

# AMBAG EXECUTIVE/FINANCE COMMITTEE AGENDA

**June 13, 2018**

**Marina Library  
Community Room  
190 Seaside Circle  
Marina, CA 93933**

**5:00 pm**

1. **Call to Order**
2. **Roll Call**
3. **Public Comments**
4. **Consent Agenda** **APPROVE**
  - A. **Minutes of the May 9, 2018 Meeting**  
Approve the minutes of the May 9, 2018 meeting. (Page 3)
  - B. **List of Warrants as of April 30, 2018**  
Accept the list of warrants. (Page 7)
  - C. **Accounts Receivable as of April 30, 2018**  
Accept the accounts receivable. (Page 9)
5. **Financial Update Report** **INFORMATION**  
*-Arleicka Conley*

Receive the financial update report which provides an update on AMBAG's current financial position and accompanying financial statements. (Page 11)
6. **Workers' Compensation Coverage for Governing Board Members** **INFORMATION**  
*-Arleicka Conley*

Receive a report from Arleicka Conley, Director of Finance and Administrative Services. (Page 17)
7. **Other Items**
8. **Adjournment**

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# EXECUTIVE/FINANCE COMMITTEE MEETING

Marina Library  
Community Room  
190 Seaside Circle  
Marina, CA 93933

May 9, 2018  
Minutes

## 1. Call to Order

The meeting was called to order by President Muenzer at 5:05 p.m.

## 2. Roll Call

**Present:** Directors Kampe, McShane, Muenzer and Salinas

**Absent:** Director Coffman-Gomez, Funk and Noroyan

**Others Present:** Maura Twomey, Executive Director, AMBAG and Arleicka Conley, Director of Finance and Administrative Services.

## 3. Public Comments

There were no comments from the public.

## 4. Consent Agenda

The following items were enclosed: 1) the minutes of the April 11, 2018 meeting; 2) warrants as of March 31, 2018; and 3) accounts receivable as of March 31, 2018.

**Motion made by Director McShane seconded by Director Salinas to approve the consent agenda.**

## 5. Financial Update Report

Arleicka Conley, Director of Finance and Administrative Services, gave a report on AMBAG's current financial position. The accompanying financial statements were also discussed.

## 6. Draft FY 2018-19 Monterey Bay Region Overall Work Program (OWP) and Budget

Maura Twomey, Executive Director, gave a report on the Draft FY 2018-19 Monterey Bay Region OWP and Budget. Brief discussion followed.

## 7. Other Items

Director Muenzer reported that Director McPherson will replace Director Coffman-Gomez on the Executive/Finance Committee. Director Coffman-Gomez is no longer the AMBAG representative for the City of Watsonville.

Director McShane recommended that Monterey Bay Community Power (MBCP) become an ex-officio member to the AMBAG Board of Directors. Brief discussion followed.

## **8. Adjournment**

The meeting adjourned at 5:29 p.m.

DRAFT

**AMBAG EXECUTIVE/FINANCE COMMITTEE MEETING  
ATTENDANCE & VOTING RECORD**

MEETING DATE:     May 9, 2018    

<b>Attendance (X= Present; AB= Absent)    Voting (Y= Yes; N=No; A=Abstain)</b>						
<b>MEMBER</b>	<b>AMBAG REP</b>	<b>Attendance</b>	<b>Item# 4 Consent</b>	<b>Item#</b>	<b>Item#</b>	
Gonzales	Scott Funk	AB	-	-	-	-
Pacific Grove	Bill Kampe	X	Y	-	-	-
Salinas	Steve McShane	X	Y	-	-	-
Santa Cruz	Richelle Noroyan	AB	-	-	-	-
Watsonville	Trina Coffman-Gomez	AB	-	-	-	-
County-Monterey	Simon Salinas	X	Y	-	-	-
County-San Benito	Jerry Muenzer	X	Y	-	-	-

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Association of Monterey Bay Area Governments  
Check Register  
April 2018

