.33	2,189,683.33
742718FV6	05/11/23	02/01/27	Procter & Gamble	1,000,000.00	3.620%	76,000.00	1,076,000.00
48128G6F2	02/25/22	02/25/27	JP Morgan Chase Bank	5,000,000.00	2.550%	197,283.33	5,197,283.33
478160CE2	04/18/22	03/03/27	Johnson & Johnson	1,750,000.00	2.850%	251,671.87	2,001,671.87
742718FG9	07/08/22	03/25/27	Procter & Gamble	2,500,000.00	3.200%	329,972.22	2,829,972.22
64952WEQ	06/23/23	04/07/27	New York Life Global	1,500,000.00	4.630%	195,000.00	1,695,000.00
64952WEQ	07/18/23	04/07/27	New York Life Global	2,000,000.00	4.610%	260,000.00	2,260,000.00
06048WW6	06/23/22	06/22/27	Bank of America	3,000,000.00	5.000%	750,000.00	3,750,000.00
194162AN3	05/09/23	08/15/27	Colgate-Palmolive	2,000,000.00	3.694%	223,408.33	2,223,408.33
81257VAA9	03/10/23	10/01/27	Seattle Children Hosp	1,000,000.00	5.000%	222,581.34	1,222,581.34
78014RHK9	10/18/22	10/18/27	Royal Bank of Canada	2,500,000.00	5.700%	712,500.00	3,212,500.00
592179KF1	10/17/23	01/06/28	Met Life Global	1,000,000.00	5.050%	227,250.00	1,227,250.00
78014RKF6	01/18/23	01/18/28	Royal Bank of Canada	2,500,000.00	5.450%	691,090.22	3,191,090.22
742718FZ7	11/01/23	01/26/28	Procter & Gamble	2,000,000.00	4.979%	355,500.00	2,355,500.00
48130CDL6	11/03/23	11/03/28	JP Morgan Chase Bank	1,800,000.00	6.150%	553,500.00	2,353,500.00
771196BW1	12/22/23	12/13/28	Roche Holdings Inc	2,000,000.00	4.330%	193,000.00	2,193,000.00
6944PLZ21	01/12/24	01/11/29	Pacific Life Global	1,000,000.00	4.752%	245,000.00	1,245,000.00
742718GF0	02/20/24	01/29/29	Procter & Gamble	2,000,000.00	4.530%	435,241.67	2,435,241.67
771196CJ9	03/28/24	03/08/29	Roche Holdings Inc	3,000,000.00	4.640%	718,500.00	3,718,500.00
Total corporate notes				\$ 116,240,000.00	2.202%	\$ 13,770,724.14	\$ 130,010,724.14

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
Certificate of deposit							
336460CQ1	06/28/19	06/28/24	First State Bank Dequeen	249,000.00	2.300%	28,635.00	277,635.00
14042RMN8	07/31/19	07/31/24	Capital One	247,000.00	2.250%	27,787.50	274,787.50
938828BM1	08/30/19	08/30/24	Washington Federal	249,000.00	2.000%	24,900.00	273,900.00
29278TLH1	09/13/19	09/13/24	Enerbank Usa	249,000.00	1.750%	21,787.50	270,787.50
15118RSC2	09/18/19	09/30/24	Celtic Bank	249,000.00	1.700%	20,956.25	269,956.25
75472RAN1	11/26/19	11/26/24	Raymond James Bank NA	247,000.00	1.850%	22,872.54	269,872.54
61690URM4	01/09/20	01/09/25	Morgan Stanley Bank NA	247,000.00	1.900%	23,490.72	270,490.72
07815AAZ0	02/27/20	02/27/25	Bell Bank Corp	249,000.00	1.600%	19,941.88	268,941.88
17037TEN3	03/13/20	03/13/25	Choice Financial Group	248,000.00	1.100%	13,647.47	261,647.47
02554BDA6	03/13/20	03/13/25	American Eagle bank	249,000.00	1.100%	13,702.54	262,702.54
73319FAF6	03/18/20	03/18/25	Poppy Bank	249,000.00	1.100%	13,702.54	262,702.54
835104BZ2	03/19/20	03/19/25	Somerset Trust	249,000.00	1.000%	12,456.88	261,456.88
45083ANS7	03/20/20	03/20/25	Iberia Bank	248,000.00	1.000%	12,406.79	260,406.79
072727BF6	03/27/20	03/27/25	Baycoast Bank	248,000.00	0.950%	11,786.45	259,786.45
02519TAZ9	03/27/20	03/27/25	American Commerce Bank	249,000.00	0.950%	11,834.03	260,834.03
14042TDD6	04/08/20	04/08/25	Capital One	248,000.00	1.600%	19,850.88	267,850.88
33847E3H8	05/15/20	05/15/25	Flagstar Bank	248,000.00	0.850%	10,545.77	258,545.77

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CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
29260MBF1	05/15/20	05/15/25	Encore Bank	249,000.00	0.800%	9,965.41	258,965.41
404730CR2	05/26/20	05/27/25	Haddon Savings Bank	248,000.00	0.750%	9,310.19	257,310.19
43719LAE5	05/29/20	05/29/25	Home Loan Inv Bank	249,000.00	0.800%	9,965.41	258,965.41
69506YRT8	05/29/20	05/29/25	Pacific Western Bank	249,000.00	0.700%	8,719.77	257,719.77
56102AAJ5	05/29/20	05/29/25	Malaga Bank	249,000.00	0.700%	8,719.87	257,719.87
86128QCF3	06/10/20	06/10/25	Stockman Bank	249,000.00	0.600%	7,474.10	256,474.10
740367MA2	07/17/20	07/17/25	Preferred Bank	249,000.00	0.500%	6,228.46	255,228.46
89235MJZ5	07/16/20	07/28/25	Toyota Financial Savings Bank	249,000.00	0.650%	8,096.93	257,096.93
211163KQ2	07/29/20	07/29/25	Continental Bank	249,000.00	0.500%	6,228.46	255,228.46
02007GXF5	08/09/22	08/04/25	Ally Bank	201,000.00	3.400%	20,427.10	221,427.10
549104RV1	08/14/20	08/14/25	Luana Savings Bank	249,000.00	0.450%	5,605.57	254,605.57
32022RNT0	08/19/20	08/19/25	1st Financial Bank	249,000.00	0.450%	5,605.82	254,605.82
31944MBBC	08/20/20	08/20/25	1st Carolina Bank	249,000.00	0.450%	5,605.82	254,605.82
664122AF5	08/20/20	08/20/25	Northeast Community Bank	249,000.00	0.450%	5,605.82	254,605.82
228212AQ9	09/04/20	09/04/25	Crown Bank	249,000.00	0.400%	4,982.62	253,982.62
59013KKJ4	09/15/20	09/15/25	Merrick	249,000.00	0.400%	4,982.62	253,982.62
2027506P5	10/22/20	09/25/25	Commonwealth Bus Bank	249,000.00	0.400%	4,908.94	253,908.94
51507LBY9	09/29/20	09/29/25	Landmark Community	249,000.00	0.400%	4,982.58	253,982.58
538036LQ5	10/22/20	10/08/25	Live Oak Bank	249,000.00	0.400%	4,944.42	253,944.42
560390AS5	10/15/20	10/15/25	Maine Comm Bank	249,000.00	0.350%	4,359.94	253,359.94
33625CDS5	10/16/20	10/16/25	First Security Bank Wash	249,000.00	0.350%	4,359.94	253,359.94
780684AJ5	11/06/20	10/23/25	Royal Savings Bank	249,000.00	0.400%	4,944.42	253,944.42
33744AAW5	11/18/20	11/18/25	First US Bank	249,000.00	0.400%	4,982.62	253,982.62
88413QCUC	12/18/20	12/18/25	Third Federal Savings and Loan	249,000.00	0.450%	5,605.56	254,605.56
91330ACR6	12/18/20	12/18/25	Unity Bank	249,000.00	0.400%	4,982.72	253,982.72
08016PDV8	12/23/20	12/23/25	Belmont Savings Bank	249,000.00	0.400%	4,982.62	253,982.62
634116CWE	12/28/20	12/23/25	National Bank of NY City	249,000.00	0.400%	4,968.98	253,968.98
882214AA7	01/08/21	12/23/25	Texas Bank Henderson	249,000.00	0.450%	5,556.70	254,556.70
06424KBH2	01/08/21	01/08/26	Bank of Santa Clarita	249,000.00	0.400%	4,982.62	253,982.62
38522ABP0	01/08/21	01/08/26	Grand Bank Tulsa	249,000.00	0.400%	4,982.62	253,982.62
20143PEH9	01/26/21	01/26/26	Commercial Bank	249,000.00	0.471%	5,605.82	254,605.82
15258RAV9	01/27/21	01/27/26	Central Bank Storm Lake	249,000.00	0.471%	5,605.82	254,605.82
43786UAJ2	02/18/21	01/29/26	Hometown Bk of Alabama	249,000.00	0.400%	4,928.04	253,928.04
909242AN9	02/26/21	02/26/26	United Rep Bk Omaha	249,000.00	0.400%	4,982.61	253,982.61
12527CDV1	03/03/21	03/03/26	CFG Community Bk	249,000.00	0.400%	4,982.73	253,982.73
110087AS2	03/10/21	03/10/26	Bristol Morgan Bank	249,000.00	0.450%	5,605.82	254,605.82
87164XA30	09/03/21	09/03/26	Synconry Bank	249,000.00	0.900%	11,205.00	260,205.00
90348JS92	09/09/21	09/09/26	UBS Bank USA	249,000.00	0.950%	11,834.03	260,834.03
795451BH5	04/05/22	02/23/27	Sallie May Bank	247,000.00	2.564%	26,574.50	273,574.50
598580AMC	03/08/23	03/08/27	Mifflinburg Bank and Trust Company	249,000.00	4.650%	46,345.77	295,345.77
64034KBF7	03/09/22	03/09/27	Nelnet Bank Inc	247,000.00	1.950%	24,095.69	271,095.69
27004PCN1	03/09/22	03/09/27	Eaglemark Savings	247,000.00	2.000%	24,713.53	271,713.53
07371CN21	03/16/22	03/10/27	Beal Bank NV	247,000.00	1.800%	22,169.09	269,169.09
07371AB28	03/16/22	03/10/27	Beal Bank TX	247,000.00	1.800%	22,169.09	269,169.09
02589ABW5	03/23/22	03/23/27	American Exp Bank	247,000.00	2.200%	27,184.89	274,184.89
31938QW34	02/15/22	04/15/27	First Business Bank	245,000.00	3.900%	33,790.69	278,790.69
254673D94	05/18/22	05/19/27	Discover Bank	246,000.00	3.200%	39,403.14	285,403.14

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910286GS6	07/14/23	07/14/27	United Fidelity Bank	249,000.00	4.600%	45,847.38	294,847.38
78577TMR3	11/06/23	08/06/27	Saco & Biddeford Savings Institution	244,000.00	5.000%	45,750.00	289,750.00
68405VAU3	09/15/23	09/13/27	Optum Bank	244,000.00	4.700%	45,872.00	289,872.00
20347MASC	10/20/23	10/20/27	Community Bank and Trust	244,000.00	4.900%	47,824.00	291,824.00
37173RAJ2	12/13/23	12/13/27	Genesee Regional Bank	244,000.00	4.400%	42,944.00	286,944.00
34520LAY9	12/15/22	12/15/27	Forebright Bank	249,000.00	4.031%	49,827.34	298,827.34
84229LBJ0	12/16/22	12/16/27	Southern Bank	245,000.00	4.000%	49,026.84	294,026.84
32026U4X1	01/17/24	01/18/28	First Foundation Bank	245,000.00	4.000%	38,689.86	283,689.86
70212YBE1	02/22/23	02/22/28	Partners Bank California	245,000.00	3.850%	47,188.34	292,188.34
062119BH4	03/08/23	03/07/28	Bank Five Nine	249,000.00	4.550%	56,678.44	305,678.44
05580AW55	03/10/23	03/10/28	BMW Bank North America	244,000.00	4.600%	56,181.50	300,181.50
108622NK3	03/29/23	03/29/28	Bridgewater Bk	249,000.00	4.800%	59,825.54	308,825.54
178180GY5	03/31/23	03/31/28	City Natl Bk - Los Angeles	243,000.00	5.000%	60,816.56	303,816.56
914098DQ8	04/03/23	04/03/28	University Bank NA	249,000.00	4.800%	59,825.53	308,825.53
61768E3D3	05/08/24	05/08/28	Morgan Stanley Bank NA	244,000.00	4.700%	45,903.42	289,903.42
05600XQE3	05/16/23	05/16/28	BMO Harris Bank NA	244,000.00	4.500%	54,960.16	298,960.16
23204HPB8	06/06/23	06/14/28	Customers Bank	244,000.00	4.500%	53,365.81	297,365.81
91527PCD7	06/06/23	06/21/28	Univest Bank & Trust	249,000.00	4.500%	56,546.88	305,546.88
501798UJ9	07/18/23	07/18/28	LCA Bank Corporation	243,000.00	4.500%	54,734.92	297,734.92
58404DTG6	09/19/23	09/19/28	Medallion Bank	249,000.00	4.600%	57,332.81	306,332.81
59936MAA4	09/25/23	09/25/28	Milford Building & Loan	244,000.00	4.550%	55,510.00	299,510.00
84287PJB9	10/17/23	10/17/28	Southern First Bank	244,000.00	4.850%	59,170.00	303,170.00
949765HZ0	11/21/23	11/21/28	Wells Fargo Bank NA	248,000.00	5.050%	62,898.31	310,898.31
523343AA9	12/29/23	12/29/28	Ledyark National Bank	244,000.00	4.050%	49,464.16	293,464.16
227563EX7	03/12/24	03/07/29	Cross River Bank	244,000.00	4.250%	51,736.36	295,736.36
04518XAH7	03/14/24	03/14/29	Asian Bank	244,000.00	4.200%	51,268.08	295,268.08
38150VUHC	05/21/24	05/21/29	Goldman Sachs Bank	244,000.00	4.500%	54,930.08	298,930.08
93883MAZ1	05/22/24	05/22/29	Washington Financial Bank	244,000.00	4.450%	54,319.75	298,319.75
Total certificate of deposit				\$ 22,729,000.00	2.134%	\$ 2,297,007.72	\$ 25,026,007.72

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
Mortgage backed securities (agency)							
31398E6WE	08/27/20	06/15/24	FHLM - FHR 3544 BC	1,384.84	0.532%	4.62	1,389.46
3137FBTA4	03/10/21	08/25/24	FHLM - FHMS K728	2,317,882.11	3.064%	9,562.30	2,327,444.41
3137F32A1	04/15/20	11/25/24	FHLM - KHG1 A1	531,205.47	0.999%	6,052.12	537,257.59
3137BL6J2	07/22/22	12/25/24	FHLM - FHMS K048 A1	359,418.45	3.425%	4,067.45	363,485.90
3137BM7B6	06/30/22	04/25/25	FHMS - K051 A1	1,793,360.69	3.299%	25,853.91	1,819,214.60
30315EAA4	07/24/20	05/25/25	FRESB - MFM	879,546.11	0.830%	3,555.15	883,101.26
3137BJQ71	03/15/21	05/25/25	FHLM - FHMS KPLB A	2,000,000.00	2.770%	22,215.72	2,022,215.72
30318NAA1	02/19/21	01/25/26	FRESB - 2021-SB83	1,203,436.48	0.505%	7,353.43	1,210,789.91
3137BPW21	03/25/21	03/25/26	FHLM - KHMS K055	2,500,000.00	2.673%	58,968.04	2,558,968.04
3137BP4J5	08/20/21	03/25/26	FHLM - FHMS K1R1	1,014,783.31	0.414%	23,866.15	1,038,649.46
30321CAQ5	07/23/21	04/25/26	FRESB - 2021-SB88	1,665,588.64	0.746%	13,456.87	1,679,045.51
30324QAC2	01/21/22	11/25/26	FRESB - 2022-SB94	3,944,214.85	1.500%	81,492.50	4,025,707.35
30311SAA7	04/22/22	04/25/27	FRESB - 2022-SB97	3,304,439.52	2.803%	79,997.73	3,384,437.25
30329MAAC	10/28/22	06/25/27	FRESB - 2022-SB103	1,471,433.86	4.989%	45,043.00	1,516,476.86

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CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
30329QAA1	11/18/22	09/25/27	FRESB - 2022-SB104	3,884,137.31	2.600%	160,762.63	4,044,899.94
3138L7D60	12/16/22	10/01/27	FHLM - AM6424	964,829.61	4.212%	52,688.69	1,017,518.30
3132XGRH1	01/27/23	11/01/27	FRESB - WN2287	2,977,007.94	3.929%	180,631.25	3,157,639.19
3132XFGC6	01/08/24	03/01/28	FHLM - WN1094	1,000,000.00	4.476%	24,969.32	1,024,969.32
3140LBSE4	01/09/24	03/01/28	FNMA - BS1416	1,000,000.00	4.300%	18,855.49	1,018,855.49
3140LJJC1	01/17/24	04/01/28	FNMA - BS7458	2,000,000.00	4.780%	176,246.29	2,176,246.29
3140LKEG4	01/09/24	05/01/28	FNMA - BS8234	1,381,540.00	4.448%	114,298.08	1,495,838.08
3132XFMP0	02/06/24	05/01/28	FHLM - WN1265	2,000,000.00	4.611%	179,342.31	2,179,342.31
30332EAA3	07/20/23	05/25/28	FRESB - 2023-SB107	2,996,050.64	4.090%	237,785.91	3,233,836.55
35564CAA5	01/11/24	06/25/28	FHLM - SLST 2018	983,187.83	5.366%	68,733.76	1,051,921.59
30333AAA0	08/17/23	06/25/28	FRESB - 2023-SB108	3,492,400.52	4.793%	294,877.20	3,787,277.72
3132XGYJ9	03/07/24	09/01/28	FHLM - WN2512	1,550,000.00	4.800%	136,081.86	1,686,081.86
30334CAA5	11/16/23	09/25/28	FRESB - 2023-SB111	2,749,045.13	5.284%	275,250.87	3,024,296.00
3132XGYR1	03/18/24	11/01/28	FHLM - WN2519	2,500,000.00	4.797%	249,899.82	2,749,899.82
3132XFNX2	02/13/24	11/01/28	FHLM - WN1305	2,000,000.00	4.350%	188,636.21	2,188,636.21
3132XGYU4	03/15/24	12/01/28	FHLM - WN2522	3,000,000.00	4.530%	294,179.09	3,294,179.09
3140NUFX2	01/30/24	12/01/28	FNMA - BZ0181	3,000,000.00	4.920%	326,284.99	3,326,284.99
30336BAA5	04/25/24	12/25/28	FRESB - 2024-SB113	3,499,883.19	5.217%	395,576.16	3,895,459.35
3132XGZE9	03/13/24	01/01/29	FHLM - WN2540	3,500,000.00	4.900%	383,510.68	3,883,510.68
3140NUN54	01/29/24	01/01/29	FNMA - BZ0411	2,000,000.00	4.400%	188,230.66	2,188,230.66
3140HRZ55	01/17/24	01/01/29	FNMA - BL0752	1,500,000.00	3.650%	116,407.11	1,616,407.11
3140NUUA5	03/19/24	03/01/29	FNMA - BZ0576	2,000,000.00	4.561%	207,138.50	2,207,138.50
3140NUUL1	03/13/24	03/01/29	FNMA - BZ0586	2,000,000.00	4.371%	196,222.90	2,196,222.90
Total mortgage backed securities (agency)				\$ 74,964,776.50	3.788%	\$ 4,848,098.77	\$ 79,812,875.27

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
Municipal bonds							
127145LE8	05/27/21	06/15/24	Cache County SD	3,250,000.00	0.400%	297,375.00	3,547,375.00
005158XL9	06/17/21	08/15/24	Ada & Canyon County School District	1,500,000.00	0.520%	237,083.33	1,737,083.33
419792ZK5	02/26/21	10/01/24	State of Hawaii	3,000,000.00	0.433%	86,549.17	3,086,549.17
419792ZK5	03/17/22	10/01/24	State of Hawaii	2,000,000.00	2.160%	40,723.78	2,040,723.78
79771FAX5	03/01/21	11/01/24	San Francisco City Public Utilities	1,000,000.00	0.600%	26,523.31	1,026,523.31
575181GX	06/02/21	12/01/24	Mason & Kitsap Counties School Distr	640,000.00	0.538%	12,041.64	652,041.64
023051YWE	07/19/21	02/01/25	Amarillo Independent SD	1,800,000.00	0.600%	-	1,800,000.00
882806HG0	03/22/21	02/15/25	Texas St Tech Univ	2,500,000.00	0.679%	93,800.00	2,593,800.00
91412HGE7	03/01/21	05/15/25	University of California	1,500,000.00	0.600%	55,724.13	1,555,724.13
91412HGE7	06/29/21	05/15/25	University of California	1,960,000.00	0.799%	67,111.92	2,027,111.92
625506QN3	02/02/21	06/15/25	County of Multnomah OR	2,000,000.00	0.430%	37,553.89	2,037,553.89
91412GU94	01/28/21	07/01/25	University of California	1,805,000.00	0.509%	244,645.68	2,049,645.68
20772KEWE	06/30/22	09/15/25	State of Connecticut	2,850,000.00	3.201%	476,400.00	3,326,400.00
13063DMA5	04/01/21	04/01/26	State of California	4,140,000.00	0.970%	161,300.35	4,301,300.35
13063DMA5	05/18/21	04/01/26	State of California	1,250,000.00	0.910%	342,250.56	1,592,250.56
736688MFE	09/01/21	06/15/26	Portland Community College	1,100,000.00	0.841%	122,255.56	1,222,255.56
569280EX4	12/07/21	06/15/26	Marion County School	1,880,000.00	1.374%	548,550.00	2,428,550.00
842475P82	02/11/22	07/01/26	Sthrn CA ST Pub Pwr Auth	2,485,000.00	1.930%	47,357.32	2,532,357.32
797272QR5	08/12/21	08/01/26	San Diego Community College	3,000,000.00	0.860%	33,041.17	3,033,041.17

City of Carlsbad investment portfolio

Investment detail

April 30, 2024

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
801315KR2	08/23/21	08/01/26	Santa Barbara CA USD	500,000.00	0.842%	81,862.08	581,862.08
798189PY6	08/23/21	08/01/26	San Jose Evergreen Community Colleg	750,000.00	0.842%	101,809.78	851,809.78
798170AJ5	01/06/22	08/01/26	San Jose Redevelopment	3,000,000.00	1.507%	342,742.58	3,342,742.58
6041295T9	08/10/22	08/01/26	Minnesota State	1,215,000.00	3.250%	174,512.81	1,389,512.81
79730CJK1	04/22/24	08/01/26	San Diego Pub Fin Auth Water Revenu	2,000,000.00	5.035%	86,586.50	2,086,586.50
13063DRD2	02/08/22	10/01/26	State of California	2,400,000.00	1.730%	170,415.98	2,570,415.98
419792ZN9	03/02/22	10/01/26	State of Hawaii	2,000,000.00	1.810%	264,891.67	2,264,891.67
13067WSW	12/20/21	12/01/26	State of California	1,275,000.00	1.051%	977,643.33	2,252,643.33
13067WSW	03/29/22	12/01/26	State of California	1,425,000.00	2.708%	84,523.29	1,509,523.29
13067WSW	04/18/22	12/01/26	State of California	2,705,000.00	3.035%	90,565.95	2,795,565.95
016249FQ2	10/30/23	02/15/27	Alief Independent School District	1,980,000.00	5.380%	360,360.00	2,340,360.00
544646A77	06/13/22	05/01/27	Los Angeles Unified School District	3,500,000.00	3.820%	15,705.20	3,515,705.20
68608VXD9	10/13/23	05/01/27	State of Oregon	1,000,000.00	5.080%	132,640.00	1,132,640.00
91412HGF4	05/15/23	05/15/27	University of California	1,000,000.00	3.810%	52,640.00	1,052,640.00
91412HGF4	05/16/24	05/15/27	University of California	2,500,000.00	4.712%	98,700.00	2,598,700.00
91412HGF4	05/03/24	05/15/27	University of California	1,000,000.00	4.780%	46,060.00	1,046,060.00
544495VX9	08/27/23	07/01/27	Los Angeles Dept of Water & Power	1,500,000.00	4.100%	345,669.33	1,845,669.33
419794F72	06/06/23	07/01/27	State of Hawaii	1,125,000.00	4.720%	82,624.50	1,207,624.50
438701Y40	06/28/23	07/01/27	Honolulu Wastewater System Revenu	1,500,000.00	4.460%	168,412.50	1,668,412.50
796720NT3	02/22/23	08/01/27	San Bernardino Community College D	1,500,000.00	1.480%	107,266.25	1,607,266.25
357155BA7	05/09/23	08/01/27	Fremont CA Unified School District	2,000,000.00	3.750%	94,110.34	2,094,110.34
68609TU22	08/22/23	08/01/27	Oregon State Dept of Transportation	1,585,000.00	1.354%	85,843.60	1,670,843.60
212204JH5	08/31/23	08/01/27	Contra Costa CA Community College I	1,000,000.00	4.720%	86,520.00	1,086,520.00
797272RP8	10/25/23	08/01/27	San Diego Community College	2,290,000.00	5.161%	149,582.80	2,439,582.80
072031AP2	08/01/23	10/01/27	Bay Area Water	1,250,000.00	4.742%	189,281.25	1,439,281.25
032556FB3	10/17/23	10/01/27	City of Anaheim	1,670,000.00	1.998%	133,466.40	1,803,466.40
68607DVD4	06/16/23	11/15/27	Oregon State Dept of Transportation	2,000,000.00	4.370%	97,560.00	2,097,560.00
13063DC48	12/14/23	02/01/28	State of California	1,440,000.00	4.500%	110,160.00	1,550,160.00
54438CYM8	12/19/23	08/01/28	Los Angeles Community College Dist	2,250,000.00	4.350%	180,675.00	2,430,675.00
802385SN5	11/17/23	08/01/28	Santa Monica Community College Dist	1,000,000.00	4.950%	176,350.00	1,176,350.00
798170AL0	08/09/23	08/01/28	San Jose Redevelopment	1,000,000.00	4.742%	189,281.25	1,189,281.25
83412PHS4	01/22/24	08/01/28	Solano County Community College Dis	2,000,000.00	4.227%	147,900.00	2,147,900.00
7994082H1	08/24/23	08/01/28	San Ramon Valley School District	1,000,000.00	4.850%	83,500.00	1,083,500.00
695802NN4	12/07/23	08/01/28	Pajaro Valley Unified School District	1,200,000.00	4.294%	257,640.00	1,457,640.00
882723B40	11/21/23	10/01/28	State of Texas	1,500,000.00	4.700%	248,325.00	1,748,325.00
882724RD1	11/21/23	10/01/28	State of Texas PFA	2,000,000.00	4.750%	227,600.00	2,227,600.00
13063DL22	11/15/23	10/01/28	State of California	1,000,000.00	5.008%	87,500.00	1,087,500.00
13077DQGC	02/08/24	11/01/28	California State University	2,500,000.00	4.260%	190,125.00	2,690,125.00
59320A30	05/01/24	05/01/29	City of Miami Beach FL	1,400,000.00	4.674%	327,180.00	1,727,180.00
Total municipal bonds				\$ 103,620,000.00	2.609%	\$ 9,778,519.19	\$ 113,398,519.19

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
Cash and pooled investments							
			Wells Fargo Bank - General	2,066,656.00	0.000%	-	2,066,656.00
			Wells Fargo Sweep account	21,203,661.45	5.186%	-	21,203,661.45
			Principal - Custody	7,659,786.05	2.950%	-	7,659,786.05

City of Carlsbad investment portfolio

Investment detail

April 30, 2024

CUSIP	Settlement	Maturity	Issuer	Par	Yield	Interest	Return
			CAMP	125,644,819.29	5.430%	-	125,644,819.29
			LAIF City	211,182.37	4.332%	-	211,182.37
			LAIF CMWD	853,582.88	4.332%	-	853,582.88
			LAIF CPFA	781,913.62	4.332%	-	781,913.62
Total cash and pooled investments				\$ 158,421,601.66	5.194%	\$ -	\$ 158,421,601.66
GRAND TOTAL				\$ 908,293,378.16	2.8316%	\$ 67,223,806.44	\$ 975,517,184.60

115 Trust Activity

May 31, 2024

The city's Section 115 Trust is a post-employment benefit trust that was established by City Council on September 12, 2023 (Resolution 2023-240). In connection with City Council Policy No. 86 and 98, the trust allows the city to stabilize pension cost volatility, maintain local control over the city's assets and earn a potentially higher rate of return than if the assets were kept in the General Fund. These funds are restricted and not pooled with other investment funds.

Period Ending	Contributions	Net Earnings	Distributions	Ending Balance
12/31/23	\$ 10,000,000.00	\$ 294,069.68	\$ -	\$ 10,294,069.68
01/31/24	-	(40,308.43)	-	10,253,761.25
02/29/24	-	216,565.94	-	10,470,327.19
03/31/24	-	231,767.31	-	10,702,094.50
04/30/24	-	(338,826.41)	-	10,363,268.09
05/30/24	-	350,065.41	-	10,713,333.50
Summary	\$ 10,000,000.00	\$ 713,333.50	\$ -	\$ 10,713,333.50

City of Carlsbad investment portfolio
115 Trust Activity

Do not print

Monthly return	3 month return
4.41%	
-0.37%	
2.14%	6.25%
2.24%	4.04%
-3.14%	1.15%
3.41%	2.41%



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Maria Callander, Information Technology Director
maria.callander@carlsbadca.gov, 442-339-2454
David van Gilluwe, Data Science and Business Intelligence Manager
david.vangilluwe@carlsbadca.gov, 442-339-5992

Subject: Annual Subscription Renewal of Tableau Software

Districts: All

Recommended Action

Adopt a resolution authorizing the City Manager or designee to purchase the Tableau software subscription renewal from Solutions Simplified, Inc. for an amount not to exceed \$232,789 for a one-year term ending July 31, 2025.

Executive Summary

Tableau analytics software enables city staff across the organization to access and build analysis products, extract valuable insights and understand operational patterns and trends. Use of Tableau has grown within the organization in the past two years due to an increased demand for data-driven decision-making. With Tableau, non-technical staff members can perform their own analyses and create data-rich dashboards. The renewal of the existing Tableau contract includes an increase in licensing that provides additional capacity to publish real-time data insights and create public-facing dashboards. This will allow for greater transparency and public understanding of city operations.

Solutions Simplified, Inc. provides for the procurement of licenses and subscription services for both the Tableau internal and public-facing portal solutions. The subscription is an annual renewal, with a cost of \$232,789. The current licensing is set to expire on July 31, and with this renewal, the term will end on July 31, 2025. The renewal includes an increase of more than 20 new Tableau licenses.

In keeping with Carlsbad Municipal Code Section 3.28.060(D)(5) relating to the procurement of professional services and services, City Council approval is required because the subscription renewal will cost more than \$100,000 per agreement year.

Explanation & Analysis

Data-driven decision-making allows organizations to move away from traditional intuition-based decision-making and instead rely on empirical evidence and statistical analysis. By analyzing data, organizations can uncover hidden patterns, detect anomalies, and make predictions with a higher level of accuracy. This, in turn, helps to reduce risks, optimize processes and improve overall business performance.

Tableau is a powerful and widely used data visualization and business intelligence software that allows city staff to transform complex datasets into interactive and visually appealing dashboards, reports, and charts. It provides an easy to learn interface that enables individuals, regardless of their technical expertise, to explore and analyze data intuitively and effectively communicate their findings to a broader audience. Tableau has become an essential tool for city staff to unlock the value of the city's data and drive meaningful outcomes.

The city has been using Tableau internally for several years and in early fiscal year 2023-24, it expanded to an enterprise-wide subscription license. The city is also piloting the further expansion of the software to provide access to community members with a public-facing portal subscription.

The addition of a public-facing portal will help provide data analytics and visualization for external users. The additional licensing and functionality are necessary to efficiently publish information about key city priorities associated with the City Council's 5-Year Strategic Plan and departmental activities. With the existing subscription, there are technological issues and inefficiencies that hinder regularly publishing data from existing Tableau products for external use.

Solutions Simplified is the current reseller through which the city has purchased its two Tableau subscriptions. Renewal of the Tableau subscriptions from Solution Simplified would be purchased through a cooperative purchasing agreement, in compliance with Carlsbad Municipal Code, Chapter 3.28.100 - Cooperative Purchasing.¹ Solutions Simplified is an authorized reseller and provides products and technology services under the California Software Licensing Program Agreement No. SLP-20-70-0181J, Amendment No. 1.²

The cost of this purchase was quoted from that contract. Carlsbad Municipal Code Section 3.28.100, Cooperative Purchasing, gives the city purchasing officer the authority to join with other public or quasi-public agencies in cooperative purchasing plans or programs for the purchase of goods or services when determined by the purchasing officer to be in the city's best interest. The purchasing officer may buy directly from a vendor at a price established by another public agency when the other agency has made its purchase in a competitive manner. The Purchasing Officer's memo authorizing this renewal under the cooperative purchasing agreement is attached as Exhibit 2.

¹ Cooperative purchasing is when an agency uses an existing procurement contract from another agency as the justification and documentation to create its own contract to purchase the same or similar items or services. Government agencies often use such cooperative purchasing agreements to reduce the costs of procurement.

² The Software Licensing Program is a State of California program that provides extensive software discounts through negotiations with major software publishers that are then passed on to the state, through SLP contracts established with authorized participating re-sellers. These contracts are available to California's state, county, city, special district, education, and other government entities to buy directly from the supplier.

Fiscal Analysis

The annual cost of the Tableau subscriptions and additional licenses with Solutions Simplified is not to exceed of \$232,789 for the term ending on July 31, 2025.

Funding for the annual payment for the internal licenses is included in the fiscal year 2024-25 Information Technology Department's operating budget in the amount of \$232,789.

Additional funds were added to fiscal year 2024-25 Information Technology Department's operating budget during the budget process as part of the continuing effort to expand data-driven decision-making throughout the city and to meet increased internal demand with additional licensing.

Fiscal Year 2024-25

Information Technology Dept. Operating Budget	
Existing internal licensing	\$215,475
Additional 20 licenses to expand data-driven decision-making	\$17,314
Total licensing costs	\$232,789

Staff recommend adoption of the resolution authorizing the City Manager to purchase Tableau at a cost of \$232,789 for fiscal year 2024-25.

Next Steps

With the City Council's approval, staff will execute the necessary documents to purchase the Tableau subscription renewal from Solutions Simplified, Inc.

Environmental Evaluation

This action does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and therefore does not require environmental review.

