

1 [Accept and Expend Grant - Retroactive - California Jobs First Catalyst Program -  
2 \$14,000,000]

3 **Ordinance retroactively authorizing the Office of Economic and Workforce**  
4 **Development to retroactively accept and expend a grant in the amount of \$14,000,000**  
5 **from the California Economic Development Department for the California Jobs First**  
6 **Catalyst Program, for the grant period of May 1, 2024, through September 30, 2026; and**  
7 **exempting the California Jobs First Catalyst Program subgrants from the grantmaking**  
8 **requirements under Administrative Code, Chapter 21G, and all other provisions in the**  
9 **Administrative, Environment, and Labor and Employment Codes imposing obligations**  
10 **or restrictions on subgrantees related to the program.**

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

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14 Section 1. Background and Findings.

15 (a) The California Governor’s Office provided the California Employment  
16 Development Department (EDD) with California Jobs First Catalyst Program monies to bridge  
17 the gap between California Community Economic Resilience Fund (CERF) Phase I planning  
18 and regional economic development strategies and implementation projects designed to  
19 achieve outcomes that align with those strategies. The California Jobs First Catalyst Program  
20 is formerly known as the California Community Economic Resilience Fund (CERF).

21 (b) EDD required the nine-county Bay Area Jobs First Collaborative (BAJFC) Fiscal  
22 Agent to submit a California Jobs First Catalyst Program application on behalf of the nine-  
23 county Bay Area region to support a regional workforce development plan by identifying and  
24 implementing pre-development activities of exploratory or last-mile projects that align with  
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1 existing regional investment priorities of equity, sustainability, job quality and access,  
2 economic competitiveness, and economic resilience.

3 (c) The Office of Economic and Workforce Development (OEWD) serves as the  
4 Fiscal Lead on behalf of BAGJPE, an unincorporated association of Bay Area workforce  
5 development boards, including the California Workforce Association, Alameda County  
6 Workforce Development Board (WDB), WDB of Contra Costa County, NOVAworks of Santa  
7 Clara County and City of Sunnyvale, Oakland WDB, OEWD, Richmond WDB, WDB of Solano  
8 County, Sonoma WDB, work2future of Santa Clara County and City of San Jose, and  
9 Workforce Alliance of the North Bay (Marin and Sonoma).

10 (d) BAGJPE, on behalf of BAJFC, applied for and was awarded a grant in the  
11 amount of \$14,000,000 by EDD to continue its work as the Fiscal Agent for the Bay Area Jobs  
12 First Catalyst Grant with All Home, Inc. as the Regional Convener.

13 (e) BAGJPE and All Home, Inc. proposed a regional community development  
14 strategy to coordinate workforce stakeholders and services across the San Francisco Bay  
15 Area region with critical partnership from BAJFC, which includes: All Home, Inc., Tides  
16 Center, BAGJPE, Bay Area Council, Alameda County Labor Council, Contra Costa Labor  
17 Council, San Mateo County Central Labor Council, Napa-Solano Central Labor Council, North  
18 Bay Labor Council, San Francisco Labor Council, San Francisco CLOUT, South Bay AFL-CIO  
19 Labor Council, Arts Contra Costa County, Asian Pacific Environmental Network, the  
20 Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Area  
21 Community College Consortium, Bay Area Regional Health Inequities Initiative, Bloom  
22 Energy, BlueGreen Alliance, Building Skills Partnership, California Forward, California Green  
23 New Deal Coalition, Canal Alliance, Center for Sustainable Neighborhoods, Centro Legal de  
24 la Raza, Chinese Progressive Association, Construction Trades Workforce Initiative, Contra  
25 Costa Economic Partnership, East Bay Economic Development Alliance, Emerald Cities

1 Collaborative, Fair Housing Napa Valley, Greenbank Associates, Greenbelt Alliance, Jobs  
2 with Justice San Francisco, North Bay Jobs with Justice, North Bay Leadership Council,  
3 University of California at Berkeley Othering and Belonging Institute, Port of Oakland,  
4 Prospera, ReWork the Bay, Rural County Representatives of California, San Francisco  
5 Building and Construction Trades Council, San Francisco Foundation, ReWork the Bay/a  
6 project of San Francisco Foundation, San Mateo County Economic Development Association,  
7 Services Immigrant Rights and Education Network, Sierra Club San Francisco Bay Chapter,  
8 Silicon Valley Creates, Silicon Valley Leadership Group, Solano Economic Development  
9 Corporation, SOMOS Mayfair, Transition US, University of California at Berkeley Labor  
10 Center, United Way Bay Area, UpValley Family Centers of Napa Valley, and Working  
11 Partnerships.

