

File No. 140260

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date May 8, 2014

Board of Supervisors Meeting Date _____

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Completed by: Alisa Miller Date May 2, 2014

Completed by: _____ Date _____

1 [Administrative Code - Workforce Development - Establishing the Committee on City
2 Workforce Alignment]

3 **Ordinance amending the Administrative Code to establish the Committee on City**
4 **Workforce Alignment, to give the Committee responsibility for planning and**
5 **coordinating the City's Workforce Development programs, and to make other changes**
6 **to the procedures governing the planning and implementation of Workforce**
7 **Development programs.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. The Administrative Code is hereby amended by revising Section 30.1, to
17 read as follows:

18 **SEC. 30.1. FINDINGS.**

19 The Board of Supervisors finds and declares the following:

20 (a) In order to create jobs in the City, assist employers to find and keep skilled workers, and
21 assist the unemployed and underemployed to become economically self-sufficient, the City provides
22 workforce development programs that are administered by many City departments.

23 (b) Local, state and federal funds support the City's workforce development programs. In
24 order to obtain federal funds, state governors must create local areas and the chief elected official of
25 the local area must form a local workforce investment board. (Workforce Investment Act of 1998, 29

1 U.S.C. sections 2801 et seq.) The California Legislature has adopted a statute implementing the
2 federal workforce development program. (California Unemployment Insurance Code sections 14299 et
3 seq.) The local workforce investment board must develop and submit to the governor a five-year plan
4 for local workforce investment programs (the "Local Plan"). The local workforce investment board in
5 San Francisco is Workforce Investment San Francisco, commonly referred to as WISF.

6 (c) In November 2004, the voters adopted Proposition I, which created an Office of Economic
7 Analysis under the Controller to report on pending City legislation that may impact the City
8 economically. Proposition I also requires the Department of Economic and Workforce Development to
9 prepare for the Board of Supervisors' approval the Strategic Plan for Economic Development, a three-
10 year plan, with periodic updates, that reports on workforce development opportunities in the City.

11 (d) An oversight committee comprised of City officers and employees is needed to undertake
12 long and short-term planning for the City's workforce development programs, to set goals and
13 priorities for these programs, to coordinate workforce development activities among City departments,
14 and to monitor their effectiveness.

15 (e) A committee comprised of nonprofit organizations that provide services to low-income San
16 Francisco residents and those with barriers to employment is needed to advise the WISF and the
17 oversight committee on client needs and workforce system priorities.

18 ~~(a) The complimentary goals of the City's Workforce Development programs and services are~~
19 ~~to prepare unemployed and underemployed individuals in becoming as economically self sufficient as~~
20 ~~possible, and to assist employers with locating and retaining skilled workers.~~

21 ~~(b) To this end, many City departments currently manage specific workforce development~~
22 ~~programs that provide a wide array of services to targeted communities with local, State, and Federal~~
23 ~~funding in order to support workforce development and to create jobs within the City.~~

24 ~~(c) However, ongoing unemployment and underemployment perpetuate individual and~~
25 ~~community disenfranchisement and contribute to increased criminal activity. The City must focus~~

1 ~~renewed efforts on employment training, job creation, placement and retention services, and career~~
2 ~~advancement, particularly in neighborhoods struggling with poverty and violence.~~

3 ~~(d) Different Workforce Development programs and services housed in different City~~
4 ~~departments, agencies and community based organizations all work toward the common goals, but~~
5 ~~unfortunately tend to duplicate programs, create gaps in services, and increase administrative costs~~
6 ~~and delay, thereby decreasing the overall effectiveness of the City's workforce development efforts.~~

7 ~~(e) Currently, the Department of Economic and Workforce Development (DEWD) is~~
8 ~~responsible for Workforce Development functions in the City, providing policy direction and oversight~~
9 ~~for Workforce Development programs and services. In addition, the DEWD staffs the San Francisco~~
10 ~~Workforce Investment Board, a local board of community stakeholders required by Federal Law to~~
11 ~~govern implementation of, and compliance with, the Workforce Investment Act 1998 (29 U.S.C.A. 2801~~
12 ~~et seq.), a significant source of federal funding. Therefore, the Director of the DEWD should oversee~~
13 ~~comprehensive City-wide Workforce Development strategic and funding allocation plans that~~
14 ~~coordinate all City department resources devoted to Workforce Development in order to more~~
15 ~~effectively meet the needs of job seekers in obtaining economic self-sufficiency, and of employers in~~
16 ~~locating and retaining a skilled workforce.~~

17
18 Section 2. The Administrative Code is hereby amended by revising Section 30.2, to
19 read as follows:

20 **SEC. 30.2. DEFINITIONS.**

21 For the purposes of this Chapter, the following definitions shall apply to the terms used
22 herein:

23 "Alignment Committee" shall mean the Committee on City Workforce Alignment established in
24 Section 30.3.