Exhibits

1. City Council resolution
2. City Purchasing Officer's memo

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO PURCHASE THE TABLEAU SOFTWARE SUBSCRIPTION RENEWAL FROM SOLUTIONS SIMPLIFIED, INC. FOR AN AMOUNT NOT TO EXCEED \$232,789 FOR A ONE-YEAR TERM ENDING JULY 31, 2025

WHEREAS, the City of Carlsbad uses Tableau to access and analyze data; and

WHEREAS, the City of Carlsbad desires to renew the Tableau subscription for a one-year term ending July 31, 2025; and

WHEREAS, Solutions Simplified, Inc. is an authorized Tableau reseller and provides products and technology services under the California Software Licensing Program Agreement SLP No. SLP-20-70-0181J, Amendment No. 1; and

WHEREAS, Solutions Simplified has provided a quote (Attachment A) of \$232,789, for a one-year renewal of the Tableau subscription; and

WHEREAS, under Carlsbad Municipal Code Section 3.28.100, Cooperative Purchasing, the Purchasing Officer has the authority to join with other public agencies for the purchase of goods or services when it is in the best interest of the city; and

WHEREAS, the Purchasing Officer has reviewed the quote for the one-year renewal of the Tableau subscription and determined purchasing the subscription renewal from Solutions Simplified is in the best interest of the city; and

WHEREAS, the budget to procure the subscription renewal is available in the Information Technology Department's fiscal year 2024-25 Operating Fund; and

WHEREAS, the funding for the Tableau subscription's future years will be considered on an annual basis in the Information Technology Department's annual budget requests.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the City Manager or a designee is authorized to purchase the Tableau subscription renewal from Solutions Simplified, Inc., for an amount not to exceed \$232,789 for a one-year term ending July 31, 2025, and to execute all required documents necessary for the purchase.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



Solutions Simplified
 3626 Fair Oaks Blvd. Suite 100
 Sacramento, CA 95864
www.solutionssimplified.net

Attachment A
QUOTE

A Certified Women-Owned Business

Prepared By: Rachel DaValle
Phone: 530-521-0576
Fax: 916-244-0351
Email: rachel.davalle@solutionssimplified.net

Date:	4/15/2024
Quote #:	12898-C
Valid Until:	7/30/2024

FEIN: 47-5088841
Seller's Permit: 102-806808
DUNS: 80004788
CAGE: 7GNN0

CUSTOMER

David Van Gilluwe
 City of Carlsbad-Information Technology
 1635 Faraday Ave
 Carlsbad, CA 92008-7314
renewals@carlsbadca.gov
 (760) 602-2467

Delivery: Electronic
FOB: Destination, Freight PPD
Payment Terms: Net 45
Contract #: SLP-20-70-0181J

ITEM #	PART #	DESCRIPTION	QTY	UNIT PRICE	EXT PRICE	TAXED
1	200001773	Tableau - Creator (Server) Salesforce.com, Inc. - 200001773 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$830.00	\$830.00	N
2	200002287	Tableau - Data Mgmt - Core (Server) 25% of Net Price Salesforce.com, Inc. - 200002287 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$11,950.00	\$11,950.00	N
3	200001785	Tableau - Data Mgmt - Resource Core (Server) Salesforce.com, Inc. - 200001785 Start Date: 07/31/2024 End Date: 07/30/2025	4	\$2,570.00	\$10,280.00	N
4	200002292	Tableau - Advanced Mgmt - Core (Server) 15% of Net Price Salesforce.com, Inc. - 200002292 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$7,175.00	\$7,175.00	N
5	200001788	Tableau - Embedded Analytics - Creator (Server) Salesforce.com, Inc. - 200001788 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$830.00	\$830.00	N
6	200001800	Tableau - Embedded Analytics - 8 Core Base (Server) Salesforce.com, Inc. - 200001800 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$57,725.00	\$57,725.00	N
7	200002297	Tableau - Embedded Analytics - Data Mgmt - Core (Server) 25% of Net Price Salesforce.com, Inc. - 200002297 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$9,000.00	\$9,000.00	N

8	200001795	Tableau - Embedded Analytics - Data Mgmt - Resource Core (Server) Salesforce.com, Inc. - 200001795 Start Date: 07/31/2024 End Date: 07/30/2025	4	\$1,815.00	\$7,260.00	N
9	200002306	Tableau - Embedded Analytics - Advanced Mgmt - Core (Server) 15% of Net Price Salesforce.com, Inc. - 200002306 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$5,400.00	\$5,400.00	N
10	200001773	Tableau - Creator (Server) Salesforce.com, Inc. - 200001773 Start Date: 07/31/2024 End Date: 07/30/2025	35	\$646.00	\$22,610.00	N
11	200007689	Tableau - Data Mgmt (Server) 25% of Net Price Salesforce.com, Inc. - 200007689 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$5,604.00	\$5,604.00	N
12	200007670	Tableau - Advanced Mgmt (Server) 15% of Net Price Salesforce.com, Inc. - 200007670 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$3,365.00	\$3,365.00	N
13	200001798	Tableau - 8 Core Base (Server) Salesforce.com, Inc. - 200001798 Start Date: 07/31/2024 End Date: 07/30/2025	1	\$76,920.00	\$76,920.00	N
14	200001773	Tableau - Creator (Server) Salesforce.com, Inc. - 200001773	20	\$692.00	\$13,840.00	N

Subtotal	\$232,789.00
Tax Rate	8.75%
Tax	\$0.00
Total	\$232,789.00

NOTES:

1. This quote is valid for 30 days from original quote date unless otherwise specified above.
2. We accept Purchase Order, Visa, Mastercard, & AMEX.
3. Orders placed on a credit card are subject to a 3% fee.
4. Our product return window is 30 days from receipt of order.

Unless otherwise provided in the applicable Agreement, any increase in subscription pricing for the first renewal term will not exceed 5% over the subscription pricing in the immediately preceding term, provided that (a) for each renewal Customer renews its entire then-current subscription volume under this Order Form combined with any associated add-on Order Forms, and (b) each renewal term is the same duration as the Order Term of this Order Form or one year (whichever is longer). Thereafter, or upon a renewal that does not meet the aforementioned criteria for Customer to benefit from the above price cap, any increase in subscription and support pricing will be in accordance with SFDC's pricing and policies in effect at the time of the renewal or as otherwise agreed to by the parties. Notwithstanding the foregoing, any consumption-based Services which are subject to a rate card as set forth in the product terms for the applicable Services and any support or resource-based Services are not subject to any price increase limitations

Product Special Terms

CQ: 40135028

Tableau Software and/or Tableau Services are subject to the Order Form Supplement for Tableau Products available at www.tableau.com/ofs which is hereby made part of this Quote

Any increase in subscription pricing (excluding support and resource-based Services) for the first renewal term will be in accordance with SFDC's pricing and policies in effect at the time of the renewal or as otherwise agreed to by the parties or noted in these quote terms or contract Licensee agrees that any order for Salesforce Services will be governed by the terms and conditions of the Carahsoft Salesforce Service Terms, copies of which are found at <https://carah.io/SFDC-TOU> and all Schedules and Documentation referenced by the Terms are made a part hereof. The parties agree that any term or condition stated in a Customer purchase order or in any other Customer order documentation (excluding Quotes) is void. In the event of any conflict or inconsistency among the following documents, the order of precedence shall be: (1) the applicable Quotes (and their Contract Vehicle), (2) the TOU, and (3) the Documentation. Licensee acknowledges it has had the opportunity to review the Terms, prior to executing an order.

Product Terms Directory: <http://carah.io/Product-Terms-Directory>

Help & Training: <http://carah.io/Help>

Government Cloud Plus: <http://www.carahsoft.com/government-cloud-terms>

A list of currently available FedRAMP/IL4 Authorized Salesforce products can be found here:

https://help.salesforce.com/articleView?id=000270080&language=en_US&type=1

Please contact us if you have any questions or need further information.

THANK YOU FOR YOUR BUSINESS!



Memorandum

July 7, 2024

To: Roxanne Muhlmeister, Assistant Finance Director/Purchasing Officer
From: Doug Kappel, IT Applications Manager
 David van Gilluwe, Chief Data Officer
Via: Maria Callander, Information Technology Director
Re: Authorization to Participate in a Cooperative Purchasing Agreement for the Subscription Renewal of the Tableau Enterprise Public Facing Portal

The Information Technology Department requests approval to cooperatively use the California Software Licensing Program (SLP) agreement SLP No. SLP-20-70-0181J contract with Solutions Simplified, Inc. to provide for the annual licensing and subscription service of the Tableau internal and public-facing portal solutions at a cost of \$232,789.

The city currently uses Tableau products for internal data analytics and visualization. In fiscal year 2022-23 this was expanded to be an enterprise-wide solution and to incorporate the use of a public facing portal. The primary purpose of the new purchase is to provide new technical capabilities to enable the city to have a new public facing data portal. The portal will allow staff to meet city goals of publishing data to the public in a technically advantageous manner that is user-friendly to external viewers. Solutions Simplified, Inc. provides for the procurement licenses and subscription services for the Tableau public facing portal solution.

This renewal and additional 20 licenses will assist in data analytics and visualization for internal and public facing users. These products and additional licensing are necessary to assist the city with publishing information about key city priorities associated with the newly approved Strategic Plan, citizen-centric data, and other departmental activities. The combination of internal and public facing technological resolves issues and inefficiencies that are barriers to regularly publishing data through Tableau products. This renewal helps the city to make data-driven decisions internally and to engage the public using data from the public facing portal.

As per Carlsbad Municipal Code Section 3.28.100 – Cooperative purchasing, “The purchasing officer shall have the authority to join with other public or quasi-public agencies in cooperative purchasing plans or programs for the purchase of goods and/or services by contract, arrangement or agreement as allowed by law and as determined by the purchasing officer to be in the city’s best interest. The purchasing officer may buy directly from a vendor at a price established by another public agency when the other agency has made their purchase in a competitive manner.”

Tableau cooperative purchase

July 7, 2024

Page 2

With Finance Department authorization, staff will recommend the City Council adopt a resolution authorizing the purchase of the annual renewal for the Tableau software subscription from Solutions Simplified, Inc. in an amount not to exceed \$232,789 at the July 23, 2024 City Council Meeting.

Authorization to participate in cooperative purchasing agreement

Roxanne Muhlmeister

7/16/2024

Roxanne Muhlmeister,
Assistant Finance Director/Purchasing Officer

Date

CC:

Maria Callander, IT Department Director
Cindie McMahon, City Attorney
Brent Gerber, Senior Management Analyst
Shea Sainz, Senior Contract Administrator



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Sarah Reiswig, Risk Manager
 sarah.reiswig@carlsbadca.gov, 442-200-4718
 Judy von Kalinowski, Human Resources Director
 judy.vonkalinowski@carlsbadca.gov, 760-473-4670

Subject: Purchase of Excess Workers' Compensation Coverage for Policy Year 2024-2025

Districts: All

Recommended Action

Adopt a resolution authorizing the purchase of excess workers' compensation coverage through Safety National Casualty Corporation for policy year 2024-25.

Executive Summary/Discussion

Safety National Casualty Corporation has been the city's insurance carrier since policy year 2007-08. The city is self-insured for all employee claims up to \$1.5 million, and this insurance would cover claims that exceed that amount.

Based on the city's successful history with Safety National Casualty Corporation and the acceptable quote, staff recommend renewing its policy with the insurer. The policy period will run from Aug. 1, 2024, to July 31, 2025, and the annual premium is estimated to be \$333,742.

Carlsbad Municipal Code Section 3.28.040(D)(1) requires this renewal to be approved by the City Council because the cost will exceed \$100,000 per agreement year.

Fiscal Analysis

The policy year 2023-24 rate was \$0.3414 per every \$100 in payroll. The policy year 2024-25 rate will remain unchanged. Based on current payroll data, the overall premium for policy year 2024-2025 is estimated to be \$333,742.

The carrier will invoice final costs after auditing actual payroll expenses at the end of the policy year. Sufficient funds have been requested in the fiscal year 2024-25 budget for this premium.

Next Steps

With the City Council's approval, staff will complete all necessary administrative actions necessary to renew the insurance.

Environmental Evaluation

This action does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, so it does not require environmental review.

Exhibits

1. City Council resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AUTHORIZING THE PURCHASE OF EXCESS WORKERS' COMPENSATION COVERAGE THROUGH SAFETY NATIONAL CASUALTY CORPORATION FOR POLICY YEAR 2024-2025

WHEREAS, the City Council of the City of Carlsbad, California, desires to purchase excess workers' compensation coverage through Safety National Casualty Corporation; and

WHEREAS, HUB International has negotiated the purchase of excess workers' compensation coverage through Safety National Casualty Corporation for the period beginning on August 1, 2024, and concluding on July 31, 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the purchase of excess workers' compensation coverage through Safety National Casualty Corporation effective August 1, 2024, to July 31, 2025, is approved and the Deputy City Manager, Administrative Services is authorized to issue a warrant in an amount estimated to total \$333,742 for payment of the premium to Safety National Casualty Corporation.
3. That the City Manager or a designee is authorized to execute any documents necessary to implement the purchase.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Sarah Reiswig, Risk Manager
sarah.reiswig@carlsbadca.gov, 442-200-4718
Judy von Kalinowski, Human Resources Director
judy.vonkalinowski@carlsbadca.gov, 760-473-4670

Subject: Settlement of Workers' Compensation Claim of Kevin Lehan

Districts: All

Recommended Action

Adopt a resolution authorizing settlement of the workers' compensation claim of Kevin Lehan.

Executive Summary

Kevin Lehan, retired Police Lieutenant, sustained work-related injuries during the course of his employment. The City Council is being asked to approve a stipulated award that entitles Mr. Lehan to a permanent disability award of \$122,742 and future medical care.

Settlements exceeding \$50,000 require the approval of the City Council in accordance with City Council Resolution 2015-086.

Explanation & Analysis

The terms and conditions of the proposed settlement are set forth in the request for settlement authority document, which is on file in the Human Resources Department. The terms and conditions were agreed upon by Mr. Lehan and the city, and have been recommended by AdminSure Inc., the city's workers' compensation administrator.

This permanent disability payment is required under California Labor Code Section 4650, and "bad faith actions" or failure to comply with the Workers' Compensation Appeals Board Rules of Practice and Procedure may result in penalties and further litigation, so staff recommend timely action.

Fiscal Analysis

The cost of this settlement is \$122,742. Funding for this settlement was included in the adopted budget for fiscal year 2024-25.

Next Steps

With the City Council's approval, staff will file the appropriate documentation with the Workers' Compensation Appeals Board for its review and approval.

Environmental Evaluation

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

Exhibits

1. City Council resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA,
AUTHORIZING SETTLEMENT OF THE WORKERS' COMPENSATION CLAIM OF KEVIN
LEHAN

WHEREAS, AdminSure Inc., the city's third-party administrator, has recommended a settlement of the Workers' Compensation claim of Kevin Lehan; and

WHEREAS, all parties have agreed to settle the claim before the Workers' Compensation Appeals Board.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the expenditure of \$122,742 from the Workers' Compensation Self-Insurance Fund is authorized for the settlement of this claim.
3. That the City Council approves the request for settlement authority on file in the Human Resources Department.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the __ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



MUNICIPAL WATER DISTRICT

Staff Report

Meeting Date: July 23, 2024

To: President and Board Members

From: Scott Chadwick, Executive Manager

Staff Contact: Dave Padilla, Assistant General Manager/District Engineer
dave.padilla@carlsbadca.gov, 442-339-2356

Neil Irani, Utilities Associate Engineer
neil.irani@carlsbadca.gov, 442-339-2305

Subject: Quitclaiming a water easement at the Valley Middle School Campus,
PD2023-012, VAC2023-0004

District: 1

Recommended Action

Adopt a Carlsbad Municipal Water District Board of Directors resolution quitclaiming a water easement over Tract No. 246 of Map No. 1681, located at the Valley Middle School Campus, 1645 Magnolia Avenue, PD2023-012, VAC2023-0004.

Executive Summary

Carlsbad Municipal Water District (CMWD) staff are requesting the board's approval to terminate (or "quitclaim") a water easement giving the district access to a tract of land at Valley Middle School, at 1645 Magnolia Ave. Easements like the one at issue, give the district access to private property to install or main public infrastructure. This easement was granted in 1994 for a public fire hydrant and pipeline.

Now, with the property is being redeveloped and these facilities will be owned and maintained by the school district. Because the easement is no longer needed for public water system purposes, the staff recommend that the CMWD easement be terminated.

The Board of Directors approval is required because CMWD ordinances do not provide authority to the Executive Manager or designee to approve the quitclaim deed.

Explanation & Analysis

The Carlsbad Unified School District granted a water easement to the CMWD (recorded as Instrument No. 1994-337945) in 1994. A public fire hydrant and pipeline were then constructed to serve Valley Middle School.

The city approved a plan to the Carlsbad Unified School District's plan to make improvements to the Valley Middle School campus on March 13, 2024 (Private Development Plan PD2023-

0012). The approved grading plan for that project requires the school to convert an existing city-owned public fire hydrant on the site to a school district-owned fire hydrant.

This conversion is consistent with the CMWD's current practice to design water systems on private property as private water systems, when feasible, to reduce the need to access the property for repairs and avoid damage to private property improvements.

The system has been redesigned to conform to the requirements of a private system in accordance with the approved construction plans, so staff recommend the board approve quitclaiming the water easement to the school district.

Fiscal Analysis

There are no fiscal impacts with quitclaiming this easement. All fees necessary to process this quitclaim have been paid by the developer.

Next Steps

Upon approval of the CMWD Board of Directors, the Secretary of the Board will record the attached quitclaim deed and other required recording documents with the San Diego County Office of the Recorder.

Environmental Evaluation

The proposed quitclaim deed does not qualify as a project under the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment and therefore does not require environmental review.

Exhibits

1. Carlsbad Municipal Water District Board of Directors resolution
2. Location map

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARLSBAD MUNICIPAL WATER DISTRICT QUITCLAIMING A WATER EASEMENT OVER TRACT NO. 246 OF MAP NO. 1681 LOCATED AT THE VALLEY MIDDLE SCHOOL CAMPUS, 1645 MAGNOLIA AVENUE, PD2023-012, VAC2023-0004

WHEREAS, the Carlsbad Municipal Water District, or CMWD, has determined that the Carlsbad Unified School District, the property owner of Tract No. 246 of Thum Lands, in the City of Carlsbad, County of San Diego, State of California, according to Map No. 1681 thereof, filed in the Office of the County Recorder of San Diego County on Dec. 9, 1915, have filed an application with CMWD to quitclaim a water easement over their property; and

WHEREAS, on May 23, 1994, a water easement was dedicated to the CMWD as Instrument No. 1994-337945; and

WHEREAS, the water easement is no longer required for the purpose for which it was granted, nor will it be needed for any future public water purpose.

NOW, THEREFORE, BE IT RESOLVED by the CMWD Board of Directors of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the quitclaim deed, attached hereto as Attachment A, on file with the Secretary of the CMWD Board of Directors and incorporated herein by reference, is approved.
3. That the CMWD Board President is authorized to execute the quitclaim deed attached hereto as Attachment A, and the Secretary of the CMWD Board of Directors is hereby authorized to record said document.

PASSED, APPROVED AND ADOPTED at a Special Meeting of the Carlsbad Municipal Water District Board of Directors of the City of Carlsbad on the __ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, President

SHERRY FREISINGER, Secretary
(SEAL)

RECORDING REQUESTED BY:
Carlsbad Municipal Water District

WHEN RECORDED MAIL TO:
District Secretary
Carlsbad Municipal Water District
1200 Carlsbad Village Dr.
Carlsbad, CA 92008

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED OF EASEMENT

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ 0 (easement)
 computed on full value of property conveyed, or
 computed on full value less value of liens and encumbrances remaining at time of sale
 Unincorporated area: City of Carlsbad

Assessor's Parcel No(s): 205-220-33-00
Project ID: PD2023-0012
Related Project ID(s): VAC2023-0004
Project Name: Valley Middle School Campus Modernization, 1645 Magnolia Avenue

Carlsbad Municipal Water District, a public agency organized under the Municipal Water Act of 1911, and a subsidiary district of the City of Carlsbad ("Grantor"), for a valuable consideration, the receipt and adequacy of which are hereby acknowledged, does hereby remise, release, and quitclaim to Carlsbad Unified School District ("Grantee") all right, title, and interest in the property described in Exhibit A attached hereto and made a part of hereof. Exhibit B is attached for clarity only.

Executed on _____,
2024, at Carlsbad, California

GRANTOR: Carlsbad Municipal Water District, a public agency organized under the Municipal Water Act of 1911, and a subsidiary district of the City of Carlsbad

By _____
KEITH BLACKBURN, President

ATTEST:

SHERRY FREISINGER, Secretary

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of _____ }

On _____ before me, _____
Date Here Insert Name and Title of the Officer
personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature _____
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

EXHIBIT "A"
LEGAL DESCRIPTION
 PD2023-0012
 VAC2023-0004

A STRIP OF LAND 15 FEET IN WIDTH OVER THAT PORTION OF TRACT NO. 246 OF THUM LANDS, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1681, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 9, 1915, BEING THAT CARLSBAD MUNICIPAL WATER DISTRICT EASEMENT RECORDED MAY 23, 1994 AS DOCUMENT NO. 1994-0337945. FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, THE CENTERLINE OF SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF HIGHLAND DRIVE AND MAGNOLIA AVENUE AS SHOWN ON SAID MAP; THENCE ALONG SAID CENTERLINE OF MAGNOLIA AVENUE NORTH 61°21'00" EAST 509.30 FEET; THENCE LEAVING SAID CENTERLINE SOUTH 28°39'00" EAST 30.00 FEET TO THE NORTHWESTERLY LINE OF SAID TRACT 246 AND THE **TRUE POINT OF BEGINNING**; THENCE ALONG SAID CENTERLINE OF SAID 15 FOOT STRIP OF LAND SOUTH 28°39'00" EAST 61.00 FEET; THENCE SOUTH 25°21'00" WEST 24.00 FEET; THENCE SOUTH 20°09'00" EAST 159.00 FEET; THENCE SOUTH 10°09'00" EAST 40.00 FEET; THENCE SOUTH 14°39'00" EAST 91.00 FEET TO THE **POINT OF TERMINATION**.

THE SIDELINES OF SAID STRIP SHOULD BE LENGTHENED OR SHORTENED AT ALL ANGLE POINTS MAKING A CONTINUOUS LINE.

CONTAINING 5625 SQUARE FEET OR 0.129 ACERS, MORE OR LESS

EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.



Gary D. Mellom

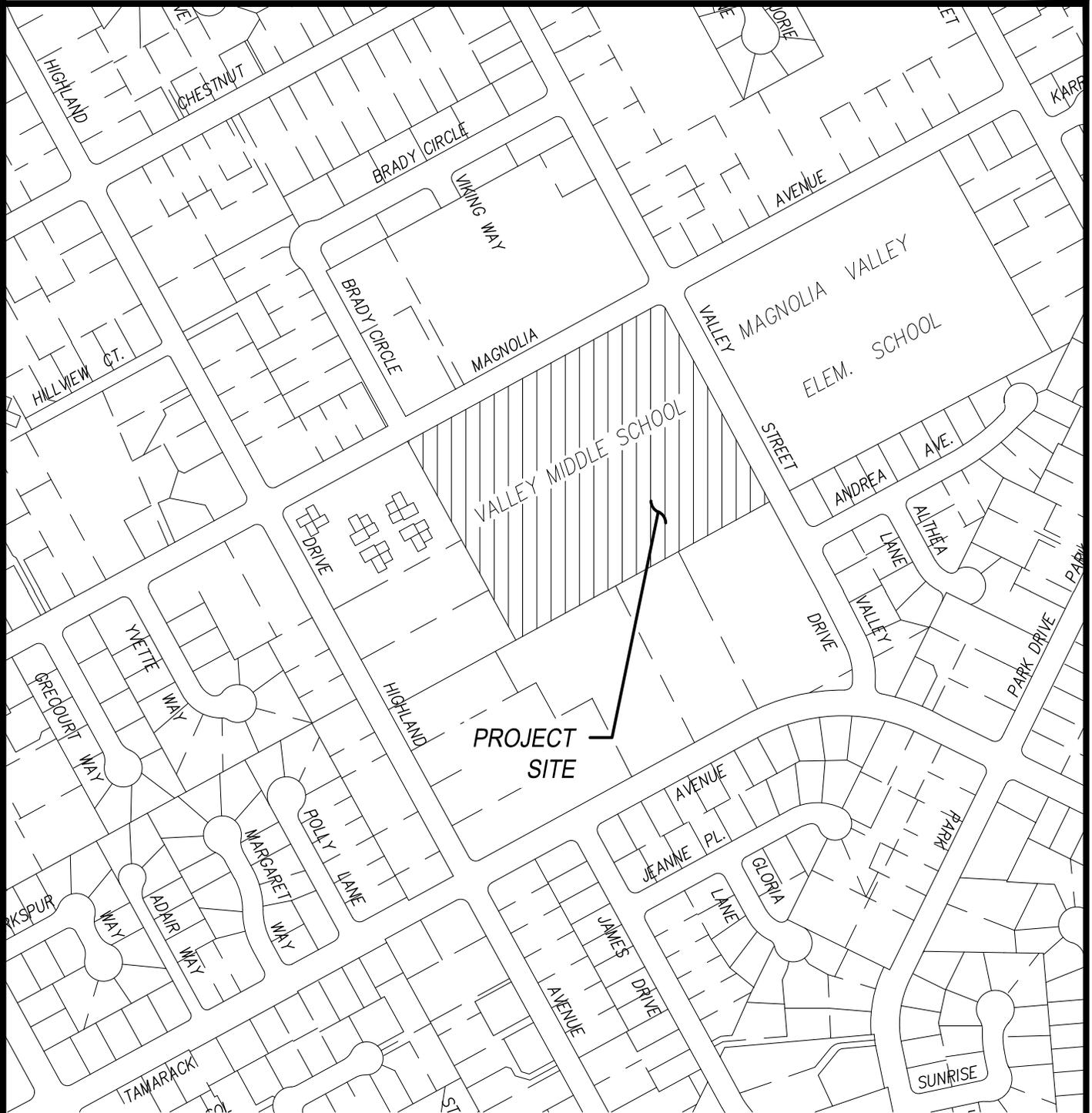
 GARY D. MELLOM, PLS 8537

2-9-2024

 DATE:

PASCO LARET SUITER & ASSOCIATES San Diego Encinitas Orange County Phone 858.259.8212 www.plsaengineering.com	PLSA 3483	PD2023-0012 VAC2023-0004 EASEMENT QUITCLAIM
		SHEET 1 OF 1

LOCATION MAP



NOT TO SCALE

PROJECT NAME

**VALLEY MIDDLE SCHOOL
CAMPUS MODERNIZATION**

July 23, 2024

PROJECT
NUMBER

PD2023-0012

Item #5

EXHIBIT

2

Page 9 of 9



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: John Maashoff, Public Works Manager
 john.maashoff@carlsbadca.gov, 442-339-2856

Subject: Grant of Easement to San Diego Gas & Electric and Authorization to Purchase Electric Vehicle Chargers from Westside Solutions Inc. for the State Street Parking Lot Electric Vehicle Charging Stations Project

District: 1

Recommended Actions

1. Adopt a resolution authorizing execution of a grant of easement to San Diego Gas & Electric for the State Street Parking Lot Electric Vehicle Charging Stations Project, Capital Improvement Program Project No. 4090.
2. Adopt a resolution authorizing the purchase of electric vehicle chargers from Westside Solutions Inc. for an amount not to exceed \$128,365 for the State Street Parking Lot Electric Vehicle Charging Stations Project, Capital Improvement Program Project No. 4090.

Executive Summary

The State Street Parking Lot Electric Vehicle Charging Stations Project, Capital Improvement Program Project No. 4090, will add 10 electric vehicle charging station ports to the city-owned parking lot at 3021 State St.

San Diego Gas & Electric is in the process of finalizing the design of the infrastructure needed to support these planned electric vehicle chargers and has requested the city grant an easement for the SDG&E-owned and maintained equipment.¹ Only the City Council has the authority to grant such an easement.

Staff obtained quotes from Westside Solutions Inc. for the chargers, as well as related networking services and warranties, through a cooperative purchasing agreement consistent with the city's purchasing policies and are requesting the City Council's approval to purchase the chargers and affiliated services for the project.

The cost of the 10 chargers is not to exceed \$128,365, which requires approval of the City Council under Carlsbad Municipal Code Section 3.28.050(D) because the cost exceeds \$100,000 per agreement year.

¹ An easement provides legal access to property owned by others, generally for installing or maintaining infrastructure.

Explanation & Analysis

The chargers at the State Street parking lot consistently have the highest use of all of the city-owned public chargers, and the added capacity of 10 new chargers will allow for more electric vehicle charging at the lot.

The City Council authorized the execution of an application and agreement with SDG&E to provide, install and maintain the EV charging infrastructure on March 14, 2023. (Resolution No. 2023-075) The design and engineering of that project are anticipated to be completed this summer. To complete the work, SDG&E has asked the city to grant it an easement surrounding the proposed infrastructure that they will own and operate in support of the new charging stations.

Westside Solutions Inc. provided a quote for purchase of 10 ChargePoint EV charging stations and ancillary services totaling \$128,365, as shown in Exhibit 4. Westside Solutions is an authorized ChargePoint distributor. Its quote is based on a cooperative purchasing agreement that guarantees government agencies low, competitive pricing. The purchasing agreement is established through Sourcewell contract #042221-CPI, as shown in Exhibit 5.

Carlsbad Municipal Code Section 3.28.100 allows the city's Purchasing Officer to join with other public or quasi-public agencies in cooperative purchasing plans or programs for purchase of goods and/or services by contract, arrangement or agreement as allowed by law and as determined by the Purchasing Officer to be in the city's best interest.² The officer may buy directly from a vendor at a price established by another public agency when the other agency has made their purchase in a competitive manner.

The Purchasing Officer has made a determination that it is in the city's best interest to procure the EV chargers through a cooperative agreement and approved a bidding exemption on June 17, 2024, as shown in Exhibit 6.

Fiscal Analysis

There are sufficient funds budgeted to cover this cost. Additionally, the project has been approved for \$40,000 in grant funding from the California Energy Commission's California Electric Vehicle Infrastructure Project program, and \$350,000 has been appropriated by California State Parks for the project. Staff will return to the City Council with a request to authorize accepting that external funding.

State Street Parking Lot Electric Vehicle Charging Stations Project Capital Improvement Program Project No. 4090	
Total project appropriation to date	\$340,000
Total expenditures/encumbrances to date	-\$163,435
Total available balance	\$176,565
Agreement with Westside Solutions Inc.	-\$128,365
Total remaining budget	\$48,200

² Cooperative purchasing is when an agency uses an existing procurement contract from another agency as the justification and documentation to create its own contract to purchase the same or similar items or services directly from the vendor. Government agencies often use such cooperatives to reduce their costs of procurement.

Next Steps

Upon City Council authorization, staff will return the executed easement to SDG&E to be recorded by the San Diego County Recorder's Office and issue a purchase order to Westside Solutions to procure the EV chargers.

Staff anticipate construction of the project to commence later this year.

Environmental Evaluation

The project is exempt from the California Environmental Quality Act under Guidelines Section 15301(b), which covers the minor alteration of existing public facilities, including existing facilities of both investor and publicly owned utilities, involving negligible or no expansion. In addition, none of the exceptions listed in CEQA Guidelines Section 15300.2 apply to the use of this exemption.

Exhibits

1. City Council resolution - Granting easement
2. City Council resolution - Purchase of EV chargers
3. Location map
4. Westside Solutions Inc. quote
5. Sourcewell contract
6. Purchasing Officer's memorandum

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AUTHORIZING EXECUTION OF A GRANT OF EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR THE STATE STREET PARKING LOT ELECTRIC VEHICLE CHARGING STATIONS PROJECT, CAPITAL IMPROVEMENT PROGRAM PROJECT NO. 4090

WHEREAS, the city requires electric vehicle, or EV, charging stations for the State Street Parking Lot Electric Vehicle Charging Stations Project, Capital Improvement Program, Project No. 4090, or Project; and

WHEREAS, on March 14, 2023, the City Council adopted Resolution No. 2023-075, authorizing execution of an agreement with San Diego Gas & Electric, or SDGE, to provide, install and maintain EV charging station infrastructure as part of the Project; and

WHEREAS, SDGE is in the process of finalizing the infrastructure design and has requested the city grant an easement to SDGE for the purpose of installing and maintaining their Project equipment; and

WHEREAS, the City Planner has determined that the Project is exempt from the California Environmental Quality Act, or CEQA, under Guidelines Section 15301(b), which covers the minor alteration of existing public facilities, including existing facilities of both investor and publicly owned utilities, involving negligible or no expansion, and no exception to the exemption as set forth in CEQA Guidelines section 15300.2 applies to this Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the Mayor is authorized and directed to execute the Grant of Easement to SDGE attached hereto as Attachment A.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the __ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

Recording Requested by
San Diego Gas & Electric Company

When recorded, mail to:

San Diego Gas & Electric Company
8690 Balboa Ave.
San Diego, CA 92123
Attn: Real Estate Records – CPA01

SPACE ABOVE FOR RECORDER'S USE

Project No. 3-567136
Notif. No. 3-567637
A.P.N. No. 203-296-06
SR No. : 1352683

Transfer Tax None
SAN DIEGO GAS & ELECTRIC COMPANY

RW 376020

EASEMENT

CITY OF CARLSBAD, A CALIFORNIA MUNICIPAL CORPORATION, (Grantor), grants to SAN DIEGO GAS & ELECTRIC COMPANY, a corporation (Grantee), an easement and right of way in, upon, over, under and across the lands hereinafter described, to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of:

1. Underground facilities, together with aboveground structures consisting of, but not limited to, pad-mounted electrical equipment, and appurtenances for the transmission and distribution of electricity.
2. Communication facilities, and appurtenances, used solely and exclusively for SDG&E internal communications.

The above facilities will be installed at such locations and elevations upon, along, over and under the hereinafter described easement as Grantee may now or hereafter deem convenient or necessary. Grantee also has the right of ingress and egress, to, from and along this easement in, upon, over and across the hereinafter described lands. Grantee further has the right, but not the duty to clear and keep this easement clear from explosives, buildings, structures and materials.

The property in which this easement and right of way is hereby granted is situated in the City of Carlsbad, County of San Diego, State of California described as follows:

Lot 4 of Subdivision of a Portion of Tract No. 106 Carlsbad Lands, according to Map thereof No. 1710, filed in the Office of the County Recorder of said County of San Diego.

The easement in the aforesaid property shall be a strip of land, including all of the area lying between the exterior sidelines, which sidelines shall be three (3) feet, measured at right angles, on each exterior side of each and every facility installed, the approximate location being shown and delineated as "UTILITY FACILITIES" on the Exhibit "A", attached hereto and made a part hereof.

