



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
6

Meeting Date: **JANUARY 6, 2011**

Subject:

Authorize the Rejection of the Claim of Joseph Ho Park

Recommendation:

Adopt Resolution No. 2011-0005, authorizing the rejection of the claim of Joseph Ho Park

Background/Justification:

On December 20, 2010, Joseph Ho Park ("Park") filed a claim with the Authority alleging that on October 24, 2010, his service dog's paw was injured as he and his dog ascended an escalator in Terminal One at San Diego International Airport. Park claims \$1,500 in damages which includes the cost of medical treatment.

Park alleges in his claim that on October 24, 2010, he was ascending the escalator with his service dog in the east rotunda of Terminal One when the escalator "got a hold" of his dog's back right paw. The escalator was stopped and the dog's paw was released from the escalator. Mr. Park and his dog flew home to San Francisco as planned and the dog was taken to be treated at an animal hospital where surgery was performed to amputate one digit on the dog's paw.

Park's claim should be denied. The claimant's dog is registered with the United States Service Dog Registry as a service dog, however the dog is not licensed by the City of San Francisco as a service dog per California Food and Agriculture Codes §30850 and §30851, as required. Therefore, it appears the dog was not eligible to serve as a service dog for the claimant in the Authority's Terminal. Therefore, the dog should have been properly crated or contained in an airline-approved dog carrier. An investigation into the incident revealed no unsafe condition of public property nor any notice of an unsafe or dangerous condition. Further, no allegation of an unsafe or dangerous condition was made.

Fiscal Impact:

Not applicable.

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Environmental Review:

- A. California Environmental Quality Act: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

SUZIE JOHNSON
PARALEGAL

RESOLUTION NO. 2011-0005

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE REJECTION OF
THE CLAIM OF JOSEPH HO PARK.

WHEREAS, on December 20, 2010, Joseph Ho Park filed a claim with the San Diego County Regional Airport Authority for injuries his dog allegedly sustained as the result of ascending an escalator in Terminal One at San Diego International Airport on October 24, 2010; and

WHEREAS, at its regular meeting on January 6, 2011, the Board considered the claim filed by Joseph Ho Park, the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the rejection of the claim of Joseph Ho Park.

BE IT FURTHER RESOLVED THAT this Board Action is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065; nor is it a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 6th day of January, 2011, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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