



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

Item No.

**7**

Meeting Date: **MARCH 7, 2013**

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**Subject:**

**Authorize the Rejection of the Claim of Daniel Ferdig**

**Recommendation:**

Adopt Resolution No. 2013-0021, Authorizing the Rejection of the Claim of Daniel Ferdig.

**Background/Justification:**

On January 16, 2013, Daniel Ferdig ("Ferdig") filed a claim (Attachment A) with the Authority alleging that on December 18, 2012, he sustained damage to his laptop computer when he stepped onto a curved pillar in the rain in front of Terminal One at San Diego International Airport. Ferdig claims damages in the amount of \$607 to replace his computer with a cracked screen.

Ferdig alleges in his claim that he was at San Diego International Airport on a layover flight to Baltimore when he went outside to smoke a cigarette in the pouring rain. He claims as he retreated from the rain he stepped onto a curved pillar platform and slipped, falling on his backpack with the laptop inside. He further claims he was unaware of why the pillar was so slippery.

Ferdig's claim should be denied. An investigation into the incident revealed wet shoes would be a significant contributing factor to the cause of the fall as well as stepping onto an angled surface not designed for foot traffic. The Authority received no notice of an unsafe condition of public property 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

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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



JAN 16 2013

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.

FOR AUTHORITY CLERK USE ONLY
Document No.: <u>CL-190</u>
Filed: <u>1-16-13</u>

1) Claimant Name: <u>DANIEL FERDIA</u>	
2) Address to which correspondence regarding this claim should be sent: <u>973 DAVIS ST. #B</u> <u>VACAVILLE CA 95687</u>	
Telephone No.: <u>707 761 1926</u>	Date: <u>1-16-13</u>
3) Date and time of incident: <u>12-18-12 AROUND 1 OR 2 PM</u>	
4) Location of Incident: <u>SOUTHWEST CURB SIDE CHECK IN</u>	
5) Description of incident resulting in claim: <u>I had a layover on my way to Baltimore and went outside to smoke, it was raining really hard and when I went to get out of the rain I slipped and fell on my back. There was a pillar I went to stand under and it has a curved lip that leads up to the pillar and I'm not sure why it was extra slippery but I took one step on it and went down hard. I opened my backpack and seen that my laptop took the majority of the fall causing it to break.</u>	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known:	
7) Persons having firsthand knowledge of incident:	
Witness (es) <u>TERRY FERDIA</u>	Physician(s):
Name:	Name:
Address: <u>973 DAVIS ST.</u>	Address:
Phone: <u>(707) 372-6652</u>	Phone:

IND2172

SALES AUDIT - TRANSACTION DETAIL

Warehouse: 694 VACAVILLE  
 Date: 10/25/12  
 Time: 10:43  
 Total: 07:38  
 Member #: 00011817939553  
 FSA/Tax: 1817939553  
 EBT

Reg #: 701  
 Tran #: 13  
 Operator: 826  
 Block:

Mbr Type: Gold Star

Amount	Units
699.99	1-
599.99	1-
8.00	1

Item Description  
 657958 HP DV7-7023CL 17.3" LT  
 657958 HP DV7-7023CL 17.3" LT  
 99999999 CA EWST FEE 15-34  
 99999999 CA EWST FEE 15-34  
 58 Manually keyed member number  
 Overwrite by MGR 824  
 6 Cancel item not sold in transaction  
 Overwrite by MGR 824  
 6 Cancel item not sold in transaction  
 Overwrite by MGR 824  
 1 Exceed price override limit  
 Overwrite by MGR 824  
 Cash

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F1=Help F3=Exit F9=RIG F12=Cancel F21=Print Receipt +  
 DDM object INHDI30201 in EIPRDOC uses remote object \*LIBL/INHDI30201.

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8) Describe property damage or personal injury claimed:

I had my HP BEATS EDITION laptop in my backpack along with my iPad and a few magazines and snacks the laptop was the only thing that was damaged.

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

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.

The screen was cracked along with body of the laptop itself. The price of the computer was \$ and I've included a copy of the receipt and pictures of the damage.