25 ~~(a) "City" shall mean the City and County of San Francisco.~~

1 (b) ~~"Director" shall mean the Director of Workforce Development within the~~
2 ~~DEWD. "Director of Workforce Development" shall mean the employee designated by the Director of~~
3 ~~the Department of Economic and Workforce Development to assist Workforce Investment San~~
4 ~~Francisco (WISF), the Workforce Community Advisory Committee, and the Alignment Committee with~~
5 ~~planning and coordination of Workforce Development Services in the City.~~

6 (e) ~~"Mayor" shall mean the Mayor of the City and County of San Francisco or his or her~~
7 ~~designee.~~

8 (d) ~~"Department of Economic and Workforce Development" (DEWD) shall mean that~~
9 ~~department or its successor department, as set forth in San Francisco Administrative Code Section~~
10 ~~2A.270.~~

11 (e) ~~"Funding Allocation Plan" shall mean the comprehensive annual plan for the~~
12 ~~appropriation and expenditure of all local, State, and Federal Workforce Development Funds~~
13 ~~administered by the DEWD and all other City departments. The funding allocation plan shall include~~
14 ~~program and administrative budgets, service delivery structures, performance measures, and outcome~~
15 ~~goals for all workforce programs and City departments administering workforce dollars.~~

16 "Nonprofit Corporation" shall mean a nonprofit corporation, duly organized, validly existing
17 and in good standing under the laws of the jurisdiction of its incorporation and (if a foreign
18 corporation) in good standing under the laws of the State of California, which corporation has
19 established and maintains valid nonprofit status under Section 501(c)(3) of the United States Internal
20 Revenue Code of 1986, as amended, and all rules and regulations promulgated under such Section.

21 "Workforce Community Advisory Committee" shall mean the committee established in Section
22 30.6(d).

23 (e) "Workforce Development Services" shall mean ~~any effort by any and all departments~~
24 ~~and agencies of the City and County of San Francisco, to provide and/or fund job readiness,~~
25 ~~preparation and other pre-employment services; provided to unemployed and underemployed~~

1 individuals, as well as job training, placement, retention and career advancement services.
2 ~~programs and services for unemployed or underemployed individuals, to locate jobs and place~~
3 ~~individuals in those jobs. It shall include efforts to work with the private, public and non-profit sectors~~
4 ~~to create and improve job opportunities, employment retention and career enhancement, and to set~~
5 ~~policy and objectives in achieving the dual goals of individual economic self sufficiency and~~
6 ~~preparation of a skilled labor force. "Workforce Development" shall include efforts to seek and manage~~
7 ~~funding and accountability for pre-employment services, job preparation, training, placement,~~
8 ~~retention, and career advancement programs.~~

9 (f) "Workforce Development Service Providers" shall mean all entities and
10 organizations that provide Workforce Development Services ~~job readiness and skill training, locate~~
11 ~~jobs and place individuals in those jobs, work with the private and non-profit sector to create and~~
12 ~~improve job opportunities, provide job retention services and career advancement programs, or any~~
13 ~~other services related to "workforce development" funded through, or by the City with Federal, State~~
14 federal, state, and/or local funds.

15 (g) "Workforce Investment Act of 1998 (WIA)" shall mean the ~~Federal law~~ federal law
16 governing federally-funded workforce development programs codified at 29 U.S.C.A sections
17 2801 et seq., or any successor federal programs.

18 (h) "Workforce Investment San Francisco" or "WISF" (~~WISE~~) shall mean the Local
19 Workforce Investment Board required by the federal Workforce Investment Act WIA and defined
20 at 29 U.S.C.A sec. 2832.

21
22 Section 3. The Administrative Code is hereby amended by revising Section 30.3, to
23 read as follows:

24 **SEC. 30.3. COMMITTEE ON CITY WORKFORCE ALIGNMENT PURPOSE.**

1 ~~The purpose of this Chapter is to reorganize the City's Workforce Development efforts into one~~
2 ~~location within the DEWD or successor department, in order to centralize Workforce Development,~~
3 ~~policy and oversight increase the effectiveness of Workforce Development Service delivery, coordinate~~
4 ~~Workforce Development Funding, eliminate duplicative services, fill gaps in services, and to create a~~
5 ~~single office that oversees the City's complimentary goals of preparing unemployed and underemployed~~
6 ~~individuals to become as economically self sufficient as possible, and assisting employers with locating~~
7 ~~and retaining skilled workers.~~

8 (a) The City hereby establishes a Committee on City Workforce Alignment ("Alignment
9 Committee") comprised of City employees as provided below. The Alignment Committee shall
10 coordinate Workforce Development Services across City departments in order to increase their
11 effectiveness.

