

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

**MINUTES OF THE CLAIMS COMMITTEE
MEETING OF FEBRUARY 28, 2019**

A regular meeting of the Claims Committee was held on February 28, 2019, at the Hilton Garden Inn San Francisco Airport North, 670 Gateway Boulevard, South San Francisco, CA 94080.

MEMBERS PRESENT: Kathleen Kane, Chairperson, Burlingame
Heather McLaughlin, Benicia
Brenda Olwin, East Palo Alto
Robert Schultz, Los Gatos
Marc Zafferano, San Bruno
Rebecca Mendenhall, San Carlos
John Mullins, Hillsborough

MEMBERS ABSENT: Scott Corey, Suisun City

OTHERS PRESENT: Jon Paulsen, General Manager
Yahaira Martinez, Assistant General Manager (*left after Item 6.A*)
Craig Wheaton, Litigation Manager
Katie Sullivan, Assistant Board Secretary

1. CALL TO ORDER

The February 28, 2019, Claims Committee meeting was called to order at 12:05 p.m. by Chairperson Kathleen Kane.

2. INTRODUCTIONS

Introductions were made and it was determined there was a quorum present.

3. APPROVAL OF THE AGENDA AS POSTED (OR AMENDED)

The agenda was approved as posted.

4. PUBLIC COMMENTS

None.

5. CONSENT CALENDAR

Heather McLaughlin moved to approve the following items: A) Minutes from the January 24, 2019, Claims Committee Meeting. Rebecca Mendenhall seconded the motion. The motion passed unanimously.

6. CLAIMS MATTERS

The recent rains have brought to the forefront the need to prepare for third party landslide claims. Craig Wheaton, Litigation Manager, discussed with the Committee how it would be in PLAN JPA's best interest to have an experienced defense attorney readily available to be assigned to any potential claims as early as possible. By doing so, the claimant and/or their attorney would appreciate communicating with someone who holds a thorough understanding of Inverse Condemnation (IV) claims.

Mr. Wheaton informed the Committee that Martin Ambacher, McNamara Law Firm, is a proven defense attorney who can provide liability clarity and can reason well with claimants and their attorneys. The McNamara firm is on the defense counsel list; however, Mr. Ambacher is not listed as an approved attorney.

A brief discussion ensued around the clean-up of PLAN JPA's defense panel list and Jon Paulsen, General Manager, noted Mr. Wheaton had already done an initial review and removed any attorneys who are no longer practicing. Mr. Paulsen informed the Committee staff would be distributing a survey to all members to gauge satisfaction with those defense attorneys still listed.

Robert Schultz moved to approve Martin Ambacher as an approved attorney for PLAN JPA. Marc Zafferano seconded the motion. The motion passed unanimously.

7. CLOSED SESSION

A. The Committee convened to closed session, pursuant to Government Code section 54956.95(a) at 12:11 p.m. to discuss the following claims:

- Blickman v. Town of Atherton
- Patton v. City of Morgan Hill
- Hamilton/Manning v. City of Newark

B. Pursuant to Government Code Section 54957.1, the Committee reconvened to open session at 12:47 p.m. The following actions were taken under closed session:

No reportable action was taken during closed session.

8. CLOSING COMMENTS

A. Claims Committee

None

B. Staff

None

9. ADJOURNMENT

The Meeting of the PLAN JPA Claims Committee was adjourned at 12:48 p.m.



Katie Sullivan, Assistant Board Secretary