

ORDINANCE NO. 3989

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING SUBSECTIONS 13.0613(i)(3), 13.0613(l)(2) AND 13.0618(a) OF CHAPTER 6 OF DIVISION 3 OF TITLE 1 OF THE SAN BERNARDINO COUNTY CODE, RELATING TO BENEFITS FOR EXEMPT EMPLOYEES AND STIPENDS FOR COUNTY BOARDS, COMMISSIONS, AND COMMITTEES.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. Subsection 13.0613(i)(3) of the San Bernardino County Code is amended, to read:

**13.0613 Exempt Group Working Conditions**

(i)(3) Flexible Spending Account (FSA) for Health Related Expenses.

Effective on or about July 17, 1999 (pay period 16/99) the County established a Health Expense Flexible Spending Account (FSA) for Exempt Group employees in regular positions who are regularly scheduled to work forty-one (41) hours or more a pay period. The Health Expense FSA is established in accordance with the provisions of Section 125 of the Internal Revenue Code (IRC). The Human Resources Division Chief, Employee Benefits and Services, will serve as the Plan's Administrator. The Health Expense FSA Plan Year will coincide with the County's Benefit Plan Year. Employees who choose to participate in the Health Expense FSA must complete and submit enrollment forms in accordance with procedures developed by the Plan's Administrator. Eligible employees will be notified of these procedures at least thirty (30) days prior to the beginning of each plan year. Effective July 23, 2005, eligible employees may contribute, on a pre-tax basis, a minimum of ten dollars (\$10.00) and a maximum of one hundred dollars (\$100.00) per biweekly pay period to this flexible spending account. The County will contribute up to twenty dollars (\$20.00) per biweekly pay period, matching employee contributions dollar for dollar, up to twenty dollars (\$20.00) each biweekly pay period. Effective for the plan year

1 commencing in July 2007, the County will contribute up to forty dollars (\$40.00) per  
2 biweekly pay period, matching employee contributions dollar for dollar, up to forty dollars  
3 (\$40.00) each biweekly pay period. Upon enrolling in the Plan, employees may not change  
4 their designated biweekly contribution amount or discontinue making contributions for the  
5 remainder of the plan year (until on or about June 30) unless they incur an eligible family  
6 status change as defined in Section 125 of the IRC. Section 125 also requires that any  
7 amounts remaining in an employee's account at the end of the Plan year must be forfeited.  
8 Contributions made to the Health Expense FSA may be used for receiving non-taxable  
9 reimbursements of eligible medical and dental expenses not covered by insurance. Eligible  
10 reimbursable expenses are those medical and dental expenses that qualify as medical  
11 expenses under Internal Revenue Code section 213.

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13 SECTION 2. Subsection 13.0613(l)(2) of the San Bernardino County Code is  
14 amended, to read:

15 **13.0613 Exempt Group Working Conditions**

16 (l)(2) Effective August 5, 2006, all elected officials, all county employees in  
17 benefit groups A and B, Assistant Sheriffs, and Sheriff's Deputy Chiefs shall receive a  
18 biweekly automobile allowance by choosing either of the following options: basic allowance  
19 of two hundred seventy-six dollars and ninety-two cents (\$276.92) per pay period plus  
20 reimbursement for mileage on County business in a privately owned automobile at a rate of  
21 twenty five cents (25 cents) per mile or a flat allowance of three hundred forty-six dollars  
22 and fifteen cents (\$346.15) per pay period with no mileage reimbursement, provided they  
23 are not assigned a County vehicle and they provide a private vehicle for their own use on  
24 County business. The First District Supervisor shall receive a fifty percent (50%) addition  
25 to either option selected under this subsection. Employees selecting this allowance shall  
26 be required to have a vehicle available at all times for use on County business. This  
27 allowance shall be considered complete reimbursement for the acquisition, insurance,  
28 maintenance, repair, upkeep, fuel, and all other costs for the required vehicle. This

1 automobile allowance provision shall not apply to elected officials who do not have a  
2 deduction from their compensation pursuant to subsection 13.0613(l)(1) as a result of being  
3 assigned a County vehicle.

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5 SECTION 3. Subsection 13.0618(a) of the San Bernardino County Code is  
6 amended, to read:

7 **13.0618 Boards, Commissions, and Committees.**

8 (a) Stipend. Members of the following boards, commissions, and  
9 committees shall receive a stipend as indicated.

10 Civil Service Commission;

11 Planning Commission.....\$200/meeting

12 (Except that in the event more than one-half day of hearings is  
13 scheduled, and a member of the Planning Commission attends for one-half day or less,  
14 that member shall receive \$100/meeting and, except further that in the event more than a  
15 full day of meeting is scheduled, and a member attends for more than a full day, the  
16 member shall receive \$300/meeting. For purposes of the previous sentence, a full day  
17 shall compromise two of the three periods from the morning, afternoon, or evening of the  
18 day in question.)

19 Assessment Appeals Board.....\$150/one-half day meeting

20 .....\$200/full day meeting

21 (The length of the meeting will be determined by the actual meeting  
22 length, not the scheduled length. A full day shall be comprised of both the morning and  
23 afternoon of the day in question.)

24 Equal Opportunity Commission;

25 Regional Parks Advisory Commission and

26 Retirement Board.....\$100/meeting

27 Airport Commission; Economic and Community Development

28 Commission; Fish and Game Commission; IHSS Advisory

Committee, including alternates.....\$60/meeting

SECTION 4. Sections 1 and 2 of this ordinance shall take effect immediately

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1 upon adoption, pursuant to the provisions of Government Code section 25123. Section 3  
2 of this ordinance shall take effect thirty (30) days from the date of adoption.

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5 BILL POSTMUS, Chairman  
6 Board of Supervisors

7 SIGNED AND CERTIFIED THAT A COPY  
8 OF THIS DOCUMENT HAS BEEN DELIVERED  
9 TO THE CHAIRMAN OF THE BOARD

10 DENA M. SMITH, Clerk of the  
11 Board of Supervisors

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14 STATE OF CALIFORNIA )  
15 ) ss.  
16 COUNTY OF SAN BERNARDINO )

17 I, DENA M. SMITH, Clerk of the Board of Supervisors of the County of San  
18 Bernardino, State of California, hereby certify that at a regular meeting of the Board of  
19 Supervisors of said County and State, held on the 12th day of September, 2006, at  
20 which meeting were present Supervisors: Bill Postmus, Paul Biane, Dennis Hansberger,  
21 Gary Ovitt, Josie Gonzales and the Clerk,  
22 the foregoing ordinance was passed and adopted by the following vote, to wit:

23 AYES: SUPERVISORS: **Postmus, Biane, Hansberger, Ovitt, Gonzales**

24 NOES: SUPERVISORS: **None**

25 ABSENT: SUPERVISORS: **None**

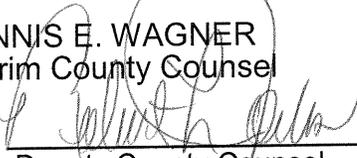
26 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official  
27 seal of the Board of Supervisors this 12th day of September, 2006.

28 DENA M. SMITH, Clerk of the  
Board of Supervisors of the  
County of San Bernardino,  
State of California

  
Deputy

Approved as to Form:

DENNIS E. WAGNER  
Interim County Counsel

By:   
Deputy County Counsel

Date: 8/18/06