

**HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT**

RESOLUTION NO. 2023-01

**A RESOLUTION 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 Humboldt Bay Harbor, Recreation and Conservation 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 Humboldt Bay Harbor, Recreation and Conservation District 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
- Volunteer Fire Boat Program

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 Humboldt Bay Harbor, Conservation and Recreation District for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Governing Body Members and other designated individuals will not be considered an employee of the Humboldt Bay Harbor, Recreation and Conservation 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 Members or other designated individuals, nor allow such persons to claim any other benefits or gifts give to paid employees of the Humboldt Bay Harbor, Recreation and Conservation District.

PASSED, APPROVED AND ADOPTED by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District at a duly called meeting held on the 12th day of January 2023, by the following polled vote:

AYES: Benson, Dale, Higgins, Kullmann, Newman

NOES: 0

ABSENT: 0

ABSTAIN: 0

ATTEST:



Aaron Newman, Secretary
Board of Commissioners



Greg Dale, President
Board of Commissioners


CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. 2023-01 entitled,

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as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the 12th day of January 2023; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of January 2023.

A handwritten signature in blue ink, appearing to read 'Aaron Newman', written over a horizontal line.

Aaron Newman, Secretary
Board of Commissioners