In order to provide adequate working space for Grantee, Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed any building or other structure, park any vehicle, deposit any materials, plant any trees and/or shrubs or change ground elevation within eight (8) feet of the front of the door or hinged opening of any above ground facility installed within this easement.

Grantor grants to Grantee the right to erect and maintain on Grantor's property immediately adjacent to this easement retaining walls and/or protective barricades as may be necessary for Grantee's purposes.

Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed, any building or other structure, plant any tree, drill or dig any well, within this easement.

Grantor shall not increase or decrease the ground surface elevations within this easement after installation of Grantee's facilities, without prior written consent of Grantee, which consent shall not unreasonably be withheld.

Grantee shall have the right but not the duty, to trim or remove trees and brush along or adjacent to this easement and remove roots from within this easement whenever Grantee deems it necessary. Said right shall not relieve Grantor of the duty as owner to trim or remove trees and brush to prevent danger or hazard to property or persons.

CONDUITS CARRY HIGH VOLTAGE ELECTRICAL CONDUCTORS, therefore Grantor shall not make or allow any excavation or fill to be made within this easement WITHOUT FIRST NOTIFYING SAN DIEGO GAS & ELECTRIC COMPANY BY CALLING (619) 696-2000, and OBTAINING PERMISSION.

The legal description for this easement was prepared by San Diego Gas & Electric Company pursuant to Section 8730 of the Business and Professions Code, State of California.

This easement shall be binding upon and inure to the benefit of successors, heirs, executors, administrators, permittees, licensees, agents or assigns of Grantor and Grantee.

Drawn: SLS/BT
Checked: SM
Date: 05/16/2024

IN WITNESS WHEREOF, Grantor executed this instrument this _____ day of _____, 20_____.

GRANTOR

CITY OF CARLSBAD, A CALIFORNIA MUNICIPAL CORPORATION

Signature

Print Name

Title

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, before me _____,
(name, title of officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Signature of Notary Public)

(Notary Seal)

**SUB. OF A POR. OF
TRACT NO. 106
CARLSBAD LANDS
MAP NO. 1710**

STATE ST.



LOT-3
APN: 203-296-08

LOT-2

ALLEY

BOLLARDS

NEW
TRANSFORMER
D245977

EXISTING
CABLE POLE
P21933

NEW UNDERGROUND
ELECTRICAL

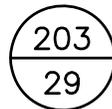
NEW
SWITCHGEAR

UTILITY FACILITIES

LOT-4

Owner: CITY OF CARLSBAD,
A CALIFORNIA MUNICIPAL
CORPORATION
Recorded: January 30, 2012
Doc No: 2012-0050403
APN: 203-296-06

LOT-5



LOT-6

SDG&E RW 376020

UG ELEC. EXHIBIT "A"

SAN DIEGO GAS & ELECTRIC
SAN DIEGO, CALIFORNIA

NB3 C/O CARLSBAD
3021 STATE ST R45 EV
STATE ST., CARLSBAD, CA
SAN DIEGO COUNTY

ORIGINATOR:
J. KOOK

SURVEYED BY:
NONE

DRAWN BY:
SLS/BT

DATE:
05/16/2024

SCALE:
NOT TO SCALE

OK TO INSTALL:

R/W OK: SM

DATE: 05/16/2024

THOS. BROS.

PROJECT NO.

3-567136

NOTIF. NO.

3-567637

DRAWING NO.

NO.	SUPPLEMENTS	DATE:	BY	APP'D

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AUTHORIZING THE PURCHASE OF ELECTRIC VEHICLE CHARGERS FROM WESTSIDE SOLUTIONS INC. FOR AN AMOUNT NOT TO EXCEED \$128,365 FOR THE STATE STREET PARKING LOT ELECTRIC VEHICLE CHARGING STATIONS PROJECT, CAPITAL IMPROVEMENT PROGRAM PROJECT NO. 4090

WHEREAS, the city requires electric vehicle, or EV, charging stations for the State Street Parking Lot Electric Vehicle Charging Stations project, Capital Improvement Program Project No. 4090, or project; and

WHEREAS, Carlsbad Municipal Code, or CMC, Section 3.28.100 allows for procurement of goods and/or services through cooperative purchase agreements established by another agency when that agency has made their purchase in a competitive manner and the city's Purchasing Officer has determined that the purchase is in the city's best interest; and

WHEREAS, CMC Section 3.28.100 also provides that the city's Purchasing Officer has the authority to join with other public agencies in the cooperative purchasing of such goods and/or services as long as the cost of services is at, and by logical extension below, the contract price established by the other public agency; and

WHEREAS, Westside Solutions Inc. is an EV charger distributor and has an established cooperative purchasing agreement through Sourcewell contract #042221-CPI for EV chargers and charging services; and

WHEREAS, the city received a quote from Westside Solutions Inc. to provide the city with EV chargers, networking services and warranties for the project for purchase through a cooperative purchase agreement competitively selected and priced; and

WHEREAS, the city's Purchasing Officer has determined that it is in the city's best interest to procure the EV chargers for the project using pricing established through the cooperative purchase agreements and therefore approved a bidding exemption; and

WHEREAS, sufficient funding is available in the project budget, and no additional appropriation is required; and

WHEREAS, the City Planner has determined that the project is exempt from the California Environmental Quality Act, or CEQA, under Guidelines Section 15301(b), which covers the minor alteration of existing public facilities, including existing facilities of both investor and publicly owned

utilities, involving negligible or no expansion, and no exception to the exemption as set forth in CEQA Guidelines section 15300.2 applies to this project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the purchase of EV chargers, networking services and warranties through Westside Solutions Inc. for the State Street Parking Lot EV Charging Stations project, Capital Improvement Program project No. 4090, in an amount not to exceed \$128,365 is approved.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the __ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

LOCATION MAP



PROJECT NAME **STATE STREET PARKING LOT
ELECTRIC VEHICLE CHARGING STATIONS PROJECT**

PROJECT NUMBER
4090

EXHIBIT
3

Date:
6/14/2024

Prepared for:
City of Carlsbad
2480 Impala Drive
Carlsbad, CA 92010
ATTN: John Maashoff



Prepared by:

Trevor Johnson
Trevor@Westside-Solutions.com
(989) 395-0404

Pricing per Sourcewell Contract #042221-CPI as Certified ChargePoint Reseller

80A CP6000 - Dual Port					
Item	Model	Description	Qty	Price	Total
Charging Station Model	CP6021B-80A-L5.5	Dual Port, Pedestal Mount, AC 19.2 Kw/80A Max Output , 18' Cable w/ Cable Management Kit, 8" Touch Display, Contactless Credit Card and RFID Reader, Cellular/Wi-Fi, UL, Energy Star, Power Share Jumper	4	\$9,434	\$37,737
Cloud Plan	CPCLD-COMMERCIAL-1	1-Year Prepaid Commercial Cloud Plan (Per Port)	8	\$365	\$2,920
Activation	CPSUPPORT-ACTIVE	Activation of Station	4	\$349	\$1,396
Shipping		Freight to Contractor or Site	4	\$438	\$1,750
AC Level 2 Stations Total					\$43,803
CPE250 (DCFC)					
Item	Model	Description	Qty	WSI Sale Price*	Total
Charging Station Model	CPE250C-625-CCS1-200A-CHD	DCFC Commercial Charging Station - Includes Concrete Mounting Template - 62.5kW Charger Includes 2 power modules and mounting kit	2	\$26,693	\$53,386
Cloud Plan	CPCLD-ENTERPRISE-DC-5	Cloud Plan for 5 years	2	\$4,957	\$9,914
Warranty	CPE250-ASSURE5	ASSURE warranty program for 5 years	2	\$6,673	\$13,346
Commissioning	CPE250-PAIRED-COMMISSIONING	This service includes onsite validation of electrical capacity, transformers, panels, breakers, wiring, cellular coverage so that the station meets all ChargePoint and local code requirements.	2	\$427	\$854
Activation	CPSUPPORT-ACTIVE	Initial Station Activation & Configuration Services	2	Included	Included
Shipping		Estimated Freight to Contractor or Site			Included
DCFC Stations Total					\$77,501
Westside Solutions Inc Total for (4)CP6000 & (2)CPE250					\$121,303
Estimated Sales Tax on Hardware (7.75%)					\$7,062
Total					\$128,365

Quote valid for 30 days.

*CPE250 Sale pricing available while supplies last and subject to change
Payment terms: 50% down payment to place order - remainder billed when order ships

**Solicitation Number: RFP #042221****CONTRACT**

This Contract is between Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 (Sourcewell) and ChargePoint, Inc., 254 E. Hacienda Ave., Campbell, CA 95008-6617 (Vendor).

Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States and Canada. Sourcewell issued a public solicitation for Electric Vehicle Supply Equipment and Related Services from which Vendor was awarded a contract.

Vendor desires to contract with Sourcewell to provide equipment, products, or services to Sourcewell and the entities that access Sourcewell's cooperative purchasing contracts (Participating Entities).

1. TERM OF CONTRACT

- A. **EFFECTIVE DATE.** This Contract is effective upon the date of the final signature below.
- B. **EXPIRATION DATE AND EXTENSION.** This Contract expires July 20, 2025, unless it is cancelled sooner pursuant to Article 22. This Contract may be extended up to one additional one-year period upon request of Sourcewell and with written agreement by Vendor.
- C. **SURVIVAL OF TERMS.** Articles 11 through 14 survive the expiration or cancellation of this Contract.

2. EQUIPMENT, PRODUCTS, OR SERVICES

- A. **EQUIPMENT, PRODUCTS, OR SERVICES.** Vendor will provide the Equipment, Products, or Services as stated in its Proposal submitted under the Solicitation Number listed above. Vendor's Equipment, Products, or Services Proposal (Proposal) is attached and incorporated into this Contract.

All Equipment and Products provided under this Contract must be new/current model. Vendor may offer close-out or refurbished Equipment or Products if they are clearly indicated in Vendor's product and pricing list. Unless agreed to by the Participating Entities in advance, Equipment or Products must be delivered as operational to the Participating Entity's site.

This Contract offers an indefinite quantity of sales, and while substantial volume is anticipated, sales and sales volume are not guaranteed.

B. **WARRANTY.** Vendor warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and are free from defects in design, materials, and workmanship. In addition, Vendor warrants the Equipment, Products, and Services are suitable for and will perform in accordance with the ordinary use for which they are intended. Vendor's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that is effective past the expiration of the Vendor's warranty will be passed on to the Participating Entity.

C. **DEALERS, DISTRIBUTORS, AND/OR RESELLERS.** Upon Contract execution, Vendor will make available to Sourcewell a means to validate or authenticate Vendor's authorized dealers, distributors, and/or resellers relative to the Equipment, Products, and Services related to this Contract. This list may be updated from time-to-time and is incorporated into this Contract by reference. It is the Vendor's responsibility to ensure Sourcewell receives the most current version of this list.

3. PRICING

All Equipment, Products, or Services under this Contract will be priced as stated in Vendor's Proposal.

When providing pricing quotes to Participating Entities, all pricing quoted must reflect a Participating Entity's total cost of acquisition. This means that the quoted cost is for delivered Equipment, Products, and Services that are operational for their intended purpose, and includes all costs to the Participating Entity's requested delivery location.

Regardless of the payment method chosen by the Participating Entity, the total cost associated with any purchase option of the Equipment, Products, or Services must always be disclosed in the pricing quote to the applicable Participating Entity at the time of purchase.

A. **SHIPPING AND SHIPPING COSTS.** All delivered Equipment and Products must be properly packaged. Damaged Equipment and Products may be rejected. If the damage is not readily apparent at the time of delivery, Vendor must permit the Equipment and Products to be returned within a reasonable time at no cost to Sourcewell or its Participating Entities. Participating Entities reserve the right to inspect the Equipment and Products at a reasonable

time after delivery where circumstances or conditions prevent effective inspection of the Equipment and Products at the time of delivery.

Vendor must arrange for and pay for the return shipment on Equipment and Products that arrive in a defective or inoperable condition.

Sourcwell may declare the Vendor in breach of this Contract if the Vendor intentionally delivers substandard or inferior Equipment or Products. In the event of the delivery of nonconforming Equipment and Products, the Participating Entity will notify the Vendor as soon as possible and the Vendor will replace nonconforming Equipment and Products with conforming Equipment and Products that are acceptable to the Participating Entity.

B. SALES TAX. Each Participating Entity is responsible for supplying the Vendor with valid tax-exemption certification(s). When ordering, a Participating Entity must indicate if it is a tax-exempt entity.

C. HOT LIST PRICING. At any time during this Contract, Vendor may offer a specific selection of Equipment, Products, or Services at discounts greater than those listed in the Contract. When Vendor determines it will offer Hot List Pricing, it must be submitted electronically to Sourcwell in a line-item format. Equipment, Products, or Services may be added or removed from the Hot List at any time through a Sourcwell Price and Product Change Form as defined in Article 4 below.

Hot List program and pricing may also be used to discount and liquidate close-out and discontinued Equipment and Products as long as those close-out and discontinued items are clearly identified as such. Current ordering process and administrative fees apply. Hot List Pricing must be published and made available to all Participating Entities.

4. PRODUCT AND PRICING CHANGE REQUESTS

Vendor may request Equipment, Product, or Service changes, additions, or deletions at any time. All requests must be made in writing by submitting a signed Sourcwell Price and Product Change Request Form to the assigned Sourcwell Contract Administrator. This form is available from the assigned Sourcwell Contract Administrator. At a minimum, the request must:

- Identify the applicable Sourcwell contract number;
- Clearly specify the requested change;
- Provide sufficient detail to justify the requested change;
- Individually list all Equipment, Products, or Services affected by the requested change, along with the requested change (e.g., addition, deletion, price change); and
- Include a complete restatement of pricing documentation in Microsoft Excel with the effective date of the modified pricing, or product addition or deletion. The new pricing

restatement must include all Equipment, Products, and Services offered, even for those items where pricing remains unchanged.

A fully executed Sourcewell Price and Product Request Form will become an amendment to this Contract and be incorporated by reference.

5. PARTICIPATION, CONTRACT ACCESS, AND PARTICIPATING ENTITY REQUIREMENTS

A. PARTICIPATION. Sourcewell's cooperative contracts are available and open to public and nonprofit entities across the United States and Canada; such as federal, state/province, municipal, K-12 and higher education, tribal government, and other public entities.

The benefits of this Contract should be available to all Participating Entities that can legally access the Equipment, Products, or Services under this Contract. A Participating Entity's authority to access this Contract is determined through its cooperative purchasing, interlocal, or joint powers laws. Any entity accessing benefits of this Contract will be considered a Service Member of Sourcewell during such time of access. Vendor understands that a Participating Entity's use of this Contract is at the Participating Entity's sole convenience and Participating Entities reserve the right to obtain like Equipment, Products, or Services from any other source.

Vendor is responsible for familiarizing its sales and service forces with Sourcewell contract use eligibility requirements and documentation and will encourage potential participating entities to join Sourcewell. Sourcewell reserves the right to add and remove Participating Entities to its roster during the term of this Contract.

B. PUBLIC FACILITIES. Vendor's employees may be required to perform work at government-owned facilities, including schools. Vendor's employees and agents must conduct themselves in a professional manner while on the premises, and in accordance with Participating Entity policies and procedures, and all applicable laws.

6. PARTICIPATING ENTITY USE AND PURCHASING

A. ORDERS AND PAYMENT. To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Vendor that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Vendor. Typically, a Participating Entity will issue an order directly to Vendor. If a Participating Entity issues a purchase order, it may use its own forms, but the purchase order should clearly note the applicable Sourcewell contract number. All Participating Entity orders under this Contract must be issued prior to expiration of this Contract; however, Vendor performance, Participating Entity payment, and any applicable warranty periods or other Vendor or Participating Entity obligations may extend beyond the term of this Contract.

Vendor's acceptable forms of payment are included in Attachment A. Participating Entities will be solely responsible for payment and Sourcewell will have no liability for any unpaid invoice of any Participating Entity.

B. **ADDITIONAL TERMS AND CONDITIONS/PARTICIPATING ADDENDUM.** Additional terms and conditions to a purchase order, or other required transaction documentation, may be negotiated between a Participating Entity and Vendor, such as job or industry-specific requirements, legal requirements (e.g., affirmative action or immigration status requirements), or specific local policy requirements. Some Participating Entities may require the use of a Participating Addendum; the terms of which will be worked out directly between the Participating Entity and the Vendor. Any negotiated additional terms and conditions must never be less favorable to the Participating Entity than what is contained in this Contract.

C. **SPECIALIZED SERVICE REQUIREMENTS.** In the event that the Participating Entity requires service or specialized performance requirements (such as e-commerce specifications, specialized delivery requirements, or other specifications and requirements) not addressed in this Contract, the Participating Entity and the Vendor may enter into a separate, standalone agreement, apart from this Contract. Sourcewell, including its agents and employees, will not be made a party to a claim for breach of such agreement.

D. **TERMINATION OF ORDERS.** Participating Entities may terminate an order, in whole or in part, immediately upon notice to Vendor in the event of any of the following events:

1. The Participating Entity fails to receive funding or appropriation from its governing body at levels sufficient to pay for the goods to be purchased;
2. Federal, state, or provincial laws or regulations prohibit the purchase or change the Participating Entity's requirements; or
3. Vendor commits any material breach of this Contract or the additional terms agreed to between the Vendor and a Participating Entity.

E. **GOVERNING LAW AND VENUE.** The governing law and venue for any action related to a Participating Entity's order will be determined by the Participating Entity making the purchase.

7. CUSTOMER SERVICE

A. **PRIMARY ACCOUNT REPRESENTATIVE.** Vendor will assign an Account Representative to Sourcewell for this Contract and must provide prompt notice to Sourcewell if that person is changed. The Account Representative will be responsible for:

- Maintenance and management of this Contract;
- Timely response to all Sourcewell and Participating Entity inquiries; and
- Business reviews to Sourcewell and Participating Entities, if applicable.

B. BUSINESS REVIEWS. Vendor must perform a minimum of one business review with Sourcwell per contract year. The business review will cover sales to Participating Entities, pricing and contract terms, administrative fees, supply issues, customer issues, and any other necessary information.

8. REPORT ON CONTRACT SALES ACTIVITY AND ADMINISTRATIVE FEE PAYMENT

A. CONTRACT SALES ACTIVITY REPORT. Each calendar quarter, Vendor must provide a contract sales activity report (Report) to the Sourcwell Contract Administrator assigned to this Contract. A Report must be provided regardless of the number or amount of sales during that quarter (i.e., if there are no sales, Vendor must submit a report indicating no sales were made).

The Report must contain the following fields:

- Customer Name (e.g., City of Staples Highway Department);
- Customer Physical Street Address;
- Customer City;
- Customer State/Province;
- Customer Zip Code;
- Customer Contact Name;
- Customer Contact Email Address;
- Customer Contact Telephone Number;
- Sourcwell Assigned Entity/Participating Entity Number;
- Item Purchased Description;
- Item Purchased Price;
- Sourcwell Administrative Fee Applied; and
- Date Purchase was invoiced/sale was recognized as revenue by Vendor.

B. ADMINISTRATIVE FEE. In consideration for the support and services provided by Sourcwell, the Vendor will pay an administrative fee to Sourcwell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing. Vendor may not charge Participating Entities more than the contracted price to offset the Administrative Fee.

The Vendor will submit payment to Sourcwell for two percent (2%) multiplied by the total sales of all Equipment, Products, and Services purchased by Participating Entities under this Contract during each calendar quarter. Payments should note the Vendor's name and Sourcwell-assigned contract number in the memo; and must be mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcwell's banking institution per Sourcwell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

Vendor agrees to cooperate with Sourcewell in auditing transactions under this Contract to ensure that the administrative fee is paid on all items purchased under this Contract.

In the event the Vendor is delinquent in any undisputed administrative fees, Sourcewell reserves the right to cancel this Contract and reject any proposal submitted by the Vendor in any subsequent solicitation. In the event this Contract is cancelled by either party prior to the Contract's expiration date, the administrative fee payment will be due no more than 30 days from the cancellation date.

9. AUTHORIZED REPRESENTATIVE

Sourcewell's Authorized Representative is its Chief Procurement Officer.

Vendor's Authorized Representative is the person named in the Vendor's Proposal. If Vendor's Authorized Representative changes at any time during this Contract, Vendor must promptly notify Sourcewell in writing.

10. AUDIT, ASSIGNMENT, AMENDMENTS, WAIVER, AND CONTRACT COMPLETE

A. **AUDIT.** Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices relevant this Agreement are subject to examination by Sourcewell or the Minnesota State Auditor for a minimum of six years from the end of this Contract. This clause extends to Participating Entities as it relates to business conducted by that Participating Entity under this Contract.

B. **ASSIGNMENT.** Neither the Vendor nor Sourcewell may assign or transfer any rights or obligations under this Contract without the prior consent of the parties and a fully executed assignment agreement. Such consent will not be unreasonably withheld.

C. **AMENDMENTS.** Any amendment to this Contract must be in writing and will not be effective until it has been fully executed by the parties.

D. **WAIVER.** If either party fails to enforce any provision of this Contract, that failure does not waive the provision or the right to enforce it.

E. **CONTRACT COMPLETE.** This Contract contains all negotiations and agreements between Sourcewell and Vendor. No other understanding regarding this Contract, whether written or oral, may be used to bind either party. For any conflict between the attached Proposal and the terms set out in Articles 1-22, the terms of Articles 1-22 will govern.

F. **RELATIONSHIP OF THE PARTIES.** The relationship of the parties is one of independent contractors, each free to exercise judgment and discretion with regard to the conduct of their

respective businesses. This Contract does not create a partnership, joint venture, or any other relationship such as master-servant, or principal-agent.

11. LIABILITY

Vendor must indemnify, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any claims or causes of action, including attorneys' fees, arising out of the performance of this Contract by the Vendor or its agents or employees; this indemnification includes injury or death to person(s) or property alleged to have been caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications.

12. GOVERNMENT DATA PRACTICES

Vendor and Sourcewell must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by or provided to Sourcewell under this Contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Vendor under this Contract.

If the Vendor receives a request to release the data referred to in this article, the Vendor must immediately notify Sourcewell and Sourcewell will assist with how the Vendor should respond to the request.

13. INTELLECTUAL PROPERTY, PUBLICITY, MARKETING, AND ENDORSEMENT

A. INTELLECTUAL PROPERTY

1. *Grant of License.* During the term of this Contract:
 - a. Sourcewell grants to Vendor a royalty-free, worldwide, non-exclusive right and license to use the Trademark(s) provided to Vendor by Sourcewell in advertising and promotional materials for the purpose of marketing Sourcewell's relationship with Vendor.
 - b. Vendor grants to Sourcewell a royalty-free, worldwide, non-exclusive right and license to use Vendor's Trademarks in advertising and promotional materials for the purpose of marketing Vendor's relationship with Sourcewell.
2. *Limited Right of Sublicense.* The right and license granted herein includes a limited right of each party to grant sublicenses to its and their respective distributors, marketing representatives, and agents (collectively "Permitted Sublicensees") in advertising and promotional materials for the purpose of marketing the Parties' relationship to Participating Entities. Any sublicense granted will be subject to the terms and conditions of this Article. Each party will be responsible for any breach of this Article by any of their respective sublicensees.
3. *Use; Quality Control.*

- a. Sourcewell must not alter Vendor's Trademarks from the form provided by Vendor and must comply with Vendor's removal requests as to specific uses of its trademarks or logos.
 - b. Vendor must not alter Sourcewell's Trademarks from the form provided by Sourcewell and must comply with Sourcewell's removal requests as to specific uses of its trademarks or logos.
 - c. Each party agrees to use, and to cause its Permitted Sublicensees to use, the other party's Trademarks only in good faith and in a dignified manner consistent with such party's use of the Trademarks. Upon written notice to the breaching party, the breaching party has 30 days of the date of the written notice to cure the breach or the license will be terminated.
4. As applicable, Vendor agrees to indemnify and hold harmless Sourcewell and its Participating Entities against any and all suits, claims, judgments, and costs instituted or recovered against Sourcewell or Participating Entities by any person on account of the use of any Equipment or Products by Sourcewell or its Participating Entities supplied by Vendor in violation of applicable patent or copyright laws.
5. *Termination.* Upon the termination of this Contract for any reason, each party, including Permitted Sublicensees, will have 30 days to remove all Trademarks from signage, websites, and the like bearing the other party's name or logo (excepting Sourcewell's pre-printed catalog of vendors which may be used until the next printing). Vendor must return all marketing and promotional materials, including signage, provided by Sourcewell, or dispose of it according to Sourcewell's written directions.

B. **PUBLICITY.** Any publicity regarding the subject matter of this Contract must not be released without prior written approval from the Authorized Representatives. Publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Vendor individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.

C. **MARKETING.** Any direct advertising, marketing, or offers with Participating Entities must be approved by Sourcewell. Materials should be sent to the Sourcewell Contract Administrator assigned to this Contract.

D. **ENDORSEMENT.** The Vendor must not claim that Sourcewell endorses its Equipment, Products, or Services.

14. GOVERNING LAW, JURISDICTION, AND VENUE

Minnesota law governs this Contract. Venue for all legal proceedings out of this Contract, or its breach, must be in the appropriate state court in Todd County or federal court in Fergus Falls, Minnesota.

15. FORCE MAJEURE

Neither party to this Contract will be held responsible for delay or default caused by acts of God or other conditions that are beyond that party's reasonable control. A party defaulting under this provision must provide the other party prompt written notice of the default.

16. SEVERABILITY

If any provision of this Contract is found to be illegal, unenforceable, or void then both Sourcewell and Vendor will be relieved of all obligations arising under such provisions. If the remainder of this Contract is capable of performance, it will not be affected by such declaration or finding and must be fully performed.

17. PERFORMANCE, DEFAULT, AND REMEDIES

A. PERFORMANCE. During the term of this Contract, the parties will monitor performance and address unresolved contract issues as follows:

1. *Notification.* The parties must promptly notify each other of any known dispute and work in good faith to resolve such dispute within a reasonable period of time. If necessary, Sourcewell and the Vendor will jointly develop a short briefing document that describes the issue(s), relevant impact, and positions of both parties.
2. *Escalation.* If parties are unable to resolve the issue in a timely manner, as specified above, either Sourcewell or Vendor may escalate the resolution of the issue to a higher level of management. The Vendor will have 30 calendar days to cure an outstanding issue.
3. *Performance while Dispute is Pending.* Notwithstanding the existence of a dispute, the Vendor must continue without delay to carry out all of its responsibilities under the Contract that are not affected by the dispute. If the Vendor fails to continue without delay to perform its responsibilities under the Contract, in the accomplishment of all undisputed work, any additional costs incurred by Sourcewell and/or its Participating Entities as a result of such failure to proceed will be borne by the Vendor.

B. DEFAULT AND REMEDIES. Either of the following constitutes cause to declare this Contract, or any Participating Entity order under this Contract, in default:

1. Nonperformance of contractual requirements, or
2. A material breach of any term or condition of this Contract.

Written notice of default and a reasonable opportunity to cure must be issued by the party claiming default. Time allowed for cure will not diminish or eliminate any liability for liquidated or other damages. If the default remains after the opportunity for cure, the non-defaulting party may:

- Exercise any remedy provided by law or equity, or
- Terminate the Contract or any portion thereof, including any orders issued against the Contract.

18. INSURANCE

A. REQUIREMENTS. At its own expense, Vendor must maintain insurance policy(ies) in effect at all times during the performance of this Contract with insurance company(ies) licensed or authorized to do business in the State of Minnesota having an "AM BEST" rating of A- or better, with coverage and limits of insurance not less than the following:

1. *Workers' Compensation and Employer's Liability.*

Workers' Compensation: As required by any applicable law or regulation.

Employer's Liability Insurance: must be provided in amounts not less than listed below:

Minimum limits:

\$500,000 each accident for bodily injury by accident

\$500,000 policy limit for bodily injury by disease

\$500,000 each employee for bodily injury by disease

2. *Commercial General Liability Insurance.* Vendor will maintain insurance covering its operations, with coverage on an occurrence basis, and must be subject to terms no less broad than the Insurance Services Office ("ISO") Commercial General Liability Form CG0001 (2001 or newer edition), or equivalent. At a minimum, coverage must include liability arising from premises, operations, bodily injury and property damage, independent contractors, products-completed operations including construction defect, contractual liability, blanket contractual liability, and personal injury and advertising injury. All required limits, terms and conditions of coverage must be maintained during the term of this Contract.

Minimum Limits:

\$1,000,000 each occurrence Bodily Injury and Property Damage

\$1,000,000 Personal and Advertising Injury

\$2,000,000 aggregate for Products-Completed operations

\$2,000,000 general aggregate

3. *Commercial Automobile Liability Insurance.* During the term of this Contract, Vendor will maintain insurance covering all owned, hired, and non-owned automobiles in limits of liability not less than indicated below. The coverage must be subject to terms no less broad than ISO Business Auto Coverage Form CA 0001 (2010 edition or newer), or equivalent.

Minimum Limits:

\$1,000,000 each accident, combined single limit

4. *Umbrella Insurance*. During the term of this Contract, Vendor will maintain umbrella coverage over Workers' Compensation, Commercial General Liability, and Commercial Automobile.

Minimum Limits:
\$2,000,000

5. *Network Security and Privacy Liability Insurance*. During the term of this Contract, Vendor will maintain coverage for network security and privacy liability. The coverage may be endorsed on another form of liability coverage or written on a standalone policy. The insurance must cover claims which may arise from failure of Vendor's security resulting in, but not limited to, computer attacks, unauthorized access, disclosure of not public data – including but not limited to, confidential or private information, transmission of a computer virus, or denial of service.

Minimum limits:
\$2,000,000 per occurrence
\$2,000,000 annual aggregate

Failure of Vendor to maintain the required insurance will constitute a material breach entitling Sourcewell to immediately terminate this Contract for default.

B. CERTIFICATES OF INSURANCE. Prior to commencing under this Contract, Vendor must furnish to Sourcewell a certificate of insurance, as evidence of the insurance required under this Contract. Prior to expiration of the policy(ies), renewal certificates must be mailed to Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 or sent to the Sourcewell Contract Administrator assigned to this Contract. The certificates must be signed by a person authorized by the insurer(s) to bind coverage on their behalf.

Failure to request certificates of insurance by Sourcewell, or failure of Vendor to provide certificates of insurance, in no way limits or relieves Vendor of its duties and responsibilities in this Contract.

C. ADDITIONAL INSURED ENDORSEMENT AND PRIMARY AND NON-CONTRIBUTORY INSURANCE CLAUSE. Vendor agrees to list Sourcewell and its Participating Entities, including their officers, agents, and employees, as an additional insured under the Vendor's commercial general liability insurance policy with respect to liability arising out of activities, "operations," or "work" performed by or on behalf of Vendor, and products and completed operations of Vendor. The policy provision(s) or endorsement(s) must further provide that coverage is primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the additional insureds.

D. WAIVER OF SUBROGATION. Vendor waives and must require (by endorsement or otherwise) all its insurers to waive subrogation rights against Sourcewell and other additional insureds for losses paid under the insurance policies required by this Contract or other

insurance applicable to the Vendor or its subcontractors. The waiver must apply to all deductibles and/or self-insured retentions applicable to the required or any other insurance maintained by the Vendor or its subcontractors. Where permitted by law, Vendor must require similar written express waivers of subrogation and insurance clauses from each of its subcontractors.

E. UMBRELLA/EXCESS LIABILITY/SELF-INSURED RETENTION. The limits required by this Contract can be met by either providing a primary policy or in combination with umbrella/excess liability policy(ies), or self-insured retention.

19. COMPLIANCE

A. LAWS AND REGULATIONS. All Equipment, Products, or Services provided under this Contract must comply fully with applicable federal laws and regulations, and with the laws in the states and provinces in which the Equipment, Products, or Services are sold.

B. LICENSES. Vendor must maintain a valid and current status on all required federal, state/provincial, and local licenses, bonds, and permits required for the operation of the business that the Vendor conducts with Sourcwell and Participating Entities.

20. BANKRUPTCY, DEBARMENT, OR SUSPENSION CERTIFICATION

Vendor certifies and warrants that it is not in bankruptcy or that it has previously disclosed in writing certain information to Sourcwell related to bankruptcy actions. If at any time during this Contract Vendor declares bankruptcy, Vendor must immediately notify Sourcwell in writing.

Vendor certifies and warrants that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this Contract. Vendor further warrants that it will provide immediate written notice to Sourcwell if this certification changes at any time.

21. PROVISIONS FOR NON-UNITED STATES FEDERAL ENTITY PROCUREMENTS UNDER UNITED STATES FEDERAL AWARDS OR OTHER AWARDS

Participating Entities that use United States federal grant or FEMA funds to purchase goods or services from this Contract may be subject to additional requirements including the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. § 200. Participating Entities may also require additional requirements based on specific funding specifications. Within this Article, all

references to “federal” should be interpreted to mean the United States federal government. The following list only applies when a Participating Entity accesses Vendor’s Equipment, Products, or Services with United States federal funds.

A. EQUAL EMPLOYMENT OPPORTUNITY. Except as otherwise provided under 41 C.F.R. § 60, all contracts that meet the definition of “federally assisted construction contract” in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. §60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 C.F.R. §, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 C.F.R. § 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.” The equal opportunity clause is incorporated herein by reference.

B. DAVIS-BACON ACT, AS AMENDED (40 U.S.C. § 3141-3148). When required by federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. § 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. § 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. § 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency. Vendor must be in compliance with all applicable Davis-Bacon Act provisions.

C. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. § 3701-3708). Where applicable, all contracts awarded by the non-federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. § 5). Under 40 U.S.C. § 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of

not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence. This provision is hereby incorporated by reference into this Contract. Vendor certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Vendor must comply with applicable requirements as referenced above.

D. RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT. If the federal award meets the definition of “funding agreement” under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 C.F.R. § 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency. Vendor certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Vendor must comply with applicable requirements as referenced above.

E. CLEAN AIR ACT (42 U.S.C. § 7401-7671Q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. § 1251-1387). Contracts and subgrants of amounts in excess of \$150,000 require the non-federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401- 7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). Vendor certifies that during the term of this Contract will comply with applicable requirements as referenced above.

F. DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689). A contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. §180 that implement Executive Orders 12549 (3 C.F.R. § 1986 Comp., p. 189) and 12689 (3 C.F.R. § 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Vendor certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

G. BYRD ANTI-LOBBYING AMENDMENT, AS AMENDED (31 U.S.C. § 1352). Vendors must file any required certifications. Vendors must not have used federal appropriated funds to pay any

person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Vendors must disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Vendors must file all certifications and disclosures required by, and otherwise comply with, the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352).

