



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

Item No.  
**11**

Meeting Date: **SEPTEMBER 6, 2012**

**Subject:**

**Authorize the Rejection of the Claim of Iris Souza**

**Recommendation:**

Adopt Resolution No. 2012-0092, Authorizing the Rejection of the Claim of Iris Souza.

**Background/Justification:**

On July 13, 2012, Iris Souza ("Souza") filed a claim (Attachment A) with the Authority alleging that on July 9, 2012, she sustained damage to the right rear tire of her car after she dropped off a passenger and drove away from Terminal Two at San Diego International Airport. Souza claims damages of \$319.55 to include the cost of replacing the tire.

Souza alleges in her claim that on July 9, 2012, she was leaving Terminal Two and driving home when the tire pressure in her car started to decrease. She arrived home to notice a bolt in the right rear tire of her car which was causing it to lose air.

Souza's claim should be denied. An investigation into the incident determined that the Authority could not conclude the tire damage was a result of driving through the airport. No unsafe condition nor any notice to the Authority of an unsafe condition was discovered in the course of the investigation.

**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



SUCRAA

JUL 13 2012

Corporate Services

ATTACHMENT A

FOI AUTHORITY CLERK USE ONLY

Document No.: CL-173

Filed: 7-13-12

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: Iris Souza	
2) Address to which correspondence regarding this claim should be sent: 7721 Homewood Place; La Mesa, CA 91942	
Telephone No.: 619-667-3668	Date: July 9, 2012
3) Date and time of incident: July 9, 2012 10:45am	
4) Location of incident: Terminal 2	
5) Description of incident resulting in claim: After I left Terminal 2 and started driving home the tire pressure in my care started to decrease. When I arrived at home I noticed in the back right tire there was a bolt in the middle of my tire causing it to lose air. I contacted Acura Roadside Assistance and they came and put my spare on. I also, contacted the San Diego Airport Authority to let them know what happened.	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known: Construction on Terminal 2	
7) Persons having firsthand knowledge of incident:	
Witness (es)	Physician(s):
Name: Robert Souza	Name:
Address: 7721 Homewood Place La Mesa, CA91942	Address:
Phone: 619-667-3668	Phone:

<b>8) Describe property damage or personal injury claimed:</b>	
The tire was not able to be patched. The bolt was more than 25 degree angle and wasn't able to be patched by Kearny Mesa Acura. I had to replace the tire.	
<b>9) Owner and location of damaged property or name/address of person injured:</b>	
Robert & Iris Souza	
7721 Homewood Place	
La Mesa, CA 91942	
<b>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.</b>	
I took my car to Kearny Mesa Acura to get my tire fixed. Attached is my	
Labor: \$20.00	receipt from
Parts (new tire): \$278.00	Kearny Mesa Acura.
Tax: \$21.55	
Total: \$319.55	

Dated: 7-10-2012 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

RESOLUTION NO. 2012-0092

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY AUTHORIZING THE REJECTION OF  
THE CLAIM OF IRIS SOUZA.

WHEREAS, on July 13, 2012, Iris Souza filed a claim with the San Diego County Regional Airport Authority for damages she allegedly incurred as a result of dropping off a passenger in front of Terminal Two at San Diego International Airport; and

WHEREAS, at its regular meeting on September 6, 2012, the Board considered the claim filed by Iris Souza, 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 Iris Souza.

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 6th day of September, 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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