



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
12

Meeting Date: **SEPTEMBER 6, 2012**

Subject:

Authorize the Rejection of the Claim of John Shields

Recommendation:

Adopt Resolution No. 2012-0093, Authorizing the Rejection of the Claim of John Shields.

Background/Justification:

On August 17, 2012, John Shields ("Shields") filed a claim (Attachment A) with the Authority alleging that on July 9, 2012, he sustained damage to one of his hiking shoes as he rode down the escalator in Terminal One at San Diego International Airport. Shields claims damages in the amount of \$140 to cover the cost of replacing his shoes.

Shields alleges in his claim that he was in Terminal One at San Diego International Airport to check in for his flight on Southwest Airlines. He rode the escalator and his shoe was caught as he approached the bottom and a portion of the sole was ripped off. He further alleges the escalator stopped automatically when the section of shoe came off.

Shields'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 video footage of the incident shows the claimant standing sideways on the escalator, having a conversation with the individual riding the conveyance behind him and not stepping off as the step on which he is standing reaches the bottom.

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



**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.

STC/AA
AUG 17 2012
Corporate Services

FOR AUTHORITY ATTACHMENT A ONLY

Document No.: CL-176

Filed: 8-17-12

1) Claimant Name: JOHN SHIELDS

2) Address to which correspondence regarding this claim should be sent:
13520 SW FIRCREST CT.
BEAVERTON, OR 97008

Telephone No.: 503-750-2397 | Date: 8/11/2012

3) Date and time of incident: SUNDAY, 7/29/2012, AT APPROX 1 PM

4) Location of incident: SAN, DOWN ESCALATOR INTO TERMINAL 1

5) Description of incident resulting in claim:
AFTER DRIPPING A RENTAL CAR OFF, I WAS ENTERING
THE AIRPORT TO CHECK IN FOR FLIGHT SWA 3776. AT
THE BOTTOM OF ESCALATOR, IT CAUGHT THE BOTTOM OF
MY SHOE, RIPPING A SECTION OFF, WHICH STOPPED
THE ESCALATOR. MY BROTHER WAS RIGHT BEHIND ME
AND SECURITY CAME IMMEDIATELY BECAUSE OF THE ALARM
TRIGGERED BY THE JAM 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) <u>STEVE SHIELDS</u>	Physician(s): <u>N/A</u>
Name: <u>STEVE SHIELDS</u>	Name:
Address: <u>2323 PARK AVE</u>	Address:
<u>NORTH RIVERSIDE, IL 60546</u>	
Phone: <u>708-533-4007</u>	Phone:

8) Describe property damage or personal injury claimed:

THE SHOES ARE RUINED. THESE ARE A TEVA EVENT WATER PROOF HIKING SHOE FROM REI

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

JOHN SHIELDS, CLAIMANT, ADDRESS PROVIDED ABOVE

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.

\$140 TO REPLACE SHOES. REI TEVA EVENT WATER PROOF HIKING SHOE.

Dated: 8/11/2012

Claimant: *John J Shields*
(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. 2012-0093

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE REJECTION OF
THE CLAIM OF JOHN SHIELDS.

WHEREAS, on August 17, 2012, John Shields filed a claim with the San Diego County Regional Airport Authority for damages he allegedly incurred as a result of using the escalator in Terminal One at San Diego International Airport; and

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

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:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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