



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
8

Meeting Date: **OCTOBER 7, 2010**

Subject:

Authorize the Rejection of the Claim of Christian Winkle

Recommendation:

Adopt Resolution No. 2010-0105, authorizing the rejection of the claim of Christian Winkle.

Background/Justification:

On September 8, 2010, Christian Winkle ("Winkle") filed a claim with the Authority alleging that, on August 21, 2010, his shirtsleeve was torn on a door latch on a restroom stall in Terminal Two of San Diego International Airport. Winkle claims a total of \$84.50 in damages to include replacement of the shirt.

Winkle alleges that, on August 21, 2010, he was using the restroom nearest the far end of Terminal Two West when he entered the disabled stall and tore his shirtsleeve on the extended latch affixed to the stall door. Winkle further alleges the door lock has a sharp and jagged edge. Winkle claims his shirt was ruined as it was ripped above his elbow.

Winkle's claim should be denied. An investigation into the allegation revealed no evidence of a dangerous condition of public property nor any notice of a dangerous condition. The stall door and latch was thoroughly inspected twice for sharp edges and none were found. Further, attempts to recreate the situation resulted every time in the latch sliding back into place rather than remaining in a protruding position and causing a tear.

Fiscal Impact:

Not applicable.

Environmental Review:

- A. CEQA: 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. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

000062

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

RESOLUTION NO. 2010-0105

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE
REJECTION OF THE CLAIM OF CHRISTIAN
WINKLE.

WHEREAS, on September 8, 2010, Christian Winkle filed a claim with the San Diego County Regional Airport Authority for damages allegedly sustained to his clothing as he entered a stall in the men's restroom in Terminal Two at San Diego International Airport on August 21, 2010; and

WHEREAS, at its regular meeting on October 7, 2010, the Board considered the claim filed by Christian Winkle, 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 Christian Winkle.

BE IT FURTHER RESOLVED THAT this Board 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 7th day of October, 2010, 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

000064