

File No. 230400

Committee Item No. 17

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: June 1, 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

- _____
- _____
- _____
- _____
- _____
- _____
- _____

Prepared by: Stephanie Cabrera

Date: May 24, 2023

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

1 [Settlement of Lawsuit - New Cingular Wireless PCS LLC - \$463,593]

2

3 **Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless PCS**
4 **LLC against the City and County of San Francisco for \$463,593; the lawsuit was filed on**
5 **December 12, 2022, in San Francisco Superior Court, Case No. CGC-22-603406; entitled**
6 **New Cingular Wireless PCS LLC. v. City and County of San Francisco et al.; the lawsuit**
7 **involves a claim for refund of penalties and interest related to the access line tax for**
8 **tax periods February 1, 2021, through and including August 31, 2021.**

9

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

11

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 *New Cingular Wireless PCS LLC v.*
14 *City and County of San Francisco et al.*, San Francisco Superior Court, Case No.
15 CGC-22-603406 by the payment of \$463,593. The lawsuit involves a claim for refund of
16 penalties and interest related to the access line tax for tax periods February 1, 2021, through
17 and including August 31, 2021.

18

19 Section 2. The above-named action was filed in San Francisco Superior Court on
20 December 12, 2022, and the following parties were named in the lawsuit: Plaintiff New
21 Cingular Wireless PCS LLC, and defendants City and County of San Francisco, José
22 Cisneros, Treasurer of the City and County of San Francisco, David Augustine, Tax Collector
23 of the City and County of San Francisco, and Does 1 through 50.

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPROVED AS TO FORM AND
RECOMMENDED:

DAVID CHIU
City Attorney

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

RECOMMENDED:

Office of the Treasurer and Tax Collector

/s/
JOSE CISNEROS
Treasurer

FUNDS AVAILABLE:

/s/ Michelle Allersma for Ben Rosenfield
BEN ROSENFELD
Controller

n:\taxclm\cl\2023\22-01415\01659702.docx