H. RECORD RETENTION REQUIREMENTS. To the extent applicable, Vendor must comply with the record retention requirements detailed in 2 C.F.R. § 200.333. The Vendor further certifies that it will retain all records as required by 2 C.F.R. § 200.333 for a period of 3 years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

I. ENERGY POLICY AND CONSERVATION ACT COMPLIANCE. To the extent applicable, Vendor must comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

J. BUY AMERICAN PROVISIONS COMPLIANCE. To the extent applicable, Vendor must comply with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must follow the applicable procurement rules calling for free and open competition.

K. ACCESS TO RECORDS (2 C.F.R. § 200.336). Vendor agrees that duly authorized representatives of a federal agency must have access to any books, documents, papers and records of Vendor that are directly pertinent to Vendor's discharge of its obligations under this Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Vendor's personnel for the purpose of interview and discussion relating to such documents.

L. PROCUREMENT OF RECOVERED MATERIALS (2 C.F.R. § 200.322). A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

22. CANCELLATION

Sourcewell or Vendor may cancel this Contract at any time, with or without cause, upon 60 days' written notice to the other party. However, Sourcewell may cancel this Contract immediately upon discovery of a material defect in any certification made in Vendor's Proposal. Cancellation of this Contract does not relieve either party of financial, product, or service obligations incurred or accrued prior to cancellation.

Sourcewell

ChargePoint, Inc.

DocuSigned by:
Jeremy Schwartz
By: C0FD2A139D06489...
Jeremy Schwartz
Title: Chief Procurement Officer
Date: 7/15/2021 | 11:43 AM CDT

DocuSigned by:
Rex S. Jackson
By: D1F473FEF820430...
Rex S. Jackson
Title: Chief Financial Officer
Date: 7/15/2021 | 11:40 AM CDT

Approved:

DocuSigned by:
Chad Coquette
By: 7E42B8F817A64CC...
Chad Coquette
Title: Executive Director/CEO
Date: 7/15/2021 | 11:46 AM CDT

RFP 042221 - Electric Vehicle Supply Equipment and Related Services

Vendor Details

Company Name: ChargePoint, Inc.
Does your company conduct business under any other name? If yes, please state: No
Address: 254 E. Hacienda Ave.
Campbell , Ca 95008-6617
Contact: Sam Ta
Email: sam.ta@chargepoint.com
Phone: 425-229-8083
Fax: 408-841-4500
HST#: 26-1080576

Submission Details

Created On: Monday March 08, 2021 22:21:45
Submitted On: Thursday April 22, 2021 10:45:43
Submitted By: Sam Ta
Email: sam.ta@chargepoint.com
Transaction #: f4d99719-1da2-499d-9d19-7ab18521985f
Submitter's IP Address: 98.225.2.163

Specifications

Table 1: Proposer Identity & Authorized Representatives

General Instructions (applies to all Tables) Sourcewell prefers a brief but thorough response to each question. Do not merely attach additional documents to your response without also providing a substantive response. Do not leave answers blank; respond "N/A" if the question does not apply to you (preferably with an explanation).

Line Item	Question	Response *
1	Proposer Legal Name (and applicable d/b/a, if any):	ChargePoint Holdings, Inc.
2	Proposer Address:	254 E. Hacienda Ave. Campbell, CA 95008-6617
3	Proposer website address:	www.chargepoint.com
4	Proposer's Authorized Representative (name, title, address, email address & phone) (The representative must have authority to sign the "Proposer's Assurance of Compliance" on behalf of the Proposer and, in the event of award, will be expected to execute the resulting contract):	Rex S. Jackson Chief Financial Officer rex.jackson@chargepoint.com 254 E. Hacienda Ave. Campbell, CA 95008-6617 Phone: 408-841-4500
5	Proposer's primary contact for this proposal (name, title, address, email address & phone):	John Gilbrook Regional Sales Director 254 E. Hacienda Ave. Campbell, CA 95008-6617 Phone: 781-588-1274
6	Proposer's other contacts for this proposal, if any (name, title, address, email address & phone):	Bjorn Thorsland Account Executive 254 E. Hacienda Ave. Campbell, CA 95008-6617 Phone: 669-237-3328 bjorn.thorsland@chargepoint.com

Table 2: Company Information and Financial Strength

Line Item	Question	Response *
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<p>7</p>	<p>Provide a brief history of your company, including your company's core values, business philosophy, and industry longevity related to the requested equipment, products or services.</p>	<p>ChargePoint was founded in 2007 with a single mission in mind – to make EV charging easy and convenient so that everyone feels confident in making the transition to electric transportation. We are one of the only EV charging technology companies that designs, manufacturers, and sells the entire ecosystem of EV charging needs – hardware, software, and services – in one seamless solution. This integrated approach allows ChargePoint to offer an unsurpassed EV driver experience while ensuring that station owners have all the tools and features necessary to keep their stations up and running while aligned with their particular use case.</p> <p>ChargePoint operates across a broad range of end customers and charging use cases including individual homeowners, commercial workplaces, fleets, municipalities, retail, auto OEMs, and more. Our station management software and energy management solutions help people and businesses shift away from fossil fuels and manage growing demand for EV charging. The ChargePoint mobile app, the highest rated app in its segment, allows EV drivers to easily find charging stations, review prices and availability, authenticate, and pay for charging sessions on our network wherever their journey takes them. ChargePoint advocacy and partnership with a variety of EV stakeholders and policy groups throughout the US helps pave the way for widespread EV adoption.</p> <p>ChargePoint has built its solution upon four core principles in support of making the charging experience easy, flexible, and efficient:</p> <ol style="list-style-type: none"> 1. Scale: Ability to scale from small scale pilots to large scale adoption across multiple sites. 2. Experience: Over a decade of experience in building an effortless charging experience for all. 3. Quality: Reliable and safe charging solutions utilizing industry standards and evaluated using ChargePoint's own Advanced Testing Facility. 4. Service: Best in class services for every mission, including remote monitoring and equipment uptime guarantees. <p>Electric mobility is the smart choice and ChargePoint is excited about our role in helping to build the new fueling network. ChargePoint has more than 110,000 activated places to charge on its network, with access to an additional 160,000 public places to charge through roaming integrations with other major networks. Below are just a few of the exciting milestones achieved as we build out the new fueling network:</p> <ul style="list-style-type: none"> + More than 88,815,316 charges delivered + Drivers plug into a ChargePoint® network approximately every 2.0 seconds + Drivers have avoided more than 400 liters of gasoline, 283,855,743 kgs of CO2 emissions and 298,795,235 kgs of GHG emissions + More than 4,386,000,000 electric kilometers driven on the ChargePoint Network + ChargePoint stations have dispensed more than 711,469 Megawatt hours (MWh) of electric fuel <p>ChargePoint employs a field, inside and channel sales team that collectively oversee all new and existing customer sales opportunities (ChargePoint employees).</p>
<p>8</p>	<p>What are your company's expectations in the event of an award?</p>	<p>ChargePoint is currently a qualified Sourcwell vendor of EV charging solutions and we would expect similar activities if granted a continuation of that status. As Sourcwell members inquire about purchasing EVSE and related services provided under this contract, we anticipate that Sourcwell would direct those members to ChargePoint where we can assist the member in identifying the best solution, and the best buying and installation path to fit their needs. ChargePoint and/or our channel partners would be able to deliver all of the charging station needs and software solutions described herein.</p> <p>ChargePoint will also proactively promote the contract. As the industry leader, ChargePoint has experience deploying large scale programs across North America and has the resources necessary to quickly train staff and partners on such initiatives.</p> <p>ChargePoint will continue to support listing of the opportunity on its popular EV charger incentives website, conduct marketing campaigns to raise awareness of the opportunity, and support awareness training of our various channel partners and electrical contractors to broaden the number of entities helping to conduct outreach and support Sourcwell members.</p>

9	<p>Demonstrate your financial strength and stability with meaningful data. This could include such items as financial statements, SEC filings, credit and bond ratings, letters of credit, and detailed reference letters. Upload supporting documents (as applicable) in the document upload section of your response.</p>	<p>ChargePoint has developed thousands of established commercial customers and have shipped more than 100,000 charging ports, providing a solid revenue pipeline and financial standing. ChargePoint has raised over \$550 million in investment funding prior to becoming a public company from some of the largest and best-known companies including: American Electric Power, Quantum Energy Partners, Linse Capital, Daimler AG, Rho Capital, Braemar Energy Ventures, Canada Pension Plan (CCPIB), Siemens, Constellation Technology Ventures, Chevron Technology Ventures, and BMW.</p> <p>In February of 2021, ChargePoint became the world's first publicly traded global EV charging network when we were listed on the New York Stock Exchange (NYSE) under the stock symbol CHPT. At the close of the transaction to become a publicly traded company, ChargePoint had approximately \$615 million in cash (prior to payment of its outstanding term loan), which it anticipates will fund ongoing operations and to support the expansion of the Company's commercial, fleet and residential businesses in North America and Europe.</p> <p>Please refer to the following link for additional information and financials associated with investor relations: https://investors.chargepoint.com/overview/default.aspx</p>	*
10	<p>What is your US market share for the solutions that you are proposing?</p>	<p>ChargePoint has an estimated ~70% market share of networked public L2 chargers within North America.</p>	*
11	<p>What is your Canadian market share for the solutions that you are proposing?</p>	<p>ChargePoint has an estimated ~70% market share of networked public L2 chargers within North America.</p>	*
12	<p>Has your business ever petitioned for bankruptcy protection? If so, explain in detail.</p>	<p>ChargePoint has not petitioned for bankruptcy protection.</p>	*
13	<p>How is your organization best described: is it a manufacturer, a distributor/dealer/reseller, or a service provider? Answer whichever question (either a) or b) just below) best applies to your organization.</p> <p>a) If your company is best described as a distributor/dealer/reseller (or similar entity), provide your written authorization to act as a distributor/dealer/reseller for the manufacturer of the products proposed in this RFP. If applicable, is your dealer network independent or company owned?</p> <p>b) If your company is best described as a manufacturer or service provider, describe your relationship with your sales and service force and with your dealer network in delivering the products and services proposed in this RFP. Are these individuals your employees, or the employees of a third party?</p>	<p>ChargePoint is best described as a manufacturer and service provider. ChargePoint designs and develops a turnkey EVSE solution: we design and manufacture our own networked charging stations, develop cloud-based network management software, provide driver app and web portal analytics, and maintain dedicated driver and station owner support teams.</p> <p>ChargePoint has a national direct sales force including regionally based teams and corporate inside sales department. Support activities are out of our Arizona facility. All direct Sales and Support are employees of ChargePoint. In addition, ChargePoint also has a full, local and national, network of partners across the US that we engage for sales, installation, and maintenance depending on their discipline. Our partners are not employees of ChargePoint.</p> <p>ChargePoint intends to be a single vendor contact for Sourcewell members from project planning to sales, installation, and station support. If members require turnkey equipment sales and installation services, ChargePoint would likely work together with an appropriate channel partner to provide the desired proposal structure.</p>	*
14	<p>If applicable, provide a detailed explanation outlining the licenses and certifications that are both required to be held, and actually held, by your organization (including third parties and subcontractors that you use) in pursuit of the business contemplated by this RFP.</p>	<p>ChargePoint's local and national network of partners across the US and Canada are trained and certified on the installation of our products through our Training and Certification program. All of our partners have licensed electricians on-staff or maintain partnerships with such electricians.</p> <p>Sourcewell members have the option of using their own licensed electrician for installation of ChargePoint stations. ChargePoint has installation manuals and videos available to help facilitate a successful install. In this case, ChargePoint would need to validate the installation prior to activating an Assure warranty for equipment maintenance and support; this is a simple review and approval of the work performed.</p>	*
15	<p>Provide all "Suspension or Debarment" information that has applied to your organization during the past ten years.</p>	<p>ChargePoint has never been suspended or disbarred.</p>	*

Table 3: Industry Recognition & Marketplace Success

Line Item	Question	Response *
16	Describe any relevant industry awards or recognition that your company has received in the past five years	<p>ChargePoint Awards</p> <ul style="list-style-type: none"> + 2019 London Business Awards: Social Impact International Company • Acterra Award: Environmental Innovation 2018 Global Cleantech Hall of Fame + 2017 East Bay Clean Cities, Clean Air Champion Award Architizer A+ Award Popular Choice Winner: Smart Home Category • Electrek Best of CES 2017: Best EV Accessory + 2016 Edison Awards: Silver in the Electric Energy & Propulsion Systems category Climate Change Business Journal: Business Model Innovation for Energy and Carbon Management + 2015 United Nations: Momentum for Change Goldman Sachs: 100 Most Intriguing Entrepreneurs Verizon: Supplier Award for Environmental Excellence Smart Grid Today: 2015 Smart Grid Pioneer Global Cleantech 100 winner for 6 years running + 2014 CNBC: Disruptor 50: The End of the Gas Station? Sustainia: World's 100 Leading Sustainability Innovations + 2013 Pike Research: Top electric vehicle charging station manufacturer World Economic Forum: "Technology Pioneer" Winner Green Parking Council: "Sustainability Leadership Pioneer" + 2012 AlwaysOn: Top 200 green tech companies Winner Sustainia100, a top sustainable solution announced at the Rio+20 conference "The Green Garage" races into The Tech Museum display + 2011 Top ranking and top overall score in Pike Research report of the EV supply equipment industry; + 2010 Time Magazine: 50 Best Inventions Edmund's Green Car Breakthrough Award BusinessWeek: 20 Small Businesses of the Future Greentech Media: Top 50 VC-Funded Startups
17	What percentage of your sales are to the governmental sector in the past three years	In the past three years is approximately 20% of our sales are in the government sector.
18	What percentage of your sales are to the education sector in the past three years	In the past three years is also approximately 10% of our sales are from the education sector.
19	List any state, provincial, or cooperative purchasing contracts that you hold. What is the annual sales volume for each of these contracts over the past three years?	ChargePoint is listed on numerous states, provincial and cooperative purchasing contracts, either directly or indirectly via channel partners. It is likely that every state or province where an EVSE contract or authorized vendor list exists, ChargePoint's products are available either directly or through authorized channel partners. As a privately held company, ChargePoint does not release financial detail related to customer transactions.
20	List any GSA contracts or Standing Offers and Supply Arrangements (SOSA) that you hold. What is the annual sales volume for each of these contracts over the past three years?	<ul style="list-style-type: none"> + ChargePoint holds a Kinetic GPO contract (\$0) + ChargePoint holds an Equalis Group/Sourcing Alliance contract (\$0)

Table 4: References/Testimonials

Line Item 21. Supply reference information from three customers who are eligible to be Sourcwell participating entities.

Entity Name *	Contact Name *	Phone Number *
NY NJ Port Authority	Charles Goldberg	(212) 435-6497
City of Long Beach	Joe Hunter	(714) 655-3951
Austin Energy	Shems Duvall	(512)-799-4785

Table 5: Top Five Government or Education Customers

Line Item 22. Provide a list of your top five government, education, or non-profit customers (entity name is optional), including entity type, the state or province the entity is located in, scope of the project(s), size of transaction(s), and dollar volumes from the past three years.

Entity Name	Entity Type *	State / Province *	Scope of Work *	Size of Transactions *	Dollar Volume Past Three Years *
City of Long Beach	Government	California - CA	Mix of CT4000, CPF50 and CPE250	Various, up to \$1.3M	\$6.0M
City of New York	Government	New York - NY	Mix of CT4000, CPF50 and CPE250	Various, up to \$515k	\$3.3M
County of Santa Clara	Government	California - CA	Mix of CT4000	Various, up to \$630k	\$1.0M
State of Utah	Government	Utah - UT	Mix of CT4000	Various, up to \$800k	\$900k
Long Beach Community College	Education	California - CA	Mix of CT4000	Various, up to \$430k	\$500k

Table 6: Ability to Sell and Deliver Service

Describe your company's capability to meet the needs of Sourcewell participating entities across the US and Canada, as applicable. Your response should address in detail at least the following areas: locations of your network of sales and service providers, the number of workers (full-time equivalents) involved in each sector, whether these workers are your direct employees (or employees of a third party), and any overlap between the sales and service functions.

Line Item	Question	Response *
23	Sales force.	<p>ChargePoint has over 50 employees in sales. ChargePoint has its own regionally based outside sales teams covering every state within the US and all of the provinces in Canada. We also have dedicated sales teams for federal, fleet and public sectors. Our outside sales team is empowered to travel safely anywhere within their territory to meet with Sourcewell member onsite. They are also capable of hosting online webinars and training sessions when needed.</p> <p>In addition to our outside sales team, we also have corporate based inside sales teams. Through our marketing efforts, existing client base, and market reputation, we receive a significant number of inbound inquiries. To streamline this process for customers, we have a designated inside sales team devoted to all inbound calls and inquiries from existing and prospective clients. Having a designated team handling these inbound phone calls ensures inquiries are handled quickly and efficiently. Once a call is answered and qualified, the inside salesperson connects the customer with the local regional sales representative. The regional sales representative will work with the customer from this point.</p> <p>We also have an inside sales team dedicated to outbound calls. This team could be focused on proactive outreach to Sourcewell members and will also be following up on leads that are generated through various marketing initiatives.</p> <p>ChargePoint also has a team of Solutions Engineers and complex project support resources that can assist in any presale technical education required to get help Sourcewell members understand their EV charging options and ultimately develop an optimized deployment. After deployment, ChargePoint also has a team of Customer Success Managers (CSMs) who look after all existing customers and would make sure Sourcewell members are getting the most out of their ChargePoint solutions.</p> <p>As you know, ChargePoint has held an active Sourcewell award since 2018 and has always been eager to partner with Sourcewell to perform joint marketing or any other contract development activity believed to drive additional success in all forms. Upon securing a new contract, ChargePoint would be pleased to work with Sourcewell to perform a "relaunch" with the intent of building new momentum around the refreshed award.</p> <p>As an example, ChargePoint could leverage our marketing team to run campaigns to generate interest and promote Sourcewell. This has been a productive approach for other initiatives, such as grants that we have been awarded. Our go-to-market approach is quick and seamless which creates a simple process for clients and partners.</p>

<p>24</p>	<p>Dealer network or other distribution methods.</p>	<p>ChargePoint has a network of over 65 Value Added Resellers located throughout the US and Canada. These resellers are capable of on-site evaluation, installation, installation quotation, and EV stations sales. A subset of these partner are also Operations and Maintenance (O&M) partners as described below.</p> <p>ChargePoint has a network of over 2,000 certified installers and 13 O&M (Operations & Maintenance) partners located through the United States and Canada who are qualified to perform engineering, permitting, and construction services for any type of EVSE. ChargePoint works closely with our customers and partners to ensure site design, charging station layout, and driver experience is the best in the industry.</p> <p>We have 6 national distribution partners covering us in every state. These partners total nearly 4,000 locations combined and give us the reach to over 70,000 electrical contractors as well as access to local and state gov't agencies across the country. ChargePoint's network of distribution partners have their own sales and marketing teams that they will use to promote the contract to existing and prospective clients. As stated above, ChargePoint will train all distribution partners and installers on the Sourcewell contract details so they can effectively inform customers and generate opportunities.</p> <p>Regardless the sales channel, ChargePoint works closely with our customers and partners to ensure site design, charging station layout, and driver experience is the best in the industry.</p>
<p>25</p>	<p>Service force.</p>	<p>ChargePoint's charging solutions come complete with 24/7 driver support, extended hours station owner technical support and maintenance if desired.</p> <p>ChargePoint Support is the largest and most experienced customer service force in the EV charging industry.</p> <p>The ChargePoint support team is based in Scottsdale, AZ with over 50 trained employees and is understood to be the largest in-house EV charging support team in the industry. These numbers do not include our 13 O&M partners that also offer support services and are located throughout the United States and Canada.</p> <p>The support organization is divided into driver, station owner, and activations support teams, with representatives sharing duties and knowledge. In addition, we have plans to add additional headcount by nearly a dozen more by year end.</p> <p>ChargePoint Support works remotely via the ChargePoint Network to assist drivers and diagnose station issues. Once issues are determined, Support works with our network of local O&M partners to perform any require site visits including repairs.</p> <p>Beyond standard technical support, ChargePoint offers ChargePoint Assure, a comprehensive maintenance and management program that is outlined in greater detail in section 9A.</p>

26	Describe in detail the process and procedure of your customer service program, if applicable. Include your response-time capabilities and commitments, as well as any incentives that help your providers meet your stated service goals or promises.	<p>ChargePoint operates an in-house Customer Call Center primarily based at our Scottsdale, AZ office. Our Customer Call Center supports both EV drivers as well as our station owners and installation partners.</p> <p>Our 40+ Driver Support agents provide 24/7/365 coverage for EV drivers in English, Spanish, and French via a toll-free telephone number clearly posted on the charging equipment. Live representatives will answer the phone quickly and customers will not be routed through a confusing calling tree. The customer service representatives will provide a variety of services to address customer concerns at the charging station. If possible the Agent will resolve the issue remotely, whether station or driver related. If unable to resolve, the issue will be escalated to Station Support and the driver provided the address of a nearby station if one is not available on site. Driver Support agents handle over 230,000 calls annually with an average speed of answer of 30 seconds or less.</p> <p>Our Customer Support Center also includes Technical Support for station owners and installation partners. This toll-free line is available Monday through Saturday from 5 AM PT to 6 PM PT. Representative help resolve issues from symptom identification, diagnosis, parts logistics, labor logistics, and resolution validation. Our 38 support agents resolve over 100,000 cases annually with an estimated average speed of answer of 30 seconds.</p> <p>All ChargePoint charging equipment include remote diagnostics and "remote start" capabilities. When customer service receives notice that minor operational maintenance is needed, the representative will remotely diagnose the EVSE to verify the extent of the service need. If issues cannot be remotely addressed, ChargePoint will dispatch service personnel to the site for repairs for which parts costs will be covered for items covered by an active warranty.</p> <p>Customer utilizing our Assure offering can rest easy knowing that ChargePoint will proactively monitor the station for any issues. If an issue is detected, ChargePoint will acknowledge the issue within one business day and, if an onsite visit is required, will dispatch labor to the site within one business day of receipt of parts onsite. Our clients also get 98% annual station uptime guarantee with a non-performance penalty for outages caused by station hardware or software failures.</p> <p>Repairs in the field are handled by ChargePoint's national operations and maintenance (O&M) partners that have all committed to audit requirements and penalties against service level, liability indemnification, customer warranty, pricing accuracy under fixed unit pricing terms, and maintenance of required credentials to perform the work contracted.</p>
27	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in the United States.	ChargePoint is already a qualified EV charging vendor with Sourcewell and your members within the United States and we look forward to continuing to support your members moving forward. ChargePoint has an established install base, dedicated sales force, partners, and provide all listed charging hardware, software, and services throughout the United States.
28	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in Canada.	ChargePoint is already a qualified EV charging vendor with Sourcewell and your members within Canada and we look forward to continuing to support your members moving forward. ChargePoint has an established install base, dedicated sales force, partners, and provide all listed charging hardware, software, and services throughout Canada.
29	Identify any geographic areas of the United States or Canada that you will NOT be fully serving through the proposed contract.	ChargePoint, either directly or by leveraging our extensive list of partners, has the ability to fully service all geographic areas of the US and Canada.
30	Identify any Sourcewell participating entity sectors (i.e., government, education, not-for-profit) that you will NOT be fully serving through the proposed contract. Explain in detail. For example, does your company have only a regional presence, or do other cooperative purchasing contracts limit your ability to promote another contract?	None.
31	Define any specific contract requirements or restrictions that would apply to our participating entities in Hawaii and Alaska and in US Territories.	We do not have any contract issues related to Hawaii and Alaska. We have a large number of stations in operation in Hawaii.

Table 7: Marketing Plan

Line Item	Question	Response *
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<p>32</p>	<p>Describe your marketing strategy for promoting this contract opportunity. Upload representative samples of your marketing materials (if applicable) in the document upload section of your response.</p>	<p>ChargePoint will use the following strategy to promote this contract:</p> <ul style="list-style-type: none"> + Outside Sales: Our sales team and account executives will proactively reach out to all Sourcewell members within their assigned territories to promote the contract. We are currently speaking to many of them already and will ensure they are aware of the contract and the value it will bring them. + Inside Sales: Our inbound team will be able to promote the contract to all inbound inquiries that come in. As mentioned in Question 18, we receive a significant number of inbound leads from potential/existing Sourcewell members, and our inbound team will promote this contract to everyone and educate them on the details of how they can take advantage of it. Our outbound team will focus on proactive outreach to Sourcewell members and all government agencies. They will also call on leads that get generated through our marketing efforts. We have the tools necessary to track leads through campaigns and call on lead lists. + Marketing: Upon award we would do a formal announcement across various channels to get the word out. We will perform regular marketing campaigns to educate the market on this contract. In addition to any help Sourcewell can provide with contact information, we have the tools necessary to quickly pull customer contact information for email campaigns. + Webinars: ChargePoint will offer to create webinars that highlight the benefits of the Sourcewell contract with real life testimonials. These webinars can be vendor neutral and positioned as an educational presentation. + Trade shows: ChargePoint participates in various tradeshow/events around the country and will have marketing material available highlighting our partnership with Sourcewell and details of the contract. + Incentives: We will match all state, local and utility incentives to Sourcewell members and proactively educate prospects about the value of both the incentive program and the Sourcewell partnership. + Distribution Network: Our large distribution/partner network also have sales and marketing teams primarily supporting electrical contractors. Contractors are often a first touch point for customer exploring a charging solution. ChargePoint will work closely with its partners to help them develop effective marketing strategies. We will also train their sales team to effectively leverage this contract. We will have regular follow up calls and trainings to make sure this contract stays top of mind. <p>Examples of our outreach:</p> <ol style="list-style-type: none"> 1. ChargePoint at the ACT Expo: North America's largest clean fleet show; 2. Incentive Announcement for \$25k EVSE incentive in San Francisco and; 3. \$3 million in funding available for municipalities in New York.
<p>33</p>	<p>Describe your use of technology and digital data (e.g., social media, metadata usage) to enhance marketing effectiveness.</p>	<p>Our marketing approach leverages technology to quickly pull contact information from prospective customers and generate marketing campaigns. ChargePoint is often involved in new programs, contract, grant etc. and can get messaging out to market extremely quickly.</p> <p>We use various marketing tools for generating leads and managing them through the sales funnel.</p> <ul style="list-style-type: none"> + Organic social posts (Facebook, LinkedIn, Twitter, Instagram) + Digital advertising (banner ads, social ads, paid search, retargeting) + Premium content (gated on chargepoint.com) + Syndicated content + Organic search + Charging Forward blog + Chargepoint.com business, vertical and roles pages + Credits and Incentives web page with link to lead form on chargepoint.com + Forms (content downloads) + Request a station (CP.com) + Events (webinars, industry events, partner events) + Email campaigns (purchased lists, contacts from inbounds) + Marketing automation + Downloads of content/other assets + Inbound calls + Sales Development Reps (SDR) outbound calls + Customer referrals + Driver referrals

34	In your view, what is Sourcewell's role in promoting contracts arising out of this RFP? How will you integrate a Sourcewell-awarded contract into your sales process?	<p>ChargePoint has a collaborative and effective partnership in place with Sourcewell with its current contract.</p> <p>ChargePoint would view Sourcewell as a marketing partner to help promote this contract. We would look for support on an initial announcement to current members notifying them of this renewed opportunity. We have methods of gathering contact information, however, hope that you will be able to share membership contact information for ongoing outreach and marketing campaigns. The value of providing us with this information will allow us to move quicker and more efficiently.</p> <p>We would also look for opportunities to collaborate on co-branded marketing initiatives that adhere to ChargePoint's brand guidelines. With Sourcewell's well established relationship with its members and ChargePoint expertise in EV charging, working closely together on marketing initiatives will ensure members feel they are in good hands with their EV charging needs.</p> <p>The Sourcewell contract will be part of every discussion we have with existing and potential Sourcewell members. We are speaking with government agencies every day and leveraging this contract will benefit all stakeholders (Sourcewell, Sourcewell members and ChargePoint).</p>
35	Are your products or services available through an e-procurement ordering process? If so, describe your e-procurement system and how governmental and educational customers have used it.	<p>Similar to other types of customers, for most Sourcewell members, choosing and implementing a successful charging solution is an unfamiliar experience. This is why ChargePoint has developed the most extensive, expert sales team in the industry and make these resources available to customers exploring our space. With our help, we're confident customers will be put in a position to implement successful projects. Primarily for this reason, ChargePoint does not have its own e-procurement system, our GSA Schedules are online via www.gsaadvantage.gov.</p>

Table 8: Value-Added Attributes

Line Item	Question	Response *
36	Describe any product, equipment, maintenance, or operator training programs that you offer to Sourcewell participating entities. Include details, such as whether training is standard or optional, who provides training, and any costs that apply.	<p>As standard practice, for free, Sourcewell members have access to:</p> <ul style="list-style-type: none"> + ChargePoint will provide operational training on the station at start-up. + ChargePoint is also available for Cloud Portal/Network Training after install and station activation. + Training videos and detailed manuals are available also. + On an on-going basis the ChargePoint team is available via email or phone to answer questions or provide additional training. + If required and depending on scope of project, Sourcewell members or their contractors have access to the ChargePoint University portal which is a detailed training and testing that is designed for reseller partner and installer certification.
37	Describe any technological advances that your proposed products or services offer.	<p>Since ChargePoint's inception in 2007 in Silicon Valley California, we have led the way forward with technological innovations to help make it easy for drivers to go electric and station owners to offer EV charging. Today ChargePoint uses all of the latest advances: Cloud based Network, M2M IoT Cellular station connectivity, Secure (PCI compliant) Payment processing, Power Management for installation and energy savings, Next-Generation Modular DC Fast Charging, and the largest dedicated engineering team in the industry. Below are just a sample of the latest technological innovations:</p> <p>Professional Services Sometimes it's not just as easy to sell a charging station. Station owners, especially for more complex deployment such as fleet charging, often need additional support to evaluate, design, install, and be trained on the stations. ChargePoint offers a complete array of professional services to support these needs including site modeling, preliminary site design and engineering, site acquisition, project management, station installation and commissioning, as well as training for operators such as at fleet depots.</p> <p>Charge Management Software Smart EV charging is critical to provide value to drivers and site hosts. ChargePoint offers all elements of the charging ecosystem but considers itself a "network first" company in that the software is the most important element of any solution. The associated software provides the tools and interfaces for drivers to find and use stations, and for station operators to efficiently optimize the business of EV charging.</p> <p>Listed below are just a few of the advanced features on the ChargePoint Network software:</p> <ul style="list-style-type: none"> + Station Locations & Availability: complete visibility of stations and their availability make it easy for drivers to find a compatible charger. + Access Control: Manage and control access to charging stations based on well-defined policies. Enhance the value for the station owner with the right level of control. + Flexible Pricing: Provide the station owner with pricing controls that are in line with station usage. Provide flexibility to update pricing as usage changes. + Authorization, Authentication & Accounting: Ensure safe and secure payment for charging. Security measures include the pseudonymization and encryption of personal data and other capable security measures that ensure the ongoing confidentiality, integrity,

		<p>availability, and resilience of the network.</p> <ul style="list-style-type: none"> + Power Management: Ensure that charging stations never draw more power than the site can provide. + Driver Notifications: Notify EV drivers about station availability, state of charge and other key messages to enhance your relationship with drivers. + Queueing (Waitlist): Increase utilization of stations and charge more vehicles by enabling drivers to get in a virtual queue for stations. <p>Power Management For operating costs, software can allow station operators to target “off-peak” periods of lower energy costs or avoid triggering a high demand charge. In addition, use of these features can maximize the number of charging ports within a given site while still keeping overall power requirement at the site meter below a determined level. This helps reduce the necessary electrical infrastructure and utility service required to support a given site and thus save capital expenditures.</p> <p>Below is a summary of the available load management tools available within ChargePoint charge management software:</p> <ul style="list-style-type: none"> + Power Share: Intelligently share available power across multiple stations by setting a “not to exceed” limit, which may vary by time of day and day of week. Power may be allocated based on a configurable policy using equal share or priority-based first come first served. This approach allows for NEC compliant oversubscription of available electrical service, mitigation of expensive demand charges, and the option to defer utility upgrades which can be costly and delay projects. + Load Shift: Use energy when it is cheapest, usually at night when Time of Use (ToU) charges are lower. In environments where the vehicles have sufficient dwell time during off-peak times, shifting load to the least expensive time of day can provide significant savings. Operators simply plug the vehicles in as normal when they return to the depot, and ChargePoint will automatically start charging the vehicles to align with the lowest cost of electricity, no operator intervention required. + Power Limit: Manage load via building/energy management systems, either through integration via API or installation of a ChargePoint smart meter upstream of the charging stations. This approach optimizes power use by dynamically adjusting power to the charging stations based on real-time monitoring of facility loads. + Demand Response: ChargePoint can facilitate participating in utility driven demand response programs through use of a standards based OpenADR interface or API, allowing the utility to control charging station load during peak events where supply may not meet demand. <p>Fleet Charging Solutions Fleet vehicle can require a range of special charging considerations including optimization of depot charging, access to charging while on-route, and home charging for take-home fleets. ChargePoint provides for all of these charging needs through specialized fleet charging solutions. ChargePoint Fleet Depot software integrate with other fleet back-office systems and enables optimized charging of larger fleets while ensuring that fleet vehicles are charged and ready to meet business and operational objectives at the least possible energy cost and within electrical capacity constraints. ChargePoint also offers our Fleet Mobility plan to support charging of vehicle at publicly available charging stations while on-route and integrated with existing fleet fuel card systems. ChargePoint has partnered with US Bank (Voyager Fleet Card) and WEX to offer customers the convenience of paying for and tracking electric fuel with their existing fleet cards and is continually assessing additional integrations. Finally, ChargePoint offers our Take Home Fleet solution which integrates with our Home Flex charging station and allows fleet managers to access charging data from company vehicle charging at employee’s homes to support reimbursement, as necessary.</p> <p>Fleet System Interfaces Fleet System Interface: To ensure a seamless integration with fleet systems relied upon by fleet operators today, ChargePoint has completed or initiated integration discussions with the most common platform including: Geotab, Viriciti, Clever Devices, AssetWorks, Trapeze, Voyager, Wright Express (WEX), and more. A full set of soap/xml-based application programming interfaces (APIs) are available to integrate into a variety of back-office systems and ChargePoint will continue to grow the partnerships with fleet solution providers to best serve fleet operators.</p>
38	Describe any “green” initiatives that relate to your company or to your products or services, and include a list of the certifying agency for each.	<p>ChargePoint has a dedicated team of people that works with numerous organizations, including state and federal government, to formulate policies to promote EV adoption and evolution of the grid and other infrastructure that will be necessary to realize widespread electrified transportation.</p> <p>ChargePoint is a member or plays an active role in the following organizations: CALSTART CALSTART is a member-supported organization of more than 140 firms, fleets and agencies worldwide dedicated to supporting a growing high-tech, clean transportation industry that cleans the air, creates jobs, cuts imported oil and reduces global warming emissions. CALSTART provides services and consulting to spur advanced transportation technologies, fuels, systems and the companies that make them. Use the staff directory to find the expert you need.</p>

CLEANTECH GROUP

The mission of Cleantech Group (CTG) is to accelerate sustainable innovation. Our subscriptions, events and programs are all designed to help corporates, investors, and all players in the innovation ecosystem discover and connect with the key companies, trends, and people in the market. Our coverage is global, spans the entire clean technology theme and is relevant to the future of all industries. The company is headquartered in San Francisco, with a growing international presence in London.

