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## **CLAIMS COMMITTEE MEETING AGENDA**

**Thursday, March 28, 2019  
1:30 p.m.**

**Teleconference**

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All or portions of this meeting will be conducted by teleconferencing in accordance with Government Code Section 54953(b). Teleconference locations are as follows: York Pooling, 1750 Creekside Oaks Drive, Suite 200, Sacramento, CA 95833; Aaronson, Dickerson, Cohn & Lanzone, 1001 Laurel Street, San Carlos, CA 94070; City of East Palo Alto, 2415 University Avenue, East Palo Alto, CA 94303; Town of Hillsborough, 1600 Floribunda Avenue, Hillsborough, CA 94010; City of San Bruno, 567 El Camino Real, San Bruno, 94066; City of San Carlos, 600 Elm Street, San Carlos, CA 94070; and City of Suisun City, 701 Civic Center Boulevard, Suisun City, CA 94585.

Each location is accessible to the public, and members of the public may address the Claims Committee from any teleconference location.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation to participate in this meeting, please contact Katie Sullivan at (916) 244-1164 or (916) 244-1199 (fax). Requests must be made as early as possible and at least one full business day before the start of the meeting.

Documents and materials relating to an open session agenda item that are provided to the Pooled Liability Assurance Network Joint Powers Authority (PLAN JPA) Claims Committee less than 72 hours prior to a regular meeting will be available for public inspection at 1750 Creekside Oaks Dr., Suite 200, Sacramento, CA 95833.

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| <b><u>Page</u></b> | <b>1. CALL TO ORDER</b>                             |
|                    | <b>2. INTRODUCTIONS</b>                             |
|                    | <b>3. APPROVAL OF AGENDA AS POSTED (OR AMENDED)</b> |

\* Reference materials enclosed with staff report.

- Page**    **4.**    **PUBLIC COMMENTS** - This time is reserved for members of the public to address the Committee relative to matters of the PLAN JPA not on the agenda. No action may be taken on non-agenda items unless authorized by law. Comments will be limited to five minutes per person and twenty minutes in total.
- 5.**    **CONSENT CALENDAR**  
If a Committee member would like to discuss any item listed, it may be pulled from the Consent Calendar.
- 4**        \*A.    Minutes from the February 28, 2019, Claims Committee Meeting  
              *Recommendation: Staff recommends the Committee approve the Consent Calendar.*
- 6.**    **CLOSED SESSION**  
A.    Pursuant to Government Code Section 54956.95(a), the Committee will hold a closed session to discuss the following claims:
- Chapa v. Town of Gilroy
  - Curi v. City of Saratoga
  - Casarotti v. Town of Woodside
- B.    Pursuant to Government Code Section 54957.1, the Committee will report in open session any reportable action taken in closed session.
- 7.**    **CLOSING COMMENTS**  
This time is reserved for comments by Claims Committee members and/or staff and to identify matters for future Claims Committee business.
- A.    Claims Committee
  - B.    Staff
- 8.**    **ADJOURNMENT**

**NOTICES:**

- The next Claims Committee meeting will be held on April 25, 2019, at 1:30 p.m. via teleconference.

\* Reference materials enclosed with staff report.

March 28, 2019

Agenda Items 5.A.

**CONSENT CALENDAR**

**SUBJECT: Consent Calendar**

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**BACKGROUND AND HISTORY:**

The Consent Calendar consists of items that require approval or acceptance but are self-explanatory and require no discussion. If a Committee member would like to discuss any item listed, it may be pulled from the Consent Calendar.

**STAFF RECOMMENDATION:**

*Staff recommends the Committee approve the Consent Calendar.*

**REFERENCE MATERIALS ATTACHED:**

A. Minutes from the February 28, 2019, Claims Committee Meeting

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

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

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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**

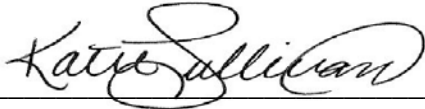
None

**B. Staff**

None

**9. ADJOURNMENT**

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



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Katie Sullivan, Assistant Board Secretary