12 (b) The Alignment Committee shall be comprised of one member designated by the Mayor, one
13 member of the Board of Supervisors or a City employee designated by the Board (with the department
14 head's approval), the Director of Workforce Development, and the department heads of the following
15 City departments: Human Services Agency, Department of Children, Youth and Their Families, Public
16 Utilities Commission, and Public Works. The Mayor shall annually appoint a member of the Alignment
17 Committee to serve as Chair. The Mayor or Director of Workforce Development may invite additional
18 departments that administer Workforce Development programs to participate as needed.

19 (c) To the extent allowable by the City Charter, local, state, and federal law:

20 (1) The Alignment Committee, by March 15, 2015, and then again by March 15, 2017, and
21 every five years thereafter, shall submit to the WISF for its review and comment a Citywide Workforce
22 Development Plan, which shall include an assessment of the City's anticipated workforce development
23 needs and opportunities for the next five years and a strategy to meet the identified needs. The plan
24 shall include goals and strategies for all Workforce Development Services in San Francisco and a
25

1 projection of the funding needed to achieve the goals, consistent with the Strategic Plan for Economic
2 Development approved by the Board of Supervisors and the Local Plan approved by WISF.

3 (2) The Alignment Committee, by March 15, 2016 and every year thereafter, shall submit to
4 the WISF for review and comment updates to the Citywide Workforce Development Plan that include
5 (A) a summary of the City's implementation of the plan, including data detailing departmental
6 performance metrics, (B) a summary of anticipated changes to federal and state funding, (C) a
7 summary of current fiscal year programs and expenditures for Workforce Development Services, (D)
8 recommended funding levels for new and existing services for the next fiscal year, and (E) a statement
9 of priorities to guide the allocation of unanticipated funding that becomes available for Citywide
10 Workforce Development Services during the annual budget process or during the fiscal year.

11 (3) The Alignment Committee shall provide drafts of Citywide Workforce Development Plan
12 and plan updates to the Workforce Community Advisory Committee in sufficient time to give the
13 committee the opportunity to review the drafts and provide feedback to the Alignment Committee for its
14 consideration before the Alignment Committee submits the plan or update to the WISF.

15 (d) The Director of Workforce Development shall submit the five-year Citywide Workforce
16 Development Plan, and each plan update, to the Board of Supervisors.

17 (e) The Alignment Committee may provide guidance to City departments on the meaning of the
18 terms used in the definition of Workforce Development Services in this Chapter, either in the Citywide
19 Workforce Development Plan or through other policy guidance.

20 (f) The Committee on City Workforce Alignment shall terminate three years after the effective
21 date of the amendment to Administrative Code Chapter 30 adopted in Ordinance No.

22 _____ , unless the Board of Supervisors adopts an ordinance continuing its existence.

23
24 Section 4. The Administrative Code is hereby amended by revising Section 30.4, to
25 read as follows:

1 **SEC. 30.4. RESPONSIBILITIES OF THE DEPARTMENT OF ECONOMIC AND**
2 **WORKFORCE DEVELOPMENT POWERS AND DUTIES.**

3 *The Department of Economic and Workforce Development shall:*

4 *(a) Support the work of the WISF, the Workforce Community Advisory Committee, and the*
5 *Alignment Committee and assist those bodies with planning and coordination of all Workforce*
6 *Development Services in the City. It shall perform additional duties as directed by the Mayor in order*
7 *to promote more effective and efficient provision of Workforce Development Services; and*

8 *(b) Manage the First Source Hiring Program under Chapter 83 and, to the extent consistent*
9 *with the Charter, administer all funds appropriated by the City to fund the First Source Hiring*
10 *Program.*

11 *~~To the extent allowable by the City Charter, local, State, and Federal law, the Director shall:~~*

12 *~~(a) Reorganize oversight of the City's workforce development efforts in one location within his~~*
13 *~~or her department;~~*

14 *~~(b) Create Workforce development policy and provide an overall five-year strategic plan that~~*
15 *~~includes consideration of the workforce development needs of low income, monolingual speakers, youth~~*
16 *~~and other unemployed or underemployed groups with barriers to employment, consistent with the~~*
17 *~~Strategic Plan for Economic Development approved by the Board of Supervisors, for all employment~~*
18 *~~and job training activities in San Francisco, and consistent with the Local Plan required by WIA (the~~*
19 *~~"Workforce Development Strategic Plan");~~*

20 *~~(c) Define and enforce meaningful outcome measures for job seekers, current employees, and~~*
21 *~~employers using the City's workforce development system by:~~*

22 *~~— (1) developing a uniform system of data collection for use by all City departments,~~*
23 *~~agencies and community based organizations to track all permanent job placements;~~*

24 *~~— (2) requiring City departments to ensure that contractors providing workforce~~*
25 *~~development services reach performance goals;~~*

