

1 [Intergovernmental Agreement - San Mateo County - Reimburse Dispatched Calls - Not to
2 Exceed \$1,000,000 - Share Transient Occupancy Tax

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

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

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

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

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

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

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

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

3 WHEREAS, In order to assist the Airport in building a successful hotel, San Mateo
4 County has agreed to provide an economic development incentive by sharing the TOT equally
5 with the Airport until either the Airport hotel receives a cumulative total of \$8,000,000 or June
6 30, 2029, whichever occurs first, as approved by San Mateo County by Resolution
7 No. 074439 adopted by the San Mateo County Board of Supervisors on Tuesday, April 13,
8 2016; and

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

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

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

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

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

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