

File No. 250693

Committee Item No. 24

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date: July 17, 2025

Board of Supervisors Meeting: \_\_\_\_\_ Date: \_\_\_\_\_

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU - FY2022-2024 - Clean
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- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER

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Prepared by: Monique Crayton

Date: July 11, 2025

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

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.

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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

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