

File No. 230960

Committee Item No. 4

Board Item No. 2

## COMMITTEE/BOARD OF SUPERVISORS

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Committee: Government Audit and Oversight  
Board of Supervisors Meeting:

Date: October 19, 2023

Date: November 7, 2023

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- 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  
Prepared by: Stephanie Cabrera  
Prepared by: \_\_\_\_\_

Date: October 11, 2023  
Date: October 20, 2023  
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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