Unaudited

Date	Check Number	Name	Description	Amount
04/03/2018	EFT	Pers Retirement	March 2018 Retirement Contributions (from March 16, 2018 thru March 16, 2018)	9,477.04
04/10/2018	EFT	Pers Health Benefit	Health Coverage April 2018	12,124.73
04/12/2018	27619	AT&T (FAX Line)	Fax Line Billed in Advance From 04/02/18 - 05/01/18	69.17
04/12/2018	27620	Bobbie Grant	Mileage Reimbursement for March 2018	86.16
04/12/2018	27621	BOD - Bobby Richards	BOD Meeting 4/11/18	50.00
04/12/2018	27622	BOD - Bruce McPherson	BOD Meeting 4/11/18	50.00
04/12/2018	27623	BOD - Carlos Victoria	BOD Meeting 4/11/18	50.00
04/12/2018	27624	BOD - David Brown	BOD Meeting 4/11/18	50.00
04/12/2018	27625	BOD - Dennis Alexander	BOD Meeting 4/11/18	50.00
04/12/2018	27626	BOD - Greg Caput	BOD Meeting 4/11/18	50.00
04/12/2018	27627	BOD - Jerry Muenzer	BOD Meeting 4/11/18	50.00
04/12/2018	27628	BOD - Jesus OlveraGarcia	BOD Meeting 4/11/18	50.00
04/12/2018	27629	BOD - John Freeman	BOD Meeting 4/11/18	50.00
04/12/2018	27630	BOD - Layne Buckley	BOD Meeting 4/11/18	50.00
04/12/2018	27631	BOD - Mary Adams	BOD Meeting 4/11/18	50.00
04/12/2018	27632	BOD - Mickie Luna	BOD Meeting 4/11/18	50.00
04/12/2018	27633	BOD - Richelle Noroyan	BOD Meeting 4/11/18	50.00
04/12/2018	27634	BOD - Scott Funk	BOD Meeting 4/11/18	50.00
04/12/2018	27635	BOD - Simon Salinas	BOD Meeting 4/11/18	50.00
04/12/2018	27636	BOD - Stephany Aguilar	BOD Meeting 4/11/18	50.00
04/12/2018	27637	BOD - Steve McShane	BOD Meeting 4/11/18	50.00
04/12/2018	27638	BOD - Trina Coffman-Gomez	BOD Meeting 4/11/18	50.00
04/12/2018	27639	Caliper Corporation	Supra-Regional ABM Framework Project Work for January 1-31, 2018	10,982.50
04/12/2018	27640	Caltronics Business Systems, Inc	Copier Usage Bill for 03/05/18 - 04/04/18	627.26
04/12/2018	27641	Heather Adamson	Reimbursement for March 2018 Travel Expenses	103.88
04/12/2018	27642	Iron Mountain, Inc.	Offsite Document Storage for March 2018	26.73
04/12/2018	27643	Monterey Computer Corporation, Inc.	IT Support, Off-Site Replication Back-Up Service, and Spam Filtering for April 2018	1,032.75
04/12/2018	27644	Monterey Salinas Transit	MST/METRO's Joint Bus on Shoulder Study 2nd Quarter FY 2017-18	8,628.75
04/12/2018	27645	Perry and Freeman	Legal Services for April 2018	1,125.00
04/12/2018	27646	PERs Fiscal Services Division	Lump Sum Pmt #9 for Unfunded Accrued Liability as of 06/30/2016 Valuation	15,000.00
04/12/2018	27647	Population Reference Bureau (PRB)	For Forecast Related Services Completed in February 2018	364.00
04/12/2018	27648	Rayne Water, Inc.	Water for the Period of 04/01/2018 through 04/30/2018	64.09
04/12/2018	27649	Red Shift Internet Services, Inc.	Web Hosting for AMBAG Site From 04-01-18 to 05-01-18 (Platinum Package)	35.90
04/12/2018	27650	SBCAG	Employer Data for Santa Barbara County Central Coast Supra-Regional Activity-Based Model	3,056.00
04/12/2018	27651	The Sohagi Law Group	DEIR Comment Review, SB375 Scoping Plan, MTP/SCS Findings March 2018	4,830.00
04/12/2018	27652	Verizon Wireless, Inc	Broadband Account for Broadband Devices and iPads	192.74
04/12/2018	27653	VISA Rabobank	Travel, Storage, and Meeting Expenses	1,582.02
04/12/2018	27654	VISA Rabobank	IT Supplies, Food for Meetings, Web Hosting, FastTrack Replenishment, Cables, Nameplates	589.90
04/12/2018	27655	Yang & Associates, LLP	Provide Legal Services for Milestone 1 Commencement of PERM Process	1,675.00
04/15/2018	EFT	Paychex, Inc.	Net Payroll and Taxes for Period Ending 04/15/2018	63,539.08
04/15/2018	EFT	De Lage Landen, Inc	Copier Lease for 03/15/2018 - 04/14/2018	407.30
04/20/2018	EFT	Pers Retirement	April 2018 Retirement Contributions (from April 1, 2018 thru April 15, 2018)	9,473.89
04/30/2018	EFT	Paychex, Inc.	Net Payroll and Taxes for Period Ending 04/30/2018	63,657.23

Association of Monterey Bay Area Governments

Check Register

April 2018

Date	Check Number	Name	Description	Amount
04/30/2018	EFT	Pers Retirement	April Pmt for Annual Unfunded Accrued Liability as of 06/30/2015 Valuation	10,771.92
			<b>Total</b>	<u>\$220,423.04</u>



## AMBAG A/R Aging Detail As of April 30, 2018

Date	Num	Name	Memo	Due Date	Days Outstanding	Open Balance
03/31/2018	3850	Caltrans:SHRP2	ALL AMBAG	04/30/2018		7,383.37
03/31/2018	3853	Caltrans, D5	Caliper - \$24,067.62 (\$19,885.00+ \$15,937.50 Total)	04/30/2018		179,038.11
04/30/2018	3854	PG & E-CEE Invoice Desk	ALL AMBAG	04/30/2018		58,536.55
04/30/2018	3855	MBARD (customer);16-01 WE 182- Regional Vanpool Subsidy	ALL AMBAG	04/30/2018		194.00
04/30/2018	3857	RAPS A/R	ALL AMBAG	04/30/2018		8,155.47
04/30/2018	3858	RAPS A/R	ALL AMBAG	04/30/2018		1,207.88
04/30/2018	3856	Caltrans:SHRP2	ALL AMBAG	05/30/2018		5,171.77
04/30/2018	3859	Caltrans, D5	Caliper - \$32,100.00	05/30/2018		200,161.43
03/31/2018	3844	MBARD (customer);16-01 WE 182- Regional Vanpool Subsidy	CalVans - \$2,650.00	03/31/2018	30	2,771.00
03/31/2018	3847	PG & E-CEE Invoice Desk	ALL AMBAG	03/31/2018	30	61,465.47
03/31/2018	3851	RAPS A/R	ALL AMBAG	03/31/2018	30	18,113.82
03/31/2018	3852	RAPS A/R	ALL AMBAG	03/31/2018	30	3,640.50
01/31/2018	3843	RAPS A/R	ALL AMBAG	01/31/2018	89	4,091.93
02/28/2018	3845	RAPS A/R	ALL AMBAG	02/28/2018	61	8,337.08
02/28/2018	3846	RAPS A/R	ALL AMBAG	02/28/2018	61	2,199.12
11/30/2017	3834	RAPS A/R	ALL AMBAG	11/30/2017	151	2,568.63
12/31/2017	3838	RAPS A/R	ALL AMBAG	12/31/2017	120	4,495.46
			Total Receivables			<u>\$ 567,531.59</u>
			Less Contractor Receivables			<u>\$ 70,572.50</u>
			Net AMBAG Receivables			<u><u>\$ 496,959.09</u></u>

√ = Reflects payments received subsequent to April 30, 2018.

