



SUMMARY MINUTES
Approved 2/22/05

ABAG PLAN Corporation

Claims Committee

Special Teleconference Meeting
 Monday, January 10, 2005, 1:30 p.m.
 Association of Bay Area Governments
 101 8th Street
 Oakland, CA 94607

Conference Room B
& Teleconference Locations Below

Street Address	Member City	State	Participant
110 East Main Street	Los Gatos	CA	Orry Korb
25890 Fremont Rd.	Los Altos Hills	CA	Maureen Cassingham
10300 Torre Avenue	Cupertino	CA	Sandy Abe
567 El Camino Real	San Bruno	CA	Pamela Thompson
37101 Newark Blvd.	Newark	CA	Gary Galliano

P

Committee Members Absent: None

Other Members Present: Jeff Killian Millbrae

Legal Counsel: Alexander Berline Legal Counsel City of Millbrae
 Austin R. Gibbons Legal Counsel/Gibbons & Conley

Staff Present: Marcus Beverly, Risk Manager
 Ken Moy, Legal Counsel for ABAG Plan Corporation
 Angela Salsbury, Claims Manager
 Carol Johnson, Secretary

1. **Call To Order:** Meeting called to order at 1:29 p.m.
2. **Public Comments:** None

3. Approval of Minutes:

November 11, 2004 Claims Committee meeting minutes approved as presented.
/M/Cassingham/S/Thompson/
Korb aye, Abe and Galliano abstained

4. Bunting Vs. Millbrae, Coverage Appeal:

Staff presented a brief summary of the case, coverage position and offer of compromise from Millbrae. Representatives from Millbrae provided additional details concerning the case, its resolution, and basis for appealing coverage decision. There was additional discussion by Committee Members.

Item #5 Convened to Closed Session

5. Conference With Legal Counsel – Anticipated or Existing Litigation:

6. Open Session - Announcements:

Orry Korb announced open session and reported there was no reportable action taken on item #5 in closed session.

Bunting Vs. Millbrae:

After Committee discussion in closed session, decision was made to accept Millbrae's recommendation based on two factors: (1) ABAG PLAN representative is present at the mediation in which the settlement is made (2) Proposed settlement eventually recoups from the city of Millbrae the disputed costs.
/M/Galliano/S/Korb/C/approved.

Noted: The City of Millbrae's financial condition is not the basis for the Committee's decision.

7. North Pacifica LLC vs. Pacifica, Coverage Appeal: Information

Staff presented a proposed statement of decision for Committee to review and recommend to the Board of Directors. Representatives from Pacifica provided further discussion/details to consider in making recommendation.

Item #8 Convened to Closed Session

8. Conference with Legal Counsel – anticipated or existing litigation

* North Pacifica LLC vs. Pacifica, Coverage Appeal

9. Open Session Announcements:

Orry Korb announced open session and reported there was no reportable action taken on item #8 in closed session.

In open session motion was made to accept the recommendation of staff to reject the coverage appeal and recommend to the full Board to adopt the recommended Statement of Decision prepared by staff with the exception of a minor change on page 3 /first paragraph.

/M/Korb/S/Cassingham/C/Approved

10. Other Business:

None

11. Meeting Adjourned: 2:50 P.M.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'M. Beverly', is centered within a rectangular area that has a light gray, textured background.

Marcus Beverly, Risk Manager and Secretary
ABAG PLAN Corporation