12 (f) BAJFC created a Steering Committee during the CERF Phase I Planning grant  
13 composed of 21 members with balanced representation from Bay Area workforce, community,  
14 labor, business, government, economic development, education, philanthropy, and indigenous  
15 communities.

16 (g) EDD required BAJFC to continue its work and the Steering Committee structure  
17 through the Bay Area Jobs First Catalyst program.

18 (h) The BAJFC Steering Committee will develop an application process to disburse  
19 Bay Area Jobs First Catalyst funds for special project initiatives that build regional economic  
20 development infrastructure in the Bay Area, and the Steering Committee will review  
21 applications and determine entities to fund, that meet BAJFC's vision and principles.

22 (i) OEWD is not part of the Steering Committee, or involved in the selection  
23 process of the funded entities, and OEWD's involvement is limited to redistributing Bay Area  
24 Jobs First Catalyst funds as directed by the Steering Committee.

25 (j) The program period is from May 1, 2024 to September 30, 2026.

1 (k) The redistribution of the award of \$14,000,000 from EDD to partners selected by  
2 the Steering Committee could be construed as a “grant” under Administrative Code  
3 Chapter 21G (“Chapter 21G”).

4 (l) The California Jobs First Catalyst Program is structured differently than most  
5 other City grant programs in the following ways that make compliance with Chapter 21G  
6 impractical: (1) The California Jobs First Catalyst Program does not expend any general funds  
7 of the City; (2) OEWD’s role is to redistribute state monies to entities selected by BAJFC  
8 through an open application and selection process for the California Jobs First Catalyst  
9 Program; and (3) the entities named by EDD are mostly from neighboring Bay Area regions  
10 that do not conduct business within the City.

11 (n) A request for retroactive approval is being sought because OEWD received the  
12 award on January 25, 2024 for a project start date of May 1, 2024.

13 (o) OEWD received a set-aside of \$1,500,000 by EDD for its Fiscal Lead services.  
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15 Section 2. Authorization to Accept and Expend Grant Funds.

16 (a) The Board of Supervisors hereby authorizes the Office of Economic and  
17 Workforce Development (OEWD) to retroactively accept and expend, as Fiscal Lead on  
18 behalf of BAGJPE, All Home, and BAJFC, a grant from the California Employment  
19 Development Department (EDD) in the amount of \$14,000,000 pursuant to its CA Jobs First  
20 Catalyst Program for work related to identifying and implementing pre-development activities  
21 of exploratory or last-mile projects that align with existing regional investment priorities and  
22 coordination of workforce stakeholders and services across the San Francisco Bay Area  
23 region, for a grant period of May 1, 2024 through September 30, 2026.

24 (b) The Board of Supervisors hereby authorizes the Executive Director of OEWD, or the  
25 Executive Director’s designee, to furnish additional information or assurances EDD may

1 request in connection with the California Jobs First Catalyst grant, as allowed by law, and to  
2 take any other steps necessary to accept, distribute, and expend the grant funds.

3 (c) The BAJFC nonprofit and government partners may receive California Jobs First  
4 Catalyst funds under this award from OEWD as the passthrough entity without going through  
5 a competitive solicitation process.

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7 Section 3. Exemption from Standard Grant Requirements.

8 The Board of Supervisors hereby authorizes the exemption of any agreement under the  
9 California Jobs First Catalyst Program from the grantmaking requirements under  
10 Administrative Code Chapter 21G and all other provisions in the Administrative, Environment,  
11 and Labor and Employment Codes that would otherwise impose obligations or restrictions on  
12 the program, including but not limited to the competitive solicitation and written grant  
13 agreement requirements, because the subgrant recipients are chosen at the direction of the  
14 Bay Area Jobs First Collaborative (“BAJFC”) Steering Committee, and will not be City  
15 contractors or grantees in the ordinary sense of those terms.

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4 APPROVED AS TO FORM:

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6 By: /s/ Mary Kamikihara

7 MARY KAMIHARA

8 Deputy City Attorney

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10 APPROVED: \_\_\_\_\_ /s/

11 Mayor

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13 APPROVED: \_\_\_\_\_ /s/

14 Controller, Grant Division

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16 Recommended:

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19 SARAH DENNIS PHILIPS

20 Executive Director

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