

File No. 210557

Committee Item No. 8

Board Item No. 2

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 1, 2021

Board of Supervisors Meeting:

Date: July 20, 2021

#### 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
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER

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- \_\_\_\_\_
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Prepared by: John Carroll

Date: June 25, 2021

Prepared by: John Carroll

Date: July 9, 2021

Prepared by: John Carroll

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

1 [Settlement of Lawsuits - Square, Inc. - \$2,625,000]

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3 **Ordinance authorizing settlement of the lawsuits filed by Square, Inc. against the City**  
4 **and County of San Francisco for \$2,625,000; the lawsuits were filed on**  
5 **September 6, 2019, and August 18, 2020, in San Francisco County Superior Court,**  
6 **Case Nos. CGC-19-579061 and CGC-20-586039; both entitled Square, Inc. v. City and**  
7 **County of San Francisco et al.; the lawsuits both involve claims for a refund of gross**  
8 **receipts taxes; other material terms of the settlement are the agreement that**  
9 **Square, Inc. and its related entities will not take certain filing positions with respect to**  
10 **their gross receipts taxes for tax years 2019 and 2020.**

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 actions entitled Square, Inc. v. City and County of  
15 San Francisco et al., San Francisco County Superior Court, Case Nos. CGC-19-579061 and  
16 CGC-20-586039, by the payment of \$2,625,000 to Square, Inc. and the agreement that  
17 Square, Inc. and its related entities will not take certain filing positions with respect to their  
18 gross receipts taxes for tax years 2019 and 2020. The lawsuit involves a refund of gross  
19 receipts taxes paid by Square, Inc. to the City and County of San Francisco.

20 Section 2. The above-named actions were filed in San Francisco County Superior  
21 Court on September 6, 2019, and August 18, 2020, and the following parties were named in  
22 both lawsuits: Plaintiff Square, Inc. and Defendants City and County of San Francisco and  
23 José Cisneros, Treasurer and Tax Collector of the City and County of San Francisco.

24

25

1 APPROVED AS TO FORM AND  
RECOMMENDED:

RECOMMENDED:

2 DENNIS J. HERRERA  
3 City Attorney

OFFICE OF THE TREASURER AND TAX  
COLLECTOR

4 /s/ Scott M. Reiber  
5 SCOTT M. REIBER  
Chief Tax Attorney

/s/  
JOSE CISNEROS  
Treasurer

6 FUNDS AVAILABLE:  
7

8 /s/ Michelle Allersma for Ben Rosenfield  
9 BEN ROSENFELD  
Controller

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## LEGISLATION RECEIVED CHECKLIST

Date 05/12/21 File Number (if applicable) \_\_\_\_\_

- |                                     |   |     |                   |
|-------------------------------------|---|-----|-------------------|
| <input checked="" type="checkbox"/> | Legislation for Introduction ( <b>NEW</b> )         | ▶▶▶ | Legislative Clerk |
| <input type="checkbox"/>            | Legislation Pending in Committee ( <b>AMENDED</b> ) | ▶▶▶ | Committee Clerk   |
| <input type="checkbox"/>            | Legislation for Board Agenda ( <b>AMENDED</b> )     | ▶▶▶ | Deputy Clerk      |

### Supervisor, Mayor, and Departmental Submittals

#### Grant Ordinance

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Grant budget/application
  - Grant information form, including signed disability checklist
  - Letter of Intent or grant award letter from funding agency
  - Contract, Leases/Agreements (if applicable)
  - Ethics Form 126 (*if applicable*) in **Word** format
  - Other support documents *as identified in the cover letter and legislation*
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

#### Ordinance

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Settlement Report/Agreement (for settlements)
  - Other support documents *as identified in the cover letter and legislation*
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

#### Grant Resolution

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Grant budget/application
  - Grant information form, including signed disability checklist
  - Letter of Intent or grant award letter from funding agency
  - Contract, Leases/Agreements (if applicable)
  - Ethics Form 126 (*if applicable*) in **Word** format
  - Other support documents *as identified in the cover letter and legislation*
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

#### Resolution

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Settlement Report/Agreement (for settlements)
  - Other support documents *as identified in the cover letter and legislation*
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Joy Perez 415-554-3869  
Name and Telephone Number

City Attorney  
Department