

**City of Lake Forest
Participation Agreement - Catalytic Converter Painting and Etching
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 Painting & Etching Services.

“Catalytic Converter” means an automotive part that is a component of a vehicle’s exhaust system. Some vehicles have multiple catalytic converters. A Catalytic Converter must be attached to its respective vehicle and visible from the vehicle’s undercarriage (i.e. “exposed”) to be eligible for Painting & Etching Services.

“Etching” means the process by which an etching machine or a Dremel tool is used to permanently etch a vehicle’s unique 17-character Vehicle Identification Number (“VIN”) and other identifying information into the surface of a Catalytic Converter in order to identify the Catalytic Converter in the event it is removed from a vehicle.

“Painting” means the process by which a Catalytic Converter is painted with high heat spray paint in order to identify the Catalytic Converter in the event it is removed from a vehicle.

“Program” means the Catalytic Converter Painting & Etching Program whereby the City reimburses participating businesses for costs of providing Painting & Etching Services to Resident 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.

“Painting & Etching Services” means the act(s) of Etching and Painting a vehicle’s Catalytic Converter(s) by Business Participant. Painting & Etching Services expressly exclude any other automotive installation, maintenance, customization, repair work, sale of goods, or personal services.

Terms of Agreement

1. City Obligations. The 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 receive Painting & Etching Services at one of the listed participating businesses.

1.2 Upon receipt of a written reimbursement request from Business Participant with adequate supporting documentation, reimburse Business Participant for all or a portion of the ordinary price associated with the performance of Painting & Etching Services for Resident Participants. The precise amount(s) to be reimbursed may vary on a case-by-case basis and are subject to outside considerations including, but not limited to, availability of funds and the number of participating businesses that submit reimbursement requests. In any event, the City shall not be obligated to reimburse Business Participant for more than One Hundred Twenty-Five Dollars (\$125).

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 Provide Painting & Etching Services at no cost to Resident Participants. Business Participant shall not provide Painting & Etching Services for or upon the Catalytic Converters of vehicles that are not included in a Resident Participant's City-approved Program application documents.

2.3 Perform Painting & Etching Services in a reasonable and workmanlike fashion. All Etchings shall be clearly visible from the undercarriage of the associated vehicle. Paint used in this process must be capable of withstanding the heat emitted by the Catalytic Converter.

2.4 After completing Painting & Etching Services for a Resident Participant, timely submit a detailed reimbursement request to the City using the Program's template reimbursement form (attached hereto and incorporated herein as Exhibit "B"). The reimbursement request must include the approval number associated with the Resident Participant and a copy of the vehicle registration for the vehicle to which the painted and etched Catalytic Converter is attached. Business Participant shall not seek reimbursement for any maintenance, repairs, customization, auto body work, or other automotive repair or elective services other than those necessitated by the Painting & Etching Services. Business Participant shall not charge, request, or invoice the City any increased amount for

Painting & Etching Services provided to Resident Participants greater than One Hundred Twenty-Five Dollars (\$125).

2.5 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 Painting & Etching Services; and (2) invoices and receipts identifying the Resident Participant for whom Painting & Etching Services were provided, the particular services performed, the charges for such services, and the amounts paid by the Resident Participant in the same transaction(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 Business Participant made and the City granted one or more reimbursement requests for any amounts other than those for the Painting & Etching Services, Business Participant shall remit any such amounts to the City, with interest.

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 Etching Program Grant Program Guidelines

Summary

The grant program provides direct payments to qualified automotive repair shops and other businesses that perform catalytic converter painting and etching services for Lake Forest residents. Local businesses that had or continue to have a demonstrated impact from COVID-19 are eligible to apply. If approved, Lake Forest businesses will receive \$125 to provide painting and etching of up to two exposed catalytic converters per vehicle. Only vehicles on the City's approved list are eligible. Certain vehicles that have exposed catalytic converters may be eligible.



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.

