

RESOLUTION NO.
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION AUTHORIZING AN AMENDMENT TO THE INTERGOVERNMENTAL
AGREEMENT WITH THE AIRPORT COMMISSION OF THE CITY AND COUNTY OF
SAN FRANCISCO RELATING TO THE REIMBURSEMENT OF SERVICES AND
SHARING OF HOTEL TRANSIENT OCCUPANCY TAX**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the City and County of San Francisco owns and operates the San Francisco International Airport (“Airport”) through the Commission; and

WHEREAS, the County provides certain emergency response services to the Airport and the Commission wishes to pay the County for the cost of these services; and

WHEREAS, the Commission is planning to build and own a Grand Hyatt hotel located on Airport property in an unincorporated area of the County that will be managed and operated by Hyatt Corporation under a Hotel Management Agreement between the Commission and Hyatt; and

WHEREAS, the County levies a Transient Occupancy Tax (“TOT”) on the guests of hotels located in the unincorporated area of the County and is willing to provide an economic development incentive related to the sharing of TOT for a limited term in order to assist the Commission in building a successful hotel at the Airport; and

WHEREAS, on or about April 12, 2016, the County and the Commission, on behalf of the City and County of San Francisco, entered into an agreement concerning

the sharing of TOT under the Intergovernmental Agreement, which sharing shall be adjusted on a dollar for dollar basis by the amount of sales tax proceeds from aviation fuel sales that the County is required to transfer to the Airport, if any, pursuant to the Federal Aviation Administration's amended Revenue Use Policy (the "April 2016 Agreement"); and

WHEREAS, the parties agree that the formula set forth in the April 2016 Agreement regarding the Commission's share of the annual cost to operate the County's Public Safety Communications Dispatch Center should be revised to more accurately reflect the parties' joint intentions regarding the Airport's share of services; and

WHEREAS, this Board has been presented with a form of such Amendment to the Intergovernmental Agreement and has examined and approved same as to both form and content, and desires to enter into same.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors be, and is hereby authorized to, execute the Amendment to Intergovernmental Agreement with the Airport Commission of the City and County of San Francisco for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto; and

BE IT FURTHER RESOLVED THAT the County Manager or his designee is hereby authorized to execute additional contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.