

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

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

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

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

Section 2. The above-named action was filed in San Francisco Superior Court on October 28, 2024, and the following parties were named in the lawsuit: Plaintiff International 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

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

RECOMMENDED:

Office of the Treasurer and Tax Collector

8 /s/
9 JOSE CISNEROS
10 Treasurer

11 FUNDS AVAILABLE:

12 /s/ Greg Wagner
13 GREG WAGNER
14 Controller

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 250316

Date Passed: June 10, 2025

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

May 15, 2025 Government Audit and Oversight Committee - RECOMMENDED..

June 03, 2025 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Chan, Chen, Dorsey, Engardio, Fielder, Mahmood, Mandelman, Melgar, Sauter, Sherrill and Walton

June 10, 2025 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Chan, Chen, Dorsey, Engardio, Mahmood, Mandelman, Melgar, Sauter, Sherrill and Walton

Excused: 1 - Fielder

File No. 250316

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
6/10/2025 by the Board of Supervisors of the
City and County of San Francisco.

f Angela Calvillo
Clerk of the Board

Daniel Lurie
Mayor

6. 13. 25

Date Approved