1 ~~— (3) collecting and managing all workforce development system data; and~~

2 ~~— (4) reporting outcomes to all system stakeholders.~~

3 ~~— (d) Establish policy for, and oversee all Federal, State and local, including general fund,~~
4 ~~dollars for Workforce Development activities in the City. In this endeavor, the Director shall leverage~~
5 ~~all available workforce development system resources, avoid duplicate services, fill identified gaps in~~
6 ~~services, and streamline administrative and programmatic functions.~~

7 ~~— (1) Phase 1, to be completed during Fiscal Year 2007-2008:~~

8 ~~— (A) identify all Federal, State, and local Workforce Development Funds and the legal~~
9 ~~requirements for securing and retaining such funds, that are currently administered by all City~~
10 ~~departments and agencies, and establish budget mechanisms to track such funds ("Identified Workforce~~
11 ~~Development Funds");~~

12 ~~— (B) identify all City expenditures incurred in Workforce Development Programs and~~
13 ~~services, and establish budget mechanisms to track such expenditures ("Identified Workforce~~
14 ~~Development Expenditures");~~

15 ~~— (C) prepare a Funding Allocation Plan for all general fund dollars designated as~~
16 ~~Identified Workforce Development Funds and as Identified Workforce Development Expenditures~~
17 ~~administered by all City departments for review and comment by the WISF by February 28, 2008, and~~
18 ~~for review and approval by the Board of Supervisors by March 31, 2008. The Board of Supervisors~~
19 ~~shall make a determination on such plan by April 30, 2008.~~

20 ~~— (D) Manage all general fund dollars, including all matching funds necessary to obtain~~
21 ~~Federal and State Workforce Development funds.~~

22 ~~— (2) Phase 2, to be completed during Fiscal Year 2008-2009:~~

23 ~~— (A) continue to identify all Federal, State, and local Workforce Development Funds and~~
24 ~~the legal requirements for securing and retaining such funds, that are currently administered by all~~
25

1 ~~City departments and agencies, and establish budget mechanisms to track such funds ("Identified~~
2 ~~Workforce Development Funds");~~

3 ~~— (B) continue to identify all City expenditures incurred in Workforce Development~~
4 ~~Programs and services, and establish budget mechanisms to track such expenditures ("Identified~~
5 ~~Workforce Development Expenditures");~~

6 ~~— (C) prepare a Funding Allocation Plan for all Federal, State and general fund dollars~~
7 ~~designated as Identified Workforce Development Funds and as Identified Workforce Development~~
8 ~~Expenditures administered by all City departments for review and comment by the WISF by December~~
9 ~~1, 2008, and for review and approval by the Board of Supervisors by January 1, 2009. The Board of~~
10 ~~Supervisors shall make a determination on such plan by February 28, 2009.~~

11 ~~— (D) continue to manage all general fund dollars, including all matching funds necessary~~
12 ~~to obtain Federal and State Workforce Development Funds.~~

13 ~~— (E) create a timeline and a plan for further centralization of Workforce Development~~
14 ~~efforts under the DEWD in order to maximize efficiency and effectiveness consistent with the Workforce~~
15 ~~Development Strategic Plan, WIA, and this Chapter. This plan shall be approved by the Board of~~
16 ~~Supervisors, and shall be implemented beginning in fiscal year 2009-2010.~~

17 ~~— (e) Work with all City departments to ensure that the City delivers and administers~~
18 ~~Workforce Development services consistent with this Chapter and with the applicable policies set forth~~
19 ~~by the Board of Supervisors and the DEWD; and~~

20 ~~— (f) Work closely with the WISF to coordinate and streamline Workforce Development~~
21 ~~services for job seekers and employers in the City, consistent with the WIA and this Chapter.~~

22 ~~(g) Assume the management of the First Source Hiring Program. In addition, to the extent~~
23 ~~consistent with the Charter, the Director shall administer all funds that the City budget appropriates to~~
24 ~~fund the First Source Hiring Program.~~

1 Section 5. The Administrative Code is hereby amended by revising Section 30.5, to
2 read as follows:

3 **SEC. 30.5. CITY DEPARTMENT RESPONSIBILITIES.**

4 ~~Subject to the City Charter, local, State and Federal law:~~

5 (a) All City departments engaged in Workforce Development Services workforce
6 ~~development programs and service~~ shall (1) provide information regarding the Services and all
7 ~~federal Federal, state State and local Workforce Development funds Funds~~ to the Director
8 Alignment Committee in the format and within with the timeline that the Committee requests. ~~within 30~~
9 ~~days of the effective date of this ordinance, (2) follow the Director's strategic direction for such~~
10 ~~activities and (3) not implement any new workforce development efforts without the approval of the~~
11 ~~Director.~~

12 ~~(b) In Phase 1, as described in Section 30.4(d)(1), the department head of each department~~
13 ~~that administers workforce development funds shall enter into a Memorandum of Understanding with~~
14 ~~the DEWD, or successor department, explaining each department's responsibilities and setting forth~~
15 ~~measurable outcomes as a condition of administering and/or receiving any local, including all general~~
16 ~~fund, workforce development funding from the DEWD. Each departmental Memorandum of~~
17 ~~Understanding shall also set forth the department's Workforce Development budget and program~~
18 ~~plans. Finally, City departments shall track and report back to the Director job seeker and employer~~
19 ~~services outcomes and shall respond to other reasonable requests for data from the Director.~~

