



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

Item No.  
**5**

Meeting Date: **MAY 3, 2012**

**Subject:**

**Authorize the Rejection of the Claim of Josefa Cruz**

**Recommendation:**

Adopt Resolution No. 2012-0047, authorizing the rejection of the claim of Josefa Cruz.

**Background/Justification:**

On March 19, 2012, Josefa Cruz ("Cruz") filed a claim (Attachment A) with the Authority alleging that on an unspecified date, she sustained damage to one of her boots as she rode down the escalator at San Diego International Airport. Cruz claims damages in the amount of \$100 to cover the cost of replacing her boots.

Cruz alleges in her claim that her boot was destroyed by an escalator at San Diego International Airport. The claim is vague about the circumstances and lists no incident date other than a report claimant filed with the Harbor Police Department (HPD) on February 14, 2012.

Cruz'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 any of the escalators. A review of the HPD report indicated the incident date provided to officers by the claimant was four days before her report. A thorough review of video footage for the time period during which the incident is alleged to have occurred revealed no activity as described in the HPD report.

**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 19 2012

FOR AUTHORITY CLERK USE ONLY Attachment A

Document No.: CL-165

Filed: 3/19/2012

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: JOSEFA A. CRUZ	
2) Address to which correspondence regarding this claim should be sent: 1806 KNIGHTS FERRY DR. CHULA VISTA, CA. 91913	
Telephone No.: (619) 271-2186	Date: MARCH 15, 2012
3) Date and time of incident:	
4) Location of incident: SAN DIEGO AIRPORT ESCALATOR	
5) Description of incident resulting in claim: RIGHT BOOTS STUCK IN THE ESCALATOR.	
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:	Name:
Address:	Address:
Phone:	Phone:



San Diego Airport Authority

March 08, 2012

ATTN: Claims Department

Reference# 12-0970

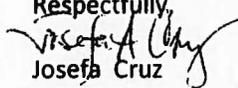
Sir/Ma'am,

I am writing to you in regards to the incident report I filed on 14Feb at 1365 with Officer Aldo Gutierrez.

Enclosed is the incident report. *To follow if needed.*

Please call me, if you have questions regarding this claim. My contact number is 619 271 2186 or 619 606 3174. Please leave your name and contact number if I am unable to answer the phone. Thank you so much for your time.

Respectfully,

  
Josefa Cruz

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RESOLUTION NO. 2012-0047

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY AUTHORIZING THE REJECTION OF  
THE CLAIM OF JOSEFA CRUZ

WHEREAS, on March 19, 2012, Josefa Cruz 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 One at San Diego International Airport; and

WHEREAS, at its regular meeting on May 3, 2012, the Board considered the claim filed by Josefa Cruz, 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 Josefa Cruz.

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 regular meeting this 3rd day of May, 2012, by the following vote:

AYES: Board Members:  
NOES: Board Members:  
ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL

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