

1 [Administrative Code - Dissolving Inactive Advisory Bodies - Reauthorizing and Extending
2 Sunset Date of Committee on City Workforce Alignment]

3 **Ordinance amending the Administrative Code to dissolve the Wage Theft Task Force,**
4 **Surplus Property Citizens' Advisory Committee, and Workforce Community Advisory**
5 **Committee, and to reauthorize the Committee on City Workforce Alignment and extend**
6 **its sunset date to January 31, 2021.**

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

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

15 Section 1. Findings.

16 (a) Ordinance No. 102-12 established the Wage Theft Task Force. By the terms of
17 that ordinance, the Wage Theft Task Force sunset on December 31, 2013, but the ordinance
18 establishing the Task Force has not been removed from the Administrative Code.

19 (b) Rule 2.21 of the Board of Supervisors' Rules of Order requires the Clerk of the
20 Board to determine and identify each year every subordinate body that has not met at least
21 once every four months, and to ask the City Attorney to prepare legislation repealing the
22 ordinance or resolution that created the body.

23 (1) Ordinance No. 93-04 established the Surplus Property Citizens' Advisory
24 Committee to make recommendations to the Board of Supervisors regarding the use of
25 surplus City property. The Clerk of the Board has determined that the Surplus Property
Citizens' Advisory Committee has not met since April 29, 2008.

1
2 **~~SEC. 5.260. ESTABLISHMENT.~~**

3 ~~The Board of Supervisors hereby establishes a Wage Theft Task Force ("the Task Force") to~~
4 ~~make recommendations to the Board of Supervisors about how the City can best address wage theft.~~

5
6 **~~SEC. 5.260-1. MEMBERSHIP.~~**

7 ~~(a) Voting members of the Task Force shall be drawn from City departments that have the~~
8 ~~power to address wage theft, as well as individuals from businesses, community-based organizations~~
9 ~~and labor unions with experience and understanding of low-wage workers, low-wage industries, and~~
10 ~~the problem of wage theft.~~

11 ~~(b) The Task Force shall consist of fifteen voting members, with Seats 8 through 15 appointed~~
12 ~~by the Board of Supervisors as follows:~~

- 13 ~~—— (1) Seat 1: A representative from the City Attorney's Office.~~
- 14 ~~—— (2) Seat 2: A representative from the Office of Labor Standards Enforcement.~~
- 15 ~~—— (3) Seat 3: A representative from the District Attorney's Office.~~
- 16 ~~—— (4) Seat 4: A representative from the Police Department.~~
- 17 ~~—— (5) Seat 5: A representative from the Department of Public Health.~~
- 18 ~~—— (6) Seat 6: A representative from the Treasurer's Office.~~
- 19 ~~—— (7) Seat 7: A representative from the Office of Small Business.~~
- 20 ~~—— (8) Seats 8, 9, 10 & 11: Persons with significant experience confronting the issue of~~
21 ~~wage theft, who work at, serve on the Board of Directors or; or are a member of a non-profit~~
22 ~~community based organization that organizes or represents low-wage workers.~~
- 23 ~~—— (9) Seat 12: A person who works at a labor union who has experience with an industry~~
24 ~~where widespread wage theft occurs or has occurred.~~

1 ~~—— (10) Seats 13, 14, & 15: Persons representing responsible business(es) or employer(s)~~
2 ~~in San Francisco in an industry where wage theft is prevalent.~~

3
4 **~~SEC. 5.260-2. ORGANIZATION AND TERM OF OFFICE.~~**

5 ~~(a) The term of office of voting members of the Task Force shall be one year. The terms of~~
6 ~~office for all fifteen seats shall start from the date the last of the fifteen voting members of the Task~~
7 ~~Force is appointed and sworn in.~~

8 ~~(b) Voting members of the Task Force in Seats 1 through 7 shall serve at the pleasure of the~~
9 ~~appointing authority.~~

