

RESOLUTION NO. 20-80

RESOLUTION RESTATING THE COUNTY'S CAFETERIA PLAN WITH FLEXIBLE SPENDING ARRANGEMENT; AMENDING SUCH PLAN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1988, the County adopted a Cafeteria Plan/Section 125 Plan, subsequently restated effective January 1, 2010 and later amended in accordance with Internal Revenue Code provisions, to provide participants a choice between cash compensation and statutory non-taxable benefits in compliance with Internal Revenue Code § 125; and

WHEREAS, the County now wishes to restate such plan to reflect its current terms and amend said Plan by allowing a midyear special enrollment period for the Health Care Expense Account for 2020 pursuant to IRS Notice 2020-29; and

WHEREAS, the County also wishes, in conjunction with IRS Notice 2020-33, to increase the maximum amount of unused funds participants can carry over from their Health Care Expense Accounts into subsequent years and to increase the maximums allowed to be deferred into those accounts to the maximum allowed by law;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

Section 1. The Pinellas County Cafeteria Plan/Section 125 Plan with Flexible Spending Arrangement originally effective October 1, 1988, restated effective January 1, 2010 and as amended from time to time, is hereby replaced in its entirety with the attached Cafeteria Plan/Section 125 Plan effective January 1, 2020.

Section 2. Participant election decreases allowed in the 2020 mid-year open enrollment for Health Care Expense Accounts will be limited so that no participant may decrease a contribution to less than already reimbursed.

Section 3. This resolution shall take effect immediately upon its adoption. In a regular meeting duly assembled on the 10th day of September, 2020, Commissioner Long offered the foregoing resolution and moved its adoption, which was seconded by Commissioner Welch, and upon roll call the vote was:

AYES: Gerard, Eggers, Justice, Long, Peters, Seel, and Welch.

NAYS: None.