

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

**MINUTES OF THE CLAIMS COMMITTEE
MEETING OF MAY 27, 2021**

A regular meeting of the Claims Committee was held on May 27, 2021, via videoconference.

MEMBERS PRESENT: Donald Larkin, Chair, Morgan Hill
Robert Schultz, Los Gatos
Marc Zafferano, San Bruno
Rebecca Mendenhall, San Carlos

MEMBERS ABSENT: Brenda Olwin, East Palo Alto
Ann Ritzma, Hillsborough

OTHERS PRESENT: Jon Paulsen, General Manager
Katie Sullivan, Assistant General Manager
Susan DeNardo, Litigation Manager
Greg Rubens, Board Counsel
Shawn Ridley, Counsel

1. CALL TO ORDER:

The Regular Meeting of the PLAN JPA Claims Committee meeting was called to order at 1:33 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):

Marc Zafferano moved to approve the agenda as posted. Donald Larkin seconded the motion. A roll call vote was taken and the motion passed unanimously by Donald Larkin, Robert Schultz, Marc Zafferano, and Rebecca Mendenhall.

4. PUBLIC COMMENTS:

None.

5. CONSENT CALENDAR:

Rebecca Mendenhall moved to approve the following items: A) Minutes from the April 22, 2021, Claims Committee Meeting. Marc Zafferano seconded the motion. A roll call vote was taken, and the motion passed by majority vote by Donald Larkin, Robert Schultz, Marc Zafferano, and Rebecca Mendenhall.

6. CLAIMS MATTERS

A. Consideration of Additions to Defense Counsel

After PLAN JPA membership completed a satisfaction survey with the PLAN JPA Defense Counsel Panel in 2020, the Claims Committee appointed an Ad Hoc Committee, consisting of Kathleen Kane, Robert Schultz, and Donald Larkin, to review the results of the survey and discuss attorneys be added to the panel. The Claims Committee approved attorneys Suzanne Nicholson and Ray Bangle.

Susan DeNardo informed the Committee the PLAN JPA Litigation Management team had been informed of the future retirement of two members on the Defense Counsel Panel List. The Litigation Management team reviewed the 2020 Panel and determined there is a need for additional qualified attorneys with expertise in defending public entities in civil rights cases.

Discussion ensued around the fact that attorneys are hard to come by due to the max rate PLAN JPA has in place for their attorney panel. It was suggested to implement a bifurcated rate for attorneys, to which the Committee was receptive. Additionally, it was recommended to do a Request for Proposal (RFP) to obtain information from various firms, particularly in regard to specialist attorneys. The Committee agreed for Ms. DeNardo to do some more research, do an RFP, and bring forward a bifurcated rate for future consideration.

7. CLOSED SESSION:

A. The Committee convened to closed session, pursuant to Government Code section 54956.95(a) at 1:53 p.m. to discuss the following claims:

- Margaret Robbins v. City of San Bruno
- Chiaho Wu v. City of San Bruno
- Sheks Construction Company, et al v. City of South San Francisco

B. Pursuant to Government Code Section 54957.1, the Committee reconvened to open session at 2:41 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 Regular Meeting of the PLAN JPA Claims Committee was adjourned at 3:02 p.m.



Katie Sullivan, Assistant General Manager