

**PUBLIC WORKS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. _____

RESOLVED, That on the recommendation of the Director of Public Works and the City Attorney, the Public Works Commission recommends that the Board of Supervisors approve the proposed settlement described below:

Michael Rivas, et al. v. City and County of San Francisco (San Francisco Superior Court, Case No. CGC-23-607963, filed July 28, 2023). Proposed settlement of a complaint filed involving flood damage to four homes due to a concrete v-ditch that overflowed in December 2022, with the City to pay \$650,000 and to agree to keep clear from debris and obstruction the portion of v-ditch located on City property, in exchange for (1) dismissal of claims, (2) agreement by Plaintiffs to keep clear from debris and obstruction the portion of v-ditch located on Plaintiffs' property and the related drainage facilities that are located on Plaintiffs' property, (3) agreement that the v-ditch and related drainage facilities are not public improvements, (4) agreement that Plaintiffs will sign and notarize a document containing the terms enumerated in items (2) and (3), and that the document will be recorded against title to Plaintiffs' properties and will run with the land, subject to final approval by the Board of Supervisors. Public Works, the Recreation and Parks Department, and the San Francisco Public Utilities Commission would each be responsible for an amount not to exceed \$217,000 (approximately one-third of the settlement payment).

I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of _____.

Commission Affairs Manager
Public Works Commission