



LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

COMMISSIONERS

Chairman
ED WAAGE
City Member

Vice-Chair
LYNN COMPTON
County Member

DEBBIE ARNOLD
County Member

ROBERT ENNS
Special District Member

ROBERTA FONZI
City Member

TOM MURRAY
Public Member

MARSHALL OCHYLSKI
Special District Member

ALTERNATES

ED EBY
Special District Member

ADAM HILL
County Member

JAMIE L. IRONS
City Member

HEATHER JENSEN
Public Member

STAFF

DAVID CHURCH
Executive Officer

RAYMOND A. BIERING
Legal Counsel

MIKE PRATER
Senior Analyst

DONNA J. BLOYD
Commission Clerk

TO: MEMBERS, FORMATION COMMISSION

FROM: DAVID CHURCH, EXECUTIVE OFFICER

DATE: MAY 17, 2018

SUBJECT: RESOLUTION TO ENSURE WORKERS' COMPENSATION COVERAGE FOR COMMISSIONERS AND VOLUNTEERS BY THE SPECIAL DISTRICT RISK MANAGEMENT ASSOCIATION

Recommendation: It is respectfully recommended that the Commission adopt the attached resolution and direct the Executive Officer to submit it to the Special District Risk Management Authority (SDRMA).

Summary. The Special District Risk Management Authority (SDRMA) provides workers' compensation coverage for San Luis Obispo LAFCO. SDRMA mailed a notice to all members advising that participants would need to pass a new resolution if they would like to continue covering their governing body members and/or other volunteers. The attached resolution ensures that LAFCO's Commissioners and other volunteers will continue to be covered by workers' compensation through SDRMA. LAFCO has not used other volunteers in the past. This would be precautionary in nature, only if this situation arose.

Without the attached resolution, the governing body members (Commissioners) would not be covered for workers' compensation as of July 1, 2018. There are no additional charges in insurance fees.

Attachments

A: Resolution to Cover Commissioners with Workers' Compensation Insurance

ATTACHMENT A

**RESOLUTION TO COVER COMMISSIONERS WITH WORKERS'
COMPENSATION INSURANCE**

IN THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, May 17, 2018

RESOLUTION NO. 2018-01

**RESOLUTION DECLARING THAT LAFCO COMMISSIONERS AND VOLUNTEERS SHALL
BE DEEMED TO BE EMPLOYEES OF THE LOCAL AGENCY FORMATION COMMISSION
FOR THE PURPOSE OF PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID
CERTAIN INDIVIDUALS WHILE PROVIDING THEIR SERVICES**

The following resolution is now offered and read:

WHEREAS, the San Luis Obispo Local Agency Formation Commission uses the services of Commissioners 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 Commission of the agency or its designee, shall, upon adoption of a resolution by the Commission so declaring, be deemed to be an employee of the San Luis Obispo Local Agency Formation Commission for the purpose of Division 4 of said Labor Code while performing such services; and

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

- ✓All Members of the LAFCO Commission of the San Luis Obispo Local Agency Formation Commission as presently or hereafter constituted and/or
- ✓All persons performing voluntary services without pay other than meals, transportation, lodging, or reimbursement for incidental expenses
- ✓Individuals 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 Commission Member and other designated individuals be deemed to be employees of the San Luis Obispo Local Agency Formation Commission for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Commission Members and other designated individuals will not be considered an employee of the San Luis Obispo Local Agency Formation Commission for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of such rights given to paid employees of the San Luis Obispo Local Agency Formation Commission.

PASSED, APPROVED AND ADOPTED this _____, 2018 by the following vote:

AYES:

NAYS:

ABSENT:

Chairman Date
Local Agency Formation Commission

APPROVED AS TO FORM AND LEGAL EFFECT:

Raymond A. Biering Date
LAFCO Legal Counsel

ATTEST:

David Church Date
LAFCO Executive Officer