Dated: 1-<sup>4</sup>-13

Claimant:

(Signature)

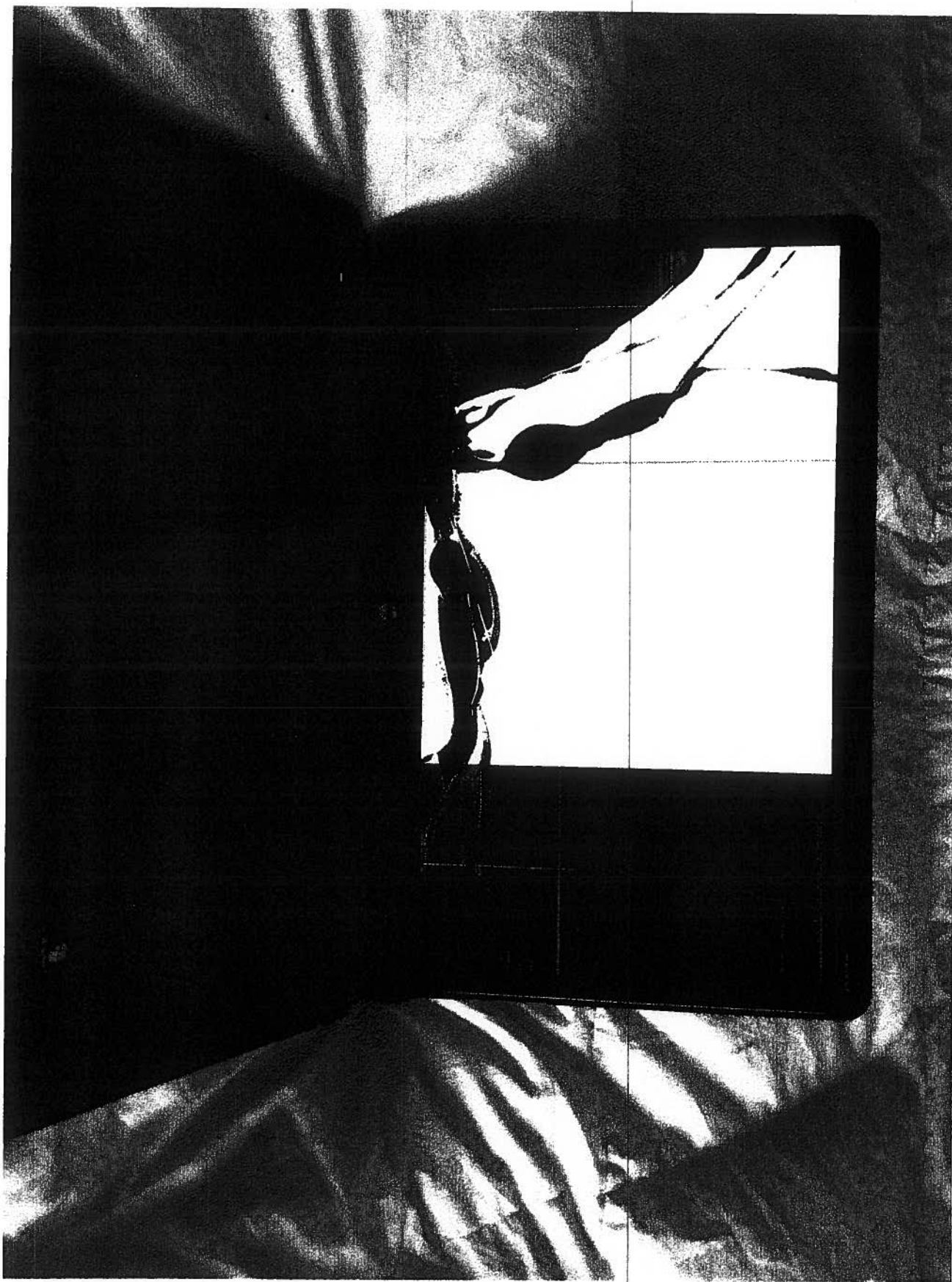
**Notice to Claimant:**

Where space is insufficient, please use additional paper and identify information by proper section number.

