

## **City of Lake Forest Participation Agreement - Catalytic Converter Shield Installation Program**

This Participation Agreement (“Agreement”) is entered into between [Business Participant Name], a [Business Participant Entity Type] (“Business Participant”), and the City of Lake Forest, a California Municipal Corporation (the “City”).

### **Definitions**

“Business Participant” means an automotive business that provides Catalytic Converter Shield Installation services.

“Catalytic Converter” means an automotive part that is a component of a vehicle’s exhaust system. Some vehicles have multiple catalytic converters.

“Program” means the Catalytic Converter Shield Installation Program whereby the City subsidizes Resident Participants’ costs in obtaining Catalytic Converter Shield Installation and related services from one or more Business Participants. The Program’s Guidelines are attached hereto and incorporated herein as Exhibit “A.”

“Resident Participant” means City residents who apply to participate in the Program and are approved for participation by the City of Lake Forest.

“Shield” means a theft deterrent device made of metal (aluminum or steel), specifically designed to prevent the theft of an exposed Catalytic Converter(s) from the undercarriage of a vehicle.

“Shield Installation Services” means the installation by Business Participant of one or more Shields on or upon a vehicle’s Catalytic Converter(s). Shield Installation Services expressly exclude any other automotive installation, maintenance, customization, repair work, sale of goods, or personal services.

### **Terms of Agreement**

#### **1. City Obligations: City shall**

1.1. Add Business Participant to a list of participating businesses in the Program and provide Business Participant’s contact and/or address information (as provided by Business Participant) and direct Resident Participants to use City-issued Program gift cards (“Gift Cards”) to receive Shield Installation Services at one of the listed participating Businesses.

2. Business Participant Obligations: Business Participant shall

2.1 Provide City with its preferred contact and address information at which Business Participant would prefer to be contacted by Resident Participants, and inform City within a reasonable time if that information changes.

2.2 Accept from Resident Participants Gift Cards as full or partial payment towards the costs associated with performing Shield Installation Services. Business Participant shall not accept the Gift Cards as payment for any maintenance, repairs, customization, auto body work, or other automotive repair or elective services other than those necessitated by the Shield Installation Services. Business Participant shall not charge Resident Participants an increased amount for Shield Installation Services on the basis of Resident Participants' use of a Gift Card or participation in the Program.

2.3 Perform Shield Installation Services in a reasonable and workmanlike fashion.

2.4 Maintain records related to the Program, including but not limited to: (1) records related to the vehicle make, model, title owner, and VIN/serial number(s) associated with the Catalytic Converter brought in for Shield Installation Services; and (2) invoices and receipts identifying the Resident Participant for whom Shield Installation Services were provided, the particular services performed, the charges for such services, and the method(s) by which the Resident Participant paid for the Shield Installation Services (including the portion(s) thereof paid with Gift Card(s)). Business Participant shall maintain Program records for at least three years from the date of their creation and shall allow the City access, upon written request, to inspect all such records within a reasonable time. If the City's review of Business Participant's Program records reveals that a Gift Card(s) were used, in whole or in part, as payment for anything other than the Shield Installation Services, Business Participant shall remit any such amounts to the City, with interest. Business Participant shall retain such records of Shield Installation Services regardless of whether a Gift Card was ultimately used as full or partial payment.

3. Indemnification

To the fullest extent permitted by law, Business Participant shall defend, indemnify and hold the City, its officials, employees, agents and authorized volunteers free and harmless from any and all claims, demands, causes of action, suits, actions, proceedings, costs, expenses, liability, judgments, awards, decrees, settlements, loss, damage or injury of any kind, in law or equity, to property or persons (collectively, "Claims") in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of Business Participant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Business Participant's services, or this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys' fees and other related costs and expenses.

4. Termination

Either party to this Agreement may terminate the Agreement by written notice to the other party, effective upon receipt.

