

Amendment No. 2 to the County of Monterey Section 125 Flexible Benefit Plan

Effective Date: This Amendment is effective as of January 1, 2026

Pursuant to Article X, Section 10.1 of the County of Monterey Section 125 Flexible Benefit Plan ("Plan"), the Plan is hereby amended as follows:

Amendment to Article VII, Section 7.9 – Limitation on Payments

Section 7.9(a) is hereby deleted in its entirety and replaced with the following:

(a) Code limits. Notwithstanding any provision contained in this Article to the contrary, the maximum amount that may be reimbursed to a Participant under this Dependent Care Assistance Program for any taxable year shall not exceed the lesser of the Earned Income limitation described in Code Section 129(b) or \$7,500 (\$3,750 if a separate tax return is filed by a Participant who is married as determined under the rules of paragraphs (3) and (4) of Code Section 21(e)) or the maximum amount permitted under Code Section 129(a), as adjusted from time to time by Congress or the Internal Revenue Service.

The Plan shall be deemed automatically amended to reflect any changes to the statutory or regulatory dollar limit on Dependent Care Assistance Program benefits under Internal Revenue Code Section 129, including cost-of-living adjustments or changes enacted through federal legislation or regulatory guidance, without the need for a formal Plan amendment.

Except as specifically amended herein, all other provisions of the Plan shall remain in full force and effect.

* * * * *

This Amendment has been executed this _____ day of _____, 20_____.

Name of Plan: County of Monterey Section 125 Flexible Benefit Plan

Name of Employer: County of Monterey

By: _____
EMPLOYER

CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of the County of Monterey hereby certifies that the following resolution was duly adopted by the County of Monterey Board of Supervisors on _____, and that such resolution has not been modified or rescinded as of the date hereof;

RESOLVED, this Amendment to the County of Monterey Section 125 Flexible Benefit Plan is hereby approved and adopted and that an authorized representative of the County of Monterey is hereby authorized and directed to execute and deliver to the Plan Administrator the Amendment and to take any and all actions as it may deem necessary to effectuate this resolution.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: _____

Signed: _____

[print name/title]