



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
6

Meeting Date: **APRIL 12, 2012**

Subject:

Authorize the Rejection of the Claim of Joy Donathan

Recommendation:

Adopt Resolution No. 2012-0036, authorizing the Rejection of the Claim of Joy Donathan.

Background/Justification:

On February 16, 2012, Joy Donathan ("Donathan") filed a claim with the Authority alleging that sometime between February 3 and February 6, 2012, her vehicle sustained overspray damage while it was parked in the short-term parking lot in front of Terminal One at San Diego International Airport. Donathan claims damages in an unknown amount to cover the cost of overspray removal from the painted finish of the vehicle.

Donathan alleges in her claim that sometime between February 3 and February 6, 2012, while her car was parked in the short-term parking lot in front of Terminal One, it sustained "overspray" of an unknown substance from an unknown source. Donathan has been unable to remove the "overspray" through regular car washing and seeks compensation to cover the cost of removal.

Donathan's claim should be denied. An investigation into the incident revealed no spraying of any kind was done by Authority or LPI employees in any of the lots at San Diego International Airport during the time Donathan states her car was parked. Donathan was unable to describe where her car was parked and did not provide additional information when requested to assist in the investigation. Further, no unsafe condition nor any notice to the Authority of an unsafe condition was discovered during the course of the investigation.

Fiscal Impact:

Not applicable.

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Authority Strategies:

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

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. The 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



FEB 16 2012

FOR AUTHORITY CLERK USE ONLY

Document No.: 02-162

Filed: 2/16/12

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.

1) Claimant Name: JOY MARIE DONATHAN	
2) Address to which correspondence regarding this claim should be sent: 2160 UNIVERSITY DR A-30 VISTA CA. 92083-7768	
Telephone No.: 440-913-2168	Date: 10 FEB 2012
3) Date and time of incident: FEB 3-6-2012	
4) Location of incident: SHORT FLEW PARKING	
5) Description of incident resulting in claim: MY DAUGHTER PARKED THE SHORT FLEW PARKING OFF FROM TERMINAL A1 (COULD NOT FIND LONG TERM NOT VERY GOOD SIGNAGE) WHILE PARKING SHORT FLEW FROM FEB 3-6 I COMMUNICATED WITH HER AND FOUND AN OVERLAY OF SOMETHING WHITE "PAINT" I TOOK TO ROOM X1154 AND TRY TO CLEAN OFF BUT FOUND PAINT WAS IMPREGNATED IN PAINT, THIS IS A RED CORNER WITH AN EXPENSE PAINT BOUGHT THAT WAY FROM EM. WOULD LIKE THIS CLEANED OFF. MY PHONE NUMBER IS 440-576-6356 or 440-576-3708	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known:	
7) Persons having firsthand knowledge of incident:	
Witness (es)	Physician(s):
Name:	Name:
Address:	Address:
Phone:	Phone:

8) Describe property damage or personal injury claimed:

WHITE OVER SPRAY PAINT/COVET CURING

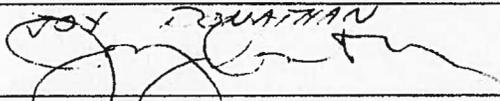
I HAVE TAKEN THRU TWO CAR WASH (AUTOMATIC) ~~AND~~ WOULD NOT REMOVE WHITE SPECKS. MY FATHER HAS SCRUBBED THE WINDOWS TO REMOVE MOST OF PAINT / OVERSPRAY.

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

JOY DONATHAN
2160 UNIVERSITY DR. A-30
VIST CA. 92083-7768

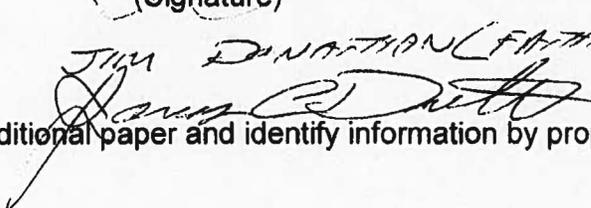
10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.

Dated: 10 FEB 2012 Claimant:

JOY DONATHAN

(Signature)

Notice to Claimant:

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

JIM DONATHAN (FATHER)

440-576-635 C
440-510-3708

Return completed form to:

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

RESOLUTION NO. 2012-0036

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE REJECTION OF
THE CLAIM OF JOY DONATHAN.

WHEREAS, on February 16, 2012, Joy Donathan filed a claim with the San Diego County Regional Airport Authority for damages to her vehicle allegedly sustained as a result of using the short-term parking lot at Terminal One at San Diego International Airport; and

WHEREAS, at its regular meeting on April 12, 2012, the Board considered the claim filed by Joy Donathan, 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 Joy Donathan.

BE IT FURTHER RESOLVED that this Board DETERMINES this 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 12th day of April, 2012, 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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