\_\_\_\_\_  
Authorized Business  
Representative Name & Title

\_\_\_\_\_  
City Manager Name

\_\_\_\_\_  
Authorized Representative  
Signature

\_\_\_\_\_  
City Manager Signature

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

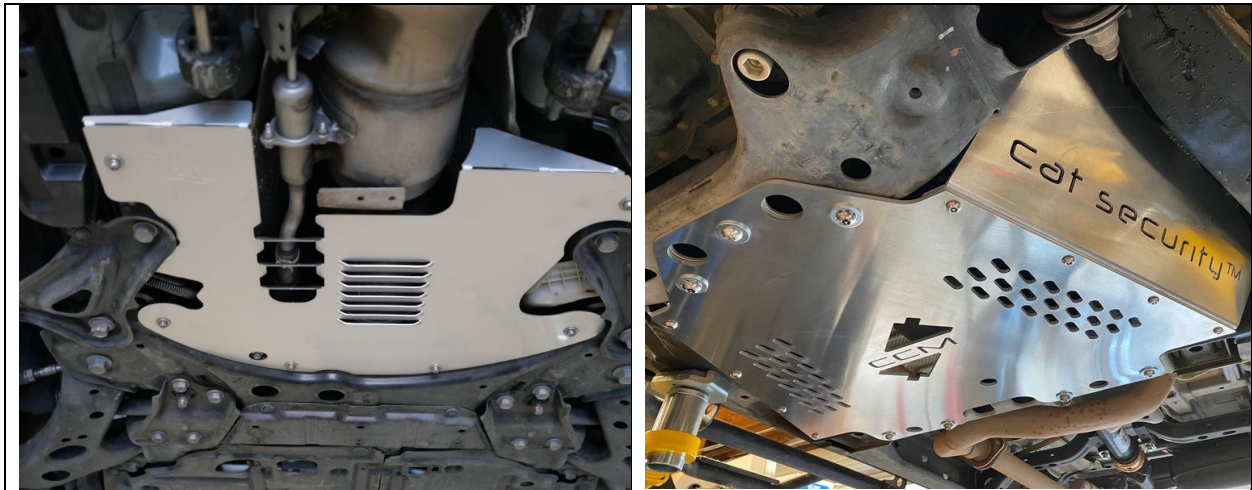
## **EXHIBIT A – PROGRAM GUIDELINES**

## EXHIBIT A

### Catalytic Converter Shield Program Program Guidelines

#### Summary

The grant program provides direct funds to residents seeking to purchase and install catalytic converter shields for certain vehicles subject to frequent catalytic converter theft. Under this program, residents will be able to receive a \$250 gift card that is redeemable at any participating automotive repair shop that has a certified installer relationship with either Miller Cat or Get Cat Security (Cap City Muffler). Automotive repair shops that wish to participate in this program are encouraged to apply and demonstrate they've experienced a negative economic impact related to COVID-19.



#### Purpose

Catalytic converter theft is a significant property crime impacting communities across the United States. According to the California Bureau of Automotive Repair, replacing a stolen catalytic converter can cost residents several thousand dollars. Thieves can quickly steal catalytic converters in less than a few minutes with electric saws and other power tools.

Despite the best efforts of law enforcement, catalytic converter theft remains stubbornly common. Catalytic converter shields are theft deterrent devices that make it more difficult for would-be thieves to steal catalytic converters and resell them to unscrupulous recycling centers. Catalytic converter thieves prefer to

quickly remove catalytic converters and leave the area. Catalytic converter shields make it significantly more difficult to catalytic converters, and in some cases, nearly impossible without certain uncommon tools. In theory, the presence of a catalytic converter shield will lead to would-be thieves deciding not to attempt to remove the catalytic converter and move on to an easier target.

### **How this Program Works for Businesses**

1. Local automotive business can submit this grant application form to the City of Lake Forest to be reviewed by staff.
2. Application must include details of COVID-19 impacts. Applicants can demonstrate they've had a COVID-19 impact by....
  - a. Summarizing retail sale revenue losses related to COVID-19
  - b. Summarizing employee retention and recruitment challenges related to COVID-19
  - c. Documenting that other COVID-19-related relief funds have been received by Federal, State, and or local public agencies
  - d. Summarizing significant operational cost increases related to complying with COVID-19-related government mandates
3. If approved, local business will be eligible to process program-specific gift cards from residents with a value of \$250. The gift cards will be provided electronically to residents by Yiftee, Inc. Residents will apply to receive the gift card via an online form. Once approved, residents will receive the electronic gift card and a program authorization notice. Local business will be required to sign a program participation agreement which will require gift cards can only be redeemed for the purchase and installation of catalytic converter shields.
4. Residents will then schedule a time to visit the local business and have a shield installed. The local business will need to procure the shield on behalf of the resident and provide a final invoice to the resident once the shield is installed. The invoice must include the cost of materials (shield and associated hardware) and labor. Resident will be able to use the gift card (valued at \$250) towards the payment of the invoice. The remaining balance on the invoice after the gift card is redeemed is the responsibility of the resident.

