



Claims Committee Teleconference

Thursday, June 22nd, 2017
1:30pm – 2:30pm

Bay Area Metro Center
375 Beale Street; Suite 700
San Francisco, CA 94105
San Andreas Conference Room

**Per Government Code Section 54953 (b) (3), each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference locations shall be accessible to the public.*

Teleconference Locations:

Participant	Member City	State	Street Address
Chair: Kathleen Kane	Burlingame	CA	501 Primrose Road
Marc Zafferano	San Bruno	CA	567 El Camino Real
Heather McLaughlin	Benicia	CA	250 East "L" Street
Scott Corey	Suisun City	CA	701 Civic Center Drive
Robert Schultz	Los Gatos	CA	110 East Main Street
Randolph Hom	Cupertino	CA	10300 Torre Avenue
Brenda Olwin	East Palo Alto	CA	2415 University Avenue

AGENDA

1. Call to Order
2. Public Comments
3. Approval of Minutes – May 18th, 2017

Action

Please Note: Item # 4 will be discussed in closed session pursuant to the requirements of the Ralph M. Brown Act 54956.9. All actions taken will be announced in open session prior to the adjournment of the meeting.

4. Claim Coverage Discussion

Action

American Canyon Claim ABGV25134A1, DOL: 4.14.16

5. Other Business / Announcements
6. Adjournment

Please note: Committee may act on any item on agenda



**Claims Committee Teleconference
Summary Minutes**

May 18th, 2017
10:30am – 12:30pm

Bay Area Metro Center
375 Beale Street; Suite 700
San Francisco, CA 94105
Mayacamas Conference Room

Present: Jill Stallman – Claims Manager / *Acting* Risk Manager
Kim Chase – Administrative Assistant

Teleconference Participants:	City/Town:	State:	Street Address:
Chair: Kathleen Kane	Burlingame	CA	501 Primrose Road
Marc Zafferano	San Bruno	CA	567 El Camino Real
Heather McLaughlin	Benicia	CA	250 East “L” Street
Scott Corey	Suisun City	CA	701 Civic Center Drive
Kathy Leroux	Hillsborough	CA	1600 Floribunda Avenue
Robert Schultz (Dialed in 10:41am)	Los Gatos	CA	110 East Main Street
Randolph Hom	Cupertino	CA	10300 Torre Avenue
Jeff Rogers / York Risk Services	Concord	CA	1390 Willow Pass Road
Sean Ridley / Howard Rome Martin & Ridley	San Mateo	CA	900 O'Farrell St #280

1. **Call to Order**
Meeting was called to order at 10:34pm by Kathleen Kane

Roll Call was taken by Kim Chase; a quorum was present
2. **Public Comments** - None
3. **Approval of Minutes** – March 20th, 2017
//M//McLaughlin//S//Leroux//C//Unanimous

Please Note: Item # 4 was discussed in closed session pursuant to the requirements of the Ralph M. Brown Act 54956.9. All actions taken were announced in open session prior to the adjournment of the meeting.

Closed Session was announced at 10:36am by Kathleen Kane. Defense Counsel provided an overview to the Committee while Marc supplied additional information on behalf of the City. Marc Zafferano then recused himself due to the jurisdiction he represents being a party to the claim. Jeff and Shawn also left the meeting (all left at 11:45 am) while the Committee then deliberated.

4. **Claims Discussion / Settlement Authority**

San Bruno Police Litigation, DOL: 10.22.13, Claim: ABGV20547A1

Open Session was announced at 12:03 pm by Kathleen Kane. *No reportable action. No*

announcements.

Marc Zafferano returned to the call at 12:04 pm for the remainder of the meeting.

5. **TPA Claims Administration - York Claims Administration Contract Renewal**

Jill noted the original contract has already been approved and it is simply an extension to the original. The good news is that the original pricing for the claims administration piece was fair and the renewal extension continues with the same 3% cost escalator. Some housekeeping items such as our SF address and YORK's new address updates are the only other changes and are not material. Discussion took place regarding the subrogation recovery services York can do for a 20% fee. We have opted to retain in house and John Saelee leads those efforts. Additionally, we also help with the subrogation matters that are under deductible. As of April 30th, 2017 we have been engaged in 325 subrogation efforts and we have recovered \$1,106,066 for the group. Included in the packet are the original and the amendment agreement for review. Kathleen called for questions and asked if staff would like a motion. Jill declined stating she will note that the Committee accepts the contract extension, as presented. Kathleen asked if anyone had a concern. None were raised.

6. **Legal Counsel Defense Firms**

a. Defense Counsel Appointment

Jill briefed the Committee on a member's request for a defense attorney to be added to the panel. She noted this is in response to a formal request from a member and noted that this attorney's background and specialization is in Employment Practices and Labor which the pool's liability MOC doesn't cover. The attorney is well qualified in her areas of specialization. Staff is not making a recommendation but is asking the Committee to discuss and render a decision given the unique request. Heather proposed to decline the addition as there is no need to have an Employment Practice Attorney on the panel. Kathleen asked if there was a policy regarding who goes on the panel. Jill confirmed there is not, other than it being the Committee's responsibility in maintaining a defense panel. Discussion ensued in determining whether scenarios exist where an attorney with this specialization would be utilized as well as whether this is the right attorney to select (given no comparisons). Marc said he doesn't see a reason to add her now based on a coverage denial. It is an odd circumstance. Kathleen said we can reevaluate later. Kathleen directed staff to relay the decision of the group which is to refrain from adding the attorney to the panel at this time.

Kathy asked if she can leave the remainder of the meeting since no other actions are on the table. Kathleen agreed about the time and suggested ending the meeting soon and informed the committee to review the York Stewardship Report and touch base with Jill should they have any questions. Kathleen asked if there was any other business that has to be conducted on this call at this point.

b. Rate Discussion

Jill noted agenda item 6b and told the Committee she can send the decrypted version to the Committee if requested. Jill has been fielding numerous rate increase requests. A suggestion was to include attorney rates when recommending defense options after a suit is received. Kathleen mentioned that she is speaking for the entire committee in saying that is extremely good information to differentiate. Kathleen stated she also would like to see a billing history from YORK on these attorneys when selecting one to defend a matter. This will assist with the overall assessment on who may be the best fit for each engagement.

7. **York Stewardship Report**

The Committee will review and will follow up with staff regarding any questions.


8. **Other Business / Announcements**

None

9. **Adjournment**

Meeting was called to adjournment by Kathleen Kane at 12:24pm

Respectfully Submitted,



Jill Stallman

ABAG PLAN Claims Manager / *Acting* Risk Manager

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DRAFT