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**CLAIMS COMMITTEE MEETING
AGENDA**

**Thursday, May 30, 2019
1:30 p.m.**

Teleconference

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 Burlingame, 501 Primrose Road, Burlingame, CA 94010; City of East Palo Alto, 2415 University Avenue, East Palo Alto, CA 94303; Town of Hillsborough, 1600 Floribunda Avenue, Hillsborough, CA 94010; Town of Los Gatos, 110 East Main Street, Los Gatos, CA 95030; City of San Carlos, 600 Elm Street, San Carlos, CA 94070; and City of Suisun City, 701 Civic Center Blvd., 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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| <u>Page</u> | 1. CALL TO ORDER |
| | 2. INTRODUCTIONS |
| | 3. APPROVAL OF AGENDA AS POSTED (OR AMENDED) |

* 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 April 25, 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:
- Erwin v. City of Milpitas
 - Estate of Santosh Jain *et al* v. City of Milpitas
 - Patton v. City of Morgan Hill
- 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 June 27, 2019, at 1:30 p.m. via teleconference.

* Reference materials enclosed with staff report.

May 30, 2019

Agenda Items 5.A.

CONSENT CALENDAR

SUBJECT: Consent Calendar

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 April 25, 2019, Claims Committee Meeting

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

**MINUTES OF THE CLAIMS COMMITTEE
MEETING OF APRIL 25, 2019**

A regular meeting of the Claims Committee was held on April 25, 2019, via teleconference.

MEMBERS PRESENT: Kathleen Kane, Chair, Burlingame
Brenda Olwin, East Palo Alto
John Mullins, Hillsborough (*Arrived during Agenda Item 6.A*)
Robert Schultz, Los Gatos
Marc Zafferano, San Bruno
Scott Corey, Suisun City

MEMBERS ABSENT: Rebecca Mendenhall, San Carlos

OTHERS PRESENT: Jon Paulsen, General Manager
Will Portello, Litigation Manager
Katie Sullivan, Assistant Board Secretary
Greg Rubens, Board Counsel

1. CALL TO ORDER

The April 25, 2019, Claims Committee meeting was called to order at 1:35 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

Brenda Olwin moved to approve the following items: A) Minutes from the March 28, 2019, Claims Committee Meeting. Scott Corey seconded the motion. A roll call vote was taken and the motion passed unanimously by Kathleen Kane, Brenda Olwin, Robert Schultz, Marc Zafferano, and Scott Corey.

6. CLAIMS MATTERS

A. Staffing Update

Jon Paulsen, General Manager, informed the Committee of the departure of Craig Wheaton, Litigation Manager, from York Pooling. Mr. Wheaton's last day was on March 25, 2019, and Will Portello, Director of Litigation Management, would serve as Litigation Manager for PLAN JPA going forward.

Mr. Paulsen advised staff would check back in with the Committee regarding staffing to ensure satisfaction.

B. Update on Strategic Planning Deliverables

Mr. Paulsen provided the following information regarding the claims management deliverables:

- Review of the Memorandum of Coverage: Many gray areas regarding civil rights, Americans with Disabilities Act, and drone coverages. Staff will review and clean up the language, send to Board and Legal counsel, and submit to the Executive Committee for review prior to the Board of Directors meeting in June.
- Claims Reporting Manual: Updates to language and contact information to be in line with current practices. This will be presented to the full Board of Directors in June.
- Litigation Management Guidelines: Updated processes and procedures for internal and third party administrator staff. This will be presented to the Claims Committee at their May meeting.
- Developing a solution to ensure members are reporting all claims that fall under their self-insured retention (SIR).

7. CLOSED SESSION

A. The Committee convened to closed session, pursuant to Government Code section 54956.95(a) at 1:49 p.m. to discuss the following claims:

- Patton v. City of Morgan Hill
- Chang v. City of Pacifica
- Aguilar v. City of San Carlos

B. Pursuant to Government Code Section 54957.1, the Committee reconvened to open session at 2:27 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

Mr. Paulsen inquired if the Committee was available for the meeting on May 23rd. Due to scheduling conflicts, the May 23rd Claims Committee meeting was rescheduled to May 30th.

9. ADJOURNMENT

The Meeting of the PLAN JPA Claims Committee was adjourned at 2:27 p.m.



Katie Sullivan, Assistant Board Secretary