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**CLAIMS COMMITTEE MEETING
AGENDA**

**Thursday, May 28, 2020
1:30 p.m.**

Cisco Webex

Please Contact Katie Sullivan for Videoconference Information

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 katie.sullivan@sedgwick.com. 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 (PLAN) JPA Board of Directors less than 72 hours prior to a regular meeting will be available for public inspection online at www.planjpa.org.

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| <u>Page</u> | 1. CALL TO ORDER |
| | 2. INTRODUCTIONS |
| | 3. APPROVAL OF AGENDA AS POSTED (OR AMENDED) |
| | 4. PUBLIC COMMENTS - The Public may submit any questions in advance of the meeting by contacting Katie Sullivan at: katie.sullivan@sedgwick.com . This time is reserved for members of the public to address the Committee relative to matters of the Claims Committee 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 23, 2020, Claims Committee Meeting
<i>Recommendation: Staff recommends the Committee approve the Consent Calendar.</i> |

* Reference materials enclosed with staff report.

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6. CLAIMS MATTERS

A. Consideration of Ad-Hoc Committee for Defense Panel Review

Recommendation: Staff recommends the Committee approve the creation of an Ad-Hoc Committee for the review of the defense panel of attorneys.

7. CLOSED SESSION

A. Pursuant to Government Code Section 54956.95(a), the Committee will hold a closed session to discuss the following claims:

- Tony Chan, D.T. McKee Petroleum Corp. v. Town of Atherton
- Jane R.L. Doe c/o Evers Law Group, APC v. City of Pacifica
- Susan Lee Trustee of the Godsoe Family Trust v. City of Pacifica, Sierra Mountain Construction, Inc.

B. Pursuant to Government Code Section 54957.1, the Committee will report in open session any reportable action taken in closed session.

8. 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

9. ADJOURNMENT

NOTICES:

- The next Claims Committee meeting will be held on May 28, 2020, at 1:30 p.m. via videoconference.

* Reference materials enclosed with staff report.

May 28, 2020

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 23, 2020, Claims Committee Meeting

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

**MINUTES OF THE CLAIMS COMMITTEE
MEETING OF APRIL 23, 2020**

A regular meeting of the Claims Committee was held on April 23, 2020, via videoconference.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Jon Paulsen, General Manager
Katie Sullivan, Assistant General Manager
Will Portello, Litigation Manager
Susan DeNardo, Litigation Manager
Greg Rubens, Board Counsel
Jeff Vucinich, Clapp, Moroney, Vucinich (*left during Agenda Item 6.A*)

1. CALL TO ORDER:

The Regular Meeting of the PLAN JPA Claims Committee meeting was called to order at 1:35 p.m.

2. INTRODUCTIONS:

A roll call was taken 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:

Donald Larkin moved to approve the following items: A) Minutes from the March 10, 2020, Special Claims Committee Meeting. Brenda Olwin seconded the motion. A roll call vote was taken and the motion passed unanimously by Kathleen Kane, Brenda Olwin, John Mullins, Robert Schultz, Donald Larkin, Rebecca Mendenhall, and Scott Corey.

6. CLOSED SESSION:

A. The Committee convened to closed session, pursuant to Government Code section 54956.95(a) at 1:39 p.m. to discuss the following claims:

- Laurence Blickman v. Town of Atherton
- Asif, Haji v. City of Dublin, Alex Klinov
- Yasmin Jenkins v. City of East Palo Alto Officers
- Steven Young v. City of East Palo Alto Officers
- Estate of Santosh Jain, Alok Jain, As Successor v. City of Milpitas
- Vibha Shah v. City of Milpitas
- Marissa Sandoval v. City of Morgan Hill
- John Henneberry v. City of Newark
- Jane R.L. Doe c/o Evers Law Group, APC v. City of Pacifica
- Chiaho Wu v. City of San Bruno
- Tracey Thompson Aguilar v. City of San Carlos
- Richard Giddens v. City of Suisun City

B. Pursuant to Government Code Section 54957.1, the Committee reconvened to open session at 2:38 p.m. The following actions were taken under closed session:

No reportable action was taken during closed session.

7. CLOSING COMMENTS:

A. Claims Committee

None.

B. Staff

None.

8. ADJOURNMENT

The Regular Meeting of the PLAN JPA Claims Committee was adjourned at 2:40 p.m.



Katie Sullivan, Assistant Board Secretary

May 28, 2020

Agenda Items 6.A.

CLAIMS MATTERS

SUBJECT: Consideration of Ad-Hoc Committee for Defense Panel Review

BACKGROUND AND HISTORY:

Pursuant to Claim Policy 3.2, as amended on June 17, 2019, the Claims Committee is vested with authority to maintain and amend a panel of qualified counsel to represent PLAN JPA members in matters that may be covered under the PLAN Memorandum of Coverage.

The Litigation Managers have data, and subjective evaluations pertaining to various panel counsel, and those attorneys' representation of PLAN members in litigated matters. In order to update the existing panel of qualified counsel, an ad-hoc committee should be created to review the findings and evaluations. The recommendations of the ad-hoc committee may then be presented to the Claims Committee for adoption of an updated panel of defense counsel.

STAFF RECOMMENDATION:

Staff recommends the Committee approve the creation of an Ad-Hoc Committee for the review of the defense panel of attorneys.

REFERENCE MATERIALS ATTACHED:

None.