

1 [Administrative Code - Eliminating Annual Joint Fundraising Drive]

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3 **Ordinance amending the Administrative Code to eliminate the City’s annual joint**  
4 **fundraising drive.**

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

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

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14 Section 1. Article 5 of Chapter 16 of the Administrative Code is hereby amended by  
15 removing Sections 16.93-1, 16.93-2, 16.93-3, 16.93-4, and 16.93-5, to read as follows:

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17 ~~**SEC. 16.93-1. CHARITABLE DEDUCTIONS AND THE ANNUAL JOINT FUNDRAISING**~~  
18 ~~**DRIVE.**~~

19 ~~*—Deductions from employee pay warrants for charitable organizations shall only be withheld*~~  
20 ~~*based upon authorizations made by employees in the Annual Joint Fundraising Drive. Each year the*~~  
21 ~~*City and County of San Francisco shall hold an Annual Joint Fundraising Drive ("Annual Drive") in*~~  
22 ~~*which its officers and employees are encouraged to participate.*~~

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24 ~~**SEC. 16.93-2. SELECTION OF AGENCIES ELIGIBLE TO PARTICIPATE IN THE**~~  
25 ~~**ANNUAL JOINT FUNDRAISING DRIVE.**~~

1           ~~Participation shall be limited to any Mayor's fund which is created to further social causes,~~  
2 ~~those funds being the Mayor's Youth Fund, the Mayor's Homeless Fund, and the Mayor's Youth~~  
3 ~~Employment Summer Program, and to all federated agencies that meet the following criteria, as~~  
4 ~~determined by the Board of Supervisors:~~

5           ~~(a) An eligible charitable agency must be a federated agency representing 10 or more~~  
6 ~~charitable organizations, of which at least 50 percent shall represent organizations located in the~~  
7 ~~counties of San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, and Marin.~~

8           ~~(b) The federated agency or Mayor's fund must certify to the Board of Supervisors that the~~  
9 ~~Federal Internal Revenue Service has determined that contributions to all of the represented charitable~~  
10 ~~organizations or Mayor's funds are tax deductible.~~

11           ~~(c) The federated agency must have been in existence with 10 or more qualified charities for~~  
12 ~~at least one year prior to the date of application and provide satisfactory evidence to that effect at the~~  
13 ~~time of filing an application with the Board. Mayor's funds shall submit their most recent financial~~  
14 ~~statement to the Board of Supervisors on an annual basis.~~

15           ~~(d) The federated agency must submit its most recent certified audit at the time of filing an~~  
16 ~~application with the Board.~~

17           ~~(e) Agencies that wish to participate in the Annual Drive are required to submit applications~~  
18 ~~to the Board of Supervisors that include all information that may be relevant to the criteria listed in this~~  
19 ~~Section.~~

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21           ~~**SEC. 16.93-3. DUTIES OF THE MAYOR, THE CONTROLLER AND THE DIRECTOR OF**~~  
22 ~~**ADMINISTRATIVE SERVICES.**~~

23           ~~(a) The Mayor shall designate the City's Annual Drive Chair. The Chair will be responsible~~  
24 ~~for providing staff support for the Annual Drive that occurs during the Chair's tenure.~~

1           ~~—(b) The Controller of the City and County of San Francisco shall provide the technical~~  
2 ~~support necessary for the collection and donor designation process.~~

3           ~~—(c) The Director of Administrative Services of the City and County of San Francisco shall~~  
4 ~~review all applications to participate in the Annual Drives of the City and recommend to the Board of~~  
5 ~~Supervisors whether applicants qualify to participate in the Annual Drive.~~

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7           **~~SEC. 16.93-4. SCHEDULE OF THE ANNUAL DRIVE.~~**

8           ~~—(a) By March 1st of each year agencies that wish to participate in the upcoming Annual~~  
9 ~~Drive shall submit their applications to participate with the Board of Supervisors. Provided that only~~  
10 ~~for the 2002 Annual Drive, any Mayor's fund that wishes to participate in the 2002 Annual Drive shall~~  
11 ~~submit their request to participate with the Board of Supervisors by April 15, 2002. By March 1st the~~  
12 ~~Mayor shall also designate the Chair for the upcoming Annual Drive.~~

