

File No. 250316

Committee Item No. 5

Board Item No. 5

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: May 15, 2025

Board of Supervisors Meeting:

Date: June 3, 2025

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <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 |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <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 |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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Prepared by: Monique Crayton

Date: May 9, 2025

Prepared by: Monique Crayton

Date: May 30, 2025

Prepared by: _____

Date: _____

1 [Settlement of Lawsuit - International Business Machines Corporation - \$2,659,826.83 Plus
2 Interest]

3 **Ordinance authorizing settlement of the lawsuit filed by International Business**
4 **Machines Corporation against the City and County of San Francisco for \$2,659,826.83**
5 **plus interest; the lawsuit was filed on October 28, 2024, in San Francisco Superior**
6 **Court, Case No. CGC-24-619318; entitled International Business Machines Corporation**
7 **v. City and County of San Francisco; the lawsuit involves claims for refund of payroll**
8 **expense, gross receipts, homelessness gross receipts, and overpaid executive gross**
9 **receipts taxes paid to the City for the 2019 to 2022 tax years, plus interest.**

10
11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
13 authorizes the City Attorney to settle the action entitled International Business Machines
14 Corporation v. City and County of San Francisco, San Francisco Superior Court, Case
15 No. CGC-24-619318 by the payment of \$2,659,826.83, plus interest. The lawsuit involves
16 claims for refund of payroll expense, gross receipts, homelessness gross receipts, and
17 overpaid executive gross receipts taxes paid to the City for the 2019 to 2022 tax years, plus
18 interest.

19
20 Section 2. The above-named action was filed in San Francisco Superior Court on
21 October 28, 2024, and the following parties were named in the lawsuit: Plaintiff International
22 Business Machines Corporation and defendant City and County of San Francisco.

1 APPROVED AS TO FORM AND
2 RECOMMENDED:

3 DAVID CHIU
4 City Attorney

RECOMMENDED:

Office of the Treasurer and Tax Collector

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

/s/
JOSE CISNEROS
Treasurer

8 FUNDS AVAILABLE:

9 /s/ Greg Wagner
10 GREG WAGNER
11 Controller

12 n:\taxlit\li2024\250457\01816128.docx