## AMENDED IN COMMITTEE 7/13/16 RESOLUTION NO. 292-16

FILE NO. 160408

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Exceed \$1,000,000 - Share Transient Occupancy Tax

[Intergovernmental Agreement - San Mateo County - Reimburse Dispatched Calls - Not to

Resolution approving an Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, to reimburse San Mateo County for the cost of dispatched calls to the Airport in an amount not to exceed \$1,000,000 for the period retroactive to July 1, 2015, through June 30, 2020; and to share the Transient Occupancy Tax relating to the Airport's Hotel.

WHEREAS, The San Francisco International Airport ("Airport") is an enterprise department of the City and County of San Francisco and physically located in unincorporated San Mateo County; and

WHEREAS, San Mateo County operates the public communications dispatch center that receives emergency 911 calls from San Francisco International Airport; and

WHEREAS, The Airport wishes to reimburse San Mateo County for the Airport's prorata share of the net cost to operate the Dispatch Center, based on the percentage of 911 calls relating to the Airport; and

WHEREAS, The Airport is building a Grand Hyatt Hotel located on Airport property; and

WHEREAS, The San Francisco Board of Supervisors approved the Airport Hotel Management Agreement with the Hyatt Corporation for an On-Airport Hotel by Resolution No. 434-15; and

WHEREAS, San Mateo County levies a Transient Occupancy Tax ("TOT") under San Mateo County Ordinance Code, Chapter 5.136 and California State Revenue and Taxation Code, Section 7280, equal to ten (10%) percent of the rent charged by the operator of a hotel

for the privilege of occupying a room at a hotel located in the unincorporated areas of the County; and

WHEREAS, In order to assist the Airport in building a successful hotel, San Mateo County has agreed to provide an economic development incentive by sharing the TOT equally with the Airport until either the Airport hotel receives a cumulative total of \$8,000,000 or June 30, 2029, whichever occurs first, as approved by San Mateo County by Resolution No. 074439 adopted by the San Mateo County Board of Supervisors on Tuesday, April 13, 2016; and

WHEREAS, San Mateo County receives aviation fuel tax revenues on aviation/jet fuel sold at the Airport, which must be used solely for aviation purposes in accordance with Federal law and the policies of the Federal Aviation Administration; and

WHEREAS, Any fuel tax revenues that San Mateo County is required to remit to the Airport will count towards the Airport's cumulative TOT sharing limit of \$8,000,000 dollars; and

WHEREAS, The Airport Commission approved this Agreement by Resolution No. 16-0076 and directed the Commission Secretary to seek approval from both the San Mateo County of Board of Supervisors and the San Francisco Board of Supervisors, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 160408, which is hereby declared to be a part of this resolution, as set forth herein; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby approves the Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, to reimburse San Mateo County for the cost of dispatched calls to the Airport in an amount not to exceed \$1,000,000 over five years and to share Transient Occupancy Tax relating to the Airport's Hotel; and, be it

**BOARD OF SUPERVISORS** 

FURTHER RESOLVED, That within thirty days of the Intergovernmental Agreement being fully executed by all parties, the Airport Commission shall provide the final Intergovernmental Agreement to the Clerk of the Board for inclusion into the official file.



## City and County of San Francisco **Tails**

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

## Resolution

File Number:

160408

Date Passed: July 19, 2016

Resolution approving an Intergovernmental Agreement between San Mateo County and the City and County of San Francisco, by and through its Airport Commission, to reimburse San Mateo County for the cost of dispatched calls to the Airport in an amount not to exceed \$1,000,000 for the period retroactive to July 1, 2015, through June 30, 2020; and to share the Transient Occupancy Tax relating to the Airport's Hotel.

July 13, 2016 Budget and Finance Sub-Committee - AMENDED

July 13, 2016 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

July 19, 2016 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160408

I hereby certify that the foregoing Resolution was ADOPTED on 7/19/2016 by the Board of Supervisors of the City and County of San Francisco.

Clerk of the Board