

1 [Settlement of Lawsuit - Charleen Maghzi - \$1,427,637.59]

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3 **Ordinance authorizing settlement of the lawsuit filed by Charlene Maghzi, individually**
4 **and as trustee of the Maghzi Family Marital Trust, against the City and County of San**
5 **Francisco for \$1,427,637.59; the lawsuit was filed on January 26, 2018, in San Francisco**
6 **Superior Court, Case No. CGC-18-563778; entitled Charleen Maghzi, individually and as**
7 **trustee of the Maghzi Family Marital Trust v. The City and County of San Francisco; the**
8 **lawsuit involves the plaintiff's claim for damages arising from a 2016 landslide adjacent**
9 **to Casitas Avenue in San Francisco; and appropriating San Francisco Public Utilities**
10 **Commission funds for payment of the settlement amount.**

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12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the action entitled Charleen Maghzi, individually and as
15 trustee of the Maghzi Family Marital Trust v. The City and County of San Francisco, San
16 Francisco Superior Court, Case No. CGC-18-563778 by the payment of \$1,427,637.59. The
17 lawsuit involves the plaintiff's claim for damages arising from a 2016 landslide adjacent to
18 Casitas Avenue in San Francisco.

19 Section 2. The above-named action was filed in San Francisco Superior Court on
20 January 26, 2018, and the following parties were named in the lawsuit: Plaintiff Charleen
21 Maghzi, individually and as trustee of the Maghzi Family Marital Trust and Defendant City and
22 County of San Francisco.

23 Section 3. The source of funding herein appropriated for use by the San Francisco
24 Public Utilities Commission (SFPUC) for purposes of this settlement payment is \$661,738.59

1 from the SFPUC Water Enterprise fund balance, with the remainder of the settlement to be
2 paid from a prior appropriation for Casitas Properties, PS Project ID 10015445.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



FRANCESCA GESSNER
Utilities General Counsel


FUNDS AVAILABLE:



BEN ROSENFIELD
Controller


RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES
COMMISSION



HARLAN KELLY
General Manager

APPROVED:



DONNA HOOD
Commission Secretary

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 180703

Date Passed: July 31, 2018

Ordinance authorizing settlement of the lawsuit filed by Charlene Maghzi, individually and as trustee of the Maghzi Family Marital Trust, against the City and County of San Francisco for \$1,427,637.59; the lawsuit was filed on January 26, 2018, in San Francisco Superior Court, Case No. CGC-18-563778; entitled Charleen Maghzi, individually and as trustee of the Maghzi Family Marital Trust v. The City and County of San Francisco; the lawsuit involves the plaintiff's claim for damages arising from a 2016 landslide adjacent to Casitas Avenue in San Francisco; and appropriating San Francisco Public Utilities Commission funds for payment of the settlement amount.

July 18, 2018 Government Audit and Oversight Committee - RECOMMENDED

July 24, 2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Cohen, Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani and Yee
Excused: 1 - Tang


July 31, 2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Cohen, Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

File No. 180703

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/31/2018 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor


Date Approved