

## RESOLUTION 20-30

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN AMENDING THE CITY OF DUNEDIN HEALTH REIMBURSEMENT PLAN TO CLARIFY ITS TERMS, EXPAND THE ELIGIBILITY OF FORMER EMPLOYEES TO CARRYOVER REMAINING BALANCES UPON TERMINATION, AND REQUIRE MORE TIMELY SUBMISSION OF EXPENSES BY FORMER EMPLOYEES; AMENDING THE CITY OF DUNEDIN EMPLOYEES' FLEXIBLE BENEFIT PLAN TO REQUIRE MORE TIMELY SUBMISSION OF EXPENSES BY FORMER EMPLOYEES; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Dunedin ("City") previously adopted the City of Dunedin Health Reimbursement Plan ("HR Plan") and the City of Dunedin Employee Flexible Benefits Plan (the "Flex Plan"), which has been amended from time to time; and

**WHEREAS**, the HR Plan allows certain former employees to carryover unused balances to future years; and

**WHEREAS**, the City wants to expand the number of former employees eligible for carryover under the HR Plan; and

**WHEREAS**, the HR Plan and Flex Plan allow current and former employees to submit reimbursable expenses any time after the date incurred through the 90th day after the close of the plan year; and

**WHEREAS**, the above-described deadline hinders the City's ability to implement the HR Plan's carryover provisions in a timely manner; and

**WHEREAS**, the City recognizes that consistent claims submission procedures in the HR plan and Flex Plan is in the best interests of participants and beneficiaries; and

**WHEREAS**, the City is authorized to amend the HR Plan and Flex Plan;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**SECTION 1.** The section of the HR Plan titled "**Eligibility**" is amended as follows:

Any current employee who continuously (i) participated in a specific medical plan (or plans) designated by the City of Dunedin during the prior

Plan Year and (ii) participates in a specific medical plan (or plans) designated by the City of Dunedin during the current plan year is eligible to receive benefits under the Health Reimbursement Plan. For example, an employee whose first year of participation in an eligible medical plan begins on October 1, 2020 will be eligible for benefits under this Plan as of October 1, 2021, if participation under an eligible medical plan is continuous. Such plan may not be a HDHP. Employees receiving benefits from non-designated medical plans (such as a HDHP), or that do not participate in a City-provided medical plan, will be excluded from participating in the Health Reimbursement Plan.

**SECTION 2.** The last three paragraphs in the section of the HR Plan titled **“Termination of Eligibility”** is amended to read as follows:

Upon termination of eligibility, the Employee shall remain eligible to incur reimbursable expenses through the last day of the month in which the termination occurred.

If participation ceases (i) due to a termination of employment, and the Employee was an Eligible Employee of the City of Dunedin for ~~six~~ five consecutive full years or (ii) due to Plan termination, the Participant may elect (on forms provided by the Employer for this purpose) for the Employer to any amounts carried forward from prior Plan Years, plus the one twelfth (1/12) of the Employer Contribution for the current Plan Year for each month the Employee was a Participant, minus reimbursements into a retiree medical reimbursement account, to be used in accordance with the terms of that separate plan. If the result of the calculation is zero or a negative number, no funds will be deposited on the Employee’s behalf. For this purpose, “full years” generally refers to Plan Years, but reasonable exceptions may be made on a consistent and nondiscriminatory basis to allow an initial partial year to constitute a “full year.”

If participation ceases, for any reason other than the Plan’s termination and the Employee was an Eligible Employee for less than five consecutive full years, or an Employee with at least five consecutive years fails to make the above-described election in a timely and proper manner, such employee may submit claims incurred through the end of the month that includes their date of termination. Submission of such claims must be made by the end of the amount following loss of eligibility. Any unused funds will be forfeited.

**SECTION 3.** The first paragraph in the section of the HR Plan titled **“Claims Procedure”** is amended to read as follows.

A Participant shall make a claim for benefits incurred during the Plan Year by making a request in accordance with the terms of this Plan Document. Requests from Participants who are active employees must be received within ninety (90) days after the end of the Plan Year. Requests from

Participants who are former employees must be received by the end of the month following the end of the month that includes their termination date.

**SECTION 4.** Section D.2 of the Flex Plan is amended to read as follows:

**2a.** The Plan provides for an earlier deadline for claims submission for Terminated Participants:

Yes  No

**2b.** If **D.2a** is Yes, claims for reimbursement for a Terminated Participant must be filed with the Plan Administrator (Section 6.01):

i.  within 90 days following Termination of employment.

ii.  by \_\_\_\_\_.

**SECTION 5.** The amended Flex Plan shall be maintained in the office of the Plan Administrator at the Department of Human Resources, Post Office Box 1348, Dunedin, Florida 34697-1348.

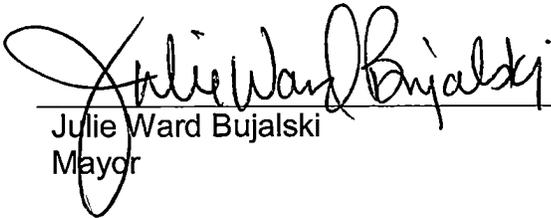
**SECTION 6.** All Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed.

**SECTION 7.** The appropriate officers of the City of Dunedin are authorized to execute the amended Plan and notify participants.

**SECTION 8.** This Resolution shall be effective October 1, 2020.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 29th day of September, 2020.**



  
Julie Ward Bujalski  
Mayor

  
Rebecca C. Schlichter  
City Clerk