

File No. 220350

Committee Item No. 7

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 7, 2022

Board of Supervisors Meeting:

Date: _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Gift Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract / Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Mayor Executive Directive 20-02 09/24/20</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Department of Technology Memorandum 04/04/22</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Presidential Action Memo 062922</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Jessica Perkinson

Date: June 30, 2022

Prepared by: _____

Date: _____

1 [Accept and Expend In-Kind Gift - Retroactive - Internet Access Services - Monkeybrains.net-
2 Valued at \$173,400]

3 **Resolution retroactively authorizing the Department of Technology to accept an in-kind**
4 **gift of Internet Access Service valued at \$173,400 from Monkeybrains.net for the period**
5 **of March 1, 2020, through December 31, 2022.**

6

7 WHEREAS, Monkeybrains.net is a local San Francisco based Internet Service Provider
8 that has been providing high quality internet service to San Francisco residents and
9 businesses since 1998; and

10 WHEREAS, Quality, high speed internet access is necessary to provide equitable City
11 services, educational resources, employment opportunities and healthcare to San Francisco's
12 underserved communities; and

13 WHEREAS, By offering free high speed internet service to residents of affordable
14 housing Monkeybrains.net has made an unequalled and valued contribution in excess of \$1
15 million dollars to closing the digital divide; and

16 WHEREAS, In 2017 Monkeybrains received grant funding through the California
17 Advanced Services Fund Broadband Public Housing Account to provide internet service to
18 low income families and Monkeybrains began providing free internet service to San Francisco
19 affordable housing residents; and

20 WHEREAS, When the grant funding became unavailable for affordable housing
21 projects, Monkeybrains continued to provide the internet service to the residents at no cost;
22 and

23 WHEREAS, DT has built a fiber ring to affordable housing properties for their use and
24 development; and

25

1 WHEREAS, Monkeybrains makes free Internet Access Service available to over 6,800
2 units of affordable housing, and 1,090 shelter and supportive housing beds and has
3 committed to provide this internet service to residents at no cost through December 2022; and

4 WHEREAS, On February 25, 2020, the Mayor of San Francisco declared a local health
5 emergency regarding COVID-19 and student, seniors, and underserved residents required
6 internet service during the pandemic; a copy of said Resolution is on file with the Clerk of the
7 Board of Supervisors in File No. 200228, and is incorporated herein by reference; and

8 WHEREAS, Monkeybrains assisted the Department of Technology (DT) by providing
9 internet service to COVID isolation facilities, tent sites for the unhoused, testing stations, and
10 mass vaccination sites; and

11 WHEREAS, Monkeybrains and DT have agreed to continue to interconnect their
12 networks to ensure that there is no interruption of service to affordable housing residents in
13 the buildings served as of August 31, 2021; and

14 WHEREAS, The internet service requested by DT is valued at a total of \$173,400; and

15 WHEREAS, The gifts do not require amendments to the Annual Salary Ordinance;
16 now, therefore, be it

17 RESOLVED, That the Board of Supervisors retroactively approves the in-kind gift
18 valued at \$173,400 and hereby authorizes, through the Department of Technology to accept
19 the in-kind gift of internet services described above.

File Number: _____
(Provided by Clerk of Board of Supervisors)

Grant Resolution Information Form
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: In-Kind Gift of in-kind internet services from Monkeybrains
2. Department: Department of Technology
3. Contact Person: Brian Roberts Telephone: 415-902-4408
4. Grant Approval Status (check one):
 Approved by funding agency Not yet approved
5. Amount of Grant Funding Approved or Applied for: \$173,400 worth of in-kind internet services.
6. a. Matching Funds Required: \$0
b. Source(s) of matching funds (if applicable):
7. a. Grant Source Agency:
b. Grant Pass-Through Agency (if applicable):
8. Proposed Grant Project Summary: Accept in-kind internet services from Monkeybrains, retroactively.
9. Grant Project Schedule, as allowed in approval documents, or as proposed:
Start-Date: 03/01/2020 End-Date: 12/31/2022
10. a. Amount budgeted for contractual services: NA
b. Will contractual services be put out to bid?
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements?
d. Is this likely to be a one-time or ongoing request for contracting out?
11. a. Does the budget include indirect costs? NA
 Yes No
b. 1. If yes, how much? \$
b. 2. How was the amount calculated?
c. 1. If no, why are indirect costs not included?
 Not allowed by granting agency To maximize use of grant funds on direct services
 Other (please explain):
c. 2. If no indirect costs are included, what would have been the indirect costs?
12. Any other significant grant requirements or comments: No.

