

**RESOLUTION NO. 2023-18**

**RESOLUTION OF THE KENSINGTON POLICE PROTECTION AND  
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 **KENSINGTON POLICE PROTECTION AND 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 Kensington Police Protection and Community Services 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
- Program Interns
- Other Volunteers
- \_\_\_\_\_

[designate]

**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 Kensington Police Protection and Community Services 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 Kensington Police Protection and 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 Members or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of the Kensington Police Protection and Community Services District.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director Duggan, seconded by Director Hacaj, on Thursday, the 8<sup>th</sup> day of June, 2023, by the following vote to wit:

AYES: Directors Duggan, Hacaj, Gough, Spath, and Aquino-Fike.

NOES: None.

ABSENT: None.

ABSTAINED: None.

DocuSigned by:  
*Alexandra Aquino-Fike*  
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Alexandra Aquino-Fike  
President, Board of Directors

HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 8th day of June, 2023.

DocuSigned by:  
*Lynelle M. Lewis*  
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Lynelle M. Lewis  
District Clerk of the Board

DocuSigned by:  
*David Aranda*  
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David Aranda  
Interim General Manger

