

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

**MINUTES OF THE RISK MANAGEMENT COMMITTEE  
MEETING OF October 8, 2020**

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A regular meeting of the Risk Management Committee was held on October 8, 2020, via videoconference.

**MEMBERS PRESENT:** George Rodericks, Chair, Atherton  
Julie Carter, Dublin (*Arrived during Agenda Item 2.*)  
Lisa Lopez, Half Moon Bay  
David Benoun, Newark  
Jeremy Dennis, Portola Valley  
Suzanne Creekmore, Tiburon

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Jon Paulsen, General Manager  
Katie Sullivan, Assistant General Manager  
Terrie Norris, Risk Control Manager  
Joe Costamagna, Transfer of Risk Manager  
Daria Hoffmann, Analyst  
Lisa Hisatomi, Dublin (*Left during Agenda Item 6.D*)

**1. CALL TO ORDER:**

The Regular Meeting of the PLAN JPA Risk Management Committee meeting was called to order at 10:31 a.m.

**2. INTRODUCTIONS:**

Roll call was taken, and it was determined there was a quorum present. Katie Sullivan, Assistant General Manager, introduced Daria Hoffmann, Analyst, as the newest staff member of PLAN JPA. Ms. Hoffmann will assist Ms. Sullivan in the pool's day to day business.

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

*Jeremy Dennis moved to approve the agenda as posted. Julie Carter seconded the motion. A roll call vote was taken and the motion passed unanimously by George Rodericks, Julie Carter, Lisa Lopez, David Benoun, Jeremy Dennis, and Suzanne Creekmore.*

**4. PUBLIC COMMENTS:**

None.

**5. CONSENT CALENDAR:**

*Julie Carter moved to approve the following item: A) Minutes from the April 2, 2020, Risk Management Committee Meeting. Lisa Lopez seconded the motion. A roll call vote was taken and the motion passed unanimously by George Rodericks, Julie Carter, Lisa Lopez, David Benoun, Jeremy Dennis, and Suzanne Creekmore.*

**6. RISK CONTROL MATTERS:**

**A. 2020/21 Risk Control Plan and Grant Fund Program Update**

Terrie Norris, Risk Control Manager, was present to provide an overview of the 2020/21 Risk Control Plan and Grant Fund Update. The 2020/21 Risk Control Plan mimics the 2019/20 Risk Control Plan with updates being influenced by the February 2020 Strategic Planning Session and staff interactions with members.

Ms. Norris assured the Committee despite the COVID-19 pandemic, services are continuing virtually; and when social distancing requirements can be met, events are being held in person. She also provided updates regarding the Defensive Driving course, stating the course is available virtually, but the ride-a-long training is not available.

In June, “Ergo Day in the Bay” was introduced to provide ergonomic services to provide members with ergonomic evaluations performed by Risk Control personnel. The program was changed to not be held on a specific day, but rather a program which members can sign up for on an as-needed basis. Ms. Norris informed the Committee ergonomic evaluations can also be done virtually for employees who are working from home. Industrial ergonomic evaluations may also be set up by contacting Ms. Norris. A brief discussion ensued around ergonomic evaluations and work from home employees who are

electing to not follow ergonomic guidelines and recommendations, and if there is anything being done regarding the additional risk. Ms. Norris noted while nothing specific has been done, there are videos on the Risk Control website members could utilize to educate employees on ergonomic safety. She stated no Standard Operating Procedures (SOP) have been implemented; however, if members are interested, she is willing to work with them on development. Any SOPs created will need to be sent for approval to the agency's Human Resources and Legal departments.

Ms. Norris began discussion on Regional Training, informing the Committee members have responded favorably to the provision of online regional training as it eliminates travel time. She noted while the Risk Control Plan calls for only four regional training sessions a year, staff has been able to deliver Defensive Driving training session and seven regional trainings: a three part series on Dangerous Conditions, a three part series on Cyber Risk Management, and Contractual Risk Transfer series. Staff has coordinated with DFK and other sponsoring organizations to deliver the 2020 Sewer and Stormwater Summit virtually; and a Sidewalk Safety training is planned for January. Ms. Norris stated recording and Q&A transcript can be found on the Sedgwick Risk Control website.

Overall, the number of resources provided to members has increased substantially. Ms. Norris reviewed a list of recently added materials to the Sedgwick Risk Control Resources website currently available to members. Because the State of California continues to update its COVID-19 regulations, Ms. Norris' updates on the matter will not be posted on the website.

In regard to the Grant Fund, Ms. Norris informed the Committee no requests have yet to be submitted for this year. The balance was reported as \$1,117,583.

