



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jill Bourne

SUBJECT: SEE BELOW

DATE: May 16, 2020

Approved

Date

5/18/20

**SUBJECT: REPORT ON DIGITAL ACCESS AND INCLUSION AND RESOLUTION
AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE AN
AMENDMENT TO THE CONTRACT WITH THE CALIFORNIA
EMERGING TECHNOLOGY FUND**

RECOMMENDATION

- (a) Accept the staff and partner agency report on digital access and inclusion, in response to City Council direction from May 5, 2020, including updates on specified topics; and
- (b) Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the City's contract with the California Emerging Technology Fund (CETF) to allow for special handling and distribution of funds donated to the Digital Inclusion Fund for the purpose of relieving digital connectivity impacts caused by COVID-19.

OUTCOME

City Council will receive updated information regarding the status of urgent digital inclusion efforts, including potential immediate connectivity solutions, expansion of Community WiFi (Access East Side), engagement in a digital inclusion collaborative of key stakeholders, and the status of the Digital Inclusion Fund for emergency response.

By adopting a resolution authorizing the City Manager to negotiate and execute an amendment to the agreement with CETF, CETF will be able to disburse money donated to the Digital Inclusion Fund for purposes of relieving the digital connectivity impacts of COVID-19.

BACKGROUND

On April 21, 2020, staff offered an update on digital access and inclusion efforts, specifically related to the need to assist schools and students during the COVID-19 pandemic.

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On May 5, 2020, staff provided an update on opportunities to enhance community connectivity, thus supporting the learning and access goals of all residents, including students. At this meeting, City Council took the following actions:

- Approved a letter requesting that internet service providers serving San José extend an interim program of free service at least through July 31, 2020, sign up households who qualify for the National School Lunch Program (NSLP) without requiring a letter from the closed school, and establish a process to designate all families in schools with a high percentage of NSLP students to be eligible for the program by “auto-enrolling” the school.
- Directed staff to:
 - Return to Council on May 19th with a presentation that includes the SCCOE, East Side Union High School District (ESUHSD) and other key partners as presenting speakers.
 - Target Immediate Connectivity Solutions: In collaboration with school districts and the Santa Clara County Office of Education (SCCOE), review libraries, school sites, and reuse centers that are in areas where lack of access is highly concentrated.
 - Work with ESUHSD to bring forward next steps to move forward a focused build out of Access East Side. Include Public Works and ESUHSD in this presentation.
 - Participate in Digital Inclusion collaborative group under the leadership of Dr. Dewan, that includes City Administration, Councilmembers, School District Administration representatives, school district board members, and other key stakeholders.

CETF manages the Digital Inclusion Fund (DIF) on behalf of the City. Currently, CETF’s contract with the City requires that disbursements to grantees from the DIF go through an RFP process, receive recommendation from the San José Digital Inclusion Fund Advisory Board, and be approved by City Council. Since the onset of the COVID-19 emergency, the DIF has received donations specifically intended to relieve the digital connectivity impacts exacerbated by COVID-19. City staff and CETF wish to rapidly deploy these specially donated funds. As such, an amendment to the agreement between City staff and CETF is necessary to account for special handling and dispensation of funds donated to DIF for the purpose of relieving digital connectivity impacts caused by COVID-19.

The following donations made to DIF to provide COVID-19 relief have been finalized and will be received soon:

Donor	Monetary Contribution	In-Kind Contribution
Micron Technology, Inc.	\$50,000	
Momentum Holdings, Inc.	\$10,000	
AT&T		200 Cell Phones
IBM		74 Devices (mix of laptops and tablets)
Pure Storage		15 Refurbished MacBooks
Revivn		50 Chromebooks
Individual Donations	\$2,780	
TOTAL:	\$62,780	139 Laptops/Tablets, 200 Cell Phones

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To collect and repurpose unused devices from our residents for digital inclusion efforts, the Digital Inclusion Partnership has partnered with the Tech Exchange to host device drives. Details about the first two events are identified below. The Tech Exchange will receive any device donated, refurbish the device for a cost of approximately \$150/device, and will continuously analyze whether the devices are suitable for distance learning and should be distributed through the SCCOE.

