

BOARD of SUPERVISORS



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MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Jackie Fielder, Chair
Government Audit and Oversight Committee

FROM: Monique Crayton, Assistant Clerk

DATE: July 18, 2025

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 22, 2025

The following file should be presented as COMMITTEE REPORT at the regular Board meeting on Tuesday, July 22, 2025. This ordinance was acted upon at the Regular Government Audit and Oversight Committee meeting on Thursday, July 17, 2025, at 10:00 a.m., by the votes indicated.

Item No. 61

File No. 250693

Ordinance authorizing settlement of the lawsuit filed by Michael Rivas, German Rivas, Lilian Rivas, Heba Williams, Paul Williams, Eul Hyun Youn, Jeremy Jacquot, Stanley Chow, and Herold Hong against the City and County of San Francisco for \$650,000; the lawsuit was filed on July 28, 2023, in San Francisco Superior Court, Case No. CGC-23-607963; entitled Michael Rivas, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage to four homes (located at 770, 780, 790, and 800 Le Conte Avenue in San Francisco) from flooding on December 31, 2022; other material terms of the settlement are 1) Plaintiffs agree that the v-ditch and related drainage facilities at issue in the lawsuit are not a public project, public work, or public improvement; 2) Plaintiffs agree that they are obligated to keep the portions of the v-ditch and related drainage facilities located on their respective properties free of debris and obstruction, and the City agrees that it is obligated to keep the portion of the v-ditch located on City property free of debris and obstruction; 3) Plaintiffs agree to sign and notarize a declaration containing the agreements described in Items 1) and 2), which will be in the form of a Declaration of Restrictive Covenants and recorded against title to their properties and will run with the land.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Jackie Fielder - Aye
Supervisor Danny Sauter - Aye
Supervisor Stephen Sherrill - Aye

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Brad Russi, Deputy City Attorney

File No. 250693

Committee Item No. 24

Board Item No. 61

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 17, 2025

Board of Supervisors Meeting:

Date: July 22, 2025

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU - FY2022-2024 - Clean |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU - FY2022-2024 - Redline |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract / DRAFT Mills Act Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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Prepared by: Monique Crayton

Date: July 11, 2025

Prepared by: Monique Crayton

Date: July 18, 2025

Prepared by: _____

Date: _____

1 [Settlement of Lawsuit - Michael Rivas, German Rivas, Lilian Rivas, Heba Williams, Paul
2 Williams, Eul Hyun Youn, Jeremy Jacquot, Stanley Chow, and Herold Hong - \$650,000]

3 **Ordinance authorizing settlement of the lawsuit filed by Michael Rivas, German Rivas,**
4 **Lilian Rivas, Heba Williams, Paul Williams, Eul Hyun Youn, Jeremy Jacquot, Stanley**
5 **Chow, and Herold Hong against the City and County of San Francisco for \$650,000; the**
6 **lawsuit was filed on July 28, 2023, in San Francisco Superior Court, Case No. CGC-23-**
7 **607963; entitled Michael Rivas, et al. v. City and County of San Francisco, et al.; the**
8 **lawsuit involves alleged property damage to four homes (located at 770, 780, 790, and**
9 **800 Le Conte Avenue in San Francisco) from flooding on December 31, 2022; other**
10 **material terms of the settlement are 1) Plaintiffs agree that the v-ditch and related**
11 **drainage facilities at issue in the lawsuit are not a public project, public work, or public**
12 **improvement; 2) Plaintiffs agree that they are obligated to keep the portions of the v-**
13 **ditch and related drainage facilities located on their respective properties free of debris**
14 **and obstruction, and the City agrees that it is obligated to keep the portion of the v-**
15 **ditch located on City property free of debris and obstruction; 3) Plaintiffs agree to sign**
16 **and notarize a declaration containing the agreements described in Items 1) and 2),**
17 **which will be in the form of a Declaration of Restrictive Covenants and recorded**
18 **against title to their properties and will run with the land.**

19
20 Be it ordained by the People of the City and County of San Francisco:

21 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
22 authorizes the City Attorney to settle the action entitled Michael Rivas, et al. v. City and
23 County of San Francisco, et al., San Francisco Superior Court, Case No. CGC-23-607963 by
24 the payment of \$650,000 and the following material terms: 1) Plaintiffs agree that the v-ditch
25 and related drainage facilities at issue in the lawsuit are not a public project, public work, or

1 public improvement; 2) Plaintiffs agree that they are obligated to keep the portions of the v-
2 ditch and related drainage facilities located on their respective properties free of debris and
3 obstruction, and the City agrees that it is obligated to keep the portion of the v-ditch located on
4 City property free of debris and obstruction; 3) Plaintiffs agree to sign and notarize a
5 declaration containing the agreements described in Items 1) and 2), which will be in the form
6 of a Declaration of Restrictive Covenants and recorded against title to their properties and will
7 run with the land. The Declaration of Restrictive Covenants will state that the City has
8 terminated and abandoned any right, title, or interest that may have been created in the
9 portion of the v-ditch and related drainage facilities that are located on Plaintiffs' properties.
10 The lawsuit involves alleged property damage to four homes (located at 770, 780, 790, and
11 800 Le Conte Avenue in San Francisco) from flooding on December 31, 2022.

12 Section 2. The above-named action was filed in San Francisco Superior Court on July
13 28, 2023, and the following parties were named in the lawsuit: Plaintiffs: Michael Rivas,
14 German Rivas, Lilian Rivas, Heba Williams, Paul Williams, Eul Hyun Youn, Jeremy Jacquot,
15 Stanley Chow, Herold Hong; Defendant: City and County of San Francisco.

1 APPROVED AS TO FORM AND
2 RECOMMENDED:

3 DAVID CHIU
4 City Attorney

5 /s/ Jennifer E. Choi
6 JENNIFER E. CHOI
7 Chief Trial Deputy

8 FUNDS AVAILABLE:

9 /s Michelle Allersma for
10 GREG WAGNER
11 Controller

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

/s/
CARLA SHORT
Director

APPROVED:

/s/
ROBERT FULLER
Secretary, Department of Public Works

PUBLIC UTILITIES COMMISSION

/s/
DENNIS HERRERA
General Manager

APPROVED:

/s/
TIFFANY LENNEAR
Director of Commission Affairs

RECREATION & PARK DEPARTMENT

/s/
PHIL GINSBURG
General Manager

APPROVED:

/s/ Tiffany Lin-Wilson for
ASHLEY SUMMERS
Secretary, Recreation & Park Department

Member, Board of Supervisors
District 9



City and County of San Francisco

JACKIE FIELDER

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|-------|--|
| DATE: | July 10, 2025 |
| TO: | Angela Calvillo Clerk of the Board of Supervisors |
| FROM: | Supervisor Jackie Fielder, Chair, Government Audit and Oversight Committee |
| RE: | Government Audit and Oversight Committee COMMITTEE REPORTS |

Pursuant to Board Rule 4.20, as Chair of Government Audit and Oversight Committee, I have deemed the following matter is of an urgent nature and request that it be considered by the full Board on Tuesday, July 22, 2025, as a Committee Report:

1. File No. 250693 - Settlement of Lawsuit
- Michael Rivas, German Rivas, Lilian Rivas,
Heba Williams, Paul Williams, Eul Hyun
Youn, Jeremy Jacquot, Stanley Chow, and
Herold Hong - \$650,000

This matter will be heard in the Government Audit and Oversight Committee at a Regular Meeting on Thursday, July 17, 2025, at 10:00 a.m.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jackie Fielder".

Jackie Fielder