10 ~~(c) The representative from the Office of Labor Standards Enforcement (Seat 2) shall co-chair~~
11 ~~the Task Force together with one Task Force member from Seats 8 through 11 selected by the Task~~
12 ~~Force. The co-chairs of the Task Force, assisted by a staff member from the office of the Supervisor~~
13 ~~representing District 9, will have the responsibility to schedule Task Force meetings, create the agenda~~
14 ~~for each meeting, invite guest presenters, and perform any other administrative or other support~~
15 ~~needed for the Task Force.~~

16 ~~(d) In the event a vacancy occurs during the term of office of any member, the appointing~~
17 ~~authority shall appoint a successor having the same qualifications for the unexpired term of the office~~
18 ~~vacated.~~

19 ~~(e) Services of the voting members of the Task Force shall be voluntary and members will~~
20 ~~serve without compensation. Task Force members otherwise employed by the City shall receive no~~
21 ~~additional compensation for their service on the Task Force.~~

22
23 **~~SEC. 5.260-3. POWERS AND DUTIES.~~**

24 ~~(a) The Task Force shall hold meetings regarding the problem of wage theft.~~

1 ~~(b) The Task Force shall invite outside experts to present on the crisis of wage theft and on~~
2 ~~strategies and policies used by other government agencies to address wage theft.~~

3 ~~(c) The Task Force shall develop recommendations on:~~

4 ~~—— (1) Legislation needed to address wage theft;~~

5 ~~—— (2) Studies, research, or data needed to better understand wage theft;~~

6 ~~—— (3) Additional resources needed by City departments in order to implement new~~
7 ~~strategies to address wage theft; and,~~

8 ~~—— (4) Hearings that the Board should conduct to further understand how City~~
9 ~~departments or community groups are addressing wage theft.~~

10 ~~(d) No later than twelve months from the date that all fifteen voting members of the Task Force~~
11 ~~have been appointed, the Task Force shall submit its recommendations, including recommendations~~
12 ~~regarding legislation and appropriations, to the Board of Supervisors.~~

13
14 ~~**SEC. 5.260-4. MEETINGS.**~~

15 ~~The place, date and time of meetings of the Task Force shall be prescribed by rule of the Task~~
16 ~~Force; provided, however that the Task Force shall hold regular meetings not less than once every~~
17 ~~month for a minimum of six months. Except as provided by law, all meetings of the Task Force shall be~~
18 ~~open to the public.~~

19
20 ~~**SEC. 5.260-5. SUNSET.**~~

21 ~~The Task Force shall terminate by operation of law on December 31, 2013, unless the Board of~~
22 ~~Supervisors by resolution extends its term.~~

23
24 ~~**SEC. 23A.4. DEFINITIONS.**~~

25 ~~For purposes of this Chapter 23A.:~~

1 * * * *

2 ~~"Citizens' Advisory Committee" shall mean the group of citizens appointed pursuant to Section~~
3 ~~23A.9.~~

4 * * * *

5
6 **SEC. 23A.6. COMPILATION OF INFORMATION BY ADMINISTRATOR.**

7 (a) The Administrator shall review the list of Property submitted by City departments
8 pursuant to Section 23A.5 to identify any Property that may be Surplus Property or
9 Underutilized Property, and shall strike from this initial list any Property that does not meet the
10 definition of Surplus Property or Underutilized Property under Section 23A.4, is under the
11 jurisdiction of the Recreation and Park Department, the Airport, or the Port, is part of the
12 public right-of-way, or is subject to deed restrictions or other legal restrictions that would
13 prevent the City from disposing of such Property pursuant to this Chapter 23A. The
14 Administrator shall also provide to the Board of Supervisors a copy of the initial list upon
15 request. No property shall be deemed Underutilized on the basis of available air rights if the
16 applicable department head determines that development of such air rights would conflict with
17 existing or planned future uses consistent with the department's mission on that property. The
18 Administrator shall also contact the Education Districts to ask if they have any surplus
19 properties suitable for the development of Affordable Housing. The Administrator shall further
20 consult with other City departments, the Mayor, and members of the Board of Supervisors ~~and~~
21 ~~the Citizens' Advisory Committee~~ to identify any Property listed on the initial list for which a City
22 department other than the department with current jurisdiction has a specific operational need
23 and shall remove such Properties from the Surplus Property Report. The Administrator shall
24 thereafter initiate the transfer of jurisdiction over those identified Properties to the departments
25 that can utilize them. The Administrator shall state in writing the reasons for the removal of