**B. Update on 2020 Sewer and Stormwater Summit**

The 2020 Sewer and Stormwater Summit will be held virtually on October 15, 2020. "Save the Date" flyers were distributed in late June and the pre-registration period for sponsoring members only, such as PLAN JPA, began in July and ran through early August. The period of special registration was shorter this year due to there being no limitations on physical capacity. Ms. Norris provided the Committee with information regarding the WOBA application, which will be used to network with participants and vendors during the summit. Each attendee must sign up for the WOBA application with an individual email address.

The Summit has four tracks with five sessions in each track providing 20 educational opportunities:

- Track 1 – Safety & Leadership
- Track 2 – Management / Regulatory Compliance
- Track 3 – Operations
- Track 4 - Stormwater

Each session will be recorded and available 60 days after October 15<sup>th</sup>. There are currently 182 participants registered, 24.18% are PLAN members. A final cost calculation will be available by the Spring Risk Management Committee (RMC) meeting.

### **C. Consideration of Fixed Pricing Agreement for Sidewalk Repair**

Sidewalk trip and fall claims have cost the PLAN JPA members \$2,497,378.00 in lost dollars over the last five years. With COVID-19 forcing long-term temporary closures of gyms and athletic areas, people have begun to walk sidewalks more frequently. This has increased PLAN's risk of exposure for those slip, trip, and fall claims.

Ms. Norris reminded the Committee PLAN JPA has contracts for fixed service rates for Total Aquatics Management for aquatic program audits and pool inspections, DFK Solutions for sewer and stormwater management program audits and associated training, and Disability Access Consultants for American's with Disabilities Act compliance services; however, they do not have a contract with a provider for sidewalk inspections and repairs. Since these fixed-fee contracts help PLAN members save money, Ms. Norris has been in contact with Precision Concrete Cutting who has done educational work with other risk sharing pools. A proposed fixed pricing agreement between PLAN JPA and Precision Concrete Cutting designed to provide PLAN JPA members with favorable pricing for the sidewalk inspection, hazard assessment, and repairs was presented.

*Jeremy Dennis moved to recommend approval of the Fixed Pricing Agreement for Sidewalk Repair to the Executive Committee. Julie Carter seconded the motion. A roll call vote was taken and the motion passed unanimously by George Rodericks, Julie Carter, Lisa Lopez, David Benoun, Jeremy Dennis, and Suzanne Creekmore.*

### **D. Contractual Risk Transfer Update**

Joe Costamagna, Transfer of Risk Manager, was present and provided an update regarding the following:

- **Contracts and Insurance Consulting:** Mr. Costamagna reviews contracts for appropriate indemnity language and insurance coverages, certificates and

- endorsements, and adherence with contract requirements. Consulting hours with PLAN members average approximately 75 hours per month.
- **Onsite Trainings:** Ten member cities received onsite training in the 2019/20 Program Year. Due to COVID-19 restrictions, no on-site trainings have been conducted since March 2020. Those presentations will resume once safe and appropriate. In the meantime, Mr. Costamagna can deliver trainings to members remotely.
  - **Risk Matrix and Insurance Language Guide:** The Risk Matrix and Insurance Language Guide helps members determine appropriate limits and lines of coverage to require of contractors based on a project's level of risk. It provides each to cut-and-paste insurance requirement language for members to use.

#### **E. Wildfire Services by EFI**

Staff has been working with a division of Sedgwick on wildfire risk mitigation. The two-part process, consisting of a) identifying highly exposed PLAN member properties; and b) providing support to members in the form of defensible space review, fuel load review, and general maintenance and operations planning that could help mitigate the impacts of a fire.

Ms. Norris informed the Committee PLAN JPA Officers approved for staff to engage EFI to geo-map member boundaries and specific property locations against the most current, relevant California wildfire hazard maps. Staff proposes to utilize this information to analyze the potential wildfire exposure for PLAN member properties and develop a plan for helping to address these risks. The cost of the geo-mapping phase is \$5,000 and estimated for completion the week of October 5, 2020.

Phase 2 would entail marshalling a number of northern California personnel within EFI that are formally trained in fire investigation and prevention to assist at specific locations. Ms. Norris would coordinate activities between PLAN members and new personnel. Staff cannot estimate scope (cost, time) until we are able to review the results of Phase 1.

Discussion ensued on which properties the EFI risk mapping is intended for. Ms. Norris stated that EFI is mainly analyzing defensible space and protecting property.

**7. CLOSING COMMENTS:**

**A. Risk Management Committee**

None.

**B. Staff**

None.

**8. ADJOURNMENT**

The Regular Meeting of the PLAN JPA Risk Management Committee was adjourned at 11:40 a.m.

A handwritten signature in cursive script that reads "Katie Sullivan". The signature is written in black ink and is positioned above a horizontal line.

Katie Sullivan, Assistant Board Secretary