



Association of Bay Area Governments

ABAG PLAN CORPORATION

101 Eight Street

Oakland, CA 94607-4756

Summary Minutes

Approved 8/5/04

Claim Committee Regular Meeting

November 19, 2003

ABAG Conference Room A

Presiding:

Gretchen Conner, Chair

Campbell

Members Present:

Ed San Diego

Belvedere

Orry Korb

Los Gatos

Barbara Lathrop

Newark

Staff Present:

Marcus Beverly, Risk Manager

Angela Salsbury, Claims Manager

Ken Moy, Legal Counsel

Eileen Barr, Claims Examiner

Terry Hickman, Claims Examiner

Member Representative Present:

Heather McLaughlin

Benicia

Defense Counsel:

Gregg Thornton

Selman Breitman

1. Call to Order:

Chair called the meeting to order at 10:35 a.m.

2. Public Comments:

There were no public comments.

3. Approval of Minutes of May 13, 2003

/M/Lathrop/S/Korb/C/ approval of the minutes as presented.

ABAG PLAN CLAIM COMMITTEE

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Convened to closed session at 10:40 a.m.

4. Conference with Legal Counsel – anticipated or existing litigation:

Wilson v Benicia

The Committee discussed this case and gave direction to outside counsel.

Convened to open session at 11:03 a.m.

Orry Korb reported that there was no final reportable action taken on this item.

5. Claim Policy:

The Committee reviewed the Claim Policy adopted by the Board of Directors on October 8, 2003 and accepted the suggested revisions to section 3.3 of the Claim Policy, subject to the following changes:

1. Delete the second paragraph entirely.
2. Delete the last two sentences in the last paragraph and insert in its place binding arbitration language to be drafted by ABAG PLAN staff.

/M/Korb/S/Lathrop/C/

Adjourned to lunch break at 11:40 a.m.

Reconvened at 12:00 p.m.

6. Claim Reports:

Marcus Beverly provided information about open litigated claims, legal fees and open claims exceeding \$125,000 as of 11/1/03. He recommended that PLAN undertake an audit of the legal expenses/billing practices of the defense firms. There was consensus to solicit firms to do this work within the next three months. Marcus Beverly will do an RFP to hire a company to audit some of the legal bills.

7. Claims Audit:

The Committee accepted the Claims Audit dated 10/29/03 and approved the steps taken by staff to implement the audit's recommendations.

/M/Korb/S/San Diego/C/

8. Other Business:

No other business was presented

9. Adjournment:

Gretchen Conner adjourned the meeting at 12:55 p.m.

Respectfully submitted,



Marcus Beverly, Secretary
ABAG PLAN Corporation