20 ~~(c) In Phase 2, as described in Section 30.4(d)(2), the department head of each department~~
21 ~~that administers Workforce Development Funds shall, enter into a Memorandum of Understanding with~~
22 ~~the DEWD, or successor department, explaining each department's responsibilities and setting forth~~
23 ~~measurable outcomes as a condition of administering and/or receiving any federal, state and local,~~
24 ~~including all general fund, Workforce Development funding from the DEWD. Each departmental~~
25 ~~Memorandum of Understanding shall also set forth the department's workforce development budget~~

1 ~~and program plans. Finally, City departments shall track and report back to the Director job seeker~~
2 ~~and employer services outcomes and shall respond to other reasonable requests for data from the~~
3 ~~Director.~~

4 ~~—(d) Beginning in Fiscal Year 2008-2009, the department head of each department that~~
5 ~~administers Workforce Development Funds shall administer the Identified Workforce Development~~
6 ~~Funds and Identified Workforce Development Expenditures in accordance with the annual Approved~~
7 ~~Funding Allocation Plan.~~

8 ~~—(e) Beginning in Fiscal Year 2009-2010, the department head of each department that~~
9 ~~administers Workforce Development Funds shall comply with the timeline and a plan for centralizing~~
10 ~~Workforce Development efforts under the DEWD prepared by the Director as required in Section~~
11 ~~30.4(d)(2), and approved by the Board of Supervisors.~~

12
13 Section 6. The Administrative Code is hereby amended by deleting existing Section
14 30.6, renumbering existing Sections 30.7 and 30.8 as Sections 30.6 and 30.7, and revising
15 those sections, to read as follows:

16
17 ~~SEC. 30.6. REPORTING REQUIREMENTS.~~

18 ~~—Within one year after the effective date of this Chapter and every year thereafter, the Director~~
19 ~~shall file a written report with the Board of Supervisors that explains Workforce Development policies~~
20 ~~for the City and evaluates the DEWD's ability to leverage workforce development system resources,~~
21 ~~avoid duplicate services, fill gaps in services, and streamline administrative and programmatic~~
22 ~~functions, consistent with this Chapter. The report shall also include information regarding the number~~
23 ~~of individuals placed in permanent jobs across the City and where those individuals were placed for~~
24 ~~work, verified in writing by the employer.~~

1 **SEC. 30.67. LOCAL WORKFORCE INVESTMENT BOARD.**

2 (a) Prior to making any appointments to the WISF, as set forth in the *federal Workforce*
3 *Investment Act WIA*, the Mayor shall submit the name of each nominee to the Board of
4 Supervisors. Unless the Board of Supervisors disapproves a nominee within thirty days after
5 receipt of the Notice of Appointment, the appointment shall become final. The Mayor need not
6 submit WISF nominees to Board of Supervisors for approval, if the Mayor appoints two (2)
7 members of the Board of Supervisors to the WISF.

8 (b) Pursuant to the relevant provisions of the *federal Workforce Investment Act WIA*, the
9 Mayor may include individuals on the WISF as he or she determines to be appropriate. As a
10 matter of policy, the Board of Supervisors strongly urges the Mayor to appoint a member of
11 the Board of Supervisors *and a member of the Workforce Community Advisory Committee* to the
12 WISF.

13 (c) The Director *of Workforce Development* shall submit the Local Plan *developed by the*
14 *WISF, as defined and required by the WIA*, to the Board of Supervisors for review and comment
15 not less than 30 days prior to *submitting it the submission of the Plan* to the Governor.

16 ~~(d) (1) A seven (7) member committee ("Committee") shall be convened to serve in an~~
17 ~~advisory capacity to the WISF. This committee shall include members representing workforce~~
18 ~~development service providers and other community-based organizations serving low-income San~~
19 ~~Francisco residents and those with barriers to employment. The Committee shall advise the WISF on~~
20 ~~workforce system priorities, client needs and services.~~

21 ~~(2) The Board of Supervisors shall appoint four (4) members to the Committee. The~~
22 ~~Transitional Youth Task Force shall appoint one (1) member to the Committee; the Local Homeless~~
23 ~~Coordinating Board shall appoint one (1) member to the Committee; the San Francisco Safe~~
24 ~~Communities Re-Entry Council shall appoint one (1) member to the Committee. All Committee~~
25 ~~members must be staff and/or Board members of 501c3 organizations.~~