**AMBAG**  
**A/R Aging Detail**  
As of April 30, 2018

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**MEMORANDUM**

**TO:** Executive/Finance Committee

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Arleicka Conley, Director of Finance and Administrative Services

**SUBJECT:** Financial Update Report

**MEETING DATE:** June 13, 2018

**RECOMMENDATION:**

Staff recommends that the Executive/Finance Committee receive the Financial Update Report.

**BACKGROUND/DISCUSSION:**

The enclosed financial reports are for the 2017-2018 Fiscal Year (FY) and are presented as a consent item. The attached reports contain the cumulative effect of operations through April 30, 2018 as well as a budget-to-actual comparison. Amounts in the Financial Update Report are unaudited.

**FINANCIAL IMPACT:**

The Balance Sheet for April 30, 2018 reflects a cash balance of \$480,047.45. The accounts and contractors receivable balance is \$567,531.59, while the current liabilities balance is \$181,080.40. AMBAG has sufficient current assets on hand to pay all known current obligations.

Due to the implementation of Governmental Accounting Standards Board (GASB) Statement No. 68 in FY 2014-2015 and a restatement to Net Position for GASB Statement No. 82, AMBAG has a deficit Net Position in the amount of \$235,010.33. Although AMBAG's Balance Sheet as of April 30, 2018 reflects a deficit Net Position, AMBAG's Profit and Loss Statement reflects an excess of revenue over expense of \$175,162.61. As we make efforts to pay the outstanding pension liability, AMBAG's Net Position has and will continue to improve.

*Planning Excellence!*

The following table highlights key Budget to Actual financial data:

**Budget to Actual Financial Highlights**  
**For Period July 1, 2017 through April 30, 2018**

<b>Expenditures</b>	<b>Budget Through April</b>	<b>Actual Through April</b>	<b>Difference</b>
Salaries & Fringe Benefits	\$ 2,050,271.00	\$ 1,687,514.78	\$ 362,756.22
Professional Services	\$ 1,169,558.00	\$ 606,859.52	\$ 562,698.48
Lease/Rentals	\$ 70,833.00	\$ 63,973.16	\$ 6,859.84
Communications	\$ 26,625.00	\$ 13,989.10	\$ 12,635.90
Supplies	\$ 100,515.00	\$ 11,896.80	\$ 88,618.20
Printing	\$ 10,288.00	\$ 5,087.48	\$ 5,200.52
Travel	\$ 70,875.00	\$ 23,233.12	\$ 47,641.88
Other Charges	\$ 275,478.00	\$ 237,409.79	\$ 38,068.21
<b>Total</b>	<b>\$ 3,774,443.00</b>	<b>\$ 2,649,963.75</b>	<b>\$ 1,124,479.25</b>
<b>Revenue</b>			
Federal/State/Local Revenue	\$ 3,804,027.00	\$ 2,825,126.36	\$ 978,900.64

Note: AMBAG is projecting a surplus, therefore budgeted revenues do not equal expenses.

**Revenues/Expenses (Budget to Actual Comparison):**

The budget reflects a linear programming of funds while actual work is contingent on various factors. Therefore, during the fiscal year there will be fluctuations from budget-to-actual.

Salaries and fringe benefits are under budget primarily due to positions that were vacant for part of the fiscal year.

Professional Services are under budget primarily due to the timing of work on projects performed by contractors. These projects include the Environmental Impact Report (EIR), Work Zone Impacts and Strategies Estimator Software, development of an Activity-Based Model (ABM) Framework for the Central Coast Supra-Region (AMBAG, SLOCOG and SBCAG), and legal services related to the EIR. These projects are in various phases of completion.

Since AMBAG funding is primarily on a reimbursement basis, any deviation in expenditure also results in a corresponding deviation in revenue. Budget-to-actual revenue and expenditures are monitored perpetually to analyze fiscal operations and propose amendments to the budget if needed.

