

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

DATE:
February 18, 1987

NO.

SUBJECT: AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN CITY OF LODI AND THE BOOSTERS OF BOYS AND GIRLS SPORTS, INC.

PREPARED BY: Assistant City Manager

RECOMMENDED ACTION: The City Council authorize the Mayor and City Clerk to execute the attached agreement between the City of Lodi and the Boosters of Boys and Girls Sports, Inc.

BACKGROUND INFORMATION: The Boosters of Boys and Girls Sports, Inc. (BOBS) has fallen victim to the crisis in the liability insurance industry. They have been without insurance since September of 1986.

All efforts to transfer risk through the commercial insurance failed. We then tried to include BOBS under the umbrella of the California Joint Powers Insurance Authority. That group refused to provide corporate protection, but agreed that individuals acting as volunteers would be treated as any other volunteer worker for the City.

Council has agreed to hold the corporate body, Boosters of Boys and Girls Sports, Inc. harmless to \$250,000 which is the City's self-insured retention.

The BOBS Board of Directors is anxious to formalize their relationship with the City through an agreement. Their counsel, Robert Mullen, has prepared an agreement between the City of Lodi and BOBS defining the working relationship in the conduct and operation of the City's recreation program.

Respectfully submitted,



Jerry L. Glenn
Assistant City Manager

JLG:br

attachment.

TXTA.06C COUNCIL48

AGREEMENT

THIS AGREEMENT entered into this 4th day of February, 1987, by and between CITY OF LODI, a Municipal Corporation, hereinafter called "CITY", and BOOSTERS OF BOYS/GIRLS SPORTS, hereinafter called "BOBS";

It is the purpose and intent of this Agreement to reduce to writing the working relationship that has in the past and will continue in the future to exist between CITY and BOBS in the conduct of the operation of the Lodi Recreation & Parks recreation program for the use and citizens of the City of Lodi.

CITY acknowledges and understands that BOBS is a non-profit corporation composed of volunteer citizens residing in the Lodi area. CITY further acknowledges that it is aware of the purposes set forth in Article I, Section 3, of the By-Laws of BOBS which purposes read, so far as pertinent here, as follows:

- A. To serve in an advisory and coordinating capacity to the Lodi Recreation and Parks Department in all matters pertaining to joint program sponsorship, general program policies, and rules and regulations.
- B. To serve in mutual cooperation with the Lodi Recreation and Parks Department in promoting and encouraging participating in competitive athletics by youths from ages 6 through 18.
- C. To increase interest and support in competitive athletics by involving a great number of adults directly or indirectly as volunteers in athletics at all levels and various program areas.
- F. To assist the Lodi Recreation and Parks Department in financing various programs for youth by participating in fund-raising activities.
- G. To bring to youth a deeper realization of the importance of sportsmanship and fellowship through participation in athletics.

BOBS agrees to provide its members to CITY for the conduct of its various athletic programs throughout the year. All of said persons shall be considered volunteers and shall receive no compensation as such nor