File No.	180703	Committee Item N	lo. <u>15</u>	; ;
		Board Item No	4	·

## **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

•	AGENDAT ACKET CON	LIVIO	LIGT
	Government Audit and Oversighervisors Meeting:		Date: July 18, 2018 Date: 4 2018
Cmte Board	•		
R R O L B Y Ir D M G G G G G G G G G G G G G G G G G G	lotion esolution rdinance egislative Digest udget and Legislative Analyst outh Commission Report ntroduction Form epartment/Agency Cover Lette IOU frant Information Form frant Budget ubcontract Budget ontract/Agreement orm 126 – Ethics Commission ward Letter pplication ublic Correspondence	er and/o	
OTHER			
Prepared by:	John Carroll	Date:	July 13, 2018
Prepared by:	John Carroll	Date:	July 20, 2018

-12

. 25

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

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.

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

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

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

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

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

City Attorney BOARD OF SUPERVISORS

1	APPROVED AS TO FORM AND RECOMMENDED:
2	DENNIS J. HERRERA
3	City Attorney
4	4
5	FRANCESCA GESSNER
6	Utilities General Counsel
7	FUNDS AVAILABLE:
8	
9	BEN-ROSENFIELD Controller
10	
11	n:\puc\li2018\171301\01279319.docx
12	
13	
14	
15 .	
16	
17	-
18	
19	
20	
21	
22	
23	
24	
25	

RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES COMMISSION

HARLAN KELLY General Manager

APPROVED:

DONNA HOOD Commission Secretary

City Attorney
BOARD OF SUPERVISORS

Page 2

		LLOIDEA	CIOIA LITOPIATED	311m31cm31	
Date _	6/22/	18.	File Number (if appli	cable)	_
[], [	egislation Pen	ntroduction (NE) ding in Committ Board Agenda (A	ee (AMENDED)	<ul> <li>►► Legislative Clerk</li> <li>►► Committee Clerk</li> <li>►► Deputy Clerk</li> </ul>	
Grant [ ] [ ] Ordin	Ordinance   Legislation:   Signature:   Supporting of a cover lett of a contract, or a contract,	upervisor, Ma Original, 1 hare Department He locuments: er (original) Iget/application rmation form, in ntent or grant av Leases/Agreem rm 126 (if applic port documents gislation/supp  Original, 1 hare City Attorney Head, Control documents:	d copy, and 1 electro- ead, Mayor or the M 1 full set, and separ ecluding signed disal ward letter from func- tionents (if applicable) eable) in Word formations is as identified in the orting documents: d copy, and 1 electro- (For Settlement of Laler, Commission Se	nental Submittals  pnic copy in Word format ayor's designee, plus the Controller rate pdf copies of each in email  polity checklist ling agency  at cover letter and legislation Sent to BOS.Legislation@sfgov.org  pnic copy in Word format awsuits - City Attorney, Department	
Gran [ [ [	[ ] Other support to Resolution   ] Legislation:   ] Signature:   ] Supporting   [ ] Cover legislation:   [ ] Grant but   [ ] Grant inf   [ ] Letter of   [ ] Contract   [ ] Other support   ] Other support   ]	oport documents egislation/supp  Original, 1 ha Department F documents: tter (original) dget/application ormation form, i Intent or grant a Leases/Agreer orm 126 (if appli	rd copy, and 1 electified, Mayor or the Mayor of the Mayo	cover letter and legislation Sent to BOS.Legislation@sfgov.or ronic copy in Word format Mayor's designee, plus the Controller arate pdf copies of each in email ability checklist ding agency	
[ [ ]	Signature:  Supporting  Over le  Settleme  Other st  E-Copy of	None (Note: Department I I documents: Itter (original) ent Report/Agre Ipport documen	Required for Settlen Head, Controller, Co 1 full set, and sep ement (for settlements as identified in the porting documents	tronic copy in Word format nent of Claims - City Attorney, ammission Secretary) arate pdf copies of each in email ats) are cover letter and legislation are Sent to BOS.Legislation@sfgov.o	rg

Name and Telephone Number

Department

Clerk's Office/Forms/Legislation Received Checklist (1/2015) for more help go to: sfbos.org/about the board/general/legislative process handbook