(Signature)

1. GRANT TITLE						
Selective Traffic Enforcement Program (STEP)						
2. NAME	OF AGENCY			3. Grant Period	9	
Na	National City			From: 10/01/2022		
4. AGEN	CY UNIT TO ADMINISTER G	RANT		To: 09/30/202	3	
Na	ational City Police Depar	rtment				
5. GRAN	T DESCRIPTION					
Best prac	tice strategies will be con-	ducted to reduce the	e number of p	persons killed and injured	d in crashes	
	alcohol and other primary					
And the second s	ent, enforcement operatio	•				
	ent, special enforcement					
	s in areas with a high nur are designed to earn me				programs. These	
	ral Funds Allocated Und				10	
the state of the s	S AND CONDITIONS: The pa	The second secon				
	ference made a part of the A		with the terms	s and conditions of the folic	Willig Willoll are by	
	hedule A - Problem Stateme		ives and Meth	od of Procedure		
• Sc	hedule B – Detailed Budget	Estimate and Sub-Bu	dget Estimate	(if applicable)		
	hedule B-1 – Budget Narrati		arrative (if app	olicable)		
	hibit A – Certifications and A					
	hibit B* – OTS Grant Progra hibit C – Grant Electronic Ma		CEMS) Accord			
			15		amont as if	
attached h	wn with an asterisk (*), are h ereto.	iereby incorporated b	y reference an	id made a part of this agree	illelit as ii	
	e documents can be viewed	at the OTS home wel	o page under (	Grants: www.ots.ca.gov.		
	officials named below, hereb				f California that we	
	authorized to legally bind the					
IN WITNES	SS WHEREOF, this Agreem	ent has been execute	d by the partie	es hereto.		
8. Appro	oval Signatures					
A. Gr	RANT DIRECTOR		B. AUTH	HORIZING OFFICIAL		
NAME:	Damian Ballardo		Address: .	Jose Tellez		
San Charles and an annual	Sergeant		8	Chief of Police		
EMAIL:	0 , 0			jtellez@nationalcityca.gov		
Address:	(619) 336-4475 1200 National City Boulevard			(619) 336-4510 1200 National City Boulevard		
ABBILLOO.	National City, CA 91950			National City, CA 91950		
Damian Ballar	rdo	Sep 22, 2022	Joso Tolloz		Sep 29, 2022	
Damian Ballardo (Sep 22, 2022	2 11:44 PDT)	100.70(178)	Jose Tellez (Sep 29, 2022 12:02 PDT)			
	(Signature)	(Date)		(Signature)	(Date)	
C. FISCAL OFFICIAL		D. AUTH	OFFICIAL OF OFFICIAL OF OFFICE	E OF TRAFFIC SAFETY		
Address:	Arnold Ocana		SCHOOLSTAN SAME	Barbara Rooney		
	Senior Accountant		F	Director		
	aocana@nationalcityca.gov 629-336-4342			oarbara.rooney@ots.ca.gov (916) 509-3030		
	1243 National City Blvd.			2208 Kausen Drive, Suite 300		
	National City, CA 91950		E	Elk Grove, CA 95758		
-01		Sep 22, 2022	Contrara L Roomey		Sep 30, 2022	

(Date)

(Signature)

(Date)

E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY

NAME: Carolyn Vu

ADDRESS: 2208 Kausen Drive, Suite 300

Elk Grove, CA 95758

9. SAM INFORMATION

SAM#: DWSKT6H5J5F3

REGISTERED

ADDRESS: 1243 National City Blvd
City: National City
ZIP+4: 91950-4301

FUND	CFDA	ITEM/APPROPI	RIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
164AL-23	20.608	0521-0890-	-101	2022	43/22	BA/22	\$78,000.00
402PT-23	20.600	0521-0890-	-101	2022	43/22	BA/22	\$72,000.00
					AGREEMENT TOTAL		\$150,000.00
				AMOUNT ENCUMBERED BY THIS DOCUMENT \$150,000.00			
I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.				PRIOR AMOU AGREEMENT \$ 0.00		ERED FOR THIS	
OTS ACCOUNTING OFFICER'S SIGNATURE DATE SIGNED			TOTAL AMOU	JNT ENCUMB	ERED TO DATE		
Caroliga Via Sep 29, 2022			\$150,00	0.00			