Tech Exchange Willow Glen Drive (Hosted by Digital Inclusion Partnership and D6)

Saturday May 23, 10am-1 or 2pm (awaiting confirmation)

Bank of America, 1245 Lincoln Avenue, San Jose, CA 95125

Tech Exchange Evergreen Drive (Hosted by Digital Inclusion Partnership and D8)

Wednesday May 27, 4-7pm

Evergreen Valley High School, 3300 Quimby Road, San Jose, CA 95148

ANALYSIS

City staff in the Digital Inclusion Branch of the Emergency Operations Center (EOC) partnered closely with SCCOE, ESUHSD, and the California Emerging Technology Fund (CETF) to prepare the information provided in this report.

Targeting Immediate Connectivity Solutions at Schools, Parks, Libraries, etc.

One of the smart city solutions that was identified through the partnership between the City and the AT&T telecommunication agreement, was to provide smart controllers at 12 parks located adjacent to community centers within each council district. These smart controllers primarily focused on providing park lighting management systems for the City.

Phase 1 – Partnership with AT&T

After further evaluation of the City's infrastructure, seven of the 12 parks have existing City fiber backhaul that can be used to connect these smart controllers and expand the Wi-Fi access into the park areas. An initial pilot was completed at Seven Trees Community Center, and the City and AT&T are currently planning to scale this work to the following parks that have fiber backhaul: Southside, Roosevelt, Berryessa, Hank Lopez, Camden and Almaden community centers and parks.

Phase 2 – Continued Expansion, Continued Partnership to Maximize Resources

Staff is currently exploring the possibility and cost to install Wi-Fi access points on library buildings and community centers with connected City parks and public spaces. The Wi-Fi access points would be connected to the fiber backhaul of the existing library or community center

network to provide reliable Wi-Fi access for the students and community that visit these public spaces. The range of the Wi-Fi signal is not expected to extend to nearby homes.

The additional City sites were identified through a review of census data including the density of K-12 students, households without a computer, and poverty rates by census tracts. This expansion is unfunded. The City will explore funding opportunities, such as the public private partnership with telecommunication companies and other resources.

These locations have been ranked by level of need in descending order:

1. Educational Park Library
2. Biblioteca Latinoamericana Library
3. Dr. Roberto Cruz Alum Rock Library
4. Gardner Community Center/Biebrach Park
5. Hillview Library
6. Joyce Ellington Library
7. East San Jose Carnegie Library
8. Bascom Library and Community Center
9. Discovery Meadow
10. Evergreen Library
11. Alviso Library
12. Calabazas Library/Calabazas Park
13. Frank Bramhall Park
14. Kirk Community Center/Kirk Park
15. Lincoln Glen Park

Build Out of Access East Side (aka Community Wi-Fi Expansion)

On June 28, 2016, City Council approved a Funding Agreement between the City and the East Side Union High School District (ESUHSD) to access District funds for the installation and maintenance of a Community Wireless Network for a period of five years in an amount not to exceed \$2,700,000. ESUHSD originally identified three high school attendance areas (James Lick, Overfelt and Yerba Buena) that would have the greatest need for broadband access.

On September 20, 2016, Council authorized the City Manager to execute an Agreement with SmartWAVE Technologies LLC for the ESUHSD community Wi-Fi deployment for James Lick attendance area. SmartWAVE installed an outdoor wireless mesh Wi-Fi network comprised of access nodes and radios on 200 street lights within the James Lick attendance areas. This Wi-Fi network leveraged the City's power and fiber network to provide internet access to the surrounding students and community. The estimated cost for this work was approximately \$1.6 million that included design, permitting, construction, and 5-years of ongoing operations and maintenance costs. Refreshing this equipment is estimated to occur every 5 years which will entail equipment replacement and on-going operations and maintenance (O&M) costs.

Phase I – Partnership with East Side Union High School District

On October 2017, the City completed the installation and is currently operating and maintaining the community Wi-Fi at James Lick attendance area and opened to the community in April 2019. Since the installation of the Community Wireless Network, the volume of data transferred has been significant. Since November 2017, it has averaged over 1.5 terabyte (TB) of data per month, and since April 2019, the total amount of data transfer for community public access Wi-Fi has been over 5 TB per month. The amount of data transfer from the District's community public access is five (5) times greater than the usage of Wi-Fi data transfer occurring downtown and at the convention center and airport combined. In addition, the wireless mesh network design was evaluated, and it was determined that the outdoor community Wi-Fi was 99.4% reliable.

