

ITEM NO. 54

11/25/20 Council – Regular Meeting Agenda
Closed Session

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations from the City Attorney in order to effect settlement of pending litigation with American Teleconferencing Services, Ltd. (this matter involves the question of whether or not the services provided by the taxpayer is subject to the City's Communication Users Tax and whether the taxpayer has an obligation to collect and remit these taxes to the City) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE a settlement in favor of the City valued at **\$516,070**.
2. AUTHORIZE the Office of Finance and the Office of the City Attorney to accept \$516,070, in full settlement of all periods, including the periods covered by the audit and all periods up to and including the date of settlement between American Teleconferencing Services and the City.
3. REQUEST that American Teleconferencing Services re-establish a physical presence within the City, and agree to begin collecting and remitting tax to the City of all City sourced receipts immediately following the settlement.
4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Price – Blumenfield: “Yes”) at its meeting on November 9, 2020, in Closed Session as permitted by Government Code Section 54956.9(d)(2), (d)(4).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
CURREN D. PRICE, JR.
Councilmember, 9th District