

FILE NO. 131216

RESOLUTION NO.

1 [Accept and Expend Gift – Park Wi-Fi Project – \$608,000]

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3 **Resolution authorizing the Department of Technology to accept and expend a gift of**
4 **\$608,000 in cash from San Francisco Citizens Initiative for Technology and Innovation**
5 **in order to provide free, wireless Internet access to the public in certain parks and**
6 **recreational facilities in San Francisco, and making environmental findings.**
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8 WHEREAS, The provision of free wireless Internet service (“Wi-Fi”) in parks is a
9 growing trend throughout the United States. City parks in New York, Seattle, Dallas, and
10 Fresno, State park systems in California, Minnesota, and Texas, and national parks including
11 Yellowstone National Park and the National Mall all provide free Wi-Fi as a user amenity.
12 Access to free Wi-Fi at these sites enhances park visitors’ experiences by enabling them to
13 access online information about the park destinations and their features, as well as access
14 real time weather and traffic information; and

15 WHEREAS, The City and County of San Francisco (“City”) seeks to enhance
16 broadband Internet access to its residents and visitors; and

17 WHEREAS, Consistent with this trend and the City’s goals, the Department of
18 Technology (“DT”) and the Recreation and Park Department (“RPD”) have developed a
19 project to provide free Wi-Fi service in certain San Francisco parks, recreation centers, and
20 open spaces under the jurisdiction of the Recreation and Park Commission to any person in
21 the vicinity with a compatible Wi-Fi device (the “Park Wi-Fi Project”); and

22 WHEREAS, Under the Park Wi-Fi Project, DT intends to install, operate, and maintain
23 for at least two years a Wi-Fi network serving thirty-one RPD parks, recreation centers, and
24

1 plazas. Towards that end, DT intends to install small communication devices both within and
2 on existing park buildings and structures and on streetlight poles owned by the Public Utilities
3 Commission (“PUC”), as more fully described in the Gift Agreement between the City and SF
4 Citi, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 131216
5 and is incorporated herein by reference; and

6 WHEREAS, The San Francisco Citizens Initiative for Technology and Innovation (“SF
7 Citi”), a non-profit corporation that organizes the technology community around civic action in
8 San Francisco, seeks to donate to the City \$608,000 in cash for DT to use for the Park Wi-Fi
9 Project (“Gift”); and

10 WHEREAS, SF Citi will receive all of the funds for the Gift from Google Inc., which is
11 one of the member companies of SF Citi; and

12 WHEREAS, DT has agreed to expend the funds received from SF Citi to implement
13 the Park Wi-Fi Project, subject to the Board of Supervisors’ approval of this Resolution; and

14 WHEREAS, Following receipt of the Gift, DT and RPD intend to enter into an
15 interdepartmental memorandum of understanding setting forth the terms and conditions for
16 DT’s use of RPD’s property for the Park Wi-Fi Project, and DT and the PUC intend to enter
17 into an interdepartmental memorandum of understanding setting forth the terms and
18 conditions for DT’s use of the PUC’s streetlight poles for the Park Wi-Fi Project; and

19 WHEREAS, The Risk Manager has approved the requirement that the City hold SF Citi
20 and Google harmless from and against all third party claims, liabilities, expenses, costs, liens
21 and judgments relating to accidents, injuries, loss or damage of or to any person or property
22 arising from the negligent, intentional, or willful acts or omissions of the City related to the
23 City’s construction, operation, and maintenance of the Park Wi-Fi Project; and

24 WHEREAS, On November 21, 2013, the Planning Department issued a notice of
25 exemption determination, finding the proposed project, including all actions described in this

1 Resolution, exempt from further environmental review under Section 15303(d) of the CEQA
2 Guidelines, which determination is on file with the Clerk of the Board in Board File No.
3 131216; now, therefore, be it

4 RESOLVED, That the Board of Supervisors authorizes the Department of Technology
5 to accept the Gift from SF Citi of \$608,000 in cash and to expend the funds to implement the
6 Wi-Fi Project as more fully described herein; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors finds that the use of City parks
8 and open spaces for the Park Wi-Fi Project is consistent with and supportive of a recreational
9 purpose in accordance with Charter Section 4.113, because the proposed use: (1) will occupy
10 an insubstantial portion of the City's parks and open spaces; (2) will not substantially impair or
11 interfere with the use and enjoyment of the parks and open spaces for recreational purposes,
12 because of the proposed locations and small dimensions of the communications devices to be
13 installed; (3) will enhance park visitors' use and enjoyment of the parks by allowing users to
14 access important information while visiting parks such as information about park features and
15 amenities, directions, public transit, and parking, and useful real time information such as
16 weather and traffic conditions; and (4) will help bridge the digital divide by providing
17 broadband access at recreation centers that serve the City's youth and senior citizens; and,
18 be it

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1 FURTHER RESOLVED, That the Board of Supervisors affirms the Planning
2 Department's determination that the proposed project is exempt from environmental review.

3 Recommended:

Approved:

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6 _____
Department Head

Mayor

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8 Approved:

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Controller

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