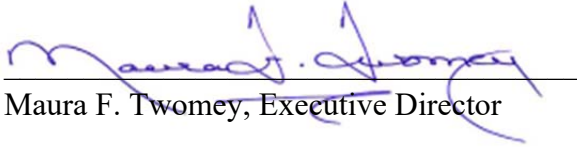
**COORDINATION:**

N/A.

**ATTACHMENTS:**

1. Balance Sheet as of April 30, 2018
2. Profit and Loss: July 1, 2017 – April 30, 2018
3. Cash Activity for May, 2018

**APPROVED BY:**



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Maura F. Twomey, Executive Director

Accrual Basis  
Unaudited

**AMBAG  
Balance Sheet  
As of April 30, 2018**

	April 30, 2018	April 30, 2018
<b>Assets</b>		
<b>Current Assets</b>		
Cash and Cash Equivalents		
Rabobank - Special Reserve	152,684.40	30,257.08
Rabobank - Checking	323,390.11	70,572.50
Petty Cash	500.00	80,250.82
LAIF Account	3,472.94	0.00
Total Cash and Cash Equivalents	480,047.45	181,080.40
Accounts Receivable		
Accounts Receivable	496,959.09	
Contractors Receivable	70,572.50	
Total Accounts and Contractors Receivable	567,531.59	257,441.95
Other Current Assets		
Due from PRWFP/RAPS	3,568.02	1,836,563.69
Prepaid Expenses	4,536.52	19,940.29
Total Other Current Assets	8,104.54	2,113,945.93
<b>Total Current Assets</b>	1,055,683.58	2,295,026.33
<b>Long-Term Assets</b>		
FY 2002-2003 Housing Mandate Receivable	82,186.00	
Allowance for Doubtful Accounts	(16,437.20)	
Deferred Outflows - Actuarial	605,262.49	
Deferred Outflows - PERS Contribution	296,519.59	
<b>Total Long-Term Assets</b>	967,530.88	
<b>Capital Assets</b>		
Capital Assets	172,934.98	(410,172.94)
Accumulated Depreciation	(136,133.44)	175,162.61
<b>Total Capital Assets</b>	36,801.54	(235,010.33)
<b>Total Assets</b>	2,060,016.00	2,060,016.00
<b>Liabilities &amp; Net Position</b>		
<b>Liabilities</b>		
<b>Current Liabilities</b>		
Accounts Payable		30,257.08
Contractors Payable		70,572.50
Employee Benefits		80,250.82
Line of Credit		0.00
<b>Total Current Liabilities</b>		181,080.40
<b>Long-Term Liabilities</b>		
Deferred Inflows - Actuarial		257,441.95
Net Pension Liability (GASB 68)		1,836,563.69
Retainage Payable		19,940.29
<b>Total Long-Term Liabilities</b>		2,113,945.93
<b>Total Liabilities</b>		2,295,026.33
<b>Net Position</b>		
Beginning Net Position		(410,172.94)
Net Income/(Loss)		175,162.61
<b>Total Ending Net Position</b>		(235,010.33)
<b>Total Liabilities &amp; Net Position</b>		2,060,016.00

