

AVILA BEACH COMMUNITY SERVICES DISTRICT

Resolution No. 2018-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT DECLARING THAT GOVERNING BODY MEMBERS AND VOLUNTEERS SHALL BE DEEMED TO BE EMPLOYEES OF THE DISTRICT FOR THE PURPOSE OF PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID CERTAIN INDIVIDUALS WHILE PROVIDING THEIR SERVICES

WHEREAS, the Avila Beach Community Services District utilizes the services of Governing Body Members and Volunteers; and

WHEREAS, Section 3363.5 of the California Labor Code provides that a person who performs voluntary service for a public agency as designated and authorized by the Governing body of the agency or its designee, shall, upon adoption of a resolution by the Governing Body of the agency so declaring, be deemed to be an employee of the agency for the purpose of Division 4 of said Labor Code while performing such services; and

WHEREAS, the Governing Body wishes to extend Workers' Compensation coverage as provided by State law to the following designated categories of persons as indicated by a checkmark in the box to the left of the descriptions:

- All members of the Governing Body of the Avila Beach Community Services District as presently or hereafter constituted
- All persons performing voluntary services without pay other than meals, transportation, lodging or reimbursement for incidental expenses
- Individual on Work-study programs
- Interns
- Other Volunteers

NOW, THEREFORE, BE IT RESOLVED, that such persons coming within the categories specified above, including the duly elected or appointed replacements of any Governing Body Member and other designated individuals be deemed to be employees of the Avila Beach Community Services District for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such services. However, said Governing Body Members and other designated individuals will not be considered an employee of the Avila Beach Community Services District for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty or responsibility of such Governing Body Member or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of the Avila Beach Community Services District.

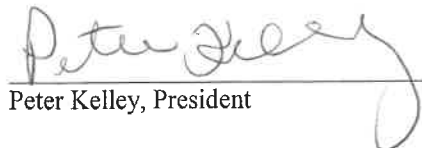
ON MOTION of Director Helenius, seconded by Director Berry, and on the following roll call vote to wit:

AYES: Lynn Helenius, Kristin Berry, Pete Kelley

NOES: None

ABSENT: Eric DeWeese, Ara Najarian

The foregoing resolution is hereby adopted this 9th day of January, 2018.


Peter Kelley, President

ATTEST:


SECRETARY TO BOARD