#### 1. PROBLEM STATEMENT

The National City Police Department has seen a recent increase in fatal traffic crashes in 2021. There were five fatal crashes in 2019 and we have had eight fatal crashes in 2021. Three of these involved pedestrians, two involved a bicyclist, and three were the result of a DUI driver. The crash data for National City in the calendar year 2019 shows there were 223 injury crashes. Fourteen of these crashes were alcohol related. The calendar year 2020 indicated there were 216 injury crashes. Eighteen of these injury crashes were alcohol related. There was little difference between the number of traffic crashes between 2019 and 2020, but 2020 showed a slight increase in alcohol related injury crashes. In 2020 from January to December there have been 444 total crashes. 216 of these have resulted in injury with a total of 280 victims. Unfortunately, 2020 showed an increase in crashes over 2019. This increase is noteworthy due to the serious decrease in vehicle traffic due to the Covid-19 pandemic. Had the pandemic not happened the number of crashes would most likely have been even higher.

Our DUI arrests have remained steady as we continue place more officers in a proactive DUI enforcement role thanks to the OTS grant. In 2020 there were 156 DUI arrests. From January to December of 2021 there were 199 DUI arrests. The data shows that 2021 had an up-swing of DUI arrests compared to 2020, the main reason for this is due to the increased traffic flow and the reopening of bars and restaurants during due to the pandemic.

Long regarded as a factor contributing to crashes, speed can take two forms: exceeding the posted speed limit and speed unsafe for the conditions present, such as heavy traffic or poor weather conditions. Speeding has been found to be directly related to the severity of vehicle crashes. As speed increases, the potential for injury also increases as the speeder has less time to react to hazards since the vehicle is covering greater distance than it would at slower speeds. Speed increases stopping distance. Speed is the number two factor in crashes in National City. From 2019-2020, there were 29 injury crashes where speed was the primary factor, one of these resulted in a fatality.

Pedestrian safety is a huge concern in National City. After vehicle occupants, pedestrians represent the second largest category of motor vehicle deaths. In an alarming trend, so far in 2021 we have experienced eight fatal traffic crashes, three of which involved pedestrians that were killed.

In the areas listed above where there has been a decrease, I attribute this to the enforcement activities enabled by the OTS grant and the opportunity to place more proactive police officers on the streets of National City with the sole focus on traffic safety. There was a 26% decrease in traffic citations and a 12% increase in written warnings between 2020 and 2021. The data also shows there were 1,076 citations, 2,721 parking citations, and 95 traffic warnings issued in 2020. Between January and December of 2021, there have been 795 citations, 2,014 parking citations, and 106 traffic warnings issued. Of the 795 citations issued, 448 were issued by the three-officer traffic unit and 1,570 of the 2,014 parking citations were also written by the traffic unit. The NCPD traffic unit is solely responsible for 60% of all citations.

In 2020 Fatal traffic crashes increased to five. In 2021 fatal crashes increased again to eight. This shows the need for a continued aggressive approach to traffic and DUI enforcement to maintain our commitment to keeping the streets of National City safe. For the 2021 grant cycle, our traffic division was staffed with one motor sergeant and two motor officers.

#### 2. PERFORMANCE MEASURES

#### A. Goals:

- 1. Reduce the number of persons killed in traffic crashes.
- 2. Reduce the number of persons injured in traffic crashes.
- 3. Reduce the number of pedestrians killed in traffic crashes.

- 4. Reduce the number of pedestrians injured in traffic crashes.
- 5. Reduce the number of bicyclists killed in traffic crashes.
- 6. Reduce the number of bicyclists injured in traffic crashes.
- 7. Reduce the number of persons killed in alcohol-involved crashes.
- 8. Reduce the number of persons injured in alcohol-involved crashes.
- 9. Reduce the number of persons killed in drug-involved crashes.
- 10. Reduce the number of persons injured in drug-involved crashes.
- 11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
- 12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
- 13. Reduce the number of motorcyclists killed in traffic crashes.
- 14. Reduce the number of motorcyclists injured in traffic crashes.
- 15. Reduce hit & run fatal crashes.
- 16. Reduce hit & run injury crashes.
- 17. Reduce nighttime (2100 0259 hours) fatal crashes.
- 18. Reduce nighttime (2100 0259 hours) injury crashes.

