

File No. 230960

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: October 19, 2023

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
- MOU - FY2022-2024 - Redline
- 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: Stephanie Cabrera

Date: October 11, 2023

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

1 [Settlement of Lawsuit - Twilio Inc. - \$18,000,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by Twilio Inc. against the City and**
4 **County of San Francisco for \$18,000,000; the lawsuit was filed on May 27, 2021, in**
5 **San Francisco Superior Court, Case No. CGC-21-592267; entitled Twilio Inc. v. City and**
6 **County of San Francisco; the lawsuit involves a claim for refund of telephone users**
7 **taxes and access line taxes, and related penalties and interest, for tax periods**
8 **June 1, 2009, through and including December 31, 2018; other material terms of the**
9 **settlement are that the City will not impose additional telephone users taxes and**
10 **access line taxes, and any related penalties and interest, for any periods through two**
11 **months after the settlement is paid, and Twilio Inc. will collect and remit telephone**
12 **users taxes and access line taxes in a certain manner for all subsequent periods.**

13
14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
16 authorizes the City Attorney to settle the action entitled Twilio Inc. v. City and County of
17 San Francisco, San Francisco Superior Court, Case No. CGC-21-592267 by the payment of
18 \$18,000,000, the City's agreement not to impose additional telephone users taxes and access
19 line taxes, and any related penalties and interest, on Twilio Inc. for any periods through two
20 months after the settlement is paid, and Twilio Inc.'s agreement to collect and remit telephone
21 users taxes and access line taxes in a certain manner for all subsequent periods. The lawsuit
22 involves a claim for refund of telephone users taxes and access line taxes, and related
23 penalties and interest, for tax periods June 1, 2009 through and including December 31, 2018.

1 Section 2. The above-named action was filed in San Francisco Superior Court on
2 May 27, 2021, and the following parties were named in the lawsuit: Plaintiff Twilio Inc. and
3 defendant City and County of San Francisco.

4
5 APPROVED AS TO FORM AND
6 RECOMMENDED:

RECOMMENDED:

7 DAVID CHIU
8 City Attorney

Office of the Treasurer and Tax Collector

9 /s/ Scott M. Reiber
10 SCOTT M. REIBER
11 Chief Tax Attorney

/s/
12 JOSE CISNEROS
13 Treasurer

14 FUNDS AVAILABLE:

15 /s/ Ben Rosenfield
16 BEN ROSENFELD
17 Controller

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