

**RESOLUTION NUMBER 2001 – 20**

**RESOLUTION AUTHORIZING THE ADOPTION OF THE SECOND AMENDMENT TO CONTRACTUAL AGREEMENT BETWEEN THE PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY AND THE MILL CREEK RESTORATION PROJECT (“MCRP”)**

WHEREAS, Port of Greater Cincinnati Development Authority (the “Port Authority”), and the Board of County Commissioners of Hamilton, Ohio are parties to the Agreement for the Creation of The Port of Greater Cincinnati Development Authority, effective December 7, 2000 (“Creation Agreement”);

WHEREAS, the Creation Agreement, among other matters, (a) dissolved the Port Authority for Brownfields Redevelopment in Cincinnati and Hamilton County (“Brownfields Port Authority”), (b) established the Port Authority, and (c) caused all assets and liabilities of the Brownfields Port Authority to be transferred to, and assumed by, the Port Authority;

WHEREAS, Brownfields Port Authority and MCRP entered into a Contractual Agreement, effective August 24, 1999, and a First Amendment to Contractual Agreement, effective September 8, 2000;

WHEREAS, the Board has determined that it is necessary to adopt a Second Amendment to the Contractual Agