

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO (A) NEGOTIATE AND EXECUTE AN AGREEMENT WITH SAN JOSE PUBLIC LIBRARY FOUNDATION (SJPLF) TO MANAGE SMALL CELL USAGE FEE REVENUE ALLOCATIONS, SUBJECT TO APPROPRIATION OF FUNDS AND MATCHING FUNDRAISING REVENUE TO ADMINISTER THE FUNDING OF THE GRANT PROGRAM AS FISCAL AGENT FROM JULY 1, 2023 THROUGH JUNE 30, 2029; AND (B) AUTHORIZE A \$500,000 PAYMENT FROM THE DIGITAL INCLUSION FUND TO SJPLF TO DISTRIBUTE GRANT AWARDS PURSUANT TO THE CITY'S AGREEMENT WITH SJPLF

WHEREAS, on November 13, 2017, the City Council approved the City's Digital Inclusion and Broadband Strategy, which established (1) a hybrid approach to broadband deployment, focused on stimulating and accelerating private investments through value-trade public-private partnerships, and (2) an intentional focus on delivering digital inclusion and equity programs to close the digital divide; and

WHEREAS, the Digital Inclusion Grant Program is part of the City's strategy to close the digital divide by the year 2029; and

WHEREAS, on March 16, 2023, the City was awarded a \$500,000 grant from the Local Agency Technical Assistance program of the California Public Utilities Commission; and

WHEREAS, the City desires to transition management of Digital Inclusion Fund (DIF) grant funds from California Emerging Technology Fund (CETF) to San José Public Library Foundation (SJPLF) resulting in \$150,000 annual savings to the DIF; a transition would also leverage the Library Department's expertise in digital literacy and empowerment to support grantees, strengthen the relationship between the Library and

SJPLF, and maximize the City's integrated efforts in digital equity, workforce and economic development, and Children and Youth Master Planning;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to:

- A. Negotiate and execute an agreement between the City and SJPLF to manage small cell usage fee revenue allocations (from City to SJPLF), subject to appropriation of funds, and matching fundraising revenue to administer the funding of the Grant Program as fiscal agent from July 1, 2023, through June 30, 2029.
- B. Authorize a \$500,000 payment from the DIF to SJPLF to distribute grant awards pursuant to the City's agreement with SJPLF.

ADOPTED this ____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk