



CITY OF FILLMORE

CENTRAL PARK PLAZA

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December 3, 2019

Ms. Anida Margolis, Foreperson
2019-20 Ventura County Grand Jury
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Dear Ms. Margolis:

The City of Fillmore reviewed the 2018-2019 Grand Jury Report “Youth Sports and Public Liability”. As requested, the following provides the City’s response to the conclusions and recommendations provided in the report.

The Grand Jury requires a response to conclusions C-01, C-02, C-03 and recommendation R-01, R-02, R-03.

CONCLUSIONS

C-01 – The Grand Jury concluded that most cities and Districts in the County allow non-affiliated sports leagues to use their facilities to practice or play. However, they do not require proof of compliance with California law regarding protection against concussion-related injuries from these leagues. They also do not require proof that procedures for preventing and reporting child physical or sexual abuse are in place.

Response to C-01: AGREE. The City does not require proof of compliance from youth sports leagues regarding concussion related injuries or that leagues have adopted procedures for preventing and reporting child physical or sexual abuse. The City ensures our programs meet all the legal requirements for preventing and reporting child physical or sexual abuse.

C-01 – The Grand Jury concluded that cities and Districts do not require proof of adequate parental waivers and insurance coverage from non-affiliated sports leagues to protect against legal action that could jeopardize public monetary resources.

Response to C-02: AGREE. The City agrees with this conclusion. The City does not require proof of waivers for all individuals participating in youth sports leagues. The City does require proof of insurance when a site is rented, or a permit given and an individual insured endorsement naming the City of Fillmore is required.

C-03 – The Grand Jury concluded that cities and Districts are underinsured with respect to the type of coverage and coverage amounts to sufficiently protect them from litigation arising from the conduct of youth sports on city or district property.

Response to C-03: DISAGREE. The City disagrees with this conclusion. The City of Fillmore annually reviews insurance coverages and adjusts as needed. The City's insurance program currently provides adequate coverage and protection from liabilities associated with youth sports leagues using City facilities.

RECOMMENDATIONS

R-01 – The Grand Jury recommends that all cities and Districts require proof from non-affiliated sports leagues that they are in compliance with California law regarding concussion-related sports injuries and that they have child physical or sexual abuse prevention and reporting procedures in place as a condition of the use of public facilities for practice or play.

Response to R-01: DISAGREE. The City disagrees with this recommendation and it will not be implemented. The City of Fillmore does not require non-affiliated sports leagues to provide proof that they address concussion-related sports injuries, or they have reporting procedures in place to rent City facilities. Under the law, the obligation and responsibility lies with the youth sports leagues themselves and the regulatory agencies that are provided for in the law.

If the City is put in the position of enforcing these laws when not required by the law, taking on the responsibility actually exposes the City to assume additional risks.

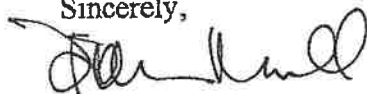
R-02 – The Grand Jury recommends that all cities and Districts require proof of adequate parental waivers from participants and sufficient insurance coverage from non-affiliated sports leagues as a condition of the use of public facilities for practice or play.

Response to R-02: DISAGREE. The City issues permits for the use of City facilities, as it does with other community groups. The City does not maintain oversight over all the of the individual organization and groups, nor is it required by law. The City requires adequate insurance for the various community groups that rent or use City facilities. The City will not be implementing the recommendation that the City require proof of parental waivers from all of the individuals that may be affiliated with non-City sponsored leagues and activities.

R-03 – The Grand Jury recommends that all cities and Districts review their own insurance coverage to ensure that they are adequately protected with respect to potential claims arising from the conduct of youth sports on city or district property.

Response to R-03: AGREE. The City reviews insurance coverage annually and makes adjustments as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane McCall", with a stylized flourish at the end.

Diane McCall
Mayor