EDTA

The Electric Drive Transportation Association (EDTA) is the trade association promoting battery, hybrid, plug-in hybrid and fuel cell electric drive technologies and infrastructure. EDTA conducts public policy advocacy, provides education and awareness, and enables industry networking and collaboration. EDTA's membership includes vehicle and equipment manufacturers, energy companies, technology developers, component suppliers, government agencies and others.

eMI³

Under the umbrella of ERTICO – ITS Europe, the eMobility ICT Interoperability Innovation, eMI³, is an open group of significant actors from the global Electric Vehicles market who joined forces to harmonize the ICT data definitions, formats, interfaces, and exchange mechanisms in order to enable a common language among all ICT platforms for Electric Vehicles. eMI³ core objectives lie in the development, publication, sharing and promotion of ICT standards. Since 1st December 2015, eMI³ is an ERTICO Innovation Platform established as a Non-Profit International Association under Belgium law.

Parksmart

Parksmart defines and recognizes sustainable practices in parking structure management, programming, design and technology. Industry-driven and field tested, Parksmart distinguishes the forward-thinking parking facilities shaping tomorrow's sustainable mobility network.

Plug-In Electric Vehicle Collaborative

The California Plug-In Electric Vehicle Collaborative is a public/private organization comprised of 47 members that include key PEV stakeholders all working together to move the PEV market forwards in California.

Silicon Valley Leadership Group

The Silicon Valley Leadership Group is a public policy business trade organization. The Leadership Group was founded in 1978 by David Packard of Hewlett-Packard and represents more than 400 of Silicon Valley's most respected employers on issues, programs and campaigns that affect the economic health and quality of life in Silicon Valley, including energy, transportation, education, housing, health care, tax policies, economic vitality and the environment.

Green Sports Alliance

Leveraging the cultural & market influence of sports to promote healthy, sustainable communities where we live & play. Members collectively provide nearly one of every three private sector jobs in Silicon Valley and contribute more than \$3 trillion to the worldwide economy.

California Energy Commission

As the state's primary energy policy and planning agency, the California Energy Commission is committed to reducing energy costs and environmental impacts of energy use - such as greenhouse gas emissions - while ensuring a safe, resilient, and reliable supply of energy.

Los Angeles Business Commission

Uniting the power of business with the power of government for education and advocacy to promote environmental and economic sustainability.

Cleantech San Diego

Cleantech San Diego is a nonprofit member organization that positions the greater San Diego region, including Imperial County, as a global leader in the cleantech economy. We foster collaborations across the private-public-academic landscape, lead advocacy efforts to promote cleantech priorities, and encourage investment in the San Diego region. Our members include more than 100 local businesses, universities, governments, and nonprofits committed to advancing sustainable solutions for the benefit of the economy and the environment.

39	Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in your Proposal related to energy efficiency or conservation, life-cycle design (cradle-to-cradle), or other green/sustainability factors.	<p>ChargePoint AC L2 stations are Energy Star certified. ChargePoint DC products are intended to be Energy Star certified when the program is fully defined and available for certification.</p> <p>ChargePoint owns an Advanced Test Center that exposes all of our products to extreme environmental accelerated life cycle testing. Tests include solar loading, extreme heat, extreme cold, humidity, seismic, focused pressurized water, impact, and dozens of other tests designed to improve product reliability and longevity. Higher reliability, less on-site visits, fewer replacement parts, and longer life span all contribute to lessening environmental impact.</p>
40	Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.	<p>ChargePoint has several authorized resellers with various Women or Minority Business Entity (WMBE) or Small Business Entity (SBE), and Service-Disabled Veteran owned accreditations. ChargePoint will provide a detailed list upon request.</p>

<p>41</p>	<p>What unique attributes does your company, your products, or your services offer to Sourcewell participating entities? What makes your proposed solutions unique in your industry as it applies to Sourcewell participating entities?</p>	<p>ChargePoint is a complete systems provider, offering the highest level of integration of hardware, software, and services, and delivering the best value in the industry. Our charging stations, mobile applications, and network management platform are designed to work seamlessly together to provide the best station owner and driver experiences in the market. ChargePoint's extensive technical expertise and fully integrated portfolio also allows ChargePoint to work rapidly with key partners to develop new, innovative solutions in support of a rapidly evolving market.</p> <p>Simply put, ChargePoint is unlike any other charging solution provider in that it provides the scale, experience, service, and quality necessary to make any EV charging initiative a success.</p> <p>Experience An integrated experience provides an effortless charging experience for station owners and drivers. It ensures consistent performance, efficiency, and reliability at every touchpoint whether one is using a mobile app, plugging into a charging station, managing the station or analyzing charging data.</p> <p>ChargePoint has more than 110,000 activated places to charge on its network, with access to an additional 160,000 public places to charge through roaming integrations with other major networks. ChargePoint is the only company that delivers solutions that provide an integrated EV charging experience for businesses and drivers across every touch point and for every use case. We design, develop, and manufacture complete, integrated hardware and software solutions for every charging scenario: from home and multifamily to workplace and fleet. From a top-rated mobile app and award-winning services and support to the most reliable network and stations, ChargePoint has you covered.</p> <p>Scale As EV adoption grows and charging becomes a necessity for your business, you want to rest assured that the charging solution you invest in today will set you up for success in the future by enabling you to support more drivers, add the latest software features and expand your EV fleet with minimal disruption to your business. The EV charging solution you invest in today must set you up for success tomorrow.</p> <p>ChargePoint offers seamless scalable solutions that grow with your business. We will help you get started easily, up to speed quickly and, when the time comes, ramp up effortlessly—all with minimal disruption to your business. Our extensive expertise with incentives, rebates and grants will even save you money every step of the way. No wonder 60% of Fortune 50 companies are ChargePoint customers.</p> <p>Quality You need an EV charging solution that just works no matter how it is used, where it is used or when it is used. A solution that is so reliable that you can just set it and forget it. Your EV charging solution has to work, every time.</p> <p>That is why ChargePoint is the only company that has made a major investment in quality testing on all our stations and software. ChargePoint is the only EV charging solutions company with an advanced in-house testing lab. We rigorously test all our stations and software to ensure your investment can stand up to any element, scenario, or mishap. All our products are UL-listed, ENERGY STAR® and CE (EU) certified, and our modular design minimizes downtime. With so much riding on the New Fueling Network, your EV charging solution just has to work, every time. With ChargePoint, it will.</p> <p>Service Best-in-class support is essential for providing a high caliber experience for all participants in the fueling network, whether one is driving a personal vehicle, delivering goods, driving work vehicles, or riding shared transport.</p> <p>ChargePoint knows comprehensive services are critical for an exceptional EV charging experience. ChargePoint has been in the business of electric fueling longer than anyone else. Since 2007, we have been working with our customers to design comprehensive services built around their needs. Today, from sophisticated networked solutions to top-rated service products, we have the resources to provide our own 24/7 support in multiple languages and the infrastructure to support drivers no matter where they charge on our network. Station operators do not have to take waste previous time to figure out whether the hardware or software vendor is responsible for an issue – just call ChargePoint and we will handle the rest.</p>
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Table 9A: Warranty

Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your warranty materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *
42	Do your warranties cover all products, parts, and labor?	<p>ChargePoint provides a standard one-year warranty for all commercial level 2 charging stations and a three-year warranty for our residential charging station. Standard warranty covers parts only.</p> <p>Beyond standard technical support, ChargePoint offers ChargePoint Assure, a comprehensive maintenance and management program that includes dispatched labor at committed service levels to perform on site repairs, proactive dispatch, monthly reports, 24x7 station health monitoring, and a long list of additional features described in more detail below. Assure is available from one to five-year term increments.</p> <ul style="list-style-type: none"> + Unlimited software configuration changes + 98% annual uptime guarantee with non-performance penalty + Standard one (1) business day response time to station failures or one (1) business day from Parts arrival when required + Automated monthly summary reports and detailed quarterly reports of your station's performance metrics. We send the reports automatically, so you don't have to generate them. + Proactive station monitoring and dispatch + Labor coverage for station equipment issues typically not covered by warranty such as vandalism, abuse and accidents caused by reckless drivers or snowplows. + Additional options are available upon request, such as strategic spares, consigned inventory, and customer training for on- site repairs and maintenance.
43	Do your warranties impose usage restrictions or other limitations that adversely affect coverage?	Yes. Please see ChargePoint F_Assure Terms of Service.
44	Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?	Yes, for Assure.
45	Are there any geographic regions of the United States or Canada (as applicable) for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell participating entities in these regions be provided service for warranty repair?	No. ChargePoint Assure is available throughout the US and Canada.
46	Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?	For this proposal, ChargePoint is the original equipment manufacturer of the charging equipment, so all warranty service is covered by ChargePoint.
47	What are your proposed exchange and return programs and policies?	ChargePoint and its channel partners strive to avoid any situation where improper products are purchased and returns, or exchanges are requested. On a case-by-case basis ChargePoint may allow returns or exchanges with payment of a 20% restocking fee and payment of any required freight charges to correct the problem. ChargePoint channel partners may also offer returns and exchanges at their discretion. Please refer to ChargePoint Attachment G_Parts Exchange Warranty for details.
48	Describe any service contract options for the items included in your proposal.	ChargePoint Assure, as outlined in the response to item 42, is the primary service offering we are including in our proposal. ChargePoint is also developing an enhanced Assure offering called Assure Pro, in concert with our Managed Spares Service, to provide faster repair times.

Table 9B: Performance Standards or Guarantees

Describe in detail your performance standards or guarantees, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your performance materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *
49	Describe any performance standards or guarantees that apply to your services (network uptime, power management, charging capabilities, etc.)	ChargePoint Assure, as outlined in section 9A in this proposal, is an optional extended and enhanced warranty offer that provides for proactive monitoring, coordinated repairs, and full parts and labor costs coverage. The SLA associated with Assure provides for a 98% or better uptime guarantee with financial penalties for non-performance. Please see the attachments titled Assure Data Sheet and Assure Terms of Service for additional detail.
50	Describe any service standards or guarantees that apply to your services (policies, metrics, KPIs, etc.)	Please refer to Line Item 49.

Table 10: Payment Terms and Financing Options

Line Item	Question	Response *
51	What are your payment terms (e.g., net 10, net 30)?	Net 30. ChargePoint channel partners may offer varying payment terms at their discretion.
52	Describe any leasing or financing options available for use by educational or governmental entities.	ChargePoint supports the following options for procurement of charging stations and associated services. In addition to the options available below, ChargePoint's channel partners may also offer additional financing and leasing plans. Outright Purchase Upfront payment of all goods and services. ChargePoint and associated partners then fulfill installation works, network services and ongoing support in accordance with contractual agreements. ChargePoint as a Service (CPaaS) In this unique offer ChargePoint remains the owner of the stations. The customer simply pays a fixed monthly fee for ability to use the stations. ChargePoint maintains the stations with an uptime guarantee. At the end of the term the station can be replaced with the latest version or we will take them back if the Customer chooses to purchase a different solution. Hence, this resolves the problem obsolete hardware that needs to be removed or integrated and fits very nicely with the leasing business. Financing Options ChargePoint partners with major financial providers to offer a full finance offer for all ChargePoint services as well as site 'make-ready'. A simple monthly payment covers all bundled costs over the course of the agreed term with a final payment option for ownership of stations to transfer to Sourcewell and its members.
53	Briefly describe your proposed order process. Include enough detail to support your ability to report quarterly sales to Sourcewell as described in the Contract template. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the Sourcewell participating entities' purchase orders.	Depending on Sourcewell member needs, ChargePoint would either process orders directly with the Sourcewell member or through a local channel partner. The channel partner would process an order with the Sourcewell member and an upstream order with ChargePoint for the associated products and services. In either case the Sourcewell member would pay at or below the contract price and ChargePoint would track order details for quarterly payment of the administration fee on any products purchased from ChargePoint.
54	Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell participating entities for using this process?	Yes. ChargePoint and various channel partners can accept credit cards for payment.

Table 11: Pricing and Delivery

Provide detailed pricing information in the questions that follow below. Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract as described in the RFP, the template Contract, and the Sourcewell Price and Product Change Request Form.

Line Item	Question	Response *
55	Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. Upload your pricing materials (if applicable) in the document upload section of your response.	<p>ChargePoint has provided a detailed line-item price book showing list price and proposed contract price. Freight costs are most cost effectively determined at the time of purchase, based on quantity, mode, distribution point and shipping destination so they have not been provided on a line-item basis.</p> <p>This book is broken into distinct product categories to simplify review. Those categories are Charging Stations, Network Services, Assure Maintenance Plans, and Accessories. Notes are also provided to guide reviewers to creating estimated project pricing.</p>
56	Quantify the pricing discount represented by the pricing proposal in this response. For example, if the pricing in your response represents a percentage discount from MSRP or list, state the percentage or percentage range.	Discounts range from 0-20% off MSRP.
57	Describe any quantity or volume discounts or rebate programs that you offer.	The pricing provided takes into account an assumption of volume created by purchasing across the Sourcewell membership. However, on a case-by-case basis ChargePoint may consider providing improved pricing to individual members who intend to purchase large volumes in single orders.
58	Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.	<p>ChargePoint would consider any installation services including materials and labor beyond the scope of our Install- Valid service listed in our pricing proposal to be "Open Market" options. In many cases government entities prefer to use previously contracted vendors or employed tradespeople to perform the site preparation for charging station installation.</p> <p>Install-Valid service then allows these entities to purchase just the somewhat specialized charging station assembly, mounting and testing directly from ChargePoint. However, in instances where an Sourcewell member would prefer to procure complete installation services from one vendor ChargePoint would coordinate scoping by an appropriate channel or O&M partner who would then provide a quote for these services to the Sourcewell member.</p> <p>ChargePoint would facilitate this sourcing but would not be directly involved with any financial transactions between the member and ChargePoint partner for those services. Furthermore, ChargePoint would not intend to track quarterly or pay Administrative fee on these services.</p>
59	Identify any element of the total cost of acquisition that is NOT included in the pricing submitted with your response. This includes all additional charges associated with a purchase that are not directly identified as freight or shipping charges. For example, list costs for items like pre-delivery inspection, installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.	<p>As described in question 58 above, ANY installation services including materials and labor beyond the scope of our Install-Valid service is not included in our pricing proposal. In many cases government entities prefer to use previously contracted vendors or employed tradespeople to perform the site preparation for charging station installation.</p> <p>Install-Valid service then allows these entities to purchase just the somewhat specialized charging station assembly, mounting and testing directly from ChargePoint. However, in instances where an Sourcewell member would prefer to procure complete installation services from one vendor ChargePoint would coordinate scoping by an appropriate channel or O&M partner who would then provide a quote for these services to the Sourcewell member.</p> <p>ChargePoint would facilitate this sourcing but would not be directly involved with any financial transactions between the Sourcewell member and ChargePoint partner for those services.</p>
60	If freight, delivery, or shipping is an additional cost to the Sourcewell participating entity, describe in detail the complete freight, shipping, and delivery program.	<p>Freight costs are most cost effectively determined at the time of purchase, based on quantity, mode, distribution point and shipping destination so they have not been provided on a line-item basis.</p> <p>ChargePoint will provide pricing upon request. In addition, if Sourcewell members are able to require their own shipping carrier upon purchase.</p>
61	Specifically describe freight, shipping, and delivery terms or programs available for Alaska, Hawaii, Canada, or any offshore delivery.	Freight terms for Alaska, Hawaii and Canada are treated no different the contiguous united states. As described above freights costs are most cost effectively determined at the time of purchase, based on quantity, mode, distribution point and shipping destination so they have not been provided on a line-item basis.

62	Describe any unique distribution and/or delivery methods or options offered in your proposal.	No unique distribution and/or delivery methods or options offered in your proposal.	*
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Table 12: Pricing Offered

Line Item	The Pricing Offered in this Proposal is: *	Comments
63	c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.	

Table 13: Audit and Administrative Fee

Line Item	Question	Response *
64	Specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcwell. This process includes ensuring that Sourcwell participating entities obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcwell.	<p>ChargePoint is well experienced with offering contracted pricing to various public and private entities across the globe.</p> <p>In addition, we operate our business on a world class CRM platform with the ability to easily meet these needs. Upon award, we will leverage our CRM tools to tag any Sourcwell opportunities appropriately, so they receive the contract pricing and terms.</p> <p>In the event these leads require a pass-through channel or O&M partner, we will ensure the partner is conforming to any contract requirements as well.</p> <p>As sales are made and shipments are processed all Sourcwell tagged orders will be archived in our CRM system which can easily be queried quarterly for itemized reporting of products and revenue. From this report the Sourcwell administrative fee can be easily calculated and paid.</p>
65	If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.	<p>Upon award, ChargePoint will proactively promote the contract. As the industry leader, ChargePoint has experience deploying large scale programs across North America and have the resources necessary to quickly train staff and partners on new initiatives. Here is an outline of our training approach:</p> <ul style="list-style-type: none"> + Contract Launch: Appropriate stakeholders from ChargePoint will attend this meeting to learn more about best practices and successful deployments. + ChargePoint Project Team Planning: After the contract launch our ChargePoint project team will immediately develop a training presentation and material for sales management, direct sales team, our marketing team, and our partner network. We will seek Sourcwell's input on our planned presentation prior to performing any training sessions. + Training deployment: We will coordinate training sessions for sales management, direct sales teams, our marketing team, and our partner network. We do these trainings often and typically via webinar. The partner training will be separate from our internal trainings. + Training follow up: <ul style="list-style-type: none"> o ChargePoint employees: After the initial training we will have follow up webinars with direct sales to make sure this is top of mind. We will share success stories with the team to keep "buzz" going. o Partner: After initial training, we will have follow-up webinars and email campaigns sent to all partners promoting the contract. We will continue to train them on how to leverage this contract within the markets they cover. We currently host several partner trainings throughout the year and will make sure this is a topic. + Website: We will have a link on the "Current Incentives" page on our website to guide Sourcwell members, ChargePoint employees, and partners to learn more about the award.

66	Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See the RFP and template Contract for additional details.)	<p>ChargePoint is well experienced with offering contracted pricing to various public and private entities across the globe. In addition, we operate our business on a world class CRM platform with the ability to easily meet these needs. Upon award, we will leverage our CRM tools to tag any Sourcewell opportunities appropriately, so they receive the contract pricing and terms.</p> <p>If these leads are required to pass through a channel or O&M partner, we will ensure the partner is conforming to any contract requirements as well.</p> <p>As sales are made and shipments are processed all Sourcewell tagged orders will be archived in our CRM system which can easily be queried quarterly for itemized reporting of products and revenue. From this report the Sourcewell administrative fee can be easily calculated and paid.</p>
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Table 14A: Depth and Breadth of Offered Equipment Products and Services

Line Item	Question	Response *
67	Provide a detailed description of the equipment, products, and services that you are offering in your proposal.	<p>ChargePoint is the only global charging solution provider that offers a complete range of AC and DC charging solutions for all vehicle types and charging use cases.</p> <p>Charging Equipment Charging stations must be safe, reliable, easy to use and capable of measuring detailed energy usage and enabling managed charging. In support of this RFP, we propose the following EVSEs designed, engineered, and manufactured by ChargePoint to work seamlessly with our software and service portfolio:</p> <ol style="list-style-type: none"> ChargePoint CPH50: The Home Flex (CPH50) is a residential charging station to support the single-family home market. It provides up charging up to 12kW all linked with a powerful mobile app. ChargePoint CPF50: The preferred AC Level 2 charging station for most fleet applications that are located at a depot/behind the fence. ChargePoint CT4000: A commercial AC Level 2 charging station with additional features ideal for mixed-use applications including fleets, employee workplace, and public access charging. ChargePoint Express CPE250: DC Fast Charging up to 62.5kw (single) or 125kW (paired). Designed with high availability, serviceability, and universal compatibility in mind. ChargePoint Express Plus: Distributed DC Fast Charging from 200 to 350kW across up to 8 charging dispensers. Designed on a modular basis to scale with vehicles and power needs. <p>Please refer to the attached data sheets for additional information on the proposed charging stations.</p> <p>Charging Software ChargePoint's EV charge management software is designed to provide operational visibility and management of the complete charging ecosystem and to enable fleet operators to reduce operating costs, increase operational efficiency, and deliver on their mission critical needs. ChargePoint's cloud-based software includes a full suite of features to manage stations including a dashboard, manage access control, set pricing, collected driver fees, view real-time vehicle charging status and remote diagnostics, and track and analysis all charging sessions at the site. Software plans are available in 1-to-5-year terms and are tailored to the specific station and use case.</p> <p>Services ChargePoint offers a range of services to support our proposed EV charging solutions. This includes:</p> <ul style="list-style-type: none"> + Assure/Assure Pro: Optional extended and enhanced warranty providing proactive monitoring, coordinated repairs, full coverage of parts and labor, and an uptime guarantee of 98%. + Professional Services: These ala carte services are available depending on the specifics of a given site deployment and the needs of the customer. Services include modeling, preliminary site design and engineering, project management, installation and commissioning, and training. Prices are available on a per project basis based on the scope of work.
68	Within this RFP category there may be subcategories of solutions. List subcategory titles that best describe your products and services.	<p>ChargePoint is proposing to continue to sell charging hardware, software, and services including maintenance and service for all types of charging use cases.</p>

Table 14B: Depth and Breadth of Offered Equipment Products and Services

Indicate below if the listed types or classes of equipment, products, and services are offered within your proposal. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered *	Description / Comments *
69	Non-network electric vehicle charging hardware	<input type="radio"/> Yes <input checked="" type="radio"/> No	ChargePoint does not offer non-networked charging solutions given the importance of a network to enable a more positive driver experience and to enable station owners the ability to remotely monitor and adjust operating parameters to optimize the charging experience.
70	Network electric vehicle charging hardware	<input checked="" type="radio"/> Yes <input type="radio"/> No	ChargePoint offers the CPF50 and CT4000 level 2 stations for private and mixed-use charging respectively, the CPE250 and Express Plus platform for DC fast charging, and the CPH50 Home Flex for residential level 2 charging.
71	Services related to electric vehicle charging hardware (refer to RFP Section II. B. 1. b.)	<input checked="" type="radio"/> Yes <input type="radio"/> No	ChargePoint offers final installation, commissioning, and ongoing maintenance services for all proposed charging hardware.
72	Site assessment, site preparation and materials, and installation services related to electric vehicle charging hardware	<input checked="" type="radio"/> Yes <input type="radio"/> No	ChargePoint offers preliminary site design and engineering and final installation services. Additional site construction may also be provided by various ChargePoint channel partners and installation partners.
73	Network service provider or operator	<input checked="" type="radio"/> Yes <input type="radio"/> No	Via the ChargePoint Network
74	Charge monitoring, reporting, or billing services	<input checked="" type="radio"/> Yes <input type="radio"/> No	Via the ChargePoint Network
75	Grid or power management solutions	<input checked="" type="radio"/> Yes <input type="radio"/> No	Via the ChargePoint Network

Table 15: Industry Specific Questions

Line Item	Question	Response *
76	Describe the process for installation of your products or services and explain the method of quotation, as applicable.	<p>ChargePoint offers final installation and wiring of all ChargePoint charging stations. Our local and national network of partners across the U.S. and Canada are trained and certified on the installation of our products through our Training and Certification Program. All of our partners have access to licensed electricians which can also provide additional electrical infrastructure construction as necessary to support station installation.</p> <p>Sourcewell members have the option of using their own licensed electrician for installation of ChargePoint stations. ChargePoint has installation manuals and videos available to help facilitate a successful install. In this case, ChargePoint would need to validate the installation prior to activating an Assure warranty for equipment maintenance and support; this is a simple review and approval of the work performed.</p>
77	If your proposal includes delivery of services by prequalified contractors, describe your method of prequalification. State how prequalified contractors will be identified or selected by Sourcewell Participating Entities in the event of contract award.	<p>ChargePoint uses sub-contractors to provide service, support, installation and validation of charging equipment. ChargePoint has a network of over 40 O&M (operations and maintenance) partners and 2,000 certified installers supporting North America. Our local and national network of partners across the US and Canada are trained and certified on the installation of our products through our Training and Certification Program.</p> <p>To ensure project success, we can work with Sourcewell members and our O&M partner to perform engineering, permitting, and construction services for any type of EVSE. ChargePoint is committed to closely with members to ensure site design, charging station layout, and driver experience meets their desires and expectations.</p>
78	Identify the data collected during the initial installation of your equipment, products, or services. Identify the data collected when your equipment, products, and services are accessed by an end-user.	<p>ChargePoint may use the information we collect from or about you for the following business or commercial purposes, such as uses to:</p> <ul style="list-style-type: none"> + Process your application to create an account with ChargePoint; + Provide our Service to you, including information, products, and services you request from us that enable you to access our charging stations network; + Process billing functions, including payment of fees; + Notify you of changes to our Website or Service; + Manage and administer your account, including to distinguish between multiple vehicles or users under a single account, and for information regarding charging sessions (e.g., duration, energy consumption, station owner and station data); + Manage and respond to any inquiries, correspondence, concerns or complaints you have sent to us; + Communicate with you regarding the Service; + Enable you to communicate with other users; + Promote and market ChargePoint products and services; + Analyze use of the Service; + Improve any services we provide, and research or develop other products or services; + Keep our Service secure and operational; + Provide value added service, promotions, and pricing; + Fulfill the purposes for which you provided it (such as to help you find a ChargePoint station); + Maintain internal records; + Create or maintain aggregated, anonymized, or de-identified information, which we may use and disclose without restriction; + Investigate, prevent, or take action regarding unlawful or harmful activities, including potential threats to physical safety, potential fraud, and violations of our Terms and Conditions; and/or + Safeguard our and others' rights or property. <p>We may combine any of the information that we collect from you with other information, including information that we obtain from third parties, or with information derived from any other products or services we provide. For example, we may combine personal information you provide us, such as an email address, with information automatically collected about your device.</p>
79	Identify the storage location for all data collected in the use of your equipment, products, or services. Describe applicable data security measures and identify any services performed outside the US or Canada, as applicable.	<p>ChargePoint leverages Amazon AWS as our hosting provider, with instances located in the United States, Canada, EU (Germany), and Australia. All data generated through the use of charging stations is stored within the appropriate region.</p> <p>ChargePoint is PCI certified by a 3rd party auditor and has SOC2 Type II certification. We are also in the final stages of completing our ISO 27001 certification, which is expected to be completed by end of May 2021.</p> <p>ChargePoint's primary driver support call center is located in Scottsdale AZ. To provide 24/7 driver support, some driver support calls may be routed to our Amsterdam NL support center.</p>

Table 16: Exceptions to Terms, Conditions, or Specifications Form

Line Item 80. NOTICE: To identify any exception, or to request any modification, to the Sourcewell template Contract terms, conditions, or specifications, a Proposer must submit the exception or requested modification on the **Exceptions to Terms, Conditions, or Specifications Form** immediately below. The contract section, the specific text addressed by the exception or requested modification, and the proposed modification must be identified in detail. Proposer's exceptions and proposed modifications are subject to review and approval of Sourcewell and will not automatically be included in the contract.

Contract Section	Term, Condition, or Specification	Exception or Proposed Modification

Documents**Ensure your submission document(s) conforms to the following:**

1. Documents in PDF format are preferred. Documents in Word, Excel, or compatible formats may also be provided.
2. Documents should NOT have a security password, as Sourcewell may not be able to open the file. It is your sole responsibility to ensure that the uploaded document(s) are not either defective, corrupted or blank and that the documents can be opened and viewed by Sourcewell.
3. Sourcewell may reject any response where any document(s) cannot be opened and viewed by Sourcewell.
4. If you need to upload more than one (1) document for a single item, you should combine the documents into one zipped file. If the zipped file contains more than one (1) document, ensure each document is named, in relation to the submission format item responding to. For example, if responding to the Marketing Plan category save the document as "Marketing Plan."
 - [Financial Strength and Stability](#) - ChargePoint_Financial Strength & Stability.pdf - Thursday April 22, 2021 10:42:04
 - [Marketing Plan/Samples](#) - ChargePoint_Marketing Plan & Samples.zip - Thursday April 22, 2021 10:17:09
 - [WMBE/MBE/SBE or Related Certificates](#) - ChargePoint_Diversity Policy.pdf - Thursday April 22, 2021 10:33:06
 - [Warranty Information](#) - ChargePoint_Warranty Information.zip - Thursday April 22, 2021 10:09:14
 - [Pricing](#) - ChargePoint response to RFP 042221 - Electric Vehicle Supply Equipment and Related Services_Pricing.xlsx - Wednesday April 21, 2021 23:15:02
 - [Upload Additional Document](#) - ChargePoint response to RFP 042221 - Electric Vehicle Supply Equipment and Related Services_Additional Documents.zip - Thursday April 22, 2021 10:36:46

Proposer's Affidavit

PROPOSER AFFIDAVIT AND ASSURANCE OF COMPLIANCE

I certify that I am the authorized representative of the Proposer submitting the foregoing Proposal with the legal authority to bind the Proposer to this Affidavit and Assurance of Compliance:

1. The Proposer is submitting this Proposal under its full and complete legal name, and the Proposer legally exists in good standing in the jurisdiction of its residence.
2. The Proposer warrants that the information provided in this Proposal is true, correct, and reliable for purposes of evaluation for contract award.
3. The Proposer, including any person assisting with the creation of this Proposal, has arrived at this Proposal independently and the Proposal has been created without colluding with any other person, company, or parties that have or will submit a proposal under this solicitation; and the Proposal has in all respects been created fairly without any fraud or dishonesty. The Proposer has not directly or indirectly entered into any agreement or arrangement with any person or business in an effort to influence any part of this solicitation or operations of a resulting contract; and the Proposer has not taken any action in restraint of free trade or competitiveness in connection with this solicitation. Additionally, if Proposer has worked with a consultant on the Proposal, the consultant (an individual or a company) has not assisted any other entity that has submitted or will submit a proposal for this solicitation.
4. To the best of its knowledge and belief, and except as otherwise disclosed in the Proposal, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest. An organizational conflict of interest exists when a vendor has an unfair competitive advantage or the vendor's objectivity in performing the contract is, or might be, impaired.
5. The contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or legally authorized agent of the Proposer and will not be communicated to any such persons prior to Due Date of this solicitation.
6. If awarded a contract, the Proposer will provide to Sourcewell Participating Entities the equipment, products, and services in accordance with the terms, conditions, and scope of a resulting contract.
7. The Proposer possesses, or will possess before delivering any equipment, products, or services, all applicable licenses or certifications necessary to deliver such equipment, products, or services under any resulting contract.
8. The Proposer agrees to deliver equipment, products, and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.
9. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
10. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statutes Section 13.591, subdivision 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals become public data. Minnesota Statutes Section 13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
11. Proposer its employees, agents, and subcontractors are not:
 1. Included on the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: <https://www.treasury.gov/ofac/downloads/sdnlist.pdf>;
 2. Included on the government-wide exclusions lists in the United States System for Award Management found at: <https://sam.gov/SAM/>; or

3. Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this solicitation.

By checking this box I acknowledge that I am bound by the terms of the Proposer's Affidavit, have the legal authority to submit this Proposal on behalf of the Proposer, and that this electronic acknowledgment has the same legal effect, validity, and enforceability as if I had hand signed the Proposal. This signature will not be denied such legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. - Sam Ta, Sr. RFP Manager, ChargePoint Holdings, Inc.

The Proposer declares that there is an actual or potential Conflict of Interest relating to the preparation of its submission, and/or the Proposer foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the bid.

Yes No

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
Addendum_8_EV_Supply_Eqpt_RFP_042221 Thu April 15 2021 05:17 PM	<input checked="" type="checkbox"/>	2
Addendum_7_EV_Supply_Eqpt_RFP_042221 Tue April 13 2021 06:10 PM	<input checked="" type="checkbox"/>	3
Addendum_6_EV_Supply_Eqpt_RFP_042221 Mon April 12 2021 06:28 PM	<input checked="" type="checkbox"/>	2
Addendum_5_EV_Supply_Eqpt_RFP_042221 Tue April 6 2021 08:27 AM	<input checked="" type="checkbox"/>	1
Addendum_4_EV_Supply_Eqpt_RFP_042221 Thu April 1 2021 05:07 PM	<input checked="" type="checkbox"/>	1
Addendum_3_EV_Supply_Eqpt_RFP_042221 Fri March 26 2021 09:24 AM	<input checked="" type="checkbox"/>	1
Addendum_2_EV_Supply_Eqpt_RFP_042221 Mon March 15 2021 06:38 PM	<input checked="" type="checkbox"/>	2
Addendum_1_EV_Supply_Eqpt_RFP_042221 Thu March 11 2021 05:32 PM	<input checked="" type="checkbox"/>	1

**AMENDMENT #1
TO
CONTRACT # 042221-CPI**

THIS AMENDMENT is by and between **Sourcewell** and **ChargePoint, Inc.** (Vendor).

Sourcewell awarded a contract to Vendor to provide Electric Vehicle Supply Equipment and Related Services to Sourcewell and its Participating Entities, effective July 15, 2021, through July 20, 2025 (Contract).

The parties wish to amend the following terms within the Contract.

1. This Amendment is effective upon the date of the last signature below.
2. Article 2. Equipment, Products, or Services Section, B. Warranty is deleted in its entirety and replaced with the following:

Vendor warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and for a period of one year and consistent with Vendor's Parts Only Warranty (the "Warranty") are free from defects in design, materials, and workmanship. In addition, Vendor warrants the Equipment, Products, and Services are suitable for and will perform in accordance with the ordinary use for which they are intended. Vendor's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that is effective past the expiration of the Vendor's warranty will be passed on to the Participating Entity.

3. Article 6 Participating Entity Use and Purchasing, A. Orders and Payment is deleted in its entirety and replaced with the following:

To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Vendor that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Vendor. Typically, a Participating Entity will issue an order directly to Vendor. If a Participating Entity issues a purchase order, it may use its own forms as agreed between the Participating Party and Vendor, but the purchase order should clearly note the applicable Sourcewell contract number. All Participating Entity orders under this Contract must be issued prior to expiration of this Contract; however, Vendor performance, Participating Entity payment, and any applicable warranty periods or other Vendor or Participating Entity obligations may extend beyond the term of this Contract.

4. Article 8 Report on Contract Sales Activity and Administrative Fee Payment, B. Administrative Fee is deleted in its entirety and replaced with the following:

In consideration for the support and services provided by Sourcewell, the Vendor will pay an administrative fee to Sourcewell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing.