**AMBAG**  
**Profit & Loss**  
July 2017 - April 2018

	<u>July 2017 - April 2018</u>
<b>Income</b>	
AMBAG Revenue	212,884.53
Cash Contributions	234,409.10
Grant Revenue	2,243,441.28
Non-Federal Local Match	134,391.45
<b>Total Income</b>	<u><u>2,825,126.36</u></u>
<b>Expense</b>	
Salaries	1,073,938.71
Fringe Benefits	613,576.07
Professional Services	606,859.52
Lease/Rentals	63,973.16
Communications	13,989.10
Supplies	11,896.80
Printing	5,087.48
Travel	23,233.12
Other Charges:	
BOD Allowances	5,800.00
BOD Refreshments/Travel/Nameplates/Dinner	2,043.34
El Dorado Guidebook Training Expenses	323.95
RCTF Expenses	313.21
Workshops/Training	5,369.65
GIS Licensing/CCJDC Support	9,937.15
Energy Watch Travel/Classes/Events	12,053.79
SB1/MTIP/SCS/OWP/Public Participation Expenses	8,082.71
Recruiting	4,143.24
Transportation Performance Management (TPM)	3,632.13
Model Expenses	351.59
Dues & Subscriptions	13,387.66
Depreciation Expense	17,585.71
Maintenance/Utilities	1,015.23
Insurance	18,491.40
Interest/Fees Expense	507.58
<b>Total Other Charges</b>	<u>103,018.34</u>
Non-Federal Local Match	134,391.45
<b>Total Expense</b>	<u><u>2,649,963.75</u></u>
<b>Net Income/(Loss)</b>	<u><u>175,162.61</u></u>

**AMBAG**  
**Cash Activity**  
**For May 2018**

Unaudited

Monthly Cash Activity  
AMBAG

	July-17	August-17	September-17	October-17	November-17	December-17	January-18	February-18	March-18	April-18	May-18	June-18	TOTAL
<b>1. CASH ON HAND</b> [Beginning of month]	371,343.13	448,630.20	557,234.74	481,473.15	509,589.72	394,744.04	414,450.54	436,542.67	292,560.19	309,396.57	480,047.45	-	-
<b>2. CASH RECEIPTS</b>													
(a) AMBAG Revenue	159,764.78	159,428.38	22,653.58	11,015.93	20,192.16	45,017.28	46,151.80	41,514.05	39,727.00	672.92	-	-	546,137.88
(b) Grant Revenue	201,982.83	242,909.25	298,967.77	207,196.72	299,776.06	187,929.68	223,336.90	58,830.61	185,262.34	390,401.00	243,274.58	-	2,539,867.74
(c) Non-Federal Local Match	-	-	-	-	-	-	-	-	-	-	-	-	-
(d) Borrowing	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>3. TOTAL CASH RECEIPTS</b>	361,747.61	402,337.63	321,621.35	218,212.65	319,968.22	232,946.96	269,488.70	100,344.66	224,989.34	391,073.92	243,274.58	-	3,086,005.62
<b>4. TOTAL CASH AVAILABLE</b>	733,090.74	850,967.83	878,856.09	699,685.80	829,557.94	627,691.00	683,939.24	536,887.33	517,549.53	700,470.49	723,322.03	-	-
<b>5. CASH PAID OUT</b>													
(a) Payroll & Related *	160,264.93	161,144.36	144,268.84	151,701.60	182,250.81	170,682.72	161,850.34	205,932.76	159,315.46	176,911.62	172,048.93	-	1,846,372.37
(b) Professional Services	110,509.83	110,033.83	239,334.37	23,156.02	238,069.57	17,696.60	66,139.78	22,328.28	25,383.82	30,049.18	53,199.62	-	935,900.90
(c) Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-
(d) Lease/Rentals	6,622.80	6,444.47	6,826.43	6,418.22	4,054.56	7,047.60	6,454.58	6,327.99	7,211.49	6,537.29	6,707.68	-	70,653.11
(e) Communications	550.94	1,303.51	1,165.11	1,357.68	1,912.91	778.66	1,577.68	2,331.30	1,428.49	297.81	2,556.10	-	15,260.19
(f) Supplies	1,173.96	994.60	526.86	1,388.68	942.11	686.48	1,965.04	1,644.76	950.26	454.54	2,891.35	-	13,618.64
(g) Printing	-	-	-	132.99	250.00	3,229.35	91.83	456.00	627.31	300.00	300.00	-	5,387.48
(h) Travel	1,510.52	2,394.39	3,235.25	2,613.88	4,600.73	1,419.45	935.65	613.84	2,010.57	1,516.88	6,796.12	-	27,647.28
(i) Other Charges	3,827.56	11,417.93	2,026.08	3,327.01	2,733.21	11,699.60	8,381.67	4,692.21	11,225.56	4,355.72	2,333.66	-	66,020.21
(j) Non-Federal Local Match	-	-	-	-	-	-	-	-	-	-	-	-	-
(k) Loan Repayment	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>6. TOTAL CASH PAID OUT</b>	284,460.54	293,733.09	397,382.94	190,096.08	434,813.90	213,240.46	247,396.57	244,327.14	208,152.96	220,423.04	246,833.46	-	2,980,860.18
<b>7. CASH POSITION</b>	448,630.20	557,234.74	481,473.15	509,589.72	394,744.04	414,450.54	436,542.67	292,560.19	309,396.57	480,047.45	476,488.57	-	-