1 ~~(3) All Committee members will be appointed to serve for a two year term, and all Committee~~
2 ~~members and/or the organizations they represent will serve for no more than two (2) consecutive terms.~~
3 ~~The terms are to be staggered. Therefore, at the first meeting of the Committee, the members will draw~~
4 ~~lots to determine which three (3) members will serve for one (1) year.~~

5 ~~(4) The Chair of the Committee and/or the organization he/she represents may not receive any~~
6 ~~funds for Workforce Development efforts from any department or agency of the City and County of San~~
7 ~~Francisco during his/her term of appointment as Chair, nor for a minimum of two years following the~~
8 ~~conclusion of his/her Committee service. The Committee will annually nominate a Committee Chair~~
9 ~~(from among its membership), to be appointed by the WISF.~~

10 (d)(1) The City shall convene an eight (8) member committee to serve in an advisory capacity
11 to the WISF and the Alignment Committee ("Workforce Community Advisory Committee"). The
12 Workforce Community Advisory Committee shall advise the WISF on workforce development system
13 priorities, client needs and services.

14 (2) The Board of Supervisors shall appoint four (4) members and the Mayor shall appoint four
15 (4) members to the Workforce Community Advisory Committee. In appointing members, the Board and
16 the Mayor shall give special attention to ensuring that representation is aligned with the priority
17 sectors of the local economy and that persons with expertise serving transitional age youth, homeless
18 individuals, and re-entry populations are represented. The Reentry Council, the Local Homeless
19 Coordinating Board, and the Transitional-Aged Youth Executive Directors Network may make
20 recommendations to the Board and the Mayor regarding appointments to the Workforce Community
21 Advisory Committee.

22 (3) All Workforce Community Advisory Committee members must be, at the time of their
23 appointment, employed by a Nonprofit Corporation that provides Workforce Development Services and
24 must be the executive director or chief executive officer, or an employee of the Nonprofit Corporation
25 designated by such person. All Workforce Community Advisory Committee members shall have

1 demonstrated experience in leadership roles in workforce development, as well as expertise (preferably
2 at federal, state and local levels) in workforce development policy and systems.

3 (4) All Workforce Community Advisory Committee members shall be appointed to serve for a
4 two-year term. The Workforce Community Advisory Committee shall annually elect two persons from
5 among its membership to serve as co-chairs.

6 (5) The Advisory Committee to the WISF established by Ordinance No. 270-07 shall terminate
7 thirty days after enactment of the amendment to Administrative Code Chapter 30 adopted in Ordinance
8 No. _____ . Any member who had been serving on that earlier advisory committee is
9 eligible for appointment by the Mayor and Board of Supervisors to the Workforce Community Advisory
10 Committee established in this subsection (d).

11 (6) The Workforce Community Advisory Committee shall terminate three years after the
12 effective date of the amendment to Administrative Code Chapter 30 adopted in Ordinance No.
13 _____ , unless the Board of Supervisors adopts an ordinance continuing its existence.

14
15 **SEC. 30.78. SEVERABILITY.**

16 If any section, subsection, clause, phrase or portion of this Chapter is for any reason
17 held invalid or unconstitutional by any court or Federal or State agency of competent
18 jurisdiction, such portion shall be deemed a separate, distinct and independent provision and
19 such holding shall not affect the validity of the remaining portions thereof.

20
21 Section 7. The Administrative Code is hereby amended by revising Section 5.1-4,
22 concerning the Reentry Council, to read as follows:

23 **SEC. 5.1-4. POWERS AND DUTIES.**

24 The Council shall have the following powers and duties:
25

1 * * * (i) The Council may make recommendations to the Board of Supervisors and the
2 Mayor regarding appointments to the Workforce Community Advisory Committee as provided in shall
3 appoint one member to the Workforce Investment Community Advisory Committee, as required by San
4 Francisco Ordinance 270-07 (SF Administrative Code Section 30.6 ~~30.7~~).

5
6 Section 8. Effective Date. This ordinance shall become effective 30 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor's veto of the ordinance.

10
11 Section 9. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
15 additions, and Board amendment deletions in accordance with the "Note" that appears under
16 the official title of the ordinance.

17
18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: Paula Jesson
21 PAULA JESSON
22 Deputy City Attorney

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24
25
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LEGISLATIVE DIGEST

[Administrative Code - Workforce Development - Establishing the Committee on City Workforce Alignment]

Ordinance amending the Administrative Code to establish the Committee on City Workforce Alignment, to give the Committee responsibility for planning and coordinating the City's Workforce Development programs, and to make other changes to the procedures governing the planning and implementation of Workforce Development programs.

Existing Law: Overview of Workforce Development Programs in San Francisco

The City uses federal, state and local funds to provide Workforce Development services, including job readiness and other pre-employment services, job training and placement, and career advancement services. These services benefit the residents of San Francisco by creating jobs in the City, helping employers find and keep skilled workers, and helping the unemployed and underemployed become economically self-sufficient.

