

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

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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.
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5 APPROVED AS TO FORM AND
6 RECOMMENDED:

7 DAVID CHIU
8 City Attorney

RECOMMENDED:

Office of the Treasurer and Tax Collector

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

/s/
12 JOSÉ CISNEROS
13 Treasurer

14 FUNDS AVAILABLE:

15 /s/ Ben Rosenfield
16 BEN ROSENFELD
17 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: 230960

Date Passed: November 07, 2023

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

October 19, 2023 Government Audit and Oversight Committee - RECOMMENDED

October 31, 2023 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Ronen, Safai, Stefani and Walton

Excused: 1 - Preston

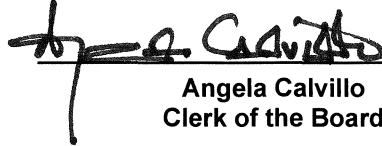
November 07, 2023 Board of Supervisors - FINALLY PASSED

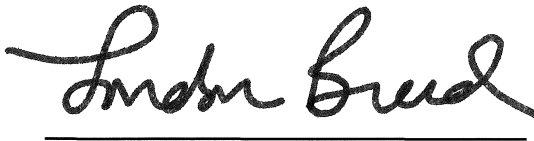
Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Safai, Stefani and Walton

Excused: 2 - Melgar and Ronen

File No. 230960

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/7/2023 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor

11/9/23
Date Approved