



**SUMMARY MINUTES  
DRAFT  
CLAIMS COMMITTEE  
March 6, 2007  
101 8<sup>th</sup> Street  
Oakland CA 94607  
Conference Room B**

**PRESIDING:** Orry Korb

**MEMBERS PRESENT:** Pamela Thompson San Bruno  
Gary Galliano Newark  
Shawn Mason San Mateo

**PRESENT BY  
TELECONFERENCE:** Heather McLaughlin Benicia

**MEMBERS ABSENT:** None

**Staff Present:** Marcus Beverly, Risk Manager  
Ken Moy, Legal Counsel  
Angela Salisbury, Claims Manager  
Terry Hickman, Claims Examiner  
Carol Taylor, Secretary

1. **Call to Order:** Orry Korb called the meeting to order at 10:10 a.m. A quorum was present.
2. **Public Comments:** None
3. **Approval of Minutes:** December 13, 2006 Claims Committee meeting minutes approved as presented. /M/Thompson/S/Galliano/C/unanimously approved.

#### 4. **Claim Audit Results:**

Marcus Beverly presented the audit report from Farley Consulting. Overall report was reported as steady improvement. A brief staff report outlining the audit findings and responses included;

**Diaries:** Significant improvement for staff as a whole, with continued emphasis on diary for select staff and types of claims.

**File Documentation:** Using a report that outlines all major elements of each claim, has resulted in improvements in this area and are reflected in the investigation and organizational section of the audit.

**Litigation Management:** Continues to improve, particularly the initial planning and budget, with work still needed to consistently maintain updated plans, budgets, and assessments of settlement or other resolutions.

Staff recommended the committee accept the audit report as presented and staff's plan for addressing the areas for improvement. /M/McLaughlin/S/Mason/unanimously approved.

#### 5. **Litigation Management Software Update:**

Marcus Beverly provided an update on the implementation and results of the litigation management process begun July 1, 2005. He believes the process is worthwhile, with savings for members and further efficiencies for staff to be realized. Using the service assures members that legal bills are being reviewed in a consistent, fair and efficient manner.

After update and discussion, Marcus Beverly recommended continued use of the selected process through the 07-08 Fiscal Year. /M/Galliano/S/Mason/unanimously approved.

#### 6. **Property MOC Revision:**

Marcus Beverly presented a report requesting the committee recommend limiting the amount of any pooled property loss to \$100,000, regardless of the amount of the excess insurance policy deductible.

He expressed the fact that coverage and deductibles can change yearly, he believes a limit on the MOC will provide a necessary stability of exposure and accurate funding.

After presentation and discussion Marcus Beverly requested the Committee to make a recommendation to the Executive Committee to amend the Property MOC to limit payment of pooled losses to \$100,000, regardless of the insurance policy deductible. /M/Korb/S/Mason/unanimously approved.

#### 7. **Strategic Planning Meeting Follow-up:**

Ken Moy presented a report regarding the direction provided by the Board at the last strategic planning meeting including how disputes may be resolved, and requested direction and recommendations for the Executive Committee. After presentation and discussion, no action was taken.

#### 8. **2006 Year-end Claim & Claim Policy Review:**

Marcus Beverly presented a report of claim activities as listed in the Claim Policy, including numbers of claims for 2005 and settlements over \$125,000. A report of open claims with potential over \$125,000 was presented in closed session.

Item 9. discussed in closed session pursuant to the requirements of the Ralph M. Brown Act. Actions taken was announced in open session prior to the adjournment of the meeting.

**9. Conference with Legal Counsel**

-anticipated or existing litigation

\* Ayala vs So. San Francisco #056691

\* Claims over \$125,000.

**10. Announcements:**

Orry Korb announced open session, items discussed; Ayala vs So. San Francisco #056691 and open and closed claims. No reportable action was taken in closed session.

**11. Other Business:**

None

**12. Adjournment:**

12:05 p.m.

Respectfully Submitted,



Marcus Beverly, Plan Risk Manager & Secretary  
ABAG PLAN Corporation