To qualify for federal Workforce Development funds, the City must comply with certain requirements under federal and state law. The City must have a local workforce investment board that complies with federal and state requirements. This body is responsible for setting policy for the workforce development system and for developing and submitting to the Governor, in partnership with the Mayor as the chief elected official for the City, a 5-year plan for workforce investment programs for the City.

The federally required local workforce investment board in San Francisco is Workforce Investment San Francisco, often referred to as "WISF."

San Francisco has created an advisory committee to WISF. The members of the advisory committee are Workforce Development service providers and other organizations that serve low-income residents and those with barriers to employment. The advisory committee advises WISF on client needs and workforce system priorities.

The Department of Economic and Workforce Development (DEWD) is responsible for administering Workforce Development programs in the City. Its duties currently include the following:

Creating Workforce Development policy; providing five-year strategic plans that include the needs of the unemployed and underemployed, consistent with the Strategic Plan for Economic Development approved by the Board of Supervisors and the Local Plan, which federal law requires as a condition of receipt of federal Workforce Development funds.

FILE NO. 140260

Defining and enforcing outcome measures for job seekers, employees and employers in the Workforce Development system.

Establishing policy for and overseeing Workforce Development funding and streamlining the administration of Workforce Development funds and other resources.

Working with City departments to effectively deliver Workforce Development services consistent with Chapter 30 and policies set by the Board and DEWD.

Working closely with WISF to coordinate and streamline services.

Managing the First Source Hiring Program and administering the funds budgeted for it.

Proposed Amendment: Newly Formed Body for Planning
and Coordinating Workforce Development Services

The proposed amendment would create the Committee on City Workforce Alignment ("Alignment Committee"), a new body comprised of City officials and employees. The Alignment Committee would be responsible for planning and coordinating Workforce Development Services across City departments in order to increase their effectiveness.

The Mayor would designate one member of the Alignment Committee; one member would be a member of the Board of Supervisors or a City employee designated by the Board (with the approval of the head of the employee's department); and one would be an employee authorized by the Director of DEWD to provide support for WISF, the Alignment Committee, and the WISF Advisory Committee ("the Director of Workforce Development"). The other members would be the heads of the following departments: Human Services Agency, Department of Children, Youth and their Families, Public Utilities Commission, and Public Works.

The Mayor would appoint the Chair of the Alignment Committee annually and the Mayor or Director of Workforce Development would have the authority to invite additional departments to participate as needed.

The Alignment Committee would be responsible for the following, to the extent allowed under local, state, and federal law:

By March 15, 2015, and then again by March 15, 2017, and every five years thereafter, submit to the WISF for its review and comment a Citywide Workforce Development Plan, which shall include an assessment of the City's anticipated workforce development needs and opportunities for the next five years and a strategy to meet the identified needs. The plan would include goals and strategies for all Workforce Development Services in San Francisco and a projection of the funding needed to

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FILE NO. 140260

achieve the goals, consistent with the Strategic Plan for Economic Development approved by the Board of Supervisors and the Local Plan approved by WISF.

By March 15, 2016 and every year thereafter, submit to the WISF for review and comment updates to the Citywide Workforce Development Plan that include (A) a summary of the City's implementation of the plan, including data detailing departmental performance metrics, (B) a summary of anticipated changes to federal and state funding, (C) a summary of current fiscal year programs and expenditures for Workforce Development Services, (D) recommended funding levels for new and existing services for the next fiscal year, and (E) a statement of priorities to guide the allocation of unanticipated funding that becomes available for Citywide Workforce Development Services during the annual budget process or during the fiscal year.

Provide drafts of the Citywide Workforce Development Plan and updates to the Workforce Community Advisory Committee in sufficient time to give the committee the opportunity to review the drafts and provide feedback to the Alignment Committee for its consideration before the Alignment Committee submits these documents to the WISF.

The Director of Workforce Development would submit the Alignment Committee's five-year Citywide Workforce Development Plan, and each plan update, to the Board of Supervisors.

The Alignment Committee may provide guidance to City departments on the meaning of the terms used in the definition of Workforce Development Services in this Chapter, either in the Citywide Workforce Development Plan or through other policy guidance.

Existing Law: Advisory Committee to the WISF

A seven-member committee advises WISF on workforce system priorities, client needs and services. The WISF advisory committee must include members representing workforce development service providers and other community-based organizations serving low income City residents and those with barriers to employment. The Board of Supervisors appoints four members of the Committee. Each of the following appoint one member: The Transitional Youth Task Force, the Local Homeless Coordinating Board, and the San Francisco Reentry Council. The WISF advisory committee annually nominates a committee chair from among its members, for appointment by WISF.

Terms of office are staggered. No member of the committee or the organizations that they represent may serve more than two consecutive terms. The committee chair and the organization that the chair represents may not receive any Workforce Development funds from the City while the member serves as chair or for two years following the conclusion of the member's Committee service.