****Disability Access Checklist***(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Existing Site(s) | <input type="checkbox"/> Existing Structure(s) | <input checked="" type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input type="checkbox"/> New Program(s) or Service(s) |
| <input type="checkbox"/> New Site(s) | <input type="checkbox"/> New Structure(s) | |

14. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Due to the reach of this agreement across members of the public awardees should contact the Mayor's Office on Disability for guidance on achieving 14(1) and 14(2) above. All public meetings should also be accessible, as appropriate. See: <https://sfgov.org/mod/planning-accessible-events>

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

John Romaidis

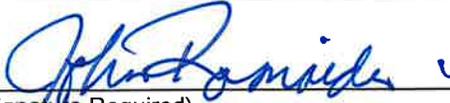
(Name)

Deputy Director

Acting Director, Mayor's Office on Disability

(Title)

Date Reviewed: 1/7/22


(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Linda Gerull

(Name)

City CIO, Executive Director

(Title)

Date Reviewed: 1/11/2022


(Signature Required)

Monkeybrains ISP

286 12th St
San Francisco, CA
(415) 974-1313

www.monkeybrains.net



Linda J. Gerull
City CIO
Executive Director | Department of Technology
City and County of San Francisco
1 South Van Ness Avenue, 2nd Floor
San Francisco, CA 94606

[628.652.5182](tel:628.652.5182) | linda.gerull@sfgov.org

Re: Internet Service Donation

Dear Ms. Gerull:

We have enjoyed working with the Department of Technology (DT) to help the department respond to the COVID 19 crisis and collaborating to ensure residents of affordable housing receive free internet access through the Fiber to Housing program. As part of the COVID 19 response, Monkeybrains.net contributed internet access to the Department of Technology to serve COVID isolation facilities, tent sites for the unhoused, shelters, testing stations, community hubs and mass vaccination sites. As part of the Fiber to Housing project Monkeybrains.net contributed free internet access to the residents of affordable housing. We understand that DT wishes to provide these services directly over time. In order to ensure continuity of service, Monkeybrains.net will look forward remaining keeping our network interconnected with DT.

We have agreed to a valuation of \$173,400 for the donation of free internet access to the Department of Technology to support its COVID 19 response efforts. This includes the value of the service we have provided to these 34 sites since March 2020, plus a commitment to continue this service through December 2022 for a total of 34 months. The monthly cost is based on the monthly charge Monkeybrains.net charges its customers for its Classic Business service, \$150 per month.

We have agreed to the valuation of \$6,240,900 for the donation of free internet access to residents of affordable housing. This includes the value of the internet access we have contributed to date, plus a commitment to continue this service through December 2022. This estimate has two components, the cost of providing ongoing internet access, maintenance and

customer service and the cost of equipment and labor to install this equipment. The internet service is based on providing service at a cost of \$25 per unit per month for each month worth of service thus far and the maintenance of this service to the existing 7042 units through December 2022.

We would like to express our special thanks to Joseph John and his team in the Department of technology public safety division who we worked closely. We would also like to acknowledge the key personnel on the monkeybrains.net side who made this project possible: Mason Carroll was the leader of this project. Preston Rhea developed the program. James Trieu, Caleb Dubois and Carlos Alcantar provided engineering support. Mark Landry and Daniel Woodbury were our field technicians.

