



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**7**

Meeting Date: **JUNE 2, 2011**

**Subject:**

**Authorize the Rejection of the Claim of Helen Mejala**

**Recommendation:**

Adopt Resolution No. 2011-0062, authorizing the rejection of the claim of Helen Mejala.

**Background/Justification:**

On April 27, 2011, Helen Mejala ("Mejala") filed a claim with the Authority alleging that on April 15, 2011, she fell as she rode on an escalator in Terminal Two. Mejala claims damages related to a fractured thoracic spine.

Mejala alleges in her claim that on April 15, 2011, she fell as she rode an escalator in Terminal Two. She states her mother, riding directly in front of Mejala, slipped on the wet escalator and fell backwards, causing Mejala to tumble herself, which resulted in a fractured spine.

Mejala's claim should be denied. An investigation into the incident revealed no unsafe condition of public property nor any notice of an unsafe or dangerous condition. Video of the escalator at the time of the incident shows the claimant impatiently grabbing her elderly mother who walks with the assistance of a cane, and hurriedly loading her onto the escalator ahead of herself. The claimant's elderly mother is seen trying to maneuver herself onto the escalator while transferring her cane and carry-on luggage from one hand to the other and not getting herself fully situated. As the escalator steps began to separate, the claimant's mother lost her balance and fell onto the claimant, who also fell. An airline crew, waiting to get on the escalator, immediately activated the emergency stop button and assisted both the claimant and her mother until Harbor Police and paramedics arrived. No witness was mentioned at the time of the incident to Harbor Police, who took a report, and Airport Authority maintenance workers noted no wet spills or debris when they examined the escalator before placing it back in service.

**Fiscal Impact:**

Not applicable.

000053

**Environmental Review:**

- A. California Environmental Quality Act: The 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. The Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act: The 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

**LAW OFFICES OF EDGARDO. M. LOPEZ**

---

3400 East 8<sup>th</sup> Street Suite 206  
National City, CA. 91950  
Phone (619) 475-6425  
Fax (619) 475-2610

SDCRAA  
APR 29 2011  
Corporate Services

Corporate Services Department  
Attention: Tony Russell  
P.O. Box 82776  
San Diego, CA 92138-2776

April 27, 2011

Date of Loss : 04-15-11  
Our Client (s) : Helen Marbella Mejala  
Your Insured : San Diego Airport

Dear Mr. Russell:

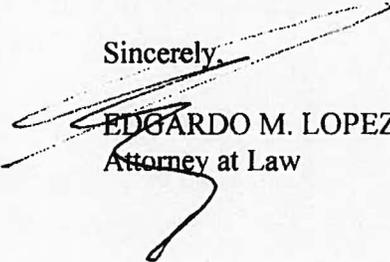
Please be advised that we are representing the above-named client for bodily injury claim resulting in the referenced accident.

The facts before us, indicate that your insured was at fault for this incident. If you disagree with this assessment, please contact our office so that we may discuss this matter.

Today, our client (s) are under the care of a physician and as soon as we are able, we shall forward to your office, copies of the medical bills and reports along with a letter stating our position with regards to any possible settlements.

In the meantime, kindly forward any and all communications and correspondences directly to our office and all further contact regarding this case should be made with this office. Please send us a written acknowledgement of this letter of representation.

Sincerely,

  
EDGARDO M. LOPEZ  
Attorney at Law

000055



SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY  
ACCIDENT OR DAMAGE CLAIM FORM

Please complete all sections.  
Incomplete submittals will be returned, unprocessed.  
Use typewriter or print in ink.

FOR AUTHORITY CLERK USE  
ONLY

Document No.: CL-144

Filed: 4/27/11

1) Claimant Name: Helen Marbella Mejala

2) Address to which correspondence regarding this claim should be sent:

To my Attorney : →

LAW OFFICES OF  
EDGARDO M. LOPEZ, APC  
3400 East 8th St., Suite 206  
National City, CA 91950

Telephone No

Date: 4/27/11

3) Date and time of incident: April 15, 2011 6:00 - 6:30 am

4) Location of incident: Terminal 2 (Escalator)

5) Description of incident resulting in claim:

I was on the escalator in back of my mother when my mother slipped on the wet escalator. Causing my mother to fall on me (Helen Mejala) tumbling down

6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known:

N/A

7) Persons having firsthand knowledge of incident:

Witness (es)

Physician(s):

Name: unknown

Name:

Address:

Address:

Phone:

Phone:

8) Describe property damage or personal injury claimed:

Back Fractured Thoracic Spine

9) Owner and location of damaged property or name/address of person injured:

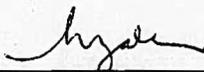
N/A

10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.

still pending

Dated: 4/27/11

Claimant:



(Signature)

**Notice to Claimant:**

Where space is insufficient, please use additional paper and identify information by proper section number.

Return completed form to:

Tony Russell, Director, Corporate Services/Authority Clerk  
Corporate Services Department  
P.O. Box 82776  
San Diego, CA 92138-2776

000057

RESOLUTION NO. 2011-0062

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY AUTHORIZING THE REJECTION OF  
THE CLAIM OF HELEN MEJALA.

WHEREAS, on April 27, 2011, Helen Mejala filed a claim with the San Diego County Regional Airport Authority for injuries she allegedly sustained as the result of a fall on an escalator in Terminal Two at San Diego International Airport on April 15, 2011; and

WHEREAS, at its regular meeting on June 2, 2011, the Board considered the claim filed by Helen Mejala, 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 Helen Mejala; and

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 special meeting this 2nd day of June, 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

000053