

**POOLED LIABILITY ASSURANCE NETWORK JOINT
POWERS AGREEMENT
(PLAN JPA)**

**MINUTES OF THE CLAIMS COMMITTEE
MEETING OF FEBRUARY 22, 2018**

A regular meeting of the Claims Committee was held on February 22, 2018, via teleconference.

MEMBERS PRESENT: Kathleen Kane, Chair, Burlingame (*left before Agenda Item 6.A and returned during Agenda Item 7.B*)
Marc Zafferano, San Bruno (*left before Agenda Item 6.A and returned during Agenda Item 7.B*)
Robert Shultz, Los Gatos
Brenda Olwin, East Palo Alto
Heather McLaughlin, Benicia
Kathy Leroux, Hillsborough
Randolph Stevenson Hom, Cupertino

MEMBERS ABSENT: Scott Corey, Suisun City

OTHERS PRESENT: Rob Kramer, General Manager, Bickmore
Jon Paulson, Senior Consultant, Bickmore
Craig Wheaton, Litigation Manager, Bickmore
Katie Sullivan, Analyst, Bickmore
Byrne Conley, Coverage Counsel, Gibbons & Conley
Joshua Goodman, City Attorney, Woodside

1. CALL TO ORDER:

The February 22, 2018, Claims Committee meeting was called to order at 1:36 p.m. by Chair Kathleen Kane.

2. INTRODUCTIONS:

Those present introduced themselves.

3. PUBLIC COMMENTS:

None.

4. APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Kathleen Kane moved to approve the agenda as posted. Robert Shultz seconded the motion. Motion passed unanimously by Kathleen Kane, Robert Shultz, Brenda Olwin, Heather McLaughlin, Kathy Leroux, Marc Zafferano, and Randolph Stevenson Hom.

5. CONSENT CALENDAR:

Robert Shultz moved to approve the following items: A) Minutes from the December 28, 2017, Claims Committee Meeting. Heather McLaughlin seconded the motion. Motion passed unanimously by Kathleen Kane, Robert Shultz, Brenda Olwin, Heather McLaughlin, Kathy Leroux, Marc Zafferano, and Randolph Stevenson Hom.

6. COVERAGE APPEAL:

A. City of American Canyon Coverage Appeal

On June 8, 2017, Mr. Ken Moy, former Coverage Counsel, reviewed and denied coverage for the Reyring v. Town of Woodside, et. al. Pursuant to ABAG PLAN's Claim Policy, section 3.3 Coverage Determination, the Town of Woodside exercised its right to appeal the coverage opinion with the Claims Committee.

Mr. Joshua Goodman, Representative of Woodside, was present at the meeting and reviewed the facts of the aforementioned claim with the Committee and stated their reasons for appealing the coverage denial.

Mr. Conley advised the Committee he came to the same conclusion Mr. Moy came to stating it was his opinion there is no coverage for this matter and briefly explained his rationale.

Ms. Kane and Mr. Marc Zafferano, San Bruno, recused themselves from discussion on this item and were not present during closed session while this matter was discussed.

7. CLOSED SESSION:

A. The Committee convened to closed session, pursuant to Government Code sections 54956.95(a) and 54956.9(c), at 2:10 p.m. to discuss:

- Reyering v. Town of Woodside
- Harrison v. Gilroy

B. The Committee reconvened to open session at 2:38 p.m. The following actions were taken under closed session:

Heather McLaughlin reported the Claims Committee voted to deny the appeal to provide coverage in the matter of Reyering v. Woodside, and the decision passed by majority vote by Heather McLaughlin, Robert Shultz, Brenda Olwin, Kathy Leroux, and Randolph Stevenson Hom. Kathleen Kane and Marc Zafferano recused themselves from discussing and voting on this matter.

Kathleen Kane reported the Claims Committee unanimously voted to approve coverage in the matter of Harrison v. Gilroy.

8. CLOSING COMMENTS

A. Claims Committee

None.

B. Staff

None.

9. ADJOURNMENT

The Meeting of the PLAN JPA Claims Committee was adjourned at 2:42 p.m.



Heather McLaughlin, Board Secretary