**MEMORANDUM**

**TO:** Executive/Finance Committee

**FROM:** Maura F. Twomey, Executive Director

**RECOMMENDED BY:** Arleicka Conley, Director of Finance and Administrative Services

**SUBJECT:** Workers' Compensation Coverage for Governing Board Members

**MEETING DATE:** June 13, 2018

**RECOMMENDATION:**

This is an informational item only.

**BACKGROUND/DISCUSSION:**

AMBAG's worker's compensation insurance carrier is the Special District Risk Management Authority (SDRMA). In the past, SDRMA provided coverage for our Board Members under AMBAG's workman's compensation insurance policy without the need for a formal Resolution. In November of 2017, SDRMA notified AMBAG that in order to continue coverage for our Board Members while they are engaged in AMBAG business after June 30, 2018, the Board must adopt the attached Resolution.

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 Board of the agency or its designee, shall, upon adoption of a Resolution by the Governing Board of the agency so declaring, be deemed to be an employee for workers' compensation purposes only. Thus, if such a resolution is adopted, and the volunteer is injured while performing duties for the agency, the volunteer is entitled to receive workers' compensation benefits and their exclusive remedy for recovery against the agency is through the Workers' Compensation system.

Such Governing Board members and/or volunteers may be covered for workers' compensation benefits only if a Resolution to that effect is adopted by the Governing Board pursuant to Labor Code § 3363.5 and a copy of the Resolution is filed with SDRMA.

**FINANCIAL IMPACT:**

There will be no financial impact as a result of adopting this Resolution.

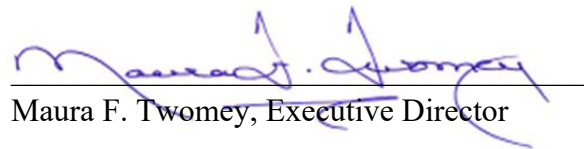
**COORDINATION:**

Staff coordinated with SDRMA and AMBAG's legal counsel, Don Freeman.

**ATTACHMENT:**

1. Resolution 2018-7 - Workers' Compensation Coverage for Governing Members

**APPROVED BY:**



Maura F. Twomey, Executive Director

## Resolution 2018-7

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG)  
DECLARING THAT BOARD MEMBERS SHALL BE DEEMED TO BE EMPLOYEES  
OF AMBAG FOR THE PURPOSE OF PROVIDING WORKERS' COMPENSATION  
COVERAGE FOR SAID INDIVIDUALS WHILE PROVIDING THEIR SERVICES**

**WHEREAS**, the Association of Monterey Bay Area Governments utilizes the services of Governing Board Members; 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 Board of the agency or its designee, shall, upon adoption of a resolution by the Governing Board 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 Board wishes to extend Workers' Compensation coverage as provided by State law to the following designated categories of persons as indicated by a mark in the box to the left of the descriptions:

- All Members of the Governing Board of the Association of Monterey Bay Area Governments 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
- \_\_\_\_\_  
[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 Board Member and other designated individuals be deemed to be employees of the Association of Monterey Bay Area Governments for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Governing Board Members and other designated individuals will not be considered an employee of the Association of Monterey Bay Area Governments for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of such Governing Board Members or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of the Association of Monterey Bay Area Governments.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of June, 2018.

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Jerry Muenzer, President

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Maura F. Twomey, Executive Director