1 each Property from the initial list and shall provide such report to MOHCD, and the Board of
2 Supervisors, ~~and the Citizens' Advisory Committee.~~

3 * * * *

4
5 **~~SEC. 23A.9. SURPLUS PROPERTY CITIZENS' ADVISORY COMMITTEE.~~**

6 ~~(a) There shall be a Surplus Property Citizens' Advisory Committee composed of 13 members~~
7 ~~appointed as follows:~~

8 ~~———— (1) One member with expertise in the area of developing permanent housing for~~
9 ~~Homeless people and those at risk of homelessness, appointed by the Board of Supervisors.~~

10 ~~———— (2) One member with experience in providing supportive services to help individuals~~
11 ~~and families exit homelessness, appointed by the Board of Supervisors.~~

12 ~~———— (3) One member who holds a Real Estate and/or Broker's license, appointed by the~~
13 ~~Board of Supervisors.~~

14 ~~———— (4) One member who is currently or formerly homeless, appointed by the Board of~~
15 ~~Supervisors.~~

16 ~~———— (5) One member who is currently or formerly homeless with their family or is an~~
17 ~~advocate or service provider for homeless families, appointed by the Board of Supervisors.~~

18 ~~———— (6) One member who is a member of a union, appointed by the Board of Supervisors.~~

19 ~~———— (7) One member who has expertise with disability community issues, appointed by the~~
20 ~~Board of Supervisors.~~

21 ~~———— (8) One member who is a homeless senior citizen or is an advocate or service provider~~
22 ~~for homeless senior citizens, appointed by the Board of Supervisors.~~

23 ~~———— (9) One representative from the Mayor's Office of Housing.~~

24 ~~———— (10) One member who advocates on behalf of open space and/or neighborhood parks,~~
25 ~~appointed directly by the Mayor, without confirmation by the Board of Supervisors.~~

1 ~~—— (11) One member who broadly represents the interests of San Francisco's~~
2 ~~neighborhoods, appointed directly by the Mayor, without confirmation by the Board of Supervisors.~~

3 ~~—— (12) The Mayor's Budget Director or his or her designee.~~

4 ~~—— (13) The Chair of the Board of Supervisors Finance and Audits Committee or his or~~
5 ~~her designee.~~

6 ~~(b) The Board and Mayor shall attempt through their appointments to ensure the broadest~~
7 ~~possible representation from the different geographic areas of the City and County of San Francisco.~~

8 ~~(c) The Surplus Property Citizens' Advisory Committee shall comply with all applicable public~~
9 ~~records and meetings laws and shall be subject to the Conflict of Interest provisions of the City's~~
10 ~~Charter and Administrative Code. The Surplus Property Citizens' Advisory Committee shall review~~
11 ~~each Surplus Property Report and any applications for such Surplus or Underutilized Property~~
12 ~~submitted to the Executive Director under Section 23A.8 above. Based on such review and testimony~~
13 ~~from such public hearings as the Surplus Property Citizens' Advisory Committee may hold, by~~
14 ~~December 15th of each year, the Surplus Property Citizens' Advisory Committee shall make written~~
15 ~~recommendations to the Board of Supervisors as to (i) Property that was not listed by the City as~~
16 ~~Surplus or Underutilized Property, but which should be so listed in the next year's Surplus Property~~
17 ~~Report, (ii) which Property included in that year's Surplus Property Report as Surplus or Underutilized~~
18 ~~Property is suitable for disposition for the purpose of directly assisting people who are homeless, (iii)~~
19 ~~which applications for use of such Surplus or Underutilized Property should be granted, and (iv) which~~
20 ~~Property should be disposed of for other uses, but the proceeds of which should be used in accord with~~
21 ~~the policy set forth in Section 23A.10 below.~~

