

FILE NO. 000536

ORDINANCE NO. 105-00

1 [Administrative Code Revisions, Chapter 16, Article XVII]
 2 AMENDING CHAPTER 16 OF PART I OF THE SAN FRANCISCO MUNICIPAL CODE
 3 (ADMINISTRATIVE CODE), BY AMENDING SECTIONS 16.900, 16.902, 16.903, 16.904,
 4 AND 16.905, TO UPDATE PROVISIONS DEALING WITH EMPLOYEE BENEFIT
 5 CAFETERIA PLANS.

6
7 Note: Additions are underlined; deletions are in ((double parentheses)).

8
9 Be it ordained by the People of the City and County of San Francisco:

10
11 Section 1. Chapter 16 of the San Francisco Administrative Code is hereby amended
12 by amending Section 16.900, to read as follows:

13 **SEC. 16.900. ESTABLISHMENT OF A CAFETERIA PLAN.**

14 The Department of Human Resources ((Health Service Board)) may establish an
15 employee cafeteria plan as provided and regulated under Section 125 of Title 26 of the United
16 States Internal Revenue Code.

17
18 Section 2. Chapter 16 of the San Francisco Administrative Code is hereby amended
19 by amending Section 16.902, to read as follows:

20 **SEC. 16.902. ADMINISTRATION BY THE DEPARTMENT OF HUMAN RESOURCES**
21 **((HEALTH SERVICE BOARD)).**

22 The cafeteria plan established pursuant to this Article may be administered by the
23 Department of Human Resources ((Health Service Board)) which may prescribe such forms,
24 and adopt such rules and regulations as are necessary to carry out the purposes of the plan.

25
SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1 The Department of Human Resources ((Health Service Board)) may contract with a financially
2 responsible independent contractor to administer and coordinate the plan.

3
4 Section 3. Chapter 16 of the San Francisco Administrative Code is hereby amended
5 by amending Section 16.903, to read as follows:

6 **SEC. 16.903. NO COST TO CITY AND COUNTY.**

7 ((The Health Service Board may request the City and County of San Francisco to
8 advance funds to finance start-up costs to implement the cafeteria plan. The Board of
9 Supervisors will consider such an advance provided that the Health Service Board
10 demonstrates that these start-up costs will be recovered by the City through a reduction in the
11 City's Federal Insurance Contributions Act tax obligations. Thereafter, except as provided in
12 San Francisco Charter Section 8.423, this)) This cafeteria plan shall be administered free of
13 direct cost to, or appropriation by, the City and County of San Francisco. Except as herein
14 provided, all such costs shall be borne by the participants or by any plan administrator
15 appointed hereunder, except to the extent that any subsequent ordinance or appropriation
16 might provide expressly to the contrary. Nothing contained in this Section shall be deemed to
17 prohibit the inclusion of a hold harmless provision in any contract between the City and any
18 plan administrator appointed hereunder, which provision has been approved by the City's Risk
19 Manager pursuant to Administrative Code Section 1.24.

20
21 Section 4. Chapter 16 of the San Francisco Administrative Code is hereby amended
22 by amending Section 16.904, to read as follows:

23 **SEC. 16.904. VOLUNTARY EMPLOYEE BENEFITS.**

24 ((The adoption of voluntary employee-sponsored benefits, to be offered only as
25 benefits in the employee cafeteria plan as provided and regulated under Section 125 of Title

1 26 of the United States Code ("Section 125"), consisting of those plans which have been
2 adopted by the Health Service Board and approved by the Board of Supervisors and which
3 are on file with the Clerk of the Board of Supervisors. The cost of the premiums,
4 administrative fees and reimbursement amounts of the employee-sponsored benefits set forth
5 in this Section shall be borne entirely by the employee with no employer contribution.
6 However, Section 16.903 notwithstanding, the City agrees to undertake obligations for
7 contingent liabilities as set forth in Sections II.E and VI of the services agreement with Benefit
8 America.)) Based upon individual authorized deductions, the Controller is hereby authorized
9 to deduct and collect monies from the salaries or wages of employees of the City and County
10 of San Francisco and the San Francisco Community College District in accordance with San
11 Francisco Administrative Code Sections 16.91 and 16.92. Pursuant to Section 125, this
12 voluntary authorized deduction shall not be revocable by the employee during the cafeteria
13 plan year unless the revocation and new election are in conformance with Section 125 and
14 the terms of the plan. ((This Section shall be effective upon implementation of the employee
15 cafeteria plan by the Health Service Board.))

16
17 Section 5. Chapter 16 of the San Francisco Administrative Code is hereby amended
18 by amending Section 16.905, to read as follows:

19 **SEC. 16.905. CAFETERIA PLAN BENEFITS.**

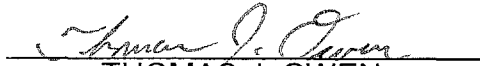
20 The Board of Supervisors hereby approves the inclusion of those benefit plans
21 qualifying under the employee cafeteria plan as provided and regulated under Section 125 of
22 Title 26 of the United States Code as well as the medical care plans ((and as)) adopted by the
23 Health Service Board and approved by the Board of Supervisors annually under Section
24 A8.422 of the Charter and Administrative Code Section 16.157 and which medical plans are
25

1 on file with the Clerk of the Board of Supervisors. ((This Section shall be effective upon
2 implementation of the employee cafeteria plan by the Health Service Board.))
3
4

5 APPROVED AS TO FORM:

6 LOUISE H. RENNE, City Attorney
7
8

9
10 By:


THOMAS J. OWEN
Deputy City Attorney
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 000536

Date Passed:

Ordinance amending Chapter 16 of Part I of the San Francisco Municipal Code (Administrative Code), by amending Sections 16.900, 16.902, 16.903, 16.904, and 16.905, to update provisions dealing with employee benefit cafeteria plans.

May 8, 2000 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

May 8, 2000 Board of Supervisors — PASSED ON FIRST READING AS AMENDED


Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

May 15, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 000536

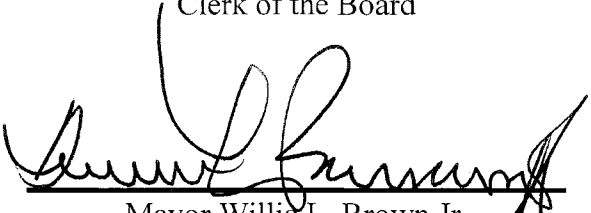
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 15, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 26 2000

Date Approved



Mayor Willie L. Brown Jr.