Please let me know if you need any additional information.

Sincerely,



Alejandro Menendez
Managing Member



Rudy Rucker
Managing Member



Executive Directive 20-02

Compliance with Gift Regulations and Increasing Transparency in City Department Relationships with Non-City Organizations

September 24, 2020

It is imperative that City business is conducted in accordance with all applicable laws and regulations and with the utmost integrity. Nothing is more important than the trust the public has in its government. One of the foundations of this trust is the principle that government business is conducted for the public benefit and that government workers serve that public interest.

Earlier this year, when I learned the Director of Public Works had been indicted on federal charges, I asked the City Attorney and the Controller to design and conduct a thorough and independent review of any implicated City contracts or other decisions, investigate any suspected violations of the law or City guidelines, and develop recommendations on how to protect the integrity of City processes and decisions. I also issued Executive Directive No. 20-01 directing all City employees and departments to cooperate with any requests made by the City Attorney and the Controller and proactively share information that they believe could be helpful to this investigation.

The Controller has released a report detailing findings and recommendations regarding gifts to City departments through non-city organizations. Many of your departments have relationships with non-city organizations, including "Friends of Organizations." These partnerships can help provide philanthropic support for City efforts, and community priorities. However, the opportunities these relationships create cannot be at the expense of our primary role as public employees, which is to conduct government business for the public benefit.

The Controller's report makes clear that uniform and stricter standards must be applied to City departments' relationships with these organizations in order to increase transparency and accountability, and prevent a perceived or actual risk of a "pay-to-play" relationship.

Directives:

Through this Executive Directive, I hereby direct:

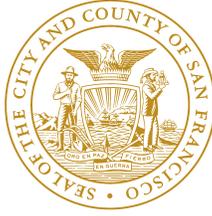
1. All Departments Heads shall comply with the City's behested payment reporting requirements, which currently apply only to City elected officials and members of boards and commissions, contained in Article III, Chapter 6 of the Campaign and Governmental Conduct Code. This includes the filing of behested payment forms (Form SFEC-3610(b)). Departments should track and retain this information and begin filing behested payment forms as soon as the Ethics Commission makes that form available for electronic filing by Department Heads.

2. All City departments shall formalize through a memorandum of understanding any relationship the department has with a non-City organization that receives donations on behalf of the department, where such agreements are not already in place. These memoranda of understanding shall be prepared in consultation with the Office of the City Attorney and the Controller. In preparing these memoranda of understanding departments shall work with the City Attorney and Controller to include terms and requirements which ensure transparency, accountability, and adherence to City laws. These memoranda of understanding shall be approved by the City Attorney, Controller, and if applicable the department's board or commission, and posted on the department's website.
3. All departments shall ensure compliance with Administrative Code, Section 10.100-305 or other applicable sections of Administrative Code Chapter 10, Article XIII, which sets forth the requirements for accepting and reporting certain gifts to departments. In all required disclosures under the Administrative Code, departments shall state whether the gift is used for employee recognition or appreciation, and where required, seek advance acceptance from the Board of Supervisors.
4. In each department's annual reports submitted every July under Administrative Code section 10.100-305(c), the department shall certify that all gifts received by the department in the previous fiscal year were approved by the Board of Supervisors, if required under the Administrative Code, and timely reported.

This Executive Directive will take effect immediately, and will remain in place until rescinded by future written communication.



London N. Breed
Mayor, City and County of San Francisco



TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Brian Roberts, Dept. of Technology
DATE: April 4, 2022
SUBJECT: In-Kind Gift Acceptance Resolution
GRANT TITLE: In-Kind Gift of Services from Monkeybrains

Attached please find the original* and 1 copy of each of the following:

- Proposed grant resolution; original* signed by Department, Mayor, Controller
- Grant information form, including disability checklist
- Grant budget
- Grant application
- Grant award letter from funding agency
- Ethics Form 126 (if applicable)
- Contracts, Leases/Agreements (if applicable)
- Other (Explain): Donor Valuation Letter

Special Timeline Requirements:

Departmental representative to receive a copy of the adopted resolution:

Name: Brian Roberts e-mail: brian.roberts@sfgov.org

Interoffice Mail Address: Dept. of Technology, 2nd Floor, 1 So. Van Ness Ave.

