

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

2
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.**

11
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.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

FRANCESCA GESSNER
Utilities General Counsel

FUNDS AVAILABLE:

BEN ROSENFELD
Controller

RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES
COMMISSION

HARLAN KELLY
General Manager

APPROVED:

DONNA HOOD
Commission Secretary

n:\puc\li2018\171301\01279925.docx