Based on the positive performance of the James Lick attendance area Community Wireless Network ("Network"), the District has asked the City to pursue expansion of the community Wi-Fi network. Below is a summary of three attendance areas that the East Side Union High School District will provide additional funding to the City through an existing agreement between City, East Side Union High School District and SmartWAVE.

School Attendance Area	Status	Current Actions	Outstanding Need
James Lick HS	Complete	None. Activated October 2017 for students; April 2019 for community	Annual O&M ~\$50K starting FY 21-22
Overfelt HS	In Progress (target June 2020)	Currently in construction	Annual O&M ~\$50K starting FY 22-23
Yerba Buena HS	In Progress (target Jan 2021)	Amending existing First Amendment agreement between ESUHSD, SmartWAVE, and City	Annual O&M ~\$50K starting FY 23-24

Phase II – Continued Expansion, Continued Partnership to Maximize Resources

The City also pursued and received approval to use Community Development Block Grants (CDBG) through City's Housing Department. The City will receive up to \$2 million to help fund the following projects that will support the design and construction of the community Wi-Fi network. Staff is evaluating eligible funding sources to satisfy the remainder of the project cost.

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School Attendance Area	Status	Current Actions	Outstanding Need
Independence HS	In Progress (target Nov 2021)	Amendment to CDBG Action Plan; Housing Department to seek Council approval on June 2, 2020	Funding gap of \$600K; ongoing O&M starting FY 26-27
Oak Grove HS	In Progress (target Nov 2021)	Amendment to CDBG Action Plan; Housing Department to seek Council approval on June 2, 2020	Funding gap of \$600K; ongoing O&M starting FY 26-27

Phase III – Future Growth Opportunities

ESUHSD identified future sites within the school district that will benefit from Community Wi-Fi network. The City is currently seeking funding opportunities that will help facilitate the implementation of these sites listed below:

School Attendance Area	Status	Current Actions	Outstanding Need
Andrew P. Hill HS	TBD	Contingent on expanding existing agreement between ESUHSD & City	\$1.6M Ongoing O&M costs
Silver Creek HS	TBD	Contingent on expanding existing agreement between ESUHSD & City	\$1.6M Ongoing O&M costs
Mount Pleasant HS	TBD	ESUHSD, ESA, and City staff will work to find a solution to fiber challenges	\$1.6 M plus costs TBD for mitigating lack of existing fiber

Staff will continue to work in collaboration with ESUHSD on the plans for building out each of these attendance areas. Staff and ESUHSD will return to Council with a funding plan that addresses all future sites and provides a more in-depth explanation of the funding streams and timelines associated with this important work, before the close of the fiscal year.

Digital Inclusion, Connectivity, and Access Forum

To facilitate the City Council's direction to participate in a collaborative group convened by Dr. Dewan without duplicating efforts, staff worked quickly to identify existing collaboratives that could serve as the basis for this effort.

Staff convened the Schools-City Collaborative (S/CC) Executive Committee, which includes the Mayor, Dr. Dewan, ESUHSD Superintendent Chris Funk, Moreland School District Mary Kay Going, and the City Librarian, to support this effort. The Committee subsequently agreed that the S/CC could be leveraged to support the Connectivity, Inclusion, and Access Forum (Forum) in partnership with the Santa Clara County Office of Education.

The S/CC membership includes City staff, the Mayor and appointed Council Members, and the Superintendents of each school district in San Jose. School Board members were added to the membership through the ratification of the Education Policy. Invitations to the Forum will be inclusive of the S/CC and extend to additional stakeholders in Santa Clara County, including elected officials and staff of the County and other cities, the Digital Inclusion Fund Advisory Board, nonprofits, and other entities engaged in advancing digital inclusion.

The Forum, which will be scheduled for early June will provide information on the development of partnerships like the East Side Wi-Fi program, and provide information on the current need for devices and connectivity of San Jose's students, as well as digital access needs throughout Santa Clara County.

