

1 [Memorandum of Understanding - Department of Children, Youth, and Their Families - San
2 Francisco Community College District - Funding for Free City College Program]

3 **Resolution authorizing the Department of Children, Youth, and Their Families to enter**
4 **into a Memorandum of Understanding with the San Francisco Community College**
5 **District for the City to provide financial support to the Free City College program for the**
6 **period between July 1, 2019, and June 30, 2029, subject to the budgetary and fiscal**
7 **provisions of the Charter.**

8
9 WHEREAS, Section 10.100-288 of the Administrative Code established the San
10 Francisco City College Financial Assistance Fund (the “Fund”) and an Oversight Committee
11 that provides recommendations regarding the administration of the Fund; and

12 WHEREAS, The City entered into a Memorandum of Understanding with the San
13 Francisco Community College District (“City College”) in 2017 to provide financial assistance
14 to San Francisco residents attending City College (the “Free City College Program” or
15 “Program”) and appropriated over \$12,000,000 to the Fund for that purpose for the period
16 between June 1, 2017, through June 30, 2019; and

17 WHEREAS, Through annual appropriations during the City’s budget approval process,
18 the City intends to continue to appropriate monies to the Fund for the Free City College
19 Program, and the City has reached a tentative agreement with City College to continue
20 funding the Program; and

21 WHEREAS, As a condition of the tentative agreement, the Board of Supervisors
22 intends to enact an ordinance that would modify the Fund Oversight Committee by changing
23 the membership of the Committee and make other changes to conform to the tentative
24 agreement; and

1 WHEREAS, The City seeks to integrate an equity-focused lens to the Free City College
2 Program through the incorporation of annual progress reports on student equity outcomes for
3 historically underrepresented student populations; and

4 WHEREAS, The Mayor has included in the proposed annual FY2019-2020 budget an
5 allocation of \$15,000,000 to fund the Free City College Program, and \$5,400,000 to reimburse
6 City College for past costs associated with the Free City College Program; and

7 WHEREAS, The Department of Children, Youth, and Their Families (“Department”)
8 and City College are working together to finalize a Memorandum of Understanding, which the
9 two parties will sign after negotiations are complete; and

10 WHEREAS, The Memorandum of Understanding will express the intent of the City to
11 provide funding for the Free City College Program as set forth in this Resolution but will not
12 guarantee that funding because all monies provided by the City will be subject to
13 appropriation in the future; now, therefore, be it

14 RESOLVED, That the Department is authorized to enter into a Memorandum of
15 Understanding with City College concerning the Free City College Program containing the
16 following material terms:

17 (a) Subject to the budgetary and fiscal provisions of the Charter, the City will
18 provide City College at least \$15,000,000 per year to fund the Free City College Program for a
19 ten-year period beginning on July 1, 2019, and ending on June 30, 2029;

20 (b) Subject to the budgetary and fiscal provisions of the Charter, the City will
21 provide City College the following annual allocations to fund the Free City College program:
22 \$15,000,000 for FY2019-2020; \$15,700,000 for FY2020-2021; \$16,400,000 for FY2021-2022;
23 and for FYs 2022-2023 through 2028-29, the Controller will annually adjust the funding
24 allocation to account for changes in the consumer price index using \$16,400,000 as a
25 baseline;

1 (c) Subject to the budgetary and fiscal provisions of the Charter, the City will
2 provide City College an additional \$5,400,000 in FY2019-2020 to reimburse City College for
3 past costs associated with the Free City College Program;

4 (d) City College will use funds allocated by the City to the Free City College
5 Program to fully fund enrollment fees (\$46 per unit) for all enrolled San Francisco residents
6 and for no other purpose; this funding will be in addition to any other financial assistance that
7 the student may receive; and notwithstanding the foregoing, City College may use excess
8 funds remaining in the annual allocation after fully funding enrollment fees to cover
9 administrative costs associated with the Free City College Program with the Department's
10 approval;

11 (e) Any unexpended funds remaining after funding all enrollment fees and agreed-
12 upon administrative costs in a given fiscal year shall be treated as follows: for FYs 2019-2020
13 through 2022-2023, such funds will be transferred to the existing reserve account for the Free
14 City College Program; for FYs 2023 through 2028-2029, 50% of such unexpended funds will
15 be transferred to the City, and 50% will be transferred to the reserve account, provided that
16 the total funds in the reserve account will not exceed 50% of the total funding allocation for the
17 fiscal year following the transfer of funds into the reserve;

18 (f) City College will maintain accurate records documenting its use of the funds
19 provided by the City for the Free City College Program; an auditor selected by the Controller
20 will conduct an annual audit of the Free City College Program, funded by City's annual
21 allocation to the Program as an approved administrative cost of the Program; and the auditor
22 will deliver an annual audit report to the Oversight Committee; and, be it

23 FURTHER RESOLVED, That in addition to the material terms identified in this
24 Resolution, the Department is authorized to include in such Memorandum of Understanding or
25 in any amendment or modification to such Memorandum of Understanding, in consultation

1 with the City Attorney, any terms that are in the best interest of the City, do not otherwise
2 materially increase the obligations or liabilities of the City or materially conflict with the terms
3 identified above, are necessary or advisable to effectuate the purposes of the Memorandum
4 of Understanding, and are in compliance with all applicable laws; and, be it

5 FURTHER RESOLVED, That within 30 days of the execution of the Memorandum of
6 Understanding, the Department shall provide the executed Memorandum of Understanding to
7 the Clerk of the Board for inclusion in the official file.

8

n:\govern\as2019\9690082\01371310.docx

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25