

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)).

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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.

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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.

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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.))

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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.**

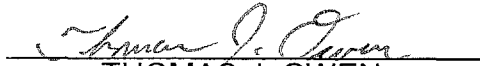
20 The Board of Supervisors hereby approves the inclusion of those benefit plans  
21 qualifying under the employee cafeteria plan as provided and regulated under Section 125 of  
22 Title 26 of the United States Code as well as the medical care plans ((and as)) adopted by the  
23 Health Service Board 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.))  
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4

5 APPROVED AS TO FORM:

6 LOUISE H. RENNE, City Attorney  
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10 By:

  
THOMAS J. OWEN  
Deputy City Attorney  
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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

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**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.

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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

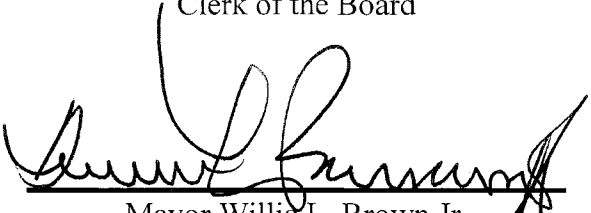
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I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on May 15, 2000 by  
the Board of Supervisors of the City and  
County of San Francisco.

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

MAY 26 2000

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Date Approved

  
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Mayor Willie L. Brown Jr.