5. Once this gift card is redeemed and the catalytic converter shield is installed, no further action is required by the local business.

### **How this Program Works for Residents**

1. Any Lake Forest resident that owns or leases a vehicle listed in this pre-qualified list **[LINK]** is eligible to participate. Residents are encouraged to visit the websites for Miller Cat **[LINK]** and Get Cat Security **[LINK]** to browse shields that will fit their vehicle. Only shields produced by Miller Cat and Get Cat Security are eligible under this program. Residents who lease vehicles are encouraged to contact their lease administrator to confirm catalytic converter shield installation is allowed per the conditions of their lease.
2. To apply, residents can **[CLICK HERE]** to be redirected to a fillable form. Residents will be required to submit a photocopy/scan of their current vehicle registration that describes their vehicle make, model, and year, along with the address for which the vehicle is registered. Only vehicles registered to a Lake Forest address are eligible under this program.
3. Once approved, Lake Forest residents will receive a confirmation email that will include an electronic gift card with a \$250 redemption value. Residents will need to contact an automotive shop that is approved to participate in this program and accept the gift card to coordinate shield installation. A list of participating automotive shops is provided here **[LINK]**.
4. Once catalytic converter shield is installed on the vehicle, resident will be required to pay the full amount of the invoice generated by the automotive shop that performed the work. Resident will be responsible for any invoiced amount in excess of \$250.

## Local Business Application – Catalytic Converter Shield Rebate Program

Background Information	
1. Business Name	
2. Business Address	
3. Business Phone	
4. Business Website (if applicable)	
5. Business Email	
6. Contact Name (person filling out form on behalf of business)	
7. Are you authorized to submit this form on behalf of the business?	<input type="checkbox"/> Yes <input type="checkbox"/> No

COVID-19 Impact Information	
1. Was your business negatively impacted by COVID-19 and related economic effects?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Which of these impacts best describes how your business was impacted by COVID-19 (check all that apply)	<input type="checkbox"/> Increased costs related to employee recruitment and retention  <input type="checkbox"/> Loss in retail sale revenue  <input type="checkbox"/> Increased operational costs to comply with COVID-19-related mandates and public health orders  <input type="checkbox"/> Our business received economic assistance for COVID-19-related impacts from Federal, State, and/or local public agencies.



<b>COVID-19 Impact Information</b>	
<p>3. If you received COVID-19-related economic assistance, which program did you participate in?</p>	<p><input type="checkbox"/> Federal Payment Protection Program (PPP)</p> <p><input type="checkbox"/> COVID-19 EIDL (Economic Disaster Loan)</p> <p><input type="checkbox"/> SBA Debt Relief</p> <p><input type="checkbox"/> FEMA Disaster Recovery</p> <p><input type="checkbox"/> Grant or Other Economic Assistance from State of California</p> <p><input type="checkbox"/> Grant or Other Economic Assistance from County of Orange</p> <p><input type="checkbox"/> Grants or Other Economic Assistance from City of Lake Forest</p> <p><input type="checkbox"/> Other, please describe:</p>
<p>4. Please describe the financial impact your business experienced due to COVID-19.</p>	

<b>Business Capabilities</b>	
<p>1. Does your business currently provide installation services for catalytic converter shields?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>2. Does your business have a "certified installer" or other relationship with either Get Cat Security or Miller Cat that evidences the capability of your</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

**Business Capabilities**

business to install shield equipment properly?	
3. Is your business able to accept credit cards and gift cards provided by Mastercard?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Does your business have the ability to accept Mastercard credit or gift cards that require a manual entry of card numbers?	<input type="checkbox"/> Yes <input type="checkbox"/> No