



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

Item No.  
**8**

Meeting Date: **FEBRUARY 14, 2013**

**Subject:**

**Authorize the Rejection of the Claim of Judy Mohney**

**Recommendation:**

Adopt Resolution No. 2013-0012, authorizing the rejection of the claim of Judy Mohney.

**Background/Justification:**

On January 7, 2013, Judy Mohney ("Mohney") filed a claim (Attachment A) with the Authority alleging that on December 16, 2012, she sustained a fractured ankle while using a stairway in Terminal Two at San Diego International Airport. Mohney claims damages in an unknown amount to cover the cost of medical treatment.

Mohney alleges in her claim that she was descending a stairway in Terminal Two in order to meet her daughter at baggage claim and using the railing. She states that she ended up on the floor about halfway down but is unsure if she missed a step because it was rather dark.

Mohney's claim should be denied. An investigation into the incident revealed sufficient lighting required to see the entire stairway and escalator area including safety markings on the final step of each flight. The Authority received no notice of an unsafe condition of the stairway prior to the incident.

**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

000052

**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



OCRAA

JAN 07 2013

Corporate Services

ATTACHMENT A

FOR AUTHORITY CLERK USE ONLY

Document No.: CL-189

Filed: 1-7-13

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: Judy S Mohney

2) Address to which correspondence regarding this claim should be sent:

188 F Street Apt G  
Chula Vista CA 91910

Telephone No.: 619/213-2635

Date: 12/20/12

3) Date and time of incident: 12/16/12 approx 7:45 pm

4) Location of incident: stairsway (going down from departure area)

5) Description of incident resulting in claim: I was walking down the stairs from the departure area to meet my daughter at baggage. I was using the railing. About halfway down I ended up on the floor on my left side. I am not sure if I missed the step as it was rather dark. I felt excruciating pain in my left ankle and feet like I would faint. My ankle swelled ~~the~~ the size of a baseball.

My oldest daughter requested help and two officers arrived. They contacted paramedics who wrapped and iced my ankle. They suggested I have it checked out at the hospital (Kaiser) which I did.

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)

Name: Kate Mohney

Address: 2320 F St  
San Diego CA 92102

Phone: 619/519-4029

Physician(s): (See page 2)

Name: Dr T Nguyen

Address: 5893 Copied Dr  
San Diego CA

Phone: 619/523-5000

8) Describe property damage or personal injury claimed:

Fracture of left ankle

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

Judy S. Mohney 188 F St Apt G Chulo Vista CA 91910

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.

Unknown - Ongoing treatment

Dated: 12/26/12

Claimant:

*Judy S. Mohney*  
(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

Physicians

7) Xavier Valdez (P.A.)  
4650 Palm Ave  
San Diego CA 619)528 5000

William Borquez (NP)  
4647 Elm Ave (ER)  
San Diego CA 619)528 5000

RESOLUTION NO. 2013-0012

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY AUTHORIZING THE REJECTION OF  
THE CLAIM OF JUDY MOHNEY

WHEREAS, on January 7, 2013, Judy Mohney filed a claim with the San Diego County Regional Airport Authority for damages she allegedly incurred as a result of using a stairway in Terminal Two at San Diego International Airport; and

WHEREAS, at its regular meeting on February 14, 2013, the Board considered the claim filed by Judy Mohney, 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 Judy Mohney.

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 14th day of February, 2013, 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

000056