Vendor may not charge Participating Entities more than the contracted price to offset the Administrative Fee. The Vendor will submit payment to Sourcewell of 2% multiplied by the total sales of all Equipment, Products, and Services purchased by Participating Entities under this Contract during each calendar quarter.

Payments should note the Vendor's name and Sourcewell-assigned contract number in the memo; and must be mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcewell's banking institution per Sourcewell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

- 5. Article 11 Liability is deleted in its entirety and replaced with the following:

Vendor must indemnify, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any third party claims or causes of action, including reasonable attorneys' fees, to the extent arising out of the negligent performance of this Contract by the Vendor or its agents or employees or Vendor's willful misconduct; this indemnification includes injury or death to person(s) or property alleged to have been caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications

- 6. Article 21. Provisions for Non-United States Federal Entity Procurements Under United States Federal Awards or Other Awards, Section D. Rights to Inventions Made Under a Contract or Agreement is deleted in its entirety.

Except as amended by this Amendment, the Contract remains in full force and effect.

Sourcewell

ChargePoint, Inc.

DocuSigned by:
By: Jeremy Schwartz
Jeremy Schwartz, Chief Procurement Officer

DocuSigned by:
By: Rex Jackson
Rex Jackson

Date: 9/27/2021 | 7:22 AM CDT

Title: CFO

Approved:

Date: 9/27/2021 | 7:18 AM CDT

DocuSigned by:
By: Chad Coanette
Chad Coanette, Executive Director/CEO

Date: 9/27/2021 | 7:54 AM CDT



Memorandum

June 4, 2024

To: Roxanne Muhlmeister, Assistant Finance Director/Purchasing Officer
From: John Maashoff, Public Works Manager
Re: **Request to Participate in Cooperative Purchasing Agreement with Westside Solutions, Inc.**

The Public Works Department requests authorization for use of a cooperative purchasing agreement per Carlsbad Municipal Code Section 3.28.100 (Cooperative Purchasing). This code provides that the purchasing officer shall have the authority to join with other public or quasi-public agencies in cooperative purchasing plans or programs for the purchase of goods and/or services by contract, arrangement or agreement as allowed by law and as determined by the purchasing officer to be in the city's best interest. The purchasing officer may buy directly from a vendor at a price established by another public agency when the other agency has made their purchase in a competitive manner.

The Public Works Department would like to cooperatively use a Cooperative Purchasing Agreement that was competitively sourced through Sourcewell contract #042221-CPI with ChargePoint, Inc. to purchase electric vehicle chargers and charger services for the State Street Parking Lot Electric Vehicle Charging Stations Project, Capital Improvement Program Project No. 4090. The EV charges and charger services selected for the project will be purchased from Westside Solutions, Inc., an authorized distributor related to the contract. The total amount of this purchase is \$128,365.

Approval for Use of Cooperative Contract

Roxanne Muhlmeister

6/17/2024

Roxanne Muhlmeister
 Assistant Finance Director/Purchasing Officer

Date

c: Shea Sainz, Senior Contract Administrator
 Janean Hawney, Contract Administrator

Public Works Branch

Fleet & Facilities Department

1654 Broadway Avenue | Carlsbad, CA 92008 | 760-573-3368 t

Item #6

Page 57 of 57



CITY COUNCIL Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Tammy McMinn, Senior Deputy City Clerk
tammy.mcminn@carlsbadca.gov, 442-339-2953

Subject: Mayoral Appointment of Two Members to the Library Board of Trustees

Districts: All

Recommended Action

Adopt resolutions appointing two members to the Library Board of Trustees.

Executive Summary

The City Council is being asked to appoint two members to the Library Board of Trustees. The Library Board of Trustees may make recommendations to and advise the City Council in matters pertaining to the following:

- the duties and powers of the librarian and other library employees
- the number of employees
- the purchase of equipment, real estate and buildings
- the advisability and desirability of facilities of the city library
- the amounts of moneys required to operate the library
- policies related to the administration of the city library

The board consists of five members appointed by the Mayor and confirmed by the City Council. Members must be residents of Carlsbad and normally serve four-year terms, unless appointed to fill an unexpired term.

Explanation & Analysis

Trustee Sherman DeForest was appointed to the Library Board of Trustees in July 2016 to fill the expired term of Trustee Bob Benson for a term ending in June 2020. Trustee DeForest was reappointed in July 2020 for a term ending in June 2024. There is currently a scheduled vacancy on the Library Board of Trustees for a term ending in June 2028. Trustee DeForest is not eligible for reappointment.

Trustee Gina McBride was appointed to the Library Board of Trustees in September 2019 to fill the unexpired term of Trustee Dane Pearson for a term ending in June 2020. Trustee McBride was reappointed in July 2020 for a term ending in June 2024. There is currently a scheduled vacancy on the Library Board of Trustees for a term ending in June 2028. Trustee McBride is eligible for and is seeking reappointment.

The City Clerk’s Office received eight applications from residents wishing to serve on the Library Board of Trustees. In keeping with City Council Policy No. 88, the Mayor has chosen the following two applicants to advance in the process and interview with the full City Council:

- Paul Hannosh – District 1
- Gina McBride – District 4

Exhibit 3 contains the applications of the applicants moving forward in the interview process.

The Maddy Act (California Government Code Sections 54970-54974) requires that on or before December 31 of each year the legislative body shall prepare a Local Appointments List, which contains the appointive terms of Board and Commission members that will expire in the next calendar year. The name of the incumbent appointee, the date of appointment and the term expiration date is also included on the list. Based on the prepared list, the City Clerk’s Office accepts applications (available on the city’s website and in the City Clerk’s Office) for any upcoming vacancies.

The current members of the Library Board of Trustees are:

Trustee Member	District
Laurel Moran	3
William Sheffler	1
Katrina Waidelich	2

Members of the Library Board of Trustees are subject to the provisions of California’s Political Reform Act of 1974 and must file statements of economic interest each year and complete two hours of ethics training every two years.

Fiscal Analysis

This action has no financial impact.

Next Steps

Following the appointment of two members to the Library Board of Trustees, the City Clerk’s Office will update the board roster and coordinate the oaths of office and the filing of the appointees’ statements of economic interest and ethics training certificates.

Environmental Evaluation

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

Exhibits

1. City Council resolution appointing one member to the Library Board of Trustees
2. City Council resolution appointing one member to the Library Board of Trustees
3. Applications received from residents advancing to the interview process

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPOINTING ONE MEMBER TO THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Trustee Sherman DeForest was appointed to the Library Board of Trustees in July 2016, to fill the expired term of Trustee Bob Benson for a term ending in June 2020; and

WHEREAS, Trustee DeForest was reappointed to the Library Board of Trustees in July 2020, for a term ending in June 2024; and

WHEREAS, Trustee DeForest is not eligible for reappointment; and

WHEREAS, a scheduled vacancy on the Library Board of Trustees exists with a term ending in June 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Library Board of Trustees, for a term ending in June 2028, or until a replacement is appointed:

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ____ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPOINTING ONE MEMBER TO THE LIBRARY BOARD OF TRUSTEES

WHEREAS, Trustee Gina McBride was appointed to the Library Board of Trustees in September 2019, to fill the unexpired term of Trustee Dane Pearson for a term ending in June 2020; and

WHEREAS, Trustee McBride was reappointed to the Library Board of Trustees in June 2020, for a term ending in June 2024; and

WHEREAS, Trustee McBride is eligible for and seeking reappointment; and

WHEREAS, a scheduled vacancy on the Library Board of Trustees exists with a term ending in June 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Library Board of Trustees, for a term ending in June 2028, or until a replacement is appointed:

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ____ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



Boards, Commissions and Committees Application for Appointment

Agricultural Mitigation Fee Committee		Arts Commission		Beach Preservation Commission	
Community-Police Engagement Commission		Historic Preservation Commission		Housing Commission	
Library Board of Trustees	X	Parks & Recreation Commission		Planning Commission	
Senior Commission		Traffic Safety & Mobility Commission			

Personal Information

Name Paul Hannosh		Date of Birth: <i>Required for Voter Registration Verification</i>	
Home Address _____			District No. 1
City	Carlsbad	ZIP	92008
Primary Phone _____		Secondary Phone _____	
E-mail _____			
Employment Status		Employed	
Occupation		Teacher	
Employer		MVA	
Employer Address _____			
Work Phone _____		Mobile _____	

Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	X	
I am a registered voter in Carlsbad.	X	
I am willing to file financial disclosure statements.	X	
I am willing to complete two hours of state mandated ethics training every two years.	X	
Are you currently an officer of or employed by the City of Carlsbad?		X
I am a Citizens Academy graduate.		X
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	X	
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	X	
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.		X

Interest

My Mother in law was a librarian and as a veteran teacher I feel it's vital to maintain a database of information freely to the public

Please describe your educational background

Mentor Teacher, veteran teacher of over 25 years with 3 credentials in science, history and multiple subjects

Please describe relevant experience

Having served on a school board and as a veteran teacher it would be a privilege to help preserve and expose fellow residents to the wealth of knowledge that our public libraries have to offer.

Please describe your current or past community involvement

Army Veteran, School board President, Water Board Treasurer, Knight Templar Armorer In all these services I have counted it a privilege to serve the public and be a servant leader.

Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)

School Board President, Church Board, Water Board Treasurer

Additional information or comments

Submittal Information

Submit Date: June 21, 2024 11:17 AM



Boards, Commissions and Committees Application for Appointment

Agricultural Mitigation Fee Committee		Arts Commission		Beach Preservation Commission	
Community-Police Engagement Commission		Historic Preservation Commission		Housing Commission	
Library Board of Trustees	X	Parks & Recreation Commission		Planning Commission	
Senior Commission		Traffic Safety & Mobility Commission			

Personal Information

Name Gina Payne McBride		Date of Birth: <i>Required for Voter Registration Verification</i>	
Home Address _____			District No. 4
City Carlsbad		ZIP 92009	
Primary Phone _____		Secondary Phone _____	
E-mail _____			
Employment Status Retired			
Occupation Volunteer Consultant			
Employer McBride Financial and Philanthropic Concepts			
Employer Address _____			
Work Phone _____		Mobile _____	

Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	X	
I am a registered voter in Carlsbad.	X	
I am willing to file financial disclosure statements.	X	
I am willing to complete two hours of state mandated ethics training every two years.	X	
Are you currently an officer of or employed by the City of Carlsbad?		X
I am a Citizens Academy graduate.	X	
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	X	
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	X	
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.		X

Interest

Please describe your educational background

California State University, Long Beach - American Institute Philanthropic Studies New York Institute of Finance College for Financial Planning, Denver, CO

Please describe relevant experience

Currently serving as Carlsbad Library Trustee eligible for re-appointment and applying to serve another term. Also Served on Carlsbad Library and Arts Foundation Board of Directors

Please describe your current or past community involvement

Please see attached.

Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)

Please see attached.

Additional information or comments

Libraries are a critical institution for any community ... Carlsbad Library continually aspires and expands to provide more services to its citizens as more needs of the community come to light. I am proud to be a part of that mission and hope, and would be honored, to serve another term as Trustee

Submittal Information

Submit Date: June 18, 2024 3:22 PM



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Tammy McMinn, Senior Deputy City Clerk
 tammy.mcminn@carlsbadca.gov, 442-339-2953

Subject: Mayoral Appointment of Three Members to the Beach Preservation Commission

Districts: All

Recommended Action

Adopt resolutions appointing three members to the Beach Preservation Commission.

Executive Summary

The City Council is being asked to appoint three members to the Beach Preservation Commission. The Beach Preservation Commission shall investigate, research and make recommendation to the City Council and the City Manager on general coastal topics, studies, and programs, including, but not limited to the following:

- Protecting and enhancing the shoreline (e.g., littoral cells and sea level rise).
- Preventing beach erosion.
- Preserving and maintaining beaches for the safety and optimum enjoyment of the public.

The commission consists of seven members appointed by the Mayor and confirmed by the City Council. Members must be residents of Carlsbad and normally serve four-year terms, unless appointed to fill an unexpired term.

Explanation & Analysis

Commissioner Brian Colby was appointed to the Beach Preservation Commission in July 2018, to fill the unexpired term of Commissioner Norelynn Pion-Goreau for a term ending in June 2020. Commissioner Colby was reappointed in September 2020 for a term ending in June 2024. There is currently a scheduled vacancy on the Beach Preservation Commission for a term ending in June 2028. Commissioner Colby is eligible for and is seeking reappointment.

Commissioner Kathleen Steindlberger was appointed to the Beach Preservation Commission in January 2018, to fill the unexpired term of Commissioner Sage Naumann for a term ending in June 2020. Commissioner Steindlberger was reappointed in July 2020 for a term ending in June 2024. There is currently a scheduled vacancy on the Beach Preservation Commission for a term ending in June 2028. Commissioner Steindlberger is not eligible for reappointment.

Commissioner Chris Woolsey was appointed to the Beach Preservation Commission in July 2020, to fill the expired term of Commissioner Linda Petrucci for a term ending in June 2024. There is currently a scheduled vacancy on the Beach Preservation Commission for a term ending in June 2028. Commissioner Woolsey is eligible for and is seeking reappointment.

The City Clerk’s Office received seven applications from residents wishing to serve on the Beach Preservation Commission. In keeping with City Council Policy No. 88, the Mayor has chosen the following three applicants to advance in the process and interview with the full City Council:

- Brian Colby – District 3
- Liam Ferguson – District 4
- Chris Woolsey – District 2

Exhibit 4 contains the applications of the applicants moving forward in the interview process.

The Maddy Act (California Government Code Sections 54970-54974) requires that on or before December 31 of each year the legislative body shall prepare a Local Appointments List, which contains the appointive terms of Board and Commission members that will expire in the next calendar year. The name of the incumbent appointee, the date of appointment and the term expiration date is also included on the list. Based on the prepared list, the City Clerk’s Office accepts applications (available on the city’s website and in the City Clerk’s Office) for any upcoming vacancies.

The current members of the Beach Preservation Commission are:

Commission Member	District
Spencer Burrows	1
Michael Corrigan	1
Cynthia Norall	1
Lisa Stark	3

Members of the Beach Preservation Commission are subject to the provisions of California’s Political Reform Act of 1974 and must file statements of economic interest each year and complete two hours of ethics training every two years.

Fiscal Analysis

This action has no financial impact.

Next Steps

Following the appointment of three members to the Beach Preservation Commission, the City Clerk’s Office will update the commission roster and coordinate the oaths of office and the filing of the appointees’ statements of economic interest and ethics training certificates.

Environmental Evaluation

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

Exhibits

1. City Council resolution appointing one member to the Beach Preservation Commission
2. City Council resolution appointing one member to the Beach Preservation Commission
3. City Council resolution appointing one member to the Beach Preservation Commission
4. Applications received from residents advancing to the interview process

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPOINTING ONE MEMBER TO THE BEACH PRESERVATION COMMISSION

WHEREAS, Commissioner Brian Colby was appointed to the Beach Preservation Commission in July 2018 to fill the unexpired term of Commissioner Norelynn Pion-Goreau, for a term ending in June 2020; and

WHEREAS, Commissioner Colby was reappointed to the Beach Preservation Commission in September 2020, for a term ending in June 2024; and

WHEREAS, Commissioner Colby is eligible for and is seeking reappointment; and

WHEREAS, a scheduled vacancy on the Beach Preservation Commission exists with a term ending in June 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Beach Preservation Commission, for a term ending in June 2028, or until a replacement is appointed:

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ____ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPOINTING ONE MEMBER TO THE BEACH PRESERVATION COMMISSION

WHEREAS, Commissioner Kathleen Steindlberger was appointed to the Beach Preservation Commission in January 2018 to fill the unexpired term of Commissioner Sage Naumann, for a term ending in June 2020; and

WHEREAS, Commissioner Steindlberger was reappointed to the Beach Preservation Commission in July 2020, for a term ending in June 2024; and

WHEREAS, Commissioner Steindlberger is not eligible for reappointment; and

WHEREAS, a scheduled vacancy on the Beach Preservation Commission exists with a term ending in June 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Beach Preservation Commission, for a term ending in June 2028, or until a replacement is appointed:

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ____ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPOINTING ONE MEMBER TO THE BEACH PRESERVATION COMMISSION

WHEREAS, Commissioner Chris Woolsey was appointed to the Beach Preservation Commission in July 2020 to fill the expired term of Commissioner Linda Petrucci, for a term ending in June 2024; and

WHEREAS, Commissioner Woolsey is eligible for and is seeking reappointment; and

WHEREAS, a scheduled vacancy on the Beach Preservation Commission exists with a term ending in June 2028.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the following Carlsbad resident is appointed to serve on the Beach Preservation Commission, for a term ending in June 2028, or until a replacement is appointed:

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ____ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



Boards, Commissions and Committees Application for Appointment

Agricultural Mitigation Fee Committee		Arts Commission		Beach Preservation Commission	X
Community-Police Engagement Commission		Historic Preservation Commission		Housing Commission	
Library Board of Trustees		Parks & Recreation Commission		Planning Commission	
Senior Commission		Traffic Safety & Mobility Commission			

Personal Information

Name <p style="text-align: center;">Brian Colby</p>		Date of Birth: <i>Required for Voter Registration Verification</i>	
Home Address _____			District No. 3
City Carlsbad		ZIP 92011	
Primary Phone _____		Secondary Phone _____	
E-mail _____			
Employment Status Employed			
Occupation Medical Device Manager			
Employer Sol Millennium Medical			
Employer Address _____			
Work Phone _____		Mobile _____	

Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	X	
I am a registered voter in Carlsbad.	X	
I am willing to file financial disclosure statements.	X	
I am willing to complete two hours of state mandated ethics training every two years.	X	
Are you currently an officer of or employed by the City of Carlsbad?		X
I am a Citizens Academy graduate.	X	
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	X	
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	X	
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.		X

Interest

Please describe your educational background

B.S. from Arizona State University Graduated 2003

Please describe relevant experience

Multiple terms serving on Beach Preservation Commission

Please describe your current or past community involvement

Current Board of Directors, Carlsbad Boys and Girls Club Prior Board member of Carlsbad Fire Department Foundation Current Commissioner on Carlsbad Beach Preservation Commission

Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)

Current Board of Directors, Carlsbad Boys and Girls Club Prior Board member of Carlsbad Fire Department Foundation Current Commissioner on Carlsbad Beach Preservation Commission

Additional information or comments

Submittal Information

Submit Date: June 4, 2024 3:51 PM



Boards, Commissions and Committees Application for Appointment

Agricultural Mitigation Fee Committee		Arts Commission		Beach Preservation Commission	X
Community-Police Engagement Commission		Historic Preservation Commission		Housing Commission	
Library Board of Trustees		Parks & Recreation Commission		Planning Commission	
Senior Commission		Traffic Safety & Mobility Commission			

Personal Information

Name Liam Ferguson		Date of Birth: <i>Required for Voter Registration Verification</i>	
Home Address			District No. 4
City	Carlsbad	ZIP	92011
Primary Phone		Secondary Phone	
E-mail			
Employment Status	Employed		
Occupation	Surf Travel		
Employer	Casa La Barra Surf Resort		
Employer Address			
Work Phone	Mobile		

Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	X	
I am a registered voter in Carlsbad.	X	
I am willing to file financial disclosure statements.	X	
I am willing to complete two hours of state mandated ethics training every two years.	X	
Are you currently an officer of or employed by the City of Carlsbad?		X
I am a Citizens Academy graduate.		X
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	X	
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	X	
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.	X	

Explanation: I'm applying for a Committee Member on the Carlsbad Beach Preservation Committee. I have lived and worked in Carlsbad since 1995. I noticed three terms are expiring this June 2024 on the Beach Preservation Committee and wish to apply for one. There is currently no representation from District 4 on the Committee and our beaches are in dire need of preservation.

Interest

Please describe your educational background

Received a Bachelor of Science at Cal State University Long Beach, Business; minor in Communications University Student Body President High School Diploma, with honors from St John Bosco in Bellflower, Ca Four Year High School Athlete

Please describe relevant experience

I have worked in the Surf Industry since 1995 and have been very active on many Beach Restoration Boards. The companies I have lead have donated millions of dollars to the Surfrider Foundation and other beach preservation/beach access organizations. I have lived on the beach in District 4 since 2000 and have seen first hand, with daily walks, when our beaches are being preserved and when they are not.

Please describe your current or past community involvement

Back in 2007, a small group of friends and myself that live next to the Cape Ray Hotel found out the City of Carlsbad was going to approve the 215 Hotel without an Environmental Impact Report (EIR). We gathered thousands of signatures, met with city officials, spoke before the Council and Planning Commission. We were able to slow down the approval process with Mayor "Bud" Lewis (at the time) and get an EIR included in the building of the hotel. We were able to convince the city council that the beach and surrounding area was too sensitive to move forward with just a Mitigated Negative Declaration (MND) which was their plan.

Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)

None at the moment.

Additional information or comments

My wife and I LOVE Carlsbad!!! We have raised our two beautiful children on the beach in District 4 and I want make sure Carlsbad familes get to enjoy the beauty, recreation and healing power of our beaches for many years to come!

Submittal Information

Submit Date: June 3, 2024 3:58 PM



Boards, Commissions and Committees Application for Appointment

Agricultural Mitigation Fee Committee		Arts Commission		Beach Preservation Commission	X
Community-Police Engagement Commission		Historic Preservation Commission		Housing Commission	
Library Board of Trustees		Parks & Recreation Commission		Planning Commission	
Senior Commission		Traffic Safety & Mobility Commission			

Personal Information

Name Chris Woolsey		Date of Birth: <i>Required for Voter Registration Verification</i>	
Home Address _____			District No. 2
City Carlsbad		ZIP 92010	
Primary Phone _____		Secondary Phone _____	
E-mail _____			
Employment Status Employed			
Occupation Sales			
Employer Incyte Corporation			
Employer Address _____			
Work Phone _____		Mobile _____	

Acknowledgements

	Yes	No
I am a resident of the City of Carlsbad.	X	
I am a registered voter in Carlsbad.	X	
I am willing to file financial disclosure statements.	X	
I am willing to complete two hours of state mandated ethics training every two years.	X	
Are you currently an officer of or employed by the City of Carlsbad?		X
I am a Citizens Academy graduate.		X
I am familiar with the responsibilities of the board/commission/committee(s) on which I wish to serve.	X	
I am willing to be interviewed regarding my qualifications for appointment by the City Council or at the request of an individual Council member.	X	
Are you currently or have you ever been under contract with the City of Carlsbad? If yes, please explain below.		X

Interest

Please describe your educational background

I earned a Bachelor's of Science, Biology from California State University, Sacramento. During my time studying at CSUS, I worked with the CSUS biochemistry division on researching apolipoprotein and lipid synthesis.

Please describe relevant experience

Currently serving as a Commissioner on the Beach Preservation Commission.

Please describe your current or past community involvement

Married, Father of four in Carlsbad; current a Commissioner on the Beach Preservation Committee. Previously, I served on the Parent Advisory Counsel for Valley Middle School for two years.

Please list all service on boards, commissions or committees, private or public agencies, (including non-profit organizations)

Commissioner on the Beach Preservation Committee

Additional information or comments

I would be honored to continue to serve as Commissioner on the Beach Preservation Committee. As commissioner, I actively engage in agenda development and discussions, votes, and beach cleanup efforts. While my work/travel forces me to miss some meetings, I make every effort to attend when possible. I look forward to continuing to serve my community as Commissioner on the Beach Preservation Committee. Thank you.

Submittal Information

Submit Date: May 22, 2024 3:44 PM



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Faviola Medina, City Clerk Services Director
faviola.medina@carlsbadca.gov, 442-339-5989

Subject: Adoption of Ordinance No. CS-471 Restricting Overnight Parking on Babilonia Street

District: 3

Recommended Action

Adoption of Ordinance No. C-471 amending Title 10, Chapter 10.40 of the Carlsbad Municipal Code by adding Section 10.40.303 to restrict parking along the west and east curb lines of Babilonia Street, from the south property line of 7151 Babilonia Street to the north property line of 7233 Babilonia Street between the hours of 11 p.m. to 5 a.m.

Executive Summary

The 7200 block of Babilonia Street has an unobstructed view over an open lot looking southwest over the Batiquitos Lagoon and the ocean. The street also has only five streetlights, and the view has been attracting large groups to gather in nighttime hours, with the popularity fueled by social media.

Police personnel have spoken with the residents who live along this stretch of roadway. Although residents reported that the department's efforts have improved the situation, they have asked the city for a longer-term solution.

Staff presented the proposed parking restrictions to the Traffic Safety and Mobility Commission on June 3, 2024. The commission voted 6-0 to support staff's recommendation to restrict overnight parking at this location.

The City Council is being asked to adopt Ordinance No. CS-471 amending Title 10, Chapter 10.40 of the Carlsbad Municipal Code by adding Section 10.40.303 to restrict parking along the west and east curb lines of Babilonia Street, from the south property line of 7151 Babilonia Street to the north property line of 7233 Babilonia Street between the hours of 11 p.m. to 5 a.m.

Explanation & Analysis

Ordinance No. CS-471 was introduced and first read at the City Council meeting held on July 16, 2024. On a motion by Mayor Pro Tem Bhat-Patel, seconded by Council Member Acosta, the City

Council voted 4/0/1, with Council Member Luna absent, to introduce Ordinance No. CS-471 amending Title 10, Chapter 10.40 of the Carlsbad Municipal Code by adding Section 10.40.303 to restrict parking along the west and east curb lines of Babilonia Street, from the south property line of 7151 Babilonia Street to the north property line of 7233 Babilonia Street between the hours of 11 p.m. to 5 a.m.

The second reading allows the City Council to adopt the ordinance. The ordinance shall be effective thirty days after its adoption.

The City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

Fiscal Analysis

The preliminary cost estimate for producing and installing signs with the new restrictions along the curb lines of Babilonia Street between residences 7151 and 7233 is \$2,400.

There are sufficient funds in the Police Department's Fiscal Year 2024-2025 operating budget to cover the cost of these signs.

Next Steps

The City Clerk's Office will have the ordinance, or a summary of the ordinance, published in a newspaper of general circulation within 15 days following the adoption of the ordinance. The ordinance will be effective 30 days following its adoption.

Environmental Evaluation

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

Exhibit

1. Ordinance No. CS-471

ORDINANCE NO. CS-471

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AMENDING TITLE 10, CHAPTER 10.40 OF THE CARLSBAD MUNICIPAL CODE BY ADDING SECTION 10.40.303 TO RESTRICT PARKING ALONG THE WEST AND EAST CURB LINES OF BABILONIA STREET, FROM THE SOUTH PROPERTY LINE OF 7151 BABILONIA STREET TO THE NORTH PROPERTY LINE OF 7233 BABILONIA STREET BETWEEN THE HOURS OF 11 P.M. TO 5 A.M.

WHEREAS, the City of Carlsbad has received numerous reports of undesired and illegal behavior on Babilonia Street, including underage drinking, loud music, noise, littering, reckless driving, and drug use, resulting in over 1000 calls for service since January 2022; and

WHEREAS, the City of Carlsbad has received a petition signed by residents of Babilonia Street requesting nighttime parking restrictions on a portion of Babilonia Street; and

WHEREAS, the Carlsbad Police Department met with the owners of the properties located along this portion of Babilonia Street and the owners expressed support for the overnight parking restrictions; and

WHEREAS, the City Council of the City of Carlsbad has determined that it is in the interest of public safety that an overnight parking restriction be implemented on both the west and east sides of Babilonia Street from the south property line of 7151 Babilonia Street to the north property line of 7233 Babilonia Street between the hours of 11 p.m. and 5 a.m.; and

WHEREAS, the City Planner has determined that pursuant to Public Resources Code Section 21065, the proposed action does not qualify as a "project" within the meaning of the California Environmental Quality Act (CEQA) in that it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and therefore does not require environmental review.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. The above recitations are true and correct.
2. That Title 10, Chapter 10.40 of the Carlsbad Municipal Code is amended by the addition of Section 10.40.303 to read as follows:

10.40.303 Parking restricted on a portion of Babilonia Street.

Parking of vehicles is prohibited between the hours of 11 p.m. and 5 a.m. on both the west and east sides of Babilonia Street from the south property line of 7151 Babilonia Street to the north property line of 7233 Babilonia Street.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the 16th day of July, 2024, and thereafter.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the __ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

CINDIE K. McMAHON, City Attorney

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Matt Sanford, Economic Development Manager
 matt.sanford@carlsbadca.gov, 442-339-5987

Subject: Disestablishing the Carlsbad Golf Lodging Business Improvement District Under the Parking and Business Improvement Area Law of 1989

Districts: All

Recommended Action

1. Hold a public hearing; and
2. Introduce an ordinance repealing Chapter 3.38 of the Carlsbad Municipal Code and disestablishing the Carlsbad Golf Lodging Business Improvement District.

Executive Summary

On April 18, 2023, the City Council formed a new Carlsbad Tourism Business Improvement District under the Property and Business Improvement District Law of 1994 (California Streets and Highways Code Section 36600 *et seq*¹).

The new district established a benefit zone focused on golf-related programs that was intended to replace the Carlsbad Golf Lodging Business Improvement District, which was established under an older state law that imposed limitations on the district. The new district creates greater efficiencies in how Carlsbad is marketed for tourism. With a replacement program in place, the Carlsbad Golf Lodging Business Improvement District assessment was discontinued on June 30, 2023. However, before disestablishing the district, all remaining funds in the Carlsbad Golf Lodging Business Improvement District account had to be exhausted. All remaining funds have now been exhausted and the Carlsbad Golf Lodging Business Improvement District's Advisory Board approved a recommendation to the City Council to disestablish the district.

On June 25, 2024, the City Council adopted Resolution No. 2024-157 (Exhibit 1) declaring its intention to repeal Carlsbad Municipal Code Chapter 3.38, disestablishing the Carlsbad Golf Lodging Business Improvement District and setting a public hearing on July 23, 2024.

¹ Et seq, or et sequentes, means all of the codes in the section, not just the single one cited.

Staff are now recommending the City Council hold a public hearing and then adopt an ordinance repealing Carlsbad Municipal Code Chapter 3.38 contemporaneously with disestablishing the Carlsbad Golf Lodging Business Improvement District, in keeping with California Streets and Highways Code Section 36550 (Exhibit 2).

Explanation & Analysis

The City Council approved Ordinance No. CS-194 in 2012 enacting Chapter 3.38 of the Carlsbad Municipal Code establishing the Carlsbad Golf Lodging Business Improvement District under the Parking and Business Improvement Area Law of 1989 (California Streets and Highways Code Section 36500 *et seq.*).

The district provided a benefit to participating lodging businesses by collecting an assessment of 1% of daily room night costs from visitors to be used to market Carlsbad as a golf destination as well as the participating lodging businesses. Over time, the district grew to have eight participating lodging businesses.

The newly established Carlsbad Tourism Business Improvement District and its corresponding assessment began operating on July 1, 2023, as was approved in what is called the district's management district plan. The 1994 law allows for the creation of one or more benefit zones within the district to raise funds within a specific geographic area for different categories of businesses. The new district created such a benefit zone to focus on golf lodging, which includes an optional additional assessment for properties that opt into the golf benefit zone.

Under the new district, lodging businesses may voluntarily elect to pay an additional 1% assessment in addition to the base assessment, which is consistent with the previous Carlsbad Golf Lodging Business Improvement District assessment. The funds raised through the additional assessment are used to promote golf-related programs and activities to increase room sales for those lodging businesses that opt-in to paying the additional assessment. The proceeds of the additional assessment pay for golf-related programs and services specifically tailored only to those paying the additional assessment.

This zone effectively replaced the Carlsbad Golf Lodging Business Improvement District, creating greater efficiencies in operations and destination marketing in Carlsbad.

Funds that were collected by the Carlsbad Golf Lodging Business Improvement District needed to be fully expended before golf-related promotion services could be shifted to the new district. On May 6, 2024, the Carlsbad Golf Lodging Business Improvement District's Advisory Board approved the final reimbursements to properties for golf-related expenses, exhausting the old district's funds. With those funds exhausted, the Advisory Board approved a recommendation to the City Council to disestablish the district.

Fiscal Analysis

Since the Carlsbad Golf Lodging Business Improvement District operations were replaced by a similar program under the new Carlsbad Tourism Business Improvement District, there is no immediate fiscal impact on the city from approving the disestablishment of the no-longer needed district.

Next Steps

With the City Council's approval, staff will return to the City Council at its next regular meeting for the second reading of the ordinance repealing Carlsbad Municipal Code Chapter 3.38 and disestablishing the Carlsbad Golf Lodging Business Improvement District.

Environmental Evaluation

This action does not require environmental review because it does not constitute a project within the meaning of the California Environmental Quality Act under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

Exhibits

1. City Council Resolution No. 2024-157
2. City Council Ordinance

RESOLUTION NO. 2024-157

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, DECLARING ITS INTENTION TO REPEAL CARLSBAD MUNICIPAL CODE CHAPTER 3.38 AND DISESTABLISH THE CARLSBAD GOLF LODGING BUSINESS IMPROVEMENT DISTRICT ESTABLISHED IN 2012 AND FIXING THE TIME AND PLACE OF A PUBLIC HEARING

WHEREAS, on Nov. 27, 2012, the City Council of the City of Carlsbad approved Ordinance No. CS-194 enacting Chapter 3.38 of the Carlsbad Municipal Code establishing the Carlsbad Golf Lodging Business Improvement District (CGLBID) under the Parking and Business Improvement Area Law of 1989 (California Streets and Highways Code Section 36500 *et seq.*); and

WHEREAS, the City Council formed a new Carlsbad Tourism Business Improvement District on April 18, 2023 (New CTBID) under the Property and Business Improvement District Law of 1994 (California Streets and Highways Code Section 36600 *et seq.*) as effectuated in City Council Resolution No. 2023-118; and

WHEREAS, the New CTBID will continue providing golf-related programs and activities with Visit Carlsbad as the contracted Owners' Association as defined under the 94 Law; and

WHEREAS, as a result of the New CTBID's establishment, the Carlsbad Golf Lodging Business Improvement District has wound down operations and exhausted its remaining funds as of May 6, 2024; and

WHEREAS, as a result of disestablishing the Carlsbad Golf Lodging Business Improvement District, Chapter 3.38 of the Carlsbad Municipal Code will become obsolete; and

WHEREAS, the City Council has the authority to disestablish the Carlsbad Golf Lodging Business Improvement District under California Streets and Highways Code Section 36550.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the City Council declares its intention to repeal Carlsbad Municipal Code Chapter 3.38 contemporaneously with the disestablishment of the Carlsbad Golf Lodging Business Improvement District.