If apprehended by law enforcement, suspected thieves in possession of catalytic converters are difficult to prosecute because the stolen property must have a documented link to the vehicle it was stolen from. At this time, most catalytic converters are not manufactured with unique serial numbers or other insignias that would identify them to the source vehicle. Painting and etching a catalytic

converter can help law enforcement and criminal prosecutors link suspected stolen catalytic converters with the source vehicle. This can lead to more streamlined prosecutions which will deter theft and bring justice to property crime victims.

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 able to receive \$125 per vehicle serviced. Residents will be able to schedule an appointment through the ordinary scheduling process at the business. Resident will present to the business the Program Validation Form. The Program Validation Form includes a scanned copy of the vehicle's registration card.
4. Once work is completed, local business will submit to the City on a bi-weekly basis an invoice that includes the number of vehicles serviced and the corresponding Program Validation Forms.
5. Local business invoice will be processed through the ordinary accounts payable process at the City of Lake Forest (mailed check).

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 who lease vehicles are encouraged to contact their lease administrator to confirm catalytic

converter painting and etching is allowed per the conditions of the lease.

2. If Lake Forest resident owns a vehicle that has a catalytic converter(s) that is accessible by sliding underneath the vehicle, but the vehicle make/model/year is not listed in the pre-qualified list, resident is encouraged to provide evidence (pictures and description) that the catalytic converter(s) on their vehicle are vulnerable to theft.
3. To apply, residents can **[CLICK HERE]** to be redirected to a fillable form. Residents will be required to submit a photo copy/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.
4. Once approved, Lake Forest residents will receive an authorization number to present to a participating automotive shop that provides services pursuant to this program. A list of these shops is here: **[LINK]**.
5. Resident is encouraged to make an appointment at a participating automotive shop to receive the etching and painting service free of charge.

Local Business Application – Catalytic Converter Etching 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.

COVID-19 Impact Information	
<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</p> <p><input type="checkbox"/> COVID-19 EIDL</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>	

Business Capabilities	
<p>1. Does your business currently offer catalytic converter painting and etching as a service?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>2. Is your business able to transmit photocopies of vehicle registration documents submitted by residents along with invoices to the City of Lake Forest on a regular basis?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

Business Capabilities

3. Is your business able to provide painting and etching services for up to two catalytic converters per vehicle at a rate of \$125 per vehicle?	<input type="checkbox"/> Yes <input type="checkbox"/> No

EXHIBIT B – REIMBURSEMENT FORM

**Reimbursement Request Form
Catalytic Converter Painting & Etching Program**

This form is to be used by Lake Forest businesses participating the Catalytic Converter Painting & Etching Program. Program participants are required to submit this form to the City at least monthly to receive reimbursement payments from the City. Reimbursement checks will be made out to the participating business name and mailed to the business address.

PROGRAM PARTICIPANT INFORMATION

Business Name:	
Business Address: (Street Number, Street Name, City, Zip)	
Business Phone:	
Business Contact Person Name:	

SUMMARY OF WORK PERFORMED

#	Vehicle Make	Vehicle Model	Vehicle Year	License Plate #	Program Approval Number	Vehicle Registration Verified? (Y/N)	# of Catalytic Converters Painted & Etched
-	HONDA	ELEMENT	2009	ABC7123	100125	Y	1
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

#	Vehicle Make	Vehicle Model	Vehicle Year	License Plate #	Program Approval Number	Vehicle Registration Verified? (Y/N)	# of Catalytic Converters Painted & Etched
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							

#	Vehicle Make	Vehicle Model	Vehicle Year	License Plate #	Program Approval Number	Vehicle Registration Verified? (Y/N)	# of Catalytic Converters Painted & Etched
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							

#	Vehicle Make	Vehicle Model	Vehicle Year	License Plate #	Program Approval Number	Vehicle Registration Verified? (Y/N)	# of Catalytic Converters Painted & Etched
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							

#	Vehicle Make	Vehicle Model	Vehicle Year	License Plate #	Program Approval Number	Vehicle Registration Verified? (Y/N)	# of Catalytic Converters Painted & Etched
47							
48							
49							
50							

Submitter Name

City Reviewer Name

Submitter Signature

City Reviewer Signature

Submission Date

Approval Date