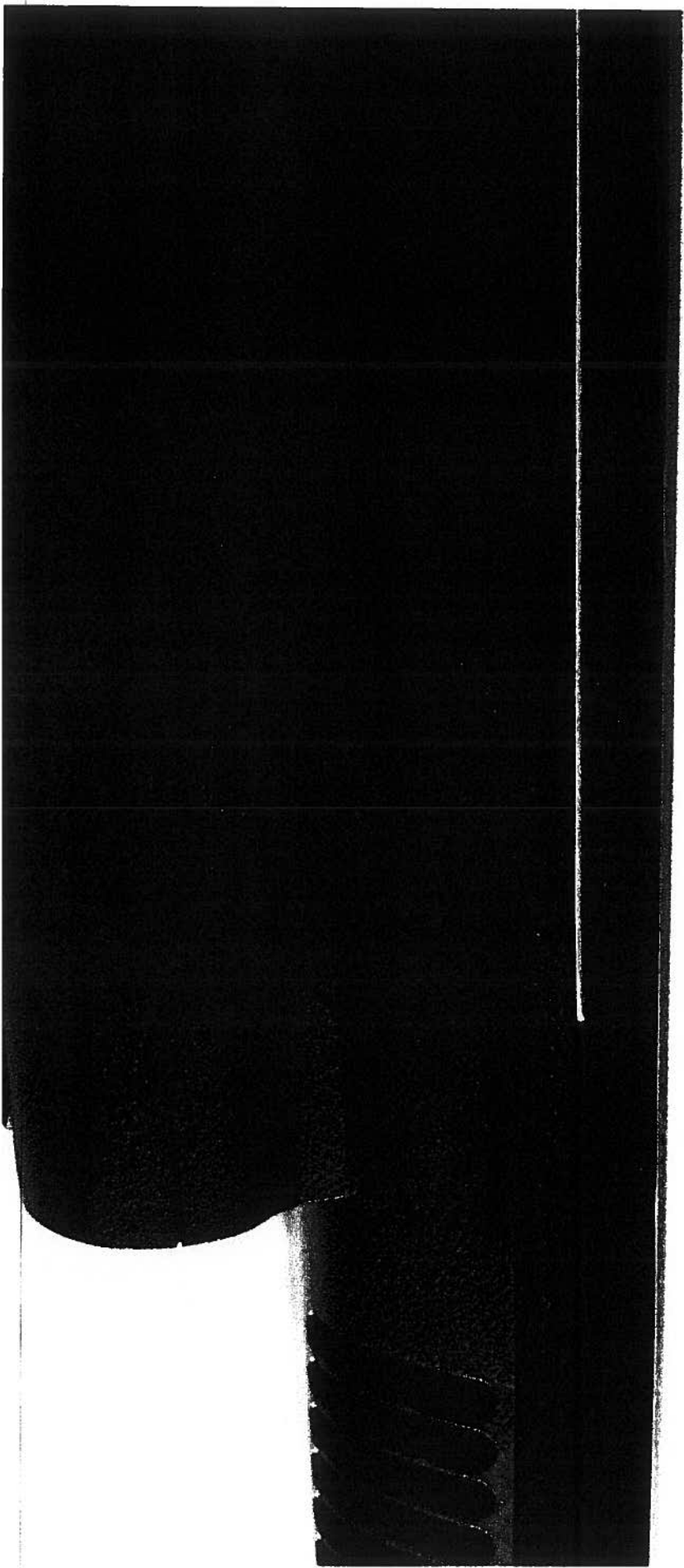
Return completed form to:

Tony Russell, Director, Corporate Services/Authority Clerk  
Corporate Services Department  
P.O. Box 82776  
San Diego, CA 92138-2776