22 ~~(d) This subsection (d) shall not apply to the representative from the Mayor's Office of~~
23 ~~Housing, the Mayor's Budget Director or his or her designee or the Chair of the Board of Supervisors~~
24 ~~Finance and Audits Committee or his or her designee. The remaining ten members of the Surplus~~
25 ~~Property Citizens' Advisory Committee shall be appointed for a term of two years; provided, however,~~

1 *that the ten members first appointed shall, by lot at the first meeting, classify their terms so that five*
2 *shall serve for a term of one year and five shall serve for a term of two years.*

3
4 **SEC. 23A.11. DISPOSITION AND UTILIZATION OF SURPLUS AND**
5 **UNDERUTILIZED PROPERTY.**

6 * * * *

7 (d) Any City department other than an Enterprise Department wishing to dispose of
8 Surplus or Underutilized Property under such department's jurisdiction in a manner other than
9 pursuant to this Chapter 23A, regardless of whether such Surplus or Underutilized Property is
10 listed on the then current Surplus Property Report, shall notify the Administrator, the
11 Executive Director, the Board of Supervisors, and interested parties that have notified the
12 Administrator to be placed on a notification list for this purpose, ~~and the Surplus Property~~
13 ~~Citizens' Advisory Committee~~ prior to seeking any approvals of any proposed disposition. The
14 notice shall include the same information about the Surplus or Underutilized Property required
15 under Section 23A.5. The Administrator, and the Executive Director ~~and the Surplus Property~~
16 ~~Citizens' Advisory Committee~~ shall review such information and, within 45 days after submission,
17 make recommendations to the Board of Supervisors regarding the disposition of the Surplus
18 or Underutilized Property consistent with the policy set forth in Section 23A.10. The Board of
19 Supervisors may by resolution approve a disposition consistent with such recommendations
20 and this Chapter or approve a different disposition. Upon approval of such a resolution, it shall
21 be the duty of the Administrator, the Executive Director, and other City officials, as
22 appropriate, to take all steps necessary to implement the resolution.

23 * * * *

1 **SEC. 30.2. DEFINITIONS.**

2 For the purposes of this Chapter 30, the following definitions shall apply to the terms
3 used herein:

4 "Alignment Committee" shall mean the Committee on City Workforce Alignment
5 established in Section 30.3.

6 "Director of Workforce Development" shall mean the employee designated by the
7 Director of the *Department Office* of Economic and Workforce Development to assist Workforce
8 Investment San Francisco (WISF), ~~the Workforce Community Advisory Committee,~~ and the
9 Alignment Committee with planning and ~~€~~coordination of Workforce Development Services in
10 the City.

11 * * * *

12 ~~"Workforce Community Advisory Committee" shall mean the committee established in Section~~
13 ~~30.6(d).~~

14 * * * *

15
16 **SEC. 30.3. COMMITTEE ON CITY WORKFORCE ALIGNMENT.**

17 (a) The City hereby establishes a Committee on City Workforce Alignment
18 ("Alignment Committee") comprised of City employees as provided below. The Alignment
19 Committee shall coordinate Workforce Development Services across City departments in
20 order to increase their effectiveness.

21 (b) The Alignment Committee shall be comprised of one member designated by the
22 Mayor, one member of the Board of Supervisors or a City employee designated by the Board
23 (with the department head's approval), the Director of Workforce Development, and the
24 department heads of the following City departments: Human Services Agency, Department of
25 Children, Youth and Their Families, Public Utilities Commission, and Public Works. The Mayor

1 shall annually appoint a member of the Alignment Committee to serve as Chair. The Mayor or
2 Director of Workforce Development may invite additional departments that administer
3 Workforce Development programs to participate as needed.