Proposed Amendment: Advisory Committee to WISF

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4/29/2014

FILE NO. 140260

Under the proposed amendment, an eight-member committee would advise the WISF and the Alignment Committee on workforce system priorities and client needs. The Board of Supervisors would appoint four members and the Mayor would appoint four members. The Reentry Council, the Local Homeless Coordinating Board, and the Transitional-Aged Youth Executive Directors Network may recommend persons to the Board and the Mayor to serve on the WISF Advisory Committee.

All Workforce Community Advisory Committee members must be, at the time of their appointment, employed by a Nonprofit Corporation that provides Workforce Development Services and must be the executive director or chief executive officer or a designee of such person who also works for the Nonprofit Corporation.

Members of the Workforce Community Advisory Committee serve two-year terms and would annually elect two members to serve as co-chairs. Terms would not be staggered and there would be no limits on terms of service.

The current advisory committee to the WISF would terminate but any person who had been serving on the current committee would be eligible for appointment to the Workforce Community Advisory Committee.

The proposed amendment deletes the prohibition against the chair of the advisory committee and/or the organization that the chair represents receiving any Workforce Development funds while serving as chair or for two years after Committee service.

Existing Law: City Departments' Responsibilities

City departments engaged in Workforce Development programs must:

Follow DEWD's strategic direction for Workforce Development activities and obtain its approval for new efforts.

As a condition of receiving Workforce Development funds from DEWD, enter into an MOU with DEWD describing the department's Workforce Development budget and programs and explaining its responsibilities. City departments must track and report job placement outcomes.

Administer Workforce Development funds in accordance with the Funding Allocation Plan, DEWD's comprehensive annual plan for the appropriation and expenditure of local, state and federal Workforce Development funds.

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Proposed Amendment: City Departments' Responsibilities

City departments would provide the Alignment Committee with information regarding Workforce Development programs, data and outcomes, and federal, state and local Workforce Development funds.

Background Information

On October 8, 2013, the Budget and Legislative Analyst for the Board of Supervisors issued a Policy Analysis Report on the current state of the City's Workforce Development system.

This legislative digest reflects the following changes to the proposed legislation made after the version introduced on March 20, 2014:

- Adds sunset clauses terminating the Alignment Committee and the Workforce Community Advisory Committee in three years unless the Board adopts an ordinance continuing their existence.
- Changes the procedure for the Alignment Committee's referral of documents to the Workforce Community Advisory Committee and the Committee's work by deleting the requirement for the advisory committee's "approval" of drafts and by providing that drafts of both the Citywide Workforce Development Plan and plan updates are referred to the advisory committee and, rather than specifying specific deadline for the referral, requiring that the referral be made in sufficient time to give the advisory committee an opportunity for review and feedback to the Alignment Committee before the Alignment Committee submits the documents to the WISF.
- In providing for the Workforce Community Advisory Committee, makes changes in its formation and operation from that of the current WISF Advisory Committee, including (1) removing a prohibition against members or the organizations they represent serving more than two consecutive terms, (2) allowing the executive director or chief executive officer appointed to the committee to have a designee serve in his or her place, (3) removing the requirement for staggered terms and (4) revising language for clarification.
- Persons currently serving on the WISF Advisory Committee would be eligible for appointment to the Workforce Community Advisory Committee.

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BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

MEMORANDUM

TO: Ben Rosenfield, City Controller
Todd Rufo, Director, Office of Economic and Workforce Development
Trent Rhorer, Executive Director, Human Services Agency
Maria Su, Director, Department of Children, Youth and Their Families
Harlan Kelly, Jr., General Manager, Public Utilities Commission
Mohammed Nuru, Director, Department of Public Works
Jennifer Scaife, Reentry Council
Megan Owens, Local Homeless Coordinating Board

FROM: Alisa Miller, Clerk, Government Audit and Oversight Committee
Board of Supervisors

DATE: March 27, 2014

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Chiu, on March 18, 2014, which is being forwarded to your department for informational purposes.

File No. 140260

Ordinance amending the Administrative Code to establish the Committee on City Workforce Alignment, to give the Committee responsibility for planning and coordinating the City's Workforce Development programs, and to make other changes to the procedures governing the planning and implementation of Workforce Development programs.

If you have any reports or comments to be considered with the proposed legislation, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Juliet Ellis, Public Utilities Commission
Frank Lee, Department of Public Works

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [140260]
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

David Chiu

Subject:

Administrative Code - Workforce Development – Establishing the Committee on City Workforce Alignment

The text is listed below or attached:

See attached.

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only:

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee or as Special Order at Board.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [1]
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Supervisor Chiu , *Cohen*

Subject:

Ordinance amending the Administrative Code to give responsibility for planning and coordinating the City's Workforce Development Programs to a newly formed body, among other changes

The text is listed below or attached:

See attached

Signature of Sponsoring Supervisor: *Randall*

For Clerk's Use Only:

140260