Additional Strategies

Digital Inclusion Fund - Emergency Response

On November 13, 2017, Council approved the Digital Inclusion and Broadband Strategy and directed the City Manager to engage in value exchange agreements to accelerate broadband deployments in San José with the goals of economic development, digital inclusion, and support for Smart Cities and the Internet of Things. On May 1, 2018, Council directed the City Manager to create within the General Fund a "Digital Inclusion Program Fund," to be used to support efforts to close the digital divide for the residents of San Jose, with a focus on low-income youth and other vulnerable populations, such as the elderly and disabled.

On February 25, 2020, Council unanimously approved the City's implementation partner, the California Emerging Technology Fund (CETF), to issue \$1,000,000 to fund the first round of Digital Inclusion Fund (DIF) grants to 23 San José community-based organizations. CETF is working with grantees to provide regular updates on the status of their outreach and program efforts.

Amendment to the City's Agreement with CETF

Generous contributions from local partners, including individuals, philanthropy, and business, have been committed to assist the City's efforts to both improve digital inclusion for our residents and assist in supporting students during the COVID-19 pandemic and school closures. The donations made to the DIF to assist with COVID-19 impacts will be used to expedite the allocation of resources to fill immediate, specified needs that are a result of the COVID-19 emergency.

CETF is dedicating significant resources to the Digital Inclusion Partnership to support the City of San Jose—especially in responding to and mobilizing for COVID-19. The investment of time and resources by CETF personnel exceeds CETF's current fee of \$190,000. However, at this time, CETF does not want to increase the financial burdens on the City.

The amendment will provide that, at no additional cost to the City, CETF will work with City staff and organizations such as the Santa Clara Office of Education to identify the most appropriate allocation of donated resources to relieve the digital connectivity impacts caused by COVID-19. The City Manager will approve disbursement of the funds subject to CETF's assurance that the disbursement meets the donor's intent. CETF will ensure the fund recipients document and report the expenditure of all funds. CETF will manage donations in support of COVID-19 assistance in an amount, not to exceed \$10M over 10 years.

Enhancing Community Connectivity Options through Partnerships

Telecommunication Provider Collaborations

Staff have convened initial conversations with AT&T, Verizon and Comcast to explore partnership opportunities that would address the immediate and future broadband access and connectivity needs in San José. The immediate focus is on:

- Accelerating small cell deployment in priority, unserved and underserved areas
- Exploring the potential for innovative pilots and/or new public private partnerships

Staff will continue to work with AT&T and Verizon to identify areas of need and plan for priority small cell deployment. At the same time, staff will work with AT&T, Verizon, and Comcast to further discuss potential pilots and partnerships aimed at providing broadband infrastructure, service connections, and devices to digitally unconnected households. Staff will regularly provide the City Council an update on the small cell deployment plan. In addition, details on potential pilots or partnerships will be part of future updates to City Council as appropriate, as they are developed.

CONCLUSION

The work to connect students and households in need continues to be a high priority in the City's emergency response. Staff continues to work diligently to identify the needs of students and families, and work with partners to explore partnerships that are effective and meaningful, using data to target high-impact opportunities. Following this discussion, staff will focus on both short and long term plans to close the digital divide in San José, for both students and their families, and will be providing that information to the Council and community through regular updates and City Council presentations.

With adoption of the resolution authorizing the City Manager to negotiate and execute the amendment to the City's agreement with CETF, City staff and CETF will be able to disburse money donated to the DIF for COVID-19 relief.

EVALUATION AND FOLLOW-UP

As detailed in the staff report, staff will continue to coordinate with SCCOE and CETF to implement elements of the overall plan to expand access for San José students. Staff may report back to City Council via informational updates as part of the Report of the City Manager under Agenda Item 3.1 on immediate issues and return to Council before the close of the fiscal year with a comprehensive implementation plan.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the May 19, 2020 Council Meeting.

COORDINATION

This memorandum was coordinated with the City Manager's Office of Civic Innovation, the City Attorney's Office, and the City Manager's Budget Office.

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COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

FISCAL/POLICY ALIGNMENT

This recommendation aligns with:

- Council Policy 0-30; the City's Education Policy; and
- Broadband and Digital Inclusion strategy approved by the City Council in November 2017, the creation of the Digital Inclusion Fund in May 2018, and Council's approval of the first round of grant funds in February 2020.

CEQA

Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager)

/s/

JILL BOURNE

Director, Library Department

For questions, please contact Ann Grabowski, Library Department Chief of Staff, at ann.grabowski@sjlibrary.org.