13           ~~—(b) By March 1st of each year the Chair of the preceding Annual Drive shall report to the~~  
14 ~~Mayor and the Board of Supervisors on the success of the concluded Annual Drive including the level~~  
15 ~~of employee designations to each federated agency.~~

16           ~~—(c) By May 1st of each year, the Board of Supervisors, by resolution, shall designate those~~  
17 ~~agencies that qualify to participate in the City's Annual Drive for that year. Provided that only for the~~  
18 ~~2002 Annual Drive, the Board of Supervisors, by resolution, shall designate June 1, 2002, those~~  
19 ~~agencies that qualify to participate in the City's Annual Drive for that year.~~

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21           **~~SEC. 16.93-5. OBLIGATIONS OF PARTICIPATING AGENCIES.~~**

22           ~~—All participating agencies shall have the following obligations and responsibilities:~~

23           ~~—(a) All participating agencies will jointly prepare and print all Annual Drive materials,~~  
24 ~~including directories and payroll deduction forms and other related documents, with a Bay Area printer~~  
25 ~~that pays prevailing wages, and will provide adequate numbers of such materials as determined by the~~

1 ~~agencies. The Chair of the Annual Drive and the Controller will work with the participating agencies in~~  
2 ~~the design of these materials, the design to be approved no later than August 1st. The Chair of the~~  
3 ~~Annual Drive shall schedule the distribution of materials and associated promotional activities such~~  
4 ~~that all employee payroll deduction authorizations are provided to the Controller no later than~~  
5 ~~December 1st.~~

6 ~~—(b) All participating agencies and the City and County shall jointly execute a Memorandum~~  
7 ~~of Agreement concerning the payment of actual costs of the Annual Drive materials, and including any~~  
8 ~~additional terms and conditions the Mayor or his or her designee determines, after consultation with~~  
9 ~~the City Attorney, are in the best interest of the City. The memorandum shall also designate which of~~  
10 ~~the participating agencies shall serve as the coordinating agency.~~

11 ~~—(c) All warrants issued for Annual Drive payroll deductions shall be issued by the City and~~  
12 ~~County to each participating agency based upon the percentage of cash, checks and pledges designated~~  
13 ~~for each participating agency at the conclusion of the solicitation period of the Annual Drive. The~~  
14 ~~distribution percentage shall be provided to the Controller by the coordinating agency. Distribution of~~  
15 ~~funds to the participating agencies by the Controller of the City and County shall occur within five~~  
16 ~~working days after each regular employee payday.~~

17 ~~—(d) Employee payroll deductions to a given federated agency shall not be made for less than~~  
18 ~~\$1.00 per pay period, and the authorization for any deduction shall be for 12 months. The sum of an~~  
19 ~~employee's authorizations shall be withheld as a single Annual Drive deduction in the Controller's~~  
20 ~~payroll system.~~

21 ~~—(e) Payroll deduction privileges shall be reviewed annually to determine if all agencies~~  
22 ~~accorded deduction privileges continue to meet the above criteria.~~

23 ~~—(f) The City and County of San Francisco, after each pay period, shall charge a processing~~  
24 ~~fee of six cents per employee who had an Annual Drive deduction in the payroll period to reimburse the~~  
25 ~~City and County for the expenses incurred in processing payroll deductions as a part of the Annual~~

1 ~~Drive. The processing fee will be netted out of the warrant issued to the participating agencies~~  
2 ~~following each payroll period. The Controller may change the processing fee each fiscal year in~~  
3 ~~conformance with Section 16.92 of this Code.~~

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

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10 APPROVED AS TO FORM:  
11 DAVID CHIU, City Attorney

12 By: /s/ Gus Guibert  
13 Gustin R. Guibert  
Deputy City Attorney

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