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

5 (1) The Alignment Committee, by March 15, 2015, and then again by March
6 15, 2017, and every five years thereafter, shall submit to the WISF for its review and comment
7 a Citywide Workforce Development Plan, which shall include an assessment of the City's
8 anticipated workforce development needs and opportunities for the next five years and a
9 strategy to meet the identified needs. The plan shall include goals and strategies for all
10 Workforce Development Services in San Francisco and a projection of the funding needed to
11 achieve the goals, consistent with the Strategic Plan for Economic Development approved by
12 the Board of Supervisors and the Local Plan approved by WISF.

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

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

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

3 (e) The Alignment Committee may provide guidance to City departments on the
4 meaning of the terms used in the definition of Workforce Development Services in this
5 Chapter 30, either in the Citywide Workforce Development Plan or through other policy
6 guidance.

7 (f) The Committee on City Workforce Alignment shall terminate on January 31,
8 2021, three years after the effective date of the amendment to Administrative Code Chapter 30 adopted
9 in Ordinance No. 84-14, unless the Board of Supervisors adopts an ordinance continuing its
10 existence.

11
12 **SEC. 30.4. RESPONSIBILITIES OF THE ~~DEPARTMENT~~ OFFICE OF ECONOMIC**
13 **AND WORKFORCE DEVELOPMENT.**

14 The ~~Department~~ Office of Economic and Workforce Development shall:

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

20 (b) Manage the First Source Hiring Program under Chapter 83 and, to the extent
21 consistent with the Charter, administer all funds appropriated by the City to fund the First
22 Source Hiring Program.

23
24 **SEC. 30.5. CITY DEPARTMENT RESPONSIBILITIES.**
25

1 All City departments engaged in Workforce Development Services shall provide
2 information regarding the Services and all federal, state and local Workforce Development
3 funds to the Alignment Committee in the format and within ~~with~~ the timeline that the
4 Committee requests.

5
6 **SEC. 30.6. LOCAL WORKFORCE INVESTMENT BOARD.**

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

13 (b) Pursuant to the relevant provisions of the federal Workforce Investment Act, the
14 Mayor may include individuals on the WISF as he or she determines to be appropriate. As a
15 matter of policy, the Board of Supervisors strongly urges the Mayor to appoint a member of
16 the Board of Supervisors ~~and a member of the Workforce Community Advisory Committee~~ to the
17 WISF.

18 (c) The Director of Workforce Development shall submit the Local Plan developed by
19 the WISF to the Board of Supervisors for review and comment not less than 30 days prior to
20 submitting it to the Governor.

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

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

9 ~~——— (3) All Workforce Community Advisory Committee members must be, at the time of~~
10 ~~their appointment, employed by a Nonprofit Corporation that provides Workforce Development~~
11 ~~Services and must be the executive director or chief executive officer, or an employee of the Nonprofit~~
12 ~~Corporation designated by such person. All Workforce Community Advisory Committee members shall~~
13 ~~have demonstrated experience in leadership roles in workforce development, as well as expertise~~
14 ~~(preferably at federal, state and local levels) in workforce development policy and systems.~~

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

18 ~~——— (5) The Advisory Committee to the WISF established by Ordinance No. 270-07 shall~~
19 ~~terminate thirty days after enactment of the amendment to Administrative Code Chapter 30 adopted in~~
20 ~~Ordinance No. 84-14. Any member who had been serving on that earlier advisory committee is eligible~~
21 ~~for appointment by the Mayor and Board of Supervisors to the Workforce Community Advisory~~
22 ~~Committee established in this subsection (d).~~

23 ~~——— (6) The Workforce Community Advisory Committee shall terminate three years after~~
24 ~~the effective date of the amendment to Administrative Code Chapter 30 adopted in Ordinance No. 84-~~
25 ~~14, unless the Board of Supervisors adopts an ordinance continuing its existence.~~

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Section 2. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

Notwithstanding the Effective Date of this ordinance, it is the intent of the Board that the Committee on City Workforce Alignment shall continue to operate without interruption, and that the incumbent members of the Committee on City Workforce Alignment shall continue to hold their seats without reappointment until the expiration of their respective terms.

Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

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

By: _____
JON GIVNER
Deputy City Attorney

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