D. Okia-Akaaa	Target Number
B. Objectives:	Target Number
1. Issue a press release announcing the kick-off of the grant by November 15. The	]
kick-off press releases and media advisories, alerts, and materials must be	
emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to	
your OTS Coordinator, for approval 14 days prior to the issuance date of the	
release.	
2. Participate and report data (as required) in the following campaigns; Quarter 1:	10
National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter	
Mobilization; Quarter 3: National Distracted Driving Awareness Month, National	
Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket	
Mobilization; Quarter 4: NHTSA Summer Mobilization, National Child Passenger	
Safety Week, and California's Pedestrian Safety Month.	
3. Develop (by December 31) and/or maintain a "DUI BOLO" program to notify patrol	12
and traffic officers to be on the lookout for identified repeat DUI offenders with a	1
suspended or revoked license as a result of DUI convictions. Updated DUI BOLOs	ì
should be distributed to patrol and traffic officers monthly.	
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety	3
Testing (SFST) (minimum 16 hours) POST-certified training.	
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired	3
Driving Enforcement (ARIDE) 16 hour POST-certified training.	
6. Send law enforcement personnel to the Drug Recognition Expert (DRE) training.	1
7. Send law enforcement personnel to the DRE Recertification training.	1
8. Conduct DUI/DL Checkpoints. A minimum of 1 checkpoint should be conducted	3
during the NHTSA Winter Mobilization and 1 during the Summer Mobilization. To	
enhance the overall deterrent effect and promote high visibility, it is recommended	
the grantee issue an advance press release and conduct social media activity for	
each checkpoint. For combination DUI/DL checkpoints, departments should issue	
press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs	
for DUI/DL checkpoints should read "DUI/Driver's License Checkpoint Ahead."	
OTS does not fund or support independent DL checkpoints. Only on an exception	
basis and with OTS pre-approval will OTS fund checkpoints that begin prior to	
1800 hours. When possible, DUI/DL Checkpoint screeners should be DRE- or	
ARIDE-trained.	
9. Conduct DUI Saturation Patrol operation(s).	26
10. Conduct Traffic Enforcement operation(s), including but not limited to, primary	10
crash factor violations.	1
11. Conduct highly publicized Distracted Driving enforcement operation(s) targeting	6
drivers using hand held cell phones and texting.	"
	6
12. Conduct highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or crashes resulting from	"
unsafe speed, DUI, following too closely, unsafe lane changes, improper turning,	
and other primary crash factor violations by motorcyclists and other drivers.	

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13. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in	7
areas or during events with a high number of pedestrian and/or bicycle crashes	
resulting from violations made by pedestrians, bicyclists, and drivers.	
14. Conduct Traffic Safety educational presentation(s) with an effort to reach	2
community members. Note: Presentation(s) may include topics such as distracted	
driving, DUI, speed, bicycle and pedestrian safety, seat belts and child passenger	
safety.	
15. Participate in highly visible collaborative DUI Enforcement operations.	2

## 3. METHOD OF PROCEDURE

## A. <u>Phase 1 – Program Preparation</u> (1st Quarter of Grant Year)

- The department will develop operational plans to implement the "best practice" strategies outlined in the objectives section.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop/maintain the "DUI BOLOs," research will be conducted to identify the "worst of
  the worst" repeat DUI offenders with a suspended or revoked license as a result of DUI
  convictions. The Hot Sheets may include the driver's name, last known address, DOB,
  description, current license status, and the number of times suspended or revoked for DUI. DUI
  BOLOs should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations.
- Media Requirements Issue a press release approved by the OTS PIO announcing the kick-off of
  the grant by November 15, but no sooner than October 1. The kick-off release must be approved
  by the OTS PIO and only distributed after the grant is fully signed and executed. If you are
  unable to meet the November 15 deadline to issue a kick-off press release, communicate
  reasons to your OTS coordinator and OTS PIO.

## B. Phase 2 – Program Operations (Throughout Grant Year)

• The department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

#### Media Requirements

The following requirements are for all grant-related activities:

- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency
  understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any
  cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press
  releases, social media graphics, videos or posts, or any other OTS-supplied educational material.
  However, copy the OTS PIO at pio@ots.ca.gov and your OTS coordinator when any material is
  distributed to the media and public, such as a press release, educational material, or link to social
  media post. The OTS-supplied kick-off press release templates and any kickoff press releases
  are an exception to this policy and require prior approval before distribution to the media and
  public.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The

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- OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are
  embargoed or could impact operations by publicizing in advance are exempt from the PIO
  approval process. However, announcements and results of activities should still be copied to the
  OTS PIO at pio@ots.ca.gov and your Coordinator with embargoed date and time or with
  "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a
  specific grant objective, using OTS grant funds, or designed and developed using contractual
  services by a subgrantee, requires prior approval. Please send to the OTS PIO at
  pio@ots.ca.gov for approval and copy your grant coordinator at least 3 business days prior to the
  scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any
  educational or informational materials that received PIO approval in a prior grant year needs to
  be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

## C. Phase 3 - Data Collection & Reporting (Throughout Grant Year)

- 1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)
- 2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
  - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
  - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
  - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
  - Collect, analyze and report statistical data relating to the grant goals and objectives.