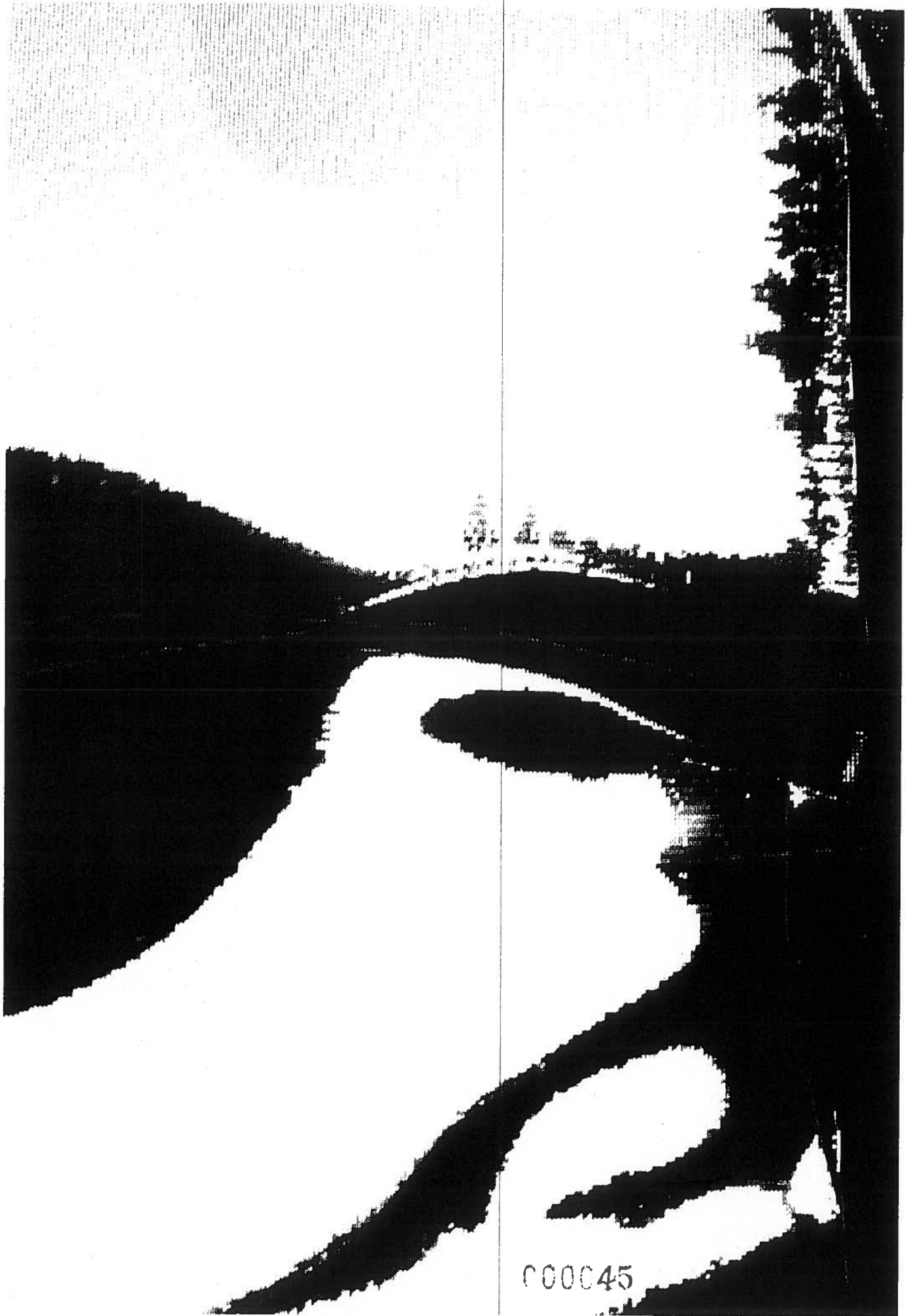
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RESOLUTION NO. 2013-0021

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY AUTHORIZING THE REJECTION OF  
THE CLAIM OF DANIEL FERDIG.

WHEREAS, on January 16, 2013, Daniel Ferdig filed a claim with the San Diego County Regional Airport Authority for damages he allegedly incurred as a result of falling in front of Terminal One at San Diego International Airport; and

WHEREAS, at its regular meeting on March 7, 2013, the Board considered the claim filed by Daniel Ferdig, 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 Daniel Ferdig.

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 7th day of March, 2013, 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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