Certified copy required: Yes

No

**Recommendations of the Budget and Legislative Analyst
For Amendment of Budget Items in the FY 2022-23 and FY 2023-24 Two-Year Budget**

DBI- Building Inspection

Rec #	Account Title	FY 2022-23						FY 2023-24					
		FTE		Amount		GF	1T	FTE		Amount		GF	1T
		From	To	From	To			From	To	From	To		
	DBI-Administration												
	Materials & Supplies Budget			\$5,000	x					\$12,000	\$12,000	\$0	
DBI-1		Reduce budgeted amount for materials and supplies due to historic underspending and continued recovery during the current phase of pandemic.											
	Professional and Specialized Svcs			\$100,000						\$500,000	\$400,000	\$100,000	
DBI-2		Reduce budgeted amount for professional and specialized services for records management due to historic underspending, insufficient justification, and to reflect actual need.											
	Professional and Specialized Svcs			\$100,000						\$515,000	\$415,000	\$100,000	
DBI-3		Reduce budgeted amount for professional and specialized services for management information systems due to historic underspending, insufficient justification, and to reflect actual need.											
	DBI- Permit Services												
	Materials & Supplies Budget			\$5,000	x					\$20,000	\$20,000	\$0	
DBI-4		Reduce budgeted amount for materials and supplies due to historic underspending and continued recovery during the current phase of pandemic.											
	DBI- Inspection Services												
	9993M Attrition Savings			\$149,136	x					(\$705,911)	(\$705,911)	\$0	
	Mandatory Fringe Benefits			\$59,814	x					(277,676)	(\$277,676)	-	
				<i>Total Savings</i>						<i>Total Savings</i>	\$0		
DBI-5		Increase attrition savings to reflect delays in hiring. The Department has 1.0 FTE vacant 6248 Electrical Inspector that has been vacant since March 21, 2020 and the Department is awaiting a list from DHR. Further, the Department had 14 vacancies as of March 31st in addition to positions being held to meet the Department's attrition savings budget target.											

FY 2022-23

Total Recommended Reductions		
One-Time	Ongoing	Total
General Fund	\$0	\$0
Non-General Fund	\$218,950	\$418,950
Total	\$218,950	\$418,950

FY 2023-24

Total Recommended Reductions		
One-Time	Ongoing	Total
General Fund	\$0	\$0
Non-General Fund	\$200,000	\$200,000
Total	\$200,000	\$200,000

GF = General Fund
1T = One Time



President, Board of Supervisors
District 10

City and County of San
Francisco

SHAMANN WALTON
MEMORANDUM

DATE: June 29, 2022

TO: Angela Calvillo, Clerk of the Board of Supervisors
Board of Supervisors Legislative Division

FROM: President Shamann Walton 

CC: Chair Dean Preston, Government Audit & Oversight
Anne Pearson, Deputy City Attorney
Tom Paulino, Mayor's Office

SUBJECT: **Transferring File No. 220350 & 220483 from B&F to GAO**

Dear Madam Clerk and Legislative Division Staff,

I am hereby granting the request to transfer the following matters from the Budget & Finance Committee to the Government Audit & Oversight Committee due to the impacted schedule of the Budget & Finance Committee:

- 220350 [Accept and Expend In-Kind Gift - Retroactive - Internet Access Services - Monkeybrains.net- Valued at \$173,400]
- 220483 [Accept and Expend In-Kind Gift - Retroactive - University of San Francisco School of Law - Racial Justice Clinic Work - Estimated at \$250,000]

Thank you.