



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
8

Meeting Date: **APRIL 12, 2012**

Subject:

Authorize the Rejection of the Claim of Dolores Perry

Recommendation:

Adopt Resolution No. 2012-0038, authorizing the Rejection of the Claim of Dolores Perry.

Background/Justification:

On March 12, 2012, Dolores Perry ("Perry") filed a claim with the Authority alleging that on January 28, 2012, she injured her head and chest as she rode up an escalator in Terminal Two at San Diego International Airport. Perry claims damages in an unknown amount to cover medical expenses related to an emergency room visit the following day.

Perry alleges in her claim that on January 28, 2012, she and her husband were riding up the escalator in Terminal Two when she lost her balance and fell. She claims paramedics evaluated her but she stated her preference to continue on her planned flight to Arkansas instead of seeking immediate treatment. The following day she felt sore and went to the emergency room.

Perry's claim should be denied. An investigation into the incident revealed no unsafe condition nor any notice to the Authority of an unsafe condition of the escalator. Further, the claimant makes no claim of an unsafe condition.

Fiscal Impact:

Not applicable.

Authority Strategies:

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

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

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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. 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



MAR 12 2012

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Document No.: CL-164
Filed: 3/12/12

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: DALORES PERRY	
2) Address to which correspondence regarding this claim should be sent: 101 MONK Cemetery Rd WARD AR 72176	
Telephone No.: 501-743-0133	Date: 3-7-2012
3) Date and time of incident: 1-28-2012	
4) Location of incident: SAN DIEGO AIRPORT	
5) Description of incident resulting in claim: FELL going up ESCALATOR A MAN? came and picked me up before I reached the top. DO NOT KNOW A NAME. My husband was in front of me so he didn't see what happened OR didn't know the man who picked me up. He took me to a chair and called paramedics. They came and rubbed my head. asked if I wanted to go to hospital and I told them I wanted to go home. The airport attendants came with a wheel chair came and wheeled me to plane and had one in little rock to help me.	
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): None
Name: Do NOT have a name	Name:
Address:	Address:
Phone:	Phone:

8) Describe property damage or personal injury claimed:

ONLY ASK FOR CHARGES OF E.R. I WENT TO ON
SUNDAY JAN 29, 2012 AND DRS AMOUNT.

I got up on Sunday, hurting bad in my chest.
Doctors said I was injured and I would be sore.

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

DOLores PERRY
101 HONK Cemetery Rd
WARD AR 72176

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: 3-7-2012

Claimant:

Dolores L Perry
(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

RESOLUTION NO. 2012-0038

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE REJECTION OF
THE CLAIM OF DOLORES PERRY.

WHEREAS, on March 12, 2012, Dolores Perry filed a claim with the San Diego County Regional Airport Authority for damages she allegedly incurred as a result of using the escalator in Terminal Two at San Diego International Airport; and

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

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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