#### 4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

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## 5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

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FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION		TOTAL AMOUNT		
164AL-23	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated			\$78,000.00	
402PT-23 20.600		State and Community Highway Safety			\$72,000.00	
Cost Categ	ORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT	
A. PERSONNEL COSTS						
Straight Time					\$0.00	
Overtime						
DUI/DL Checkpoints		164AL-23	\$9,000.00	3	\$27,000.00	
DUI Saturation Patrols		164AL-23	\$1,500.00	26	\$39,000.00	
Collaborative DUI Enforce	ement	164AL-23	\$1,500.00	2	\$3,000.00	
Benefits for 164AL - OT @	0 11.18%	164AL-23	\$69,000.00	1	\$7,714.00	
Traffic Enforcement		402PT-23	\$1,300.00	10	\$13,000.00	
Distracted Driving		402PT-23	\$650.00	6	\$3,900.00	
Motorcycle Safety		402PT-23	\$650.00	6	\$3,900.00	
Pedestrian and Bicycle Enforcement		402PT-23	\$650.00	7	\$4,550.00	
Traffic Safety Education		402PT-23	\$440.00	2	\$880.00	
Benefits for 402PT - OT @ 11.18%		402PT-23	\$26,230.00	1	\$2,933.00	
Category Sub-Total					\$105,877.00	
B. TRAVEL EXPENSES						
In State Travel		402PT-23	\$2,837.00	1	\$2,837.00	
					\$0.00	
Category Sub-Total					\$2,837.00	
C. CONTRACTUAL SERVIC	ES				40.00	
					\$0.00	
Category Sub-Total					\$0.00	
D. EQUIPMENT		400DT 00	<u> </u>	4	<u> </u>	
Police Motorcycle		402PT-23	\$40,000.00	1	\$40,000.00	
Category Sub-Total					\$40,000.00	
E. OTHER DIRECT COSTS		40441 00	M4 000 00 1		#4.000.00	
DUI Checkpoint Supplies		164AL-23	\$1,286.00	11	\$1,286.00	
Category Sub-Total				\$1,286.00		
F. INDIRECT COSTS					\$0.00	
Category Sub-Total				\$0.00		
			,			

## BUDGET NARRATIVE

#### PERSONNEL COSTS

DUI/DL Checkpoints - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Collaborative DUI Enforcement - Overtime for grant funded Collaborative DUI Enforcement operations conducted by appropriate department personnel

Benefits for 164AL - OT @ 11.18% - Benefits breakdown:

Medicare - 1.45%

Workers Comp - 9.73%

Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Motorcycle Safety - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Traffic Safety Education - Overtime for grant funded traffic safety presentations or campaigns conducted by appropriate department personnel.

Benefits for 402PT - OT @ 11.18% - Benefits breakdown:

Medicare - 1.45%

Workers Comp - 9.73%

## TRAVEL EXPENSES

In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.

### CONTRACTUAL SERVICES

#### EQUIPMENT

Police Motorcycle-Fully equipped motorcycle to be used for grant purposes. Costs may include communication equipment, emergency equipment package, safety bars and modifications and accessories.

#### **OTHER DIRECT COSTS**

DUI Checkpoint Supplies - On-scene supplies needed to conduct sobriety checkpoints. Costs may include 28" traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS Device/Calibration Supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed. Each item must have a unit cost of less than \$5,000 (including tax and shipping).

#### INDIRECT COSTS

#### STATEMENTS/DISCLAIMERS

There will be no program income generated from this grant.

Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives here under.

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Benefits for personnel costs can only be applied to straight time or overtime hours charged to the grant.					

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## CERTIFICATIONS AND ASSURANCES FOR HIGHWAY SAFETY GRANTS (23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies, and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

#### **GENERAL REQUIREMENTS**

- 23 U.S.C. Chapter 4 Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

#### **NONDISCRIMINATION**

## (applies to all subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education
   Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (Pub. L. 100-209), (broadens scope, coverage
  and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975
  and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms
  "programs or activities" to include all of the programs or activities of the Federal aid recipients,
  subrecipients and contractors, whether such programs or activities are Federally-funded or
  not);
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) (prohibits
  discrimination on the basis of disability in the operation of public entities, public and private
  transportation systems, places of public accommodation, and certain testing) and 49 CFR parts
  37 and 38;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority
  Populations and Low-Income Populations (prevents discrimination against minority populations
  by discouraging programs, policies, and activities with disproportionately high and adverse human
  health or environmental effects on minority and low-income populations); and
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds
  of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any
  other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be
  denied the benefits of, or be otherwise subjected to discrimination under any of its programs or
  activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non- Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:
  - "During the performance of this contract/funding agreement, the contractor/funding recipient agrees—
  - a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time:
  - b. Not to participate directly or indirectly in the discrimination prohibited by any Federal nondiscrimination law or regulation, as set forth in appendix B of 49 CFR part 2l and herein;
  - c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
  - d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
  - e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

## THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The Subgrantee will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  - 1. The dangers of drug abuse in the workplace;
  - 2. The grantee's policy of maintaining a drug-free workplace;
  - 3. Any available drug counseling, rehabilitation, and employee assistance programs;
  - 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
  - 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
  - . 1. Abide by the terms of the statement;
  - 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an 9/21/2022 1:53:47 PM Page 12 of 18

- employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted
  - 1. Taking appropriate personnel action against such an employee, up to and including termination:
  - Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

## **POLITICAL ACTIVITY (HATCH ACT)**

#### (applies to all subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

## CERTIFICATION REGARDING FEDERAL LOBBYING

(applies to all subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The signed certifies, to the best of his or her knowledge and belief, that:

- 1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- 3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## **RESTRICTION ON STATE LOBBYING**

## (applies to all subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

#### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

(applies to all subrecipients as well as States)

## Instructions for Primary Tier Participant Certification (States)

- 1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- 2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- 3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
- 4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- 5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- 6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- 7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- 8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower fier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).
- 9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

<u>Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered</u>
Transactions

- (1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment

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rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

## Instructions for Lower Tier Participant Certification

- 1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- 2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- The prospective lower tier participant shall provide immediate written notice to the person to which
  this proposal is submitted if at any time the prospective lower tier participant learns that its
  certification was erroneous when submitted or has become erroneous by reason of changed
  circumstances.
- 4. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- 5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- 6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- 7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).
- 8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

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<u>Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered</u> Transactions:

- 1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- 2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **BUY AMERICA ACT**

(applies to all subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

## PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to all subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

## **POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

## POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or reevaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

## INSTRUCTIONS FOR ADDING OR UPDATING GEMS USERS

- 1. Each agency is allowed a total of FIVE (5) GEMS Users.
- 2. GEMS Users listed on this form will be authorized to login to GEMS to complete and submit Quarterly Performance Reports (QPRs) and reimbursement claims.
- 3. Complete the form if adding, removing or editing a GEMS user(s).
- 4. The Grant Director must sign this form and return it with the Grant Agreement.

**GRANT DETAILS** 

**Grant Number:** 

PT23053

Agency Name:

National City Police Department

Grant Title:

Selective Traffic Enforcement Program (STEP)

Agreement Total: Authorizing Official:

Jose Tellez Arnold Ocana

\$150,000,00

Fiscal Official: **Grant Director:** 

Damian Ballardo

## **CURRENT GEMS USER(S)**

#### 1. Damian Ballardo

Title: Sergeant

Phone: (619) 336-4475

Email: dballardo@nationalcityca.gov

Media Contact: Yes

## 2. Ronald Gutlay

Title: Accountant

Phone: (619) 336-4446

Email: rgutlay@nationalcityca.gov

Media Contact: No

Complete the below information if adding, removing or editing a GEMS user(s)

GEMS User 1 Add/Change Remove Access	Add as a media contact? Yes No
Name	Job Title
Email address	Phone number
GEMS User 2 Add/Change Remove Access	Add as a media contact? Yes No
Name	Job Title
Email address	Phone number
GEMS User 3 Add/Change Remove Access	Add as a media contact? Yes No No
Name	Job Title
Email address	Phone number
GEMS User 4 Add/Change Remove Access [	Add as a media contact? Yes No
Name	Job Title
Email address	Phone number
GEMS User 5 Add/Change Remove Access	Add as a media contact? Yes No No
Name	Job Title
Email address	Phone number
Form completed by:	Date: Sep 22, 2022
As a signatory I hereby authorize the list <u>Damian Ballardo</u> Damian Ballardo (Sup 22, 1872 11:44 PDT)	red individual(s) to represent and have GEMS user access.  Damian Ballardo
Signature	Name
Sep 22, 2022 Date	Grant Director Title

# Grant Agreement - PT23053

Final Audit Report 2022-09-30

Created:

2022-09-21

By:

Kristen Mickey (kristen.mickey@ots.ca.gov)

Status:

Signed

Transaction ID:

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