3. That there are no remaining assets to dispose of acquired with the revenues of the assessments levied and collected for the Carlsbad Golf Lodging Business Improvement District's projects, programs, activities, and administration.
4. That the time and place for the public hearing to hear testimony on disestablishing the Carlsbad Golf Lodging Business Improvement District is set for July 23, 2024 at 5 p.m. at Carlsbad City Hall, 1200 Carlsbad Village Drive, Carlsbad, CA 92008.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 25th day of June, 2024, by the following vote, to wit:

AYES: BLACKBURN, BHAT-PATEL, ACOSTA, BURKHOLDER, LUNA.
NAYS: NONE.
ABSTAIN: NONE.
ABSENT: NONE.



KEITH BLACKBURN, Mayor



for _____
SHERRY FREISINGER, City Clerk
(SEAL)



ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, REPEALING CHAPTER 3.38 OF THE CARLSBAD MUNICIPAL CODE AND DISESTABLISHING THE CARLSBAD GOLF LODGING BUSINESS IMPROVEMENT DISTRICT

WHEREAS, on Nov. 27, 2012, the City Council of the City of Carlsbad approved Ordinance No. CS-194 enacting Chapter 3.38 of the Carlsbad Municipal Code establishing the Carlsbad Golf Lodging Business Improvement District (CGLBID) under the Parking and Business Improvement Area Law of 1989 (89 Law) (California Streets and Highways Code Section 36500 *et seq.*); and

WHEREAS, the City Council formed a new Carlsbad Tourism Business Improvement District on April 18, 2023 (New CTBID) under the Property and Business Improvement District Law of 1994 (94 Law) (California Streets and Highways Code Section 36600 *et seq.*) as effectuated in City Council Resolution No. 2023-118; and

WHEREAS, the New CTBID will continue providing golf-related programs and activities with Visit Carlsbad as the contracted Owners' Association as defined under the 94 Law; and

WHEREAS, as a result of the New CTBID's establishment, the Carlsbad Golf Lodging Business Improvement District wound down operations and exhausted its remaining funds as of May 6, 2024; and

WHEREAS, as a result of disestablishing the Carlsbad Golf Lodging Business Improvement District, Chapter 3.38 of the Carlsbad Municipal Code will become obsolete; and

WHEREAS, the City Council has the authority to disestablish the Carlsbad Golf Lodging Business Improvement District under California Streets and Highways Code Section 36550; and

WHEREAS, on June 25, 2024, the City Council adopted Resolution No. 2024-157 (Resolution of Intention) declaring its intention to disestablish the Carlsbad Golf Lodging Business Improvement District, repeal Chapter 3.38 of the Carlsbad Municipal Code, and set a public hearing for July 23, 2024 at 5 p.m. at Carlsbad City Hall, 1200 Carlsbad Village Drive, Carlsbad, California, 92008; and

WHEREAS, in accordance with California Streets and Highways Code Section 36523, city staff caused a complete copy of the Resolution of Intention to be published in a newspaper of general circulation in the city, and within seven (7) days following the adoption of the Resolution of Intention furnished a complete copy via first-class mail to each business owner assessed within the Carlsbad Golf Lodging Business Improvement District; and

WHEREAS, on July 23, 2024, a public hearing was held at Carlsbad City Hall, 1200 Carlsbad Village Drive, Carlsbad, California, 92008, where evidence, both written and oral, was presented to, and considered by, the City Council during the public hearing; and

WHEREAS, the City Planner has determined disestablishment of the Carlsbad Lodging Business Improvement District is exempt from the California Environmental Quality Act because this action does not constitute a project under California Public Resources Code Section 21065 in that it has no potential to cause either a direct physical change or a reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. The above recitations are true and correct.
2. Carlsbad Municipal Code Chapter 3.38, Carlsbad Golf Lodging Business Improvement District, is repealed in its entirety.
3. Pursuant to California Streets and Highways Code Section 36550, the City Council disestablishes the Carlsbad Golf Lodging Business Improvement District.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the _____ day of _____, 2024, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

CINDIE K. McMAHON, City Attorney

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: John Maashoff, Public Works Manager
john.maashoff@carlsbadca.gov, 442-339-2856

Subject: Approval of Plans, Specifications and Contract Documents and Authorization to Advertise for Bids for the Alga Norte Aquatic Center Restroom and Locker Room Renovation Project and the Pool Replastering Project and Authorizing an Additional Appropriation

District: 2

Recommended Actions

1. Adopt a resolution approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for the Alga Norte Aquatic Center Restroom and Locker Room Renovation Project; and
2. Adopt a resolution approving the plans, specifications and contract documents and authorizing the City Clerk to advertise for bids for the Alga Norte Aquatic Center Pool Replastering Project and authorizing an additional appropriation in the amount of \$1,487,464 from the Infrastructure Replacement Fund.

Executive Summary

The Alga Norte Aquatic Center, located within Alga Norte Community Park at 6565 Alicante Road, as shown in Exhibit 3, was built in 2013 as the city's second aquatic center. It includes a 56-meter competition pool, a 25-yard instructional pool, a warm water spa for adults and a splash pad for kids and is of the city's most popular facility, used by tens of thousands of park visitors over the past 11 years. The four family locker rooms and restrooms are now in need of significant repairs.

Staff request the City Council's approval of the completed and permitted plans, project specifications and contract documents for the Alga Norte Aquatic Center Restroom and Locker Room Renovation Project, Capital Improvement Program Project No. 4756, to be used to solicit construction bids to complete this work. The cost estimate by an engineer is \$850,000, and sufficient funds are available in the budget for Project No. 4756 to complete this work.

In addition, elements of the pools and spa, also constructed in 2013, are reaching the end of their useful life. Staff request the City Council's approval of the plans, specifications and contract documents for the Alga Norte Aquatic Center Pool Replastering Project, Capital Improvement Program Project No. 4733, to be used to solicit construction bids to complete this work. The engineer's cost estimate to complete that work is \$2,100,000, and staff are requesting an additional appropriation in the amount of \$1,487,464 to construct the project.

City Council approval of these plans, specifications and contract documents is required under Carlsbad Municipal Code Section 3.28.080(E) because the expected value for this work is more than \$200,000.

Explanation & Analysis

Overview

The Alga Norte Aquatic Center includes a competition pool with a 14,098-square-foot surface area, an instructional pool with a 7,884-square-foot surface area, and a hydrotherapy spa with a 250-square-foot surface area that need resurfacing. Adjoining the pools in the Aquatic Center are family restrooms and locker rooms that need of repairs and re-building. To minimize public disruption, staff plan to schedule the renovation of the family restrooms and lockers rooms at the same time as the pool replastering. The two projects were being designed independently, but both are ready to move into the construction phase, and staff are recommending they be constructed concurrently.

Restroom and Locker Room Renovation Project (Project No. 4756)

The family restrooms and locker rooms in the Alga Norte Aquatic Center have had warranty issues since shortly after they were put into service in 2013. In spring 2023, a financial settlement was received from the original general contractor of the facility to cover repairs and re-build portions of the family restrooms and locker rooms. Staff negotiated the settlement after several years of technical analysis and evaluation of the facility conditions for repairs that were covered under the original contract warranty terms.

In summer 2023, staff issued a professional services agreement to the architectural firm that assisted the city during settlement negotiations to complete construction drawings and specifications to repair and renovate portions of the facility identified in the technical analysis and evaluation. This includes the four family locker rooms and portions of the men's and women's locker rooms where there are showers and restroom fixtures.

The plans, specifications and contract documents to reconstruct the family restrooms and locker rooms have been completed, reviewed by staff and submitted for the required building permit. The plan check process is complete, and a pending building permit is on file with the Building Division of the city's Community Development Department, ready to be used by the successful bidder.

Staff recommend that the City Council approve the plans, specifications and contract documents and authorize the City Clerk to advertise for construction bids for the project.

Pool Replastering Project (Project No. 4733)

Commercial pools generally require resurfacing as a part of critical maintenance about every 10 to 15 years to repair problems such as cracks, patches breaking off and the results of use. The surface of each of the Alga Norte Aquatic Center pools is a plaster finish that provides a protective layer between the pool water and the reinforced concrete structures. The surfaces of the Alga Norte Aquatic Center pools have never been resurfaced. In recent years, the surfaces of the pools have begun to show signs of deterioration, and the need to perform localized repairs has increased.

The general scope of this project consists of removing and replacing all of the tiles, including those with depth markers, “No Diving” and “Bench Below” warnings and markers for the lanes, along with lighting fixtures and drain grates. The work includes inspecting and repairing any cracks in the reinforced concrete substructure to the extent of the depth of loose materials encountered and a complete replaster for all three pools.

The plans, specifications and contract documents have been completed, reviewed by staff and submitted for the required San Diego County Department of Environmental Health and Quality permits.

Staff recommend that the City Council approve the plans, specifications and contract documents, authorize the City Clerk to advertise for construction bids for the project and authorize an additional appropriation in the amount of \$1,487,464 for the project.

Fiscal Analysis

Capital Improvement Program Project No. 4756 is funded by the settlement agreement with the facility’s original general contractor and the General Capital Construction Fund. Additional funding is not needed at this time, but it could be needed at the time of contract award to cover construction costs depending on bids received from contractors.

Alga Norte Aquatic Center Restroom and Locker Room Renovation Project Capital Improvement Program Project No. 4756	
Total appropriation to date	\$1,983,192
Total expenditures/encumbrances to date	-\$206,896
Total available balance	\$1,776,296
Additional project costs	
Construction contract (engineer’s estimate)	-\$850,000
Construction contingency (estimated)	-\$125,000
Construction management, inspection and testing (estimated)	-\$150,000
Total estimated construction costs	-\$1,125,000
Remaining balance	\$651,296
Additional appropriation requested	\$0

Capital Improvement Program Project No. 4733 was funded in fiscal year 2017-18, to make various improvements to Alga Norte Park. Replastering the pools was not part of the project scope when the project was initially funded. The total cost to replaster the pools is estimated at \$2,100,000. An additional appropriation in the amount of \$1,487,464 from the Infrastructure Replacement Fund is necessary to complete the project, as shown in the table below.

Alga Norte Aquatic Center Pool Replastering Project Capital Improvement Program Project No. 4733	
Total appropriation to date	\$1,424,000
Total expenditures/encumbrances to date	-\$273,464
Total available balance	\$1,150,536
Construction contract (engineer’s estimate)	-\$2,100,000
Construction contingency (estimated)	-\$210,000
Construction management, inspection and testing (estimated)	-\$65,000
Funding for original improvements included in CIP Project No. 4733	-\$263,000
Total estimated construction costs	-\$2,638,000
Additional appropriation requested	\$1,487,464

Next Steps

With the City Council’s approval, the City Clerk will advertise a request for bids for both projects. Staff will then evaluate the bids received and identify the lowest responsive and responsible bidders.

Staff will then return to the City Council with a recommendation to award construction contracts to the identified lowest responsive and responsive bidders for both projects and request additional funding, if needed, in late summer 2024. Each of the contract documents provide for approximately three months for construction, which is expected to start by December 2024, with an estimated completion date by March 2025.

Environmental Evaluation

The City Planner, through the process outlined in Carlsbad Municipal Code Section 19.04.060, has determined that each of the two projects belongs to a class of projects that the California Secretary for Natural Resources has found do not have a significant impact on the environment, and it is therefore categorically exempt from the requirement for the preparation of environmental documents pursuant to Section 15301 (d) Class 1 of the California Environmental Quality Act Guidelines.

In making this determination, the City Planner has found that the exceptions listed in Section 15300.2 of the CEQA Guidelines do not apply to this project. The project is consistent with 15301 (d) Class 1 because it consists of maintenance of public facilities, such as restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety.

Exhibits

1. City Council resolution – Restroom and Locker Room Renovation Project
2. City Council resolution – Pool Replastering Project
3. Location map
4. [Plans, specifications, and contract documents – Restroom and Locker Room Renovation Project](#) (on file in the Office of the City Clerk)
5. [Plans, specifications, and contract documents – Pool Replastering Project](#) (on file in the Office of the City Clerk)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING THE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE ALGA NORTE AQUATIC CENTER RESTROOM AND LOCKER ROOM RENOVATION PROJECT

WHEREAS, the City Council of the City of Carlsbad, California has determined that the plans, specifications and contract documents for the Alga Norte Aquatic Center Restroom and Locker Room Renovation Project, Capital Improvement Program, or CIP, Project No. 4756, or Project, have been completed to the satisfaction of staff; and

WHEREAS, the City Council has determined it necessary, desirable and in the public interest to construct the Project; and

WHEREAS, the plans, specifications and contract documents for the Project have been prepared, are on file at the City Clerk's office and are incorporated by reference; and

WHEREAS, City Council approval of the plans and specifications is required under Carlsbad Municipal Code, or CMC, Section 3.28.080(E) because the expected value to construct the Project exceeds the \$200,000 limit established by the Public Contract Code, including the alternative provisions of the Uniform Public Construction Cost Accounting Act; and

WHEREAS, sufficient funding is available for the Project; and

WHEREAS, the City Planner has determined that the Project is exempt from the California Environmental Quality Act, or CEQA, per State CEQA Guidelines Section 15301(d) – restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, and that no exception to the exemption as set forth in CEQA Guidelines section 15300.2 applies.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the plans, specifications and contract documents for the Alga Norte Aquatic Center Restroom and Locker Room Renovation Project, CIP Project No. 4756, are approved and on file at the City Clerk's Office.

3. That the City Clerk is hereby authorized and directed to publish, in accordance with state law and CMC Section 3.28.080(C), a notice to contractors inviting bids for construction of the Project in accordance with plans, specifications and contract documents referred to herein.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING THE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE ALGA NORTE AQUATIC CENTER POOL REPLASTERING PROJECT AND AUTHORIZING AN ADDITIONAL APPROPRIATION IN AN AMOUNT OF \$1,487,464 FROM THE INFRASTRUCTURE REPLACEMENT FUND

WHEREAS, the City Council of the City of Carlsbad, California has determined that the plans, specifications and contract documents for the Alga Norte Aquatic Center Pool Replastering Project, Capital Improvement Program, or CIP, Project No. 4733, or Project, have been completed to the satisfaction of staff; and

WHEREAS, the City Council has determined it necessary, desirable and in the public interest to construct the Project; and

WHEREAS, the City Council authorizes the City Clerk to advertise for bids for the Alga Norte Aquatic Center Pool Replastering Project; and

WHEREAS, the plans, specifications and contract documents for the Project have been prepared, are on file at the City Clerk's office and are incorporated by reference; and

WHEREAS, City Council approval of the plans and specifications is required under Carlsbad Municipal Code, or CMC, Section 3.28.080(E) because the expected value to construct the Project exceeds the \$200,000 limit established by the Public Contract Code, including the alternative provisions of the Uniform Public Construction Cost Accounting Act; and

WHEREAS, an additional appropriation in the amount of \$1,487,464 from the Infrastructure Replacement fund is requested for construction of the Project; and

WHEREAS, the City Planner, through the process outlined in CMC Section 19.04.060, has determined that the project belongs to a class of projects that the State Secretary for Natural Resources has found do not have a significant impact on the environment, and it is therefore categorically exempt from the requirement for the preparation of environmental documents pursuant to Section 15301 (d) Class 1 of the California Environmental Quality Act, or CEQA, Guidelines. In making this determination, the City Planner has found that the exceptions listed in Section 15300.2 of the state CEQA Guidelines do not apply to this project. The project is consistent with 15301 (d) Class 1 because it consists of maintenance of public facilities, such as restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the City Manager or designee is authorized to appropriate \$1,487,464 from the Infrastructure Replacement fund to CIP Project No. 4733.
3. That the plans, specifications and contract documents for the Alga Norte Aquatic Center Pool Replastering Project, CIP Project No. 4733, are approved and on file at the City Clerk's Office.
4. That the City Clerk is hereby authorized and directed to publish, in accordance with state law and CMC Section 3.28.080(C), a notice to contractors inviting bids for construction of the Project in accordance with plans, specifications and contract documents referred to herein.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the __ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

LOCATION MAP

Exhibit 3



SITE LOCATION

ALICANTE RD

POINSETTIA LN

Copyright nearmap 2015

PROJECT NAME

*ALG NORTE AQUATIC CENTER RESTROOM AND LOCKER ROOM
RENOVATION AND POOL REPLASTER PROJECTS*

**PROJECT
NUMBERS**
4756/4733

EXHIBIT
3

Plans, specifications and contract documents
(on file in the Office of the City Clerk)

Plans, specifications and contract documents
(on file in the Office of the City Clerk)



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Nick Stupin, Parks Planning Manager
 nick.stupin@carlsbadca.gov, 442-339-2527

Subject: Construction Contract for the Stagecoach Community Garden Project

District: 4

Recommended Action

Adopt a resolution accepting bids received and awarding a construction contract to ACE Capital Engineering for the Stagecoach Community Park - Community Garden Project, Capital Improvement Program Project No. 4611, in an amount not-to-exceed \$464,353 and appropriating \$25,000 from the Park Development Capital Project Fund (Park-In-Lieu SE) to the Fiscal Year 2024-25 Capital Improvement Program Budget.

Executive Summary

This project will convert Stagecoach Community Park's former maintenance yard into a raised container community garden. The garden will include 35 raised planting beds, an informational kiosk, composting bins, tool storage, a picnic table, benches, a garden design element and a shade structure.

The City Council approved the plans, specifications, and contract documents for the project on April 23, 2024, authorizing staff to advertise for public bids. Staff have reviewed the two bids the city received and recommend the City Council award a construction contract to the low bidder, ACE Capital Engineering, in an amount not-to-exceed \$464,353, and appropriate \$25,000 in additional funds to address the difference between the engineer's estimate of probable construction costs and the low bid.

Under Carlsbad Municipal Code Section 3.28.080 (l)(6), only the City Council can award contracts for construction projects that are subject to formal bidding procedures.

Explanation & Analysis

The grounds maintenance of Stagecoach Community Park shifted to a contract model over five years ago and the contractor opted not to lease the city's onsite maintenance yard. Staff investigated the feasibility of repurposing the maintenance yard as a community garden to further address the expressed need for this amenity and broaden the service area provided.

On June 14, 2022, the City Council approved the Fiscal Year 2022-23 Capital Improvement Program Budget, which included the Stagecoach Community Garden Project.

The 2023-2030 Parks & Recreation Department Master Plan Update affirmed the need for an additional community garden to be built to meet the demand for this amenity. Public input received during the master plan update process also provided support for a high priority ranking for additional community gardens. Chapter 9 of the master plan, Strategic Recommendations, includes the following parks strategy for the short term (up to 3 years), specific to a community garden at Stagecoach Community Park:

- Complete construction plans, bidding, and construction implementation for Stagecoach Community Garden

Staff coordinated with a design consultant, Rick Engineering, to develop the Stagecoach Community Garden plans, specifications and contract documents. Staff also consulted the Carlsbad Community Gardens Collaborative board members regarding the general layout of the community garden and certain details of the plans and specifications; many of which were modeled after the Pine Avenue Community Garden.

Completing the Stagecoach Community Garden will also be consistent with the city's Climate Action Plan, Sustainability Element Goal 9-G.6:

- Support the creation of community gardens throughout the community

With its completion, the city will have at least one community garden in three of the city's four park districts:

- The Harold E. Smerdu Community Garden and the Pine Avenue Community Garden in the Northwest Park District
- The Calavera Schoolhouse Community Garden in the Northeast Park District
- The Stagecoach Community Garden in the Southeast Park District

Bidding process

- The City Council approved the plans, specifications and construction documents for the community garden project and authorized advertising for public bids on April 23, 2024
- Staff advertised the project for public bids on April 24, 2024
- The engineer's estimate of probable construction cost for the project was \$443,327
- Staff received two bids for construction of the project on June 18, 2024
- Staff reviewed the bids and determined that ACE Capital Engineering was the lowest responsive and responsible bidder, with a bid amount of \$464,353

Stagecoach Community Park – Community Garden Project – CIP Program No. 4611	
Bidder	Bid Amount
ACE Capital Engineering	\$464,353
Fordyce Construction	\$819,462

Fiscal Analysis

The total cost of the project is estimated to be \$645,000. An additional appropriation of \$25,000, from the Park Development Capital Project Fund (Park-In-Lieu SE) to the Fiscal Year 2024-25 Capital Improvement Program Budget is needed to complete the project. Sufficient funds are available in that fund to accommodate the request.

Stagecoach Community Park – Community Garden Project – CIP Program No. 4611	
Project appropriations to date	\$620,000
Project expenditures and encumbrances to date	\$72,570
Total available funding	\$547,430
Construction contract	\$464,353
Construction contingency (estimated)	\$46,435
Construction management and inspection (estimated)	\$61,642
Total estimated construction costs	\$572,430
Additional appropriation needed	(\$25,000)

Carlsbad Municipal Code Sections 3.28.040(C)(5) and 3.28.090(B) authorize the City Manager or designee to approve change orders in an amount equal to the contingency set at the time of project's construction contract award, which for this project is \$46,435.

The maintenance and operations costs for the community garden are estimated to be \$72,000 per year. A seven-month prorated appropriation of \$42,000 was approved in the Fiscal Year 2024-25 Parks Maintenance Operating Budget.

Next Steps

Staff will complete the execution of the construction contract with ACE Capital Engineering, schedule a pre-construction meeting, and issue a notice to proceed. Staff anticipate completion of the construction of the Stagecoach Community Garden by end of December 2024.

Environmental Evaluation

The City Planner has reviewed the project for potential environmental impacts and concluded the project qualifies for an exemption under California Environmental Quality Act Guidelines section 15301 -Existing Facilities. CEQA Guidelines Section 15301 is a Class 1 exemption for existing facilities which includes negligible or no expansion of existing or former use. A notice of exemption regarding the environmental determination was advertised on Feb. 14, 2024, and posted on the city's website.

During the 10-day public review period, the city received no comment letters from the public regarding the prospective environmental determination. Since no appeal was filed and no substantial evidence was submitted that would support a finding that the exemption requirements would not be satisfied, the project was determined by the City Planner to not have a significant effect on the environment. In keeping with Carlsbad Municipal Code Section 19.04.060, the City Planner's written decision is final.

Exhibits

1. City Council resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ACCEPTING BIDS RECEIVED AND AWARDING A CONSTRUCTION CONTRACT TO ACE CAPITAL ENGINEERING FOR THE STAGECOACH COMMUNITY PARK - COMMUNITY GARDEN PROJECT, CAPITAL IMPROVEMENT PROGRAM PROJECT NO. 4611, IN AN AMOUNT NOT-TO-EXCEED \$464,353 AND APPROPRIATING \$25,000 FROM THE PARK DEVELOPMENT CAPITAL PROJECT FUND (PARK-IN-LIEU SE) TO THE FISCAL YEAR 2024-25 CAPITAL IMPROVEMENT PROGRAM BUDGET

WHEREAS, the City Council of the City of Carlsbad, California has determined that there is an expressed need for community gardens within the city; and

WHEREAS, over five years ago, the grounds maintenance of Stagecoach Community Park shifted to a contract model, and the contractor opted not to lease the city's onsite maintenance yard; and

WHEREAS, staff investigated repurposing the maintenance yard as a community garden to further address the expressed need for this amenity and broaden the service area provided; and

WHEREAS, on June 14, 2022, the City Council approved the Fiscal Year 2022-23 Capital Improvement Program Budget, which included the Stagecoach Community Garden Project; and

WHEREAS, the 2023-2030 Parks & Recreation Department Master Plan Update affirmed the need for an additional community garden to be built to meet the demand for this amenity; and

WHEREAS, Chapter 9, Strategic Recommendations, of the 2023-2030 Parks & Recreation Department Master Plan Update includes the following Parks Strategy, for the Short Term [0-3 Years], specific to community gardens, "Complete construction plans, bidding, and construction implementation for Stagecoach Park Community Garden"; and

WHEREAS, staff coordinated with a design consultant, Rick Engineering, to develop the Stagecoach Community Garden plans, specifications, and contract documents; and

WHEREAS, staff additionally consulted the Carlsbad Community Gardens Collaborative board members regarding the general layout of the garden and details of the plans and specifications; and

WHEREAS, the completion of the Stagecoach Community Garden will result in at least one community garden in three of the city's four park districts – i.e., the Harold E. Smerdu Community Garden and the Pine Avenue Community Garden in the Northwest Park District; the Calavera Schoolhouse Community Garden in the Northeast Park District; and the Stagecoach Community Garden in the Southeast Park District; and

WHEREAS, the completion of the Stagecoach Community Garden will also be consistent with the city's Climate Action Plan, Sustainability Element Goal 9-G.6 to "Support the creation of community gardens throughout the community;" and

WHEREAS, the City Council adopted Resolution No. 2024-085, approving the plans, specifications and contract documents the Stagecoach Community Park – Community Garden Project and authorizing the project to be advertised for public bids on April 23, 2024; and

WHEREAS, the project was advertised for public bids on April 24, 2024; and

WHEREAS, the engineer's estimate of probable construction costs was \$443,327; and

WHEREAS, staff received two bids for construction of the project on June 18, 2024, and determined that ACE Capital Engineering was the lowest responsive and responsible bidder, with a bid amount of \$464,353; and

WHEREAS, the total cost of the project - including expenditures and encumbrances, construction contract, construction contingency, and construction management - is estimated to be \$645,000; and

WHEREAS, the total project appropriations to date are \$620,000; and staff recommend an additional appropriation of \$25,000 from the Park Development Capital Project Fund (Park-In-Lieu SE) to complete the project; and

WHEREAS, Carlsbad Municipal Code Sections 3.28.040(C)(5) and 3.28.090(B) authorize the City Manager or designee to approve change orders in an amount equal to the contingency set at the time of project's construction contract award, which for this project is \$46,435; and

WHEREAS, the maintenance and operations costs for the community garden are estimated to be \$72,000 per year and a seven-month prorated appropriation of \$42,000 was approved in the Fiscal Year 2024-25 Parks Maintenance Operating Budget;

WHEREAS, staff anticipate completion of the construction of the Stagecoach Community Garden by the end December 2024; and

WHEREAS, the City Planner has reviewed the project for potential environmental impacts and concluded the project qualifies for an exemption pursuant to CEQA Guidelines section 15301 (Existing Facilities). CEQA Guidelines Section 15301 is a Class 1 exemption for existing facilities which include negligible or no expansion of existing or former use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the bid in the amount of \$464,353 submitted by ACE Capital Engineering for construction of the Stagecoach Community Park - Community Garden Project is hereby accepted and the Mayor is hereby authorized to execute the contract for construction.
3. That the City Manager or designee is hereby authorized to approve change orders to the project's construction contract in an amount not-to-exceed \$46,435.
4. That the City Manager, or designee, is hereby authorized to appropriate \$25,000 from the Park Development Capital Project Fund (Park In-Lieu SE) to the Fiscal Year 2024-25 Capital Improvement Program Budget, to complete the project.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



CITY COUNCIL
Staff Report

Meeting Date: July 23, 2024

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: Todd Reese, Parks Services Manager
todd.reese@carlsbadca.gov, 442-339-2527

Subject: Recommended Robertson Ranch Park Master Plan

District: 2

Recommended Action

Adopt a resolution approving the recommended Robertson Ranch Park Master Plan and directing staff to proceed with the necessary environmental permitting and entitlements for the park project.

Executive Summary

City staff began working with the community to design Carlsbad’s newest park in the summer of 2023. Known as Robertson Ranch Park, it is located on 11.2 acres near the intersection of El Camino Real and Cannon Road.

One of the first steps in the park planning process was to gather input from the community about its ideas and priorities for the new park. This information was then considered, along with feedback from the recently updated Parks & Recreation Department Master Plan, potential costs and funding sources, site conditions and other nearby park amenities, to develop conceptual designs. A conceptual design identifies a park’s general uses, features and amenities, along with what will be located where. Three distinct conceptual designs were reviewed by the community, and based on the input received, one conceptual design was further refined by the project team.

That conceptual design, also known as the park’s recommended master plan, includes a playground, pickleball courts, a multipurpose sports field and a walking/jogging track and a community garden, along with trail connections and places to enjoy nature. Hearing that the community wanted this park to be “uniquely Carlsbad,” the design also incorporates references to Carlsbad’s rolling hills and agricultural roots.

The Robertson Ranch Park Preferred Concept Design Narrative (Exhibit 2) briefly explains the park planning considerations, criteria, analysis and process that culminated in the development of the recommended Robertson Ranch Park Master Plan (Exhibit 3). The preferred concept design narrative also provides a summary of the site conditions, community engagement, and design process through which the recommended master plan was created.

Staff are now requesting that the City Council approve the recommended master plan, which will provide the basis for further development of the documents needed for environmental permitting and entitlements required to construct the project consistent with the city's zoning regulations.

Explanation & Analysis

Background

The 2023-27 Carlsbad Strategic Plan identifies the strategic goal of Community Character: Maintain Carlsbad's Unique Character and Connectedness. Strategic Objective No. 6 of that goal indicates the city is to implement the policies of several plans, including the Parks & Recreation Department Master Plan, based on annual budget appropriations. The Priority Projects section of that goal includes the following, specific to the Robertson Ranch Park site:

- Complete conceptual design/master plan and permitting for Robertson Ranch Park

The 2023-30 Parks & Recreation Department Master Plan Update identified the community's desire for community and neighborhood parks. Chapter 9 of the master plan, Strategic Recommendations, includes the following parks strategy for the short term (up to three years), for the Robertson Ranch Park site:

- Complete community engagement, conceptual design and permitting for Robertson Ranch Park

On April 11, 2023, the City Council awarded a professional services agreement to Schmidt Design Group for design services for Robertson Ranch Park. One of the tasks in the design firm's scope of work included public workshops to gather community input and to incorporate that input into a park master plan.

Overview

The 11.2-acre Robertson Ranch Park site is just south of the Foothills residential community. The project site is located within the Open Space (OS) General Plan land use designation and has a Planned Community (PC) Zoning land use designation. Robertson Ranch Community Park is identified as Planning Area 12 in the Robertson Ranch Master Plan for the West Village.



The intent of the design of the recommended Robertson Ranch Park Master Plan is to create a family-oriented park that includes a variety of multi-generational and inclusive amenities. These features are incorporated into a variation of active and passive recreational elements.

The following objectives further aided in informing the basis of design:

- Consistency with the 2023-30 Park & Recreation Department Master Plan Update
- Maximization of storm water retention
- Emphasis on safety and visibility
- Tempering of traffic impacts on adjacent residential community

Community engagement

Staff from the Communication & Engagement Department and the Parks & Recreation Department prepared the format of the park's community engagement process. The goal of the process was to identify the community's needs, values and priorities related to the potential uses of the Robertson Ranch Park site.

Staff developed a community engagement approach consisting of three main phases:

Phase 1 - Community needs, values and priorities: July-August 2023

The first phase helped to determine what community members would most like to see and experience in this new park and what concerns, if any, they would like the city to consider in the park's design.

Phase 2 - Feedback on the preliminary conceptual designs: January-February 2024

Based on the initial input, the project team developed three preliminary design concepts for the park. These concepts were shared with the community for feedback, with a focus on how well they reflected the community's needs and priorities identified during the initial input gathering.

Phase 3 – Refining of a conceptual design based on feedback received: May-July 2024

The project team modified and refined a single design concept based on the community feedback received. The single design concept became the recommended Robertson Ranch Park Master Plan. That plan was posted for the community's review on July 11, 2024, and presented to the Parks & Recreation Commission on July 15, 2024.

During Phase 1 of the engagement process, staff heard from hundreds of community members, through two workshops (one in person, one virtual), held on Aug. 8 and 9, 2023, about what they'd like to see included in the future park. Staff offered two additional opportunities for the public to give input through an online survey and an ideas wall between Aug. 17 and Sept. 7, 2023. Individual emails were also received during Phase 1 of the engagement.

The following amenities were among the public's top priorities for the park:

- Sports fields
- Playground
- Walking and jogging paths
- Pickleball courts

Other amenities were mentioned, but were not amongst the public's top priorities, such as:

- Tennis courts
- A dog park
- A skate park

The input received during Phase 1 of the community engagement is summarized in the Robertson Ranch Park Public Input Report – November 2023 (Exhibit 4). The input from the workshops, online survey and ideas wall, and emails was categorized for the purpose of identifying key themes. The themes that resonated with the community included:

- Make the park something unique to Carlsbad, not generic
- Emphasize safety in the park design, maintenance and operations
- Be considerate of nearby residents (i.e., regarding noise, lights, parking and traffic)
- Create opportunities for social connections
- Emphasize the community's love of nature, open space and wildlife
- Design the park for multigenerational uses so it's fun for all ages

The design team was directed to incorporate the community input received during Phase 1 of the community engagement into three preliminary design concepts. Other important sources of information, including the physical characteristics and location of the site, the core values of the Carlsbad community and the city's parks and recreation needs were also used to develop the three preliminary design concepts (Exhibit 5).

Phase 2 of the engagement process began on Feb. 10, 2024, when the city held a second in-person workshop to share the three preliminary design concepts and give the community the opportunity to provide comments. Additionally, a virtual workshop was held on Feb. 15, 2024, and an online survey was then made available from Jan. 29 through Feb. 26, 2024. Phase 2 of the engagement process concluded with a presentation to the Parks & Recreation Commission on Feb. 26, 2024. The input received during Phase 2 of the community engagement is summarized in the Robertson Ranch Park Public Input Report – May 2024 (Exhibit 6). Feedback gathered included a range of priorities, from recreational facilities for various sports, to environmental and aesthetic considerations, to the importance of safety, accessibility and sustainability. Staff and the design team used the input to modify and refine single design concept, which became the recommended Robertson Ranch Park Master Plan.

Recommended Robertson Ranch Park Master Plan

The recommended Robertson Ranch Park Master Plan is intended to provide a place where visitors of all ages and abilities can experience a variety of active recreational amenities in a setting that embraces the esthetic of the natural rolling hills of Carlsbad and reflects the gentle terracing of the adjacent agrarian tapestry. The park will also have passive amenities that will allow visitors a place to gather, connect with nature and relax.

The largest feature of the park will be the multipurpose, synthetic turf field. This type of field allows for more flexibility in programming by being able to accommodate a variety of sports. The current anticipated use includes but is not limited to baseball/softball, lacrosse and soccer. The other main active recreation features and related amenities of the park include:

- Strategically located spectator seating and rest areas area for viewing sporting events
- Six pickleball courts (over 250 feet away from any residential homes)
- A splash pad
- Multigenerational outdoor fitness & exercise stations
- Half-court basketball court

One request raised during the community engagement process was for the park to include passive recreational components to allow multi-generational users to better interact. The main passive recreation features and amenities of the park include:

- A community garden with approximately 35 raised container plots
- Open grass areas for unstructured play (flexible green space)
- A 1/3-mile rubberized track for walking and jogging

Robertson Ranch Park will be smaller than a typical community park, but larger than most neighborhood parks. (For comparison, it is about twice as big as Holiday Park). In terms of planned uses, the recommended Robertson Ranch Master Plan and the city's General Plan have included references to amenities and uses that a park of this size would typically include. The main typical amenities and uses of the park include:

- A playground with nature-inspired play equipment and play experiences that will meet the needs and interests of children of all levels of ability
- Family and group picnic areas
- Buildings with restrooms, concession support room, and a variety of different sized shaded pavilions
- A parking lot with standard and Americans with Disability Act-accessible spaces, electric vehicle charging stations and drop-off areas

To alleviate some adjacent residents' concerns about traffic through the neighborhood, a secondary access point has been incorporated at Cannon Road. This access is proposed as a right-in/right-out vehicular entry and exit point and includes a paved path to the park that is accessible for people with disabilities.

Public art

The specific design for the public art component will be developed in partnership with the Library & Cultural Arts Department, which is tasked with administering a comprehensive process for selecting an artist and conducting public outreach for the project. The intent will be to integrate the public art with the overall park project.

Parks & Recreation Commission recommendation

The Parks & Recreation Commission reviewed and commented on the Robertson Ranch Park preliminary design concepts on Feb. 26, 2024, and on July 15, 2024, the Commission unanimously accepted the recommended Robertson Ranch Park Master Plan and recommended its approval by the City Council.

Fiscal Analysis

There is no direct fiscal impact associated with the approval of the recommended Robertson Ranch Park Master Plan. To date, the City Council has appropriated \$1,038,000 from the Park Development Capital Project Fund (Park-In-Lieu NE) for the Robertson Ranch Park Project, Capital Improvement Program Project No. 3801. Sufficient funds are available to proceed with the environmental permitting and entitlements that are required to construct the project, consistent with the city's Zoning Ordinance.

The preliminary estimate of probable construction cost for the park as designed is \$27,727,740. No funds have been appropriated for the final design (the construction documents) or construction phase of the park project.

Next Steps

Any modifications to the recommended Robertson Ranch Park Master Plan requested by the City Council will be addressed, and staff will pursue the environmental permitting and other permits required for the project. Staff anticipate submitting entitlement applications to the Community Development Department in fall 2024 for Planning Commission consideration and returning to the City Council in spring 2025 for approval of the final Robertson Ranch Park Master Plan.

Environmental Evaluation

The City Planner has determined that approval of the recommended Robertson Ranch Park Master Plan as a concept plan is exempt from environmental review at this stage of the park planning process under Section 15262 - Feasibility and Planning Studies of the California Environmental Quality Act Guidelines because it is a project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded and does not require the preparation of an environmental impact report or negative declaration but does require consideration of environmental factors.

The recommended action consists of approving the recommended Robertson Ranch Park Master Plan and does not include environmental and discretionary actions for this project. Such actions will be handled during a separate planning process. This action does not irrevocably commit the city to construct the park. The entitlements authorizing construction of the park will go through a complete environmental review as required by the Environmental Quality Act.

Furthermore, in accordance with Carlsbad Municipal Code Section 19.04.060, the City Planner posted a notice of this determination on July 11, 2024. The notice was circulated for a 10-day period, and no appeals were filed by July 21, 2024, as would be required by Carlsbad Municipal Code Section 21.54.140. Therefore, this determination is final.

Exhibits

1. City Council resolution
2. Robertson Ranch Park Preferred Concept Design Narrative, dated July 10, 2024
3. Recommended Robertson Ranch Park Master Plan, dated July 2024
4. [Robertson Ranch Park: Public Input Report, dated November 2023](#) (on file in the Office of the City Clerk)
5. Robertson Ranch Park Preliminary Concept Designs
6. [Robertson Ranch Park: Public Input Report, dated May 2024](#) (on file in the Office of the City Clerk)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING THE RECOMMENDED ROBERTSON RANCH PARK MASTER PLAN AND DIRECTING STAFF TO PROCEED WITH THE NECESSARY ENVIRONMENTAL PERMITTING AND ENTITLEMENTS FOR THE PARK PROJECT

WHEREAS, the City Council adopted 2023-27 Carlsbad Strategic Plan identifies the strategic goal of Community Character: Maintain Carlsbad’s Unique Character and Connectedness; and

WHEREAS, Strategic Objective No. 6 of that goal indicates the city is to implement the policies of several plans, including the Parks & Recreation Department Master Plan, based on annual budget appropriations; and

WHEREAS, the Priority Projects section of that goal includes completion of the conceptual design/master plan and permitting for Robertson Ranch Park; and

WHEREAS, the City Council adopted 2023-30 Parks & Recreation Department Master Plan Update identifies the community’s desire for community and neighborhood parks; and

WHEREAS, Chapter 9 of the master plan, Strategic Recommendations, includes a short-term parks strategy to complete community engagement, conceptual design and permitting for Robertson Ranch Park; and

WHEREAS, on April 11, 2023, the city awarded a professional services agreement to Schmidt Design Group for design services for Robertson Ranch Park; and

WHEREAS, on June 18, 2024, the City Council adopted the FY 2024-25 Capital Improvement Program Budget, which included Robertson Ranch Park as a strategic plan project that was in the “Preliminary Design” phase; and

WHEREAS, conceptual designing, master planning and permitting of such projects are all tasks within that phase of the program; and

WHEREAS, one of the tasks in the agreement’s scope of work included conducting public workshops to gather community input and incorporating that input into a park master plan; and

WHEREAS, Schmidt Design Group and staff conducted public workshops to gather community input and incorporated that input into a recommended park master plan; and

WHEREAS, the recommended master plan provides the basis of design for further development of documents associated with the environmental permitting and entitlements of the park project; and

WHEREAS, Robertson Ranch Park is a 11.2-acre site near the northeast corner of El Camino Real and Cannon Road, south of the Foothills residential community; and

WHEREAS, a program Environmental Impact Report (EIR No. 03-03) was certified by the Planning Commission on May 31, 2006, and adopted by the City Council on Nov. 14, 2006 (Council Resolution No. 2006-324); and

WHEREAS, that EIR anticipated the construction a public park, to include sports field lighting, within Planning Area 12, an 11.2-acre parcel designated as a recreational planning area; and

WHEREAS, the design intent of the recommended Robertson Ranch Park Master Plan is a family-oriented park that includes a variety of multi-generational and inclusive amenities. These features are incorporated into several active and passive recreational elements in the design; and

WHEREAS, the following objectives further aided in informing the basis of design of the park: consistency with the 2023-30 Park & Recreation Department Master Plan Update, maximization of storm water retention, emphasis on safety and visibility, and tempering of traffic impacts on the adjacent residential community; and

WHEREAS, the community engagement process identified the community's needs, values, and priorities related to the potential uses of the Robertson Ranch Park site; and

WHEREAS, that community input, and other important sources of information including site specific guiding documents, physical characteristics and location of the site, and the core values of the Carlsbad community, were incorporated to the recommended Robertson Ranch Park Master Plan; and

WHEREAS, the specific design for the public art component will be developed in partnership with the Library & Cultural Arts Department, which is tasked with administering a comprehensive process for selecting an artist and conducting public outreach for the public art project; and.

WHEREAS, on Feb. 26, 2024, the Parks & Recreation Commission reviewed and commented on the Robertson Ranch Park preliminary design concepts; and

WHEREAS, on July 15, 2024, the commission accepted the recommended Robertson Ranch Park Master Plan and recommended its approval by the City Council; and

WHEREAS, there is no direct fiscal impact associated with the approval of the recommended Robertson Ranch Park Master Plan and to date, the City Council has appropriated \$1,038,000 from the Park Development Capital Project Fund (Park-In-Lieu NE) for the Robertson Ranch Park Project, Capital Improvement Program Project No. 3801; and

WHEREAS, sufficient funds are available to proceed with the necessary environmental permitting and entitlements; and

WHEREAS, no funds have been appropriated for the final design or construction phases of the park project; and

WHEREAS, staff anticipates submitting environmental permitting and entitlement applications to the Community Development Department in fall 2024 for the Planning Commission's consideration, and returning to the City Council in spring 2025 for approval of the final Robertson Ranch Park Master Plan; and

WHEREAS, the City Planner has determined that approval of the recommended Robertson Ranch Park Master Plan as a concept plan is exempt from environmental review at this stage of the park planning process per Section 15262 - Feasibility and Planning Studies of the California Environmental Quality Act Guidelines; and

WHEREAS, the project consists of approving the preliminary Robertson Ranch Park Master Plan and does not include environmental and discretionary actions for this project. Such actions will be handled during a separate planning process. This action does not irrevocably commit the city to construct the park. The entitlements authorizing construction of the park will go through a complete environmental review under the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. That the approval of the recommended Robertson Ranch Master Plan is necessary, desirable, and in the public interest.
3. That the recommended Robertson Ranch Park Master Plan is hereby approved (Attachment A) and staff is directed to proceed with the necessary environmental permitting and entitlements of the park project.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the ___ day of _____, 2024, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)



Trailblazer Way

Wind Trail Way

Park entrance

Community garden

Pickleball courts with lighting & plaza

Basketball half court

Restroom & concession building

Mounded landscapes

Parking lot

Path

Park entrance (right-in, right-out)

Field lights

Restroom & concession building

Field lights

Bleachers

Backstop

Scorer's booth

Attachment A



Fire Station 3

Cannon Road

Raised planter

Grass

Picnic tables with shade

Splash pad

Bridge

Playground

Drainage area

Nature playground

Concrete walkway

Terraced seating

Field lights

Overlook & stairs to field

Multipurpose field

Rubberized track (1/3 mile)

Decomposed granite path

Field lights

Pedestrian lights

Fitness station

Drainage area

**SCHMIDT DESIGN GROUP**

TO Nick Stupin, Parks Planning Manager | City of Carlsbad, Parks & Recreation Department

FROM Mark Moss, Principal | Schmidt Design Group

DATE July 10, 2024

PROJECT Robertson Ranch Park

SUBJECT Preferred Concept Design Narrative

NOTE

The forms within the design, both horizontally and vertically, are inspired by the aesthetic of the natural rolling hills of Carlsbad and reflect the gentle terracing of the adjacent agricultural land use (both past and present). Pathways and landscape edges meander through the park, reflective of the adjacent topography. Mounding within landscaped areas and contoured transitions will mimic the surrounding rolling hills, creating a dynamic topography for the park. The planting palette will include California native and water-wise plants that will help create a connection to nature, the adjacent open space preserve and the Aqua Hedionda Lagoon to the southwest while following sustainable design practices. Yet to be determined, public art integrated into the park design will create a deeper and richer connection between the city and this new park space. The park features and layout are intended to have multigenerational appeal to the variety of generations that live near the park, as well as provide both active and passive amenities based on community needs and interests.

The design intent of the park is a family-oriented park that includes a variety of multigenerational and inclusive amenities. These features are incorporated in a variety of active and passive recreational elements that are strategically and thoughtfully placed within the site. Park users of all ages and abilities can experience a variety of active recreational amenities and passive areas that will provide visitors a place to gather, connect (with nature and one another), relax and enjoy the benefits of a park.

The park design is a product of a thorough and thoughtful community outreach effort, seeking input for both the park elements and the desired experience. In addition to public input gathered for Robertson Ranch Park, the design was also informed by the 2023-30 Park & Recreation Department Master Plan Update and the 'Existing Needs' identified in the plan. All of this information, along with input from the Parks & Recreation Department on current and upcoming projects that will help meet the city's park's needs, the project team identified core project amenities, support amenities and additional amenities as space allowed. They include:



Core program amenities

Multipurpose field
Pickleball courts
Playground (traditional + nature-based playground)
Running/walking track

Support amenities

Public art
Walking paths
Picnic areas
Grass areas
Parking
Restroom and concession building(s)
Lighting
Stormwater retention & treatment areas

Additional program amenities

Community garden
Half-court basketball court
Outdoor fitness stations
Splash pad

The site itself and its surrounding land uses help inform the location of certain park features. For instance, the existing residential homes to the north push active, noisier uses that require special lighting to the east and south (i.e., the pickleball courts and sports field). Existing low points and storm drain infrastructure suggest logical locations for on-site stormwater retention and treatment. The existing open space and trail system to the south and west create a unique opportunity for this site to connect to a larger trail network and pull inspiration from the adjacent native flora and fauna. The existing grading of the site also provides opportunities to create overlooks – one to the existing preserve and another perched above the multipurpose field at the southern end of the entry promenade. Additionally, an existing grade difference between the residential homes to the north and the park site helps to further create a buffer between the two. A secondary access point is proposed on the east side of the park along Cannon Road to help alleviate some community concerns regarding traffic through the residential neighborhood to the north. This connection is proposed as a right-in/right-out vehicular entry and exit point. It will include an ADA-accessible pedestrian connection as well, given the entire park will meet ADA-accessible requirements.

The site will be graded into two main tiers, creating the opportunity for an overlook and integrated seating at the grade transition between the two tiers. An arching parking lot, complete with both standard and ADA parking stalls as well as EV charging stations, is located along the eastern edge of the site, adjacent to existing roads. Based on community feedback, the parking lot successfully ties the two tiers together and provides



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better access to all park areas, as compared to the concentrated parking lot designs in the other two park concepts presented to the community.

At the upper tier, from the northern entry point at Trailblazer Way, park visitors are brought toward a traffic turnaround and arrival drop-off at the park's main plaza space. The arrival plaza includes a linear promenade leading visitors to the south, creating an architectural contrast that culminates at an overlook focused on the multipurpose field and open space beyond. The promenade includes an allée of trees, raised planters with integrated seating, and a restroom facility serving the upper tier.

To the west of the promenade, the design includes a large playground featuring both traditional play equipment and discovery play with whimsical mounding, which ties into the global design inspiration. Discovery play will include nature-based elements that aim to create a connection between children and the natural environment. Aesthetically, this will be reinforced by the proposed stormwater treatment area located adjacent to the playground. Supporting the playground is a plaza that includes seating, grouped picnic tables with shade structures and a small splash pad. This is expected to be a favorite of children and families. In the northwest corner, the design includes connections to the existing trail network and passive non-programmed grass areas that are purposefully located approximately 50 feet away from the existing residential homes. All of these spaces combined will create a vibrant, community focused core for the park.

To the east of the promenade, the design includes more grass areas, shaded picnic tables and a half-court basketball court, which are common amenities found in Carlsbad parks. The proposed approximate 35-bed community garden and six pickleball courts are strategically located on the northeast side of the parking lot, adjacent to the existing fire station. The pickleball courts include an entry plaza with tables and shade, where players can connect and wait in a comfortable common space. These intentional placements provide parking access near the community garden and locates the pickleball courts over 250 feet away from any residential homes. The quantity of pickleball courts, while not the highest number proposed between the three initial concepts presented to the community, does match the existing quantity at Poinsettia Park. This created space for additional amenities to be included in the design and create a better balance between active and passive uses. Based on some community concerns regarding noise and the lasting appeal of the sport, this solution appeals to the variety of feedback received. Furthermore, during the development of the recommended master plan for the park, the City Council approved four pickleball courts to be added to two existing city parks (Calavera Hills and Stagecoach Community Parks) to further increase the total inventory at Carlsbad public parks.

The largest feature of the park is the multipurpose field, which is located in the southern portion of the site and within the lower tier of the park, where it is strategically placed away from the residential neighborhood to the north. This type of field allows for more flexibility in programming official games, accommodating different = sports while also creating space for spectators. The proposed field orientation is a response to community feedback received regarding one of the other concepts presented to the public. The design team was able to integrate the preferred fields from Concept 1 into the overall design of Concept 3. Located in the southeast corner of the multipurpose field is a baseball diamond, backstop, dugouts and bleachers,



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accompanied by a plaza next to a vehicle turnaround and drop-off area. Surrounding the field is an approximate 1/3 of a mile track and pathway. The intention is a dual material track, with delineated lanes. Located along this pathway are multiple outdoor fitness stations for additional health and wellness benefits. The placement of the stations versus a central fitness area, as shown in the other two concepts, creates a better condition for circuit training and follows industry trends while better accommodating other amenities within the park. A small plaza that includes a second restroom building that may include a concession area, picnic tables tucked under a large shade structure, and additional seating is located on the east side of the multipurpose field, supporting both the athletes and spectators. A second restroom was added to the recommended master plan based on community feedback to provide better coverage and access across the entire park.

Along the western edge of the park and next to the existing preserve, a meandering decomposed granite trail weaves between sculpted mounds and native plants, providing visitors a passive space to connect with nature and separate from the more active uses within the park. This space is intended to blur the line between the open space preserve and the active park. An elevated rest point atop a mound in the southwestern corner of the park provides a unique vantage point within this buffer, reinforcing the design goal of creating a connection with nature. Located in the far southern edge of the park is a second stormwater retention and treatment area.



Wind Trail Way

Trailblazer Way

Cannon Road

Park entrance

Community garden

Pickleball courts with lighting & plaza

Basketball half court

Restroom & concession building

Mounded landscapes

Parking lot

Path

Park entrance (right-in, right-out)

Field lights

Restroom & concession building

Field lights

Bleachers

Backstop

Scorer's booth

Raised planter

Grass

Picnic tables with shade

Splash pad

Bridge

Playground

Drainage area

Nature playground

Concrete walkway

Terraced seating

Field lights

Overlook & stairs to field

Multipurpose field

Rubberized track (1/3 mile)

Decomposed granite path

Field lights

Pedestrian lights

Fitness station

Drainage area

Fire Station 3

33'

40'

Exhibit 3



Public Input Report Dated November 2023
(on file in the Office of the City Clerk)

Robertson Ranch Park

3 CONCEPTS AT A GLANCE

All designs include

- Multi-use sports field (football, soccer, lacrosse, baseball, softball)
- Restrooms and concession stand
- Pickleball courts
- Buffer for nearby homes
- Walking/jogging track
- 115 space parking lot



#1 Agrarian Tapestry



#2 Community Quilt



#3 Rolling Hills

Multipurpose field direction

Northwest-Southeast

East-West

Northeast-Southwest

Walking/jogging path

1/3 mile

1/4 mile

1/3 mile

Splash Pad

Yes

No

No

Fitness area(s)

One location

One location

Spread along track

Playground

12 and under

12 and under
12+ age group playground

12 and under
+ "discovery" / creative play area

Community garden

10,000 square feet

No

No

Pickleball courts

9

8

6

Picnic areas

4

5
4 at the main plaza
1 between pickleball and field

5

Includes 1 at a lookout location

Robertson Ranch Park

CONCEPT 1: "AGRARIAN TAPESTRY"

The Agrarian Tapestry concept includes organic, irregular shapes and paths that reflect and honor the agricultural history of both the site and Carlsbad as a whole.

The park is accessed from Trailblazer Way, with Cannon Road providing an additional right-in/right-out access opportunity. Residents entering the site from Trailblazer Way will come upon a central arrival plaza. Spaces around the plaza include a children's play area for multiple age groups, picnic areas, an outdoor fitness hub, a splash pad and multiple open grassy areas. The plaza also includes a restroom/ concession building to support the nearby sports field. A rubberized track for walking and running surrounds the plaza area and provides a connection to the existing trails located along the western edge of the site. This collection of spaces, uses and connections creates opportunities for socialization, relaxation and a sense of community.

This area then slopes down to the large multi-purpose field. The field is similar in size to those at Aviara and Poinsettia community parks, but also includes a single backstop and infield in the southeast corner. The lower terrace also includes a community garden (aligning with the design's agrarian theme), nine pickleball courts and a natural area for drainage. A perimeter pathway encompasses the multi-purpose field providing opportunities to see and connect with the adjacent preserved open space. Low water use landscape is included throughout, including an ample buffer from the existing neighbors of the park and surrounding open space.



LOCAL CARLSBAD AGRICULTURE FIELDS



HISTORICAL AERIAL OF ROBERTSON RANCH PARK SITE



SLOPED LAWN WITH SEATING



WATER PLAY



RUBBERIZED SURFACE WALKING TRAIL LOOPING AROUND AMENITIES



Robertson Ranch Park

CONCEPT 1: "AGRARIAN TAPESTRY"

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- LANDSCAPE BUFFER
- OPEN GRASS
- RUBBERIZED WALKING TRACK (~0.33 MI.)
- PICNIC PLAZA
- ACCESS TO EXISTING TRAIL
- SPLASH PAD
- FITNESS AREA
- PLAYGROUND
- PICNIC AREA
- ARRIVAL PLAZA
- RESTROOMS / CONCESSION BUILDING
- PERIMETER PATHWAY

- EXISTING FIRE STATION
- LANDSCAPE BUFFER
- DROP-OFF AREA
- PARKING LOT (~115 SPACES)
- OPEN GRASS
- DRAINAGE AREA
- POTENTIAL SECONDARY ACCESS POINT
- COMMUNITY GARDEN (~10,000 SF)
- MULTI-PURPOSE SPORTS FIELD
- PICNIC AREA
- PICKLEBALL (9 COURTS)
- DRAINAGE AREA
- BLEACHERS AND BACKSTOP



Robertson Ranch Park

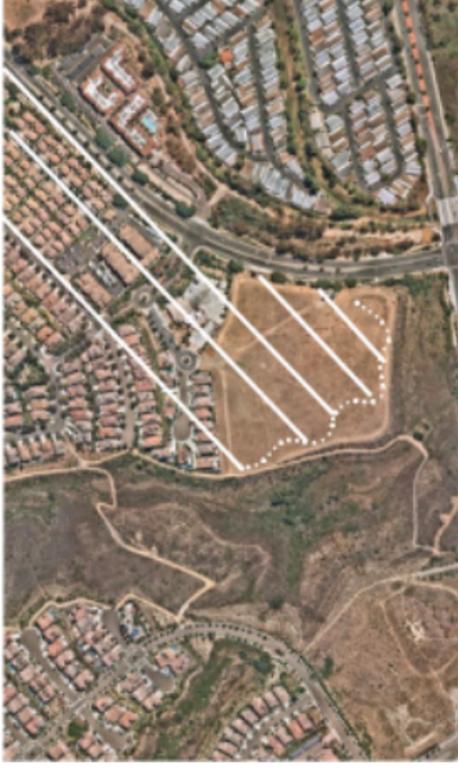
CONCEPT 2: "COMMUNITY QUILT"

The Community Quilt concept features linear and natural forms that intertwine along the park's western edge. The linear geometry represents patches in a quilt, reflecting Carlsbad's multigenerational community who will enjoy the park.

The linear forms intersect with organic forms along the open space preserve, representing the connection between the residents of Carlsbad and the nature within their city. Like Concept 1, the park is accessed from Trailblazer Way, with Cannon Road providing an additional right in/right out access opportunity. Park visitors entering the site from Trailblazer Way will arrive at a linear community plaza and parking lot.

The plaza houses a restroom/concession building and a series of picnic areas. This area of the park also includes a fitness hub and children's playground, which interact with a rustic dry stream bed. This area also includes an open grass area for informal play and a series of pathways that lead to the adjacent trail system. This area slopes down to the large multi-purpose field. The field is similar in size to those at Aviara and Poinsettia community parks but also includes a single backstop and infield in the southeast corner.

The lower terrace also includes eight pickleball courts and a landscaped stormwater drainage area located at the site's natural low point. A perimeter rubberized track is located adjacent to the open space, providing opportunities to see and connect with nature. Interior to the track is a series of passive sensory gardens for visitors to explore. Low water use landscape is included throughout, including an ample buffer from the existing neighbors of the park and surrounding open space.



CONFLUENCE OF STREET GRID AND OPEN SPACE



LINEAR SHADE STRUCTURES



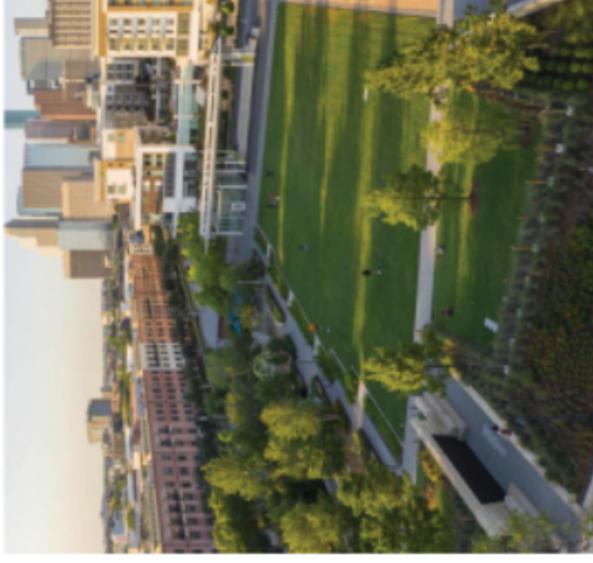
TREE-LINED PLAZA AND ARRIVAL SPACE



SENSORY GARDENS



FORMAL PATHWAYS AND GARDENS



STRUCTURED PATHWAYS AND GATHERING SPACES



ARTFUL PLAY STRUCTURES



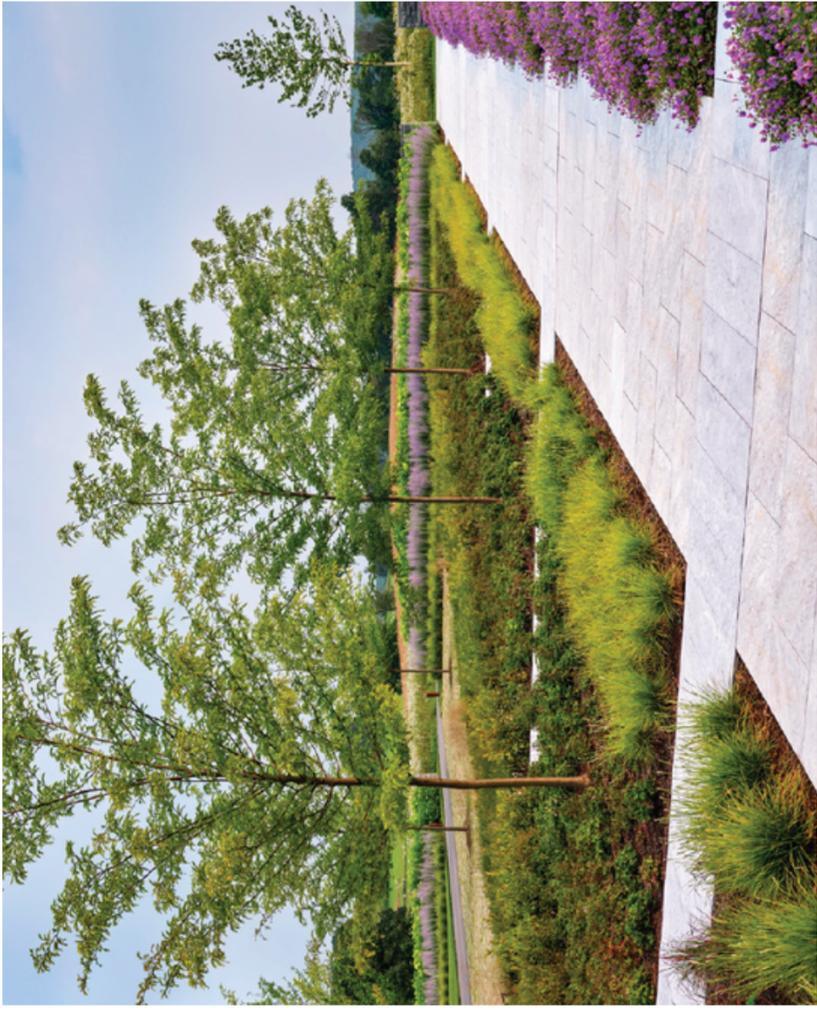
INTEGRATED PLAY AND SWALE



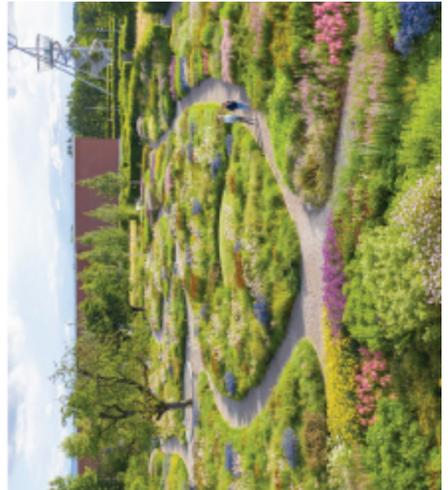
OPPORTUNITIES FOR NATURE PLAY WITHIN COBBLE SWALE

Robertson Ranch Park

CONCEPT 2: "COMMUNITY QUILT"



The Community Quilt concept features linear and natural forms that intertwine along the park's western edge. The linear geometry represents patches in a quilt, reflecting Carlsbad's multigenerational community who will enjoy the park.



Native garden



Tree-lined plaza



- Lookout point
- Rubberized track
- 8 Pickleball courts
- Promenade
- Fitness area
- Native gardens
- Restrooms, concession stand

Robertson Ranch Park

CONCEPT 2: "COMMUNITY QUILT"

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- OPEN GRASS
- FITNESS AREA
- LANDSCAPE BUFFER
- ACCESS TO EXISTING TRAIL
- OPEN GRASS
- DRAINAGE AREA
- PLAYGROUND
- DRY CREEK
- PICNIC AREA
- RESTROOMS / CONCESSION BUILDING
- FITNESS COURSE
- COMMUNITY PLAZA
- RUBBERIZED WALKING TRACK (~0.25 MI.)
- NATIVE GARDENS
- EXISTING FIRE STATION
- LANDSCAPE BUFFER
- DROP-OFF AREA
- PARKING LOT (+/- 115 SPACES)
- MULTI-PURPOSE SPORTS FIELD
- POTENTIAL SECONDARY ACCESS POINT
- BLEACHERS AND BACKSTOP
- PROMENADE
- OPEN GRASS
- PICKLEBALL (8 COURTS)
- DRAINAGE AREA
- LOOKOUT POINT.

CANNON ROAD

WIND TRAIL WAY

TRAILBLAZER WAY

TRAILBLAZER WAY

Robertson Ranch Park

CONCEPT 3: "ROLLING HILLS"

Rolling Hills draws inspiration from the soft and rolling topography found throughout Carlsbad. This concept seeks to blur the edge between the adjacent natural open space and the park limits by inviting the surrounding native landscape into the park and introducing subtle mounds to mimic rolling hills.

The park is accessed from Trailblazer Way, with Cannon Road providing an additional right in/right out access opportunity. Residents entering the site from Trailblazer Way will come upon a central arrival plaza. Spaces around the plaza include a children's play area and nature-based "discovery" playground, picnic areas, a large open grassy area and walking paths that provide access to the adjacent trail network.

The plaza also includes a restroom/concession building to support the nearby sports field. Six pickleball courts and a spectator plaza are located near Fire Station 3. This collection of spaces, uses and connections creates opportunities for socialization, relaxation and a sense of community.

This area then slopes down to the large multi-purpose field. The field is similar in size to those at Aviara and Poinsettia community parks, but also includes a single backstop and infield in the southeast corner. A rubberized track encompasses the multi-purpose field with a series of fitness areas along the path. The lower terrace features a boardwalk that crosses a landscaped stormwater drainage area at the site's natural low point. Low water use landscape is included throughout, including an ample buffer from the park's existing neighbors and surrounding open space.

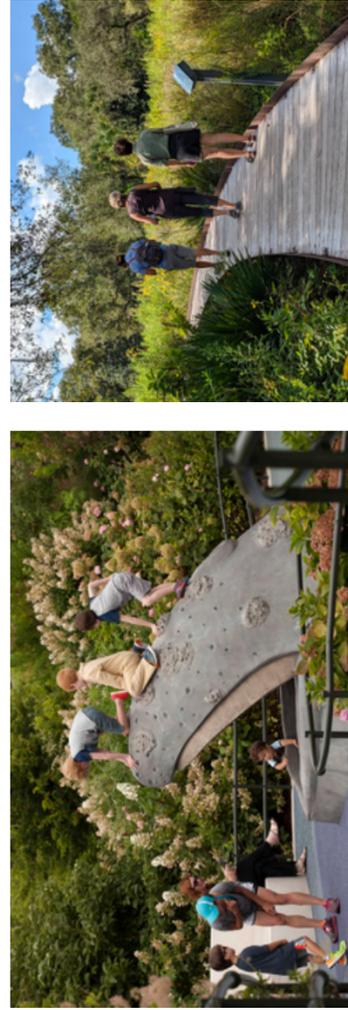
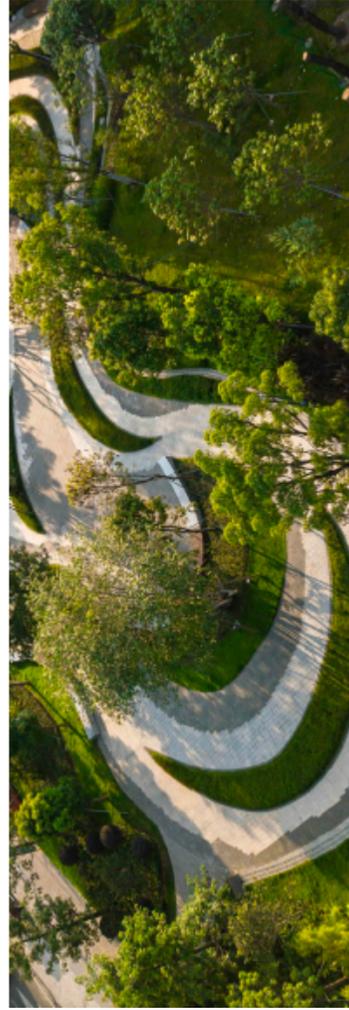


Robertson Ranch Park

CONCEPT 3: "ROLLING HILLS"



Rolling Hills draws inspiration from the soft and rolling topography found throughout Carlsbad. This concept seeks to blur the edge between the adjacent natural open space and the park limits by inviting the surrounding native landscape into the park and introducing subtle mounds to mimic rolling hills.



Creative playground

Boardwalk



-  Creative playground
-  Rubberized track
-  6 Pickleball courts
-  Boardwalk
-  Fitness area
-  Restrooms, concession stand

Robertson Ranch Park

CONCEPT 3: "ROLLING HILLS"

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- DROP-OFF AREA
- LANDSCAPE BUFFER
- OPEN GRASS
- ACCESS TO EXISTING TRAIL
- DRAINAGE AREA
- NATURE PLAYGROUND
- PLAYGROUND
- FITNESS AREA
- OPEN GRASS
- PICNIC AREA
- RUBBERIZED WALKING TRACK (~0.33 MI.)

- EXISTING FIRE STATION
- LANDSCAPE BUFFER
- PICKLEBALL (6 COURTS)
- RESTROOMS/ CONCESSION BUILDING
- PARKING LOT (+/- 115 SPACES)
- POTENTIAL SECONDARY ACCESS POINT
- ARRIVAL AND PICNIC PLAZA
- MULTI-PURPOSE SPORTS FIELD
- PICNIC AREA
- OPEN GRASS
- BLEACHERS AND BACKSTOP
- DRAINAGE AREA
- BOARDWALK

CANNON ROAD
WIND TRAIL WAY
TRAILBLAZER WAY
TRAILBLAZER WAY



[Public Input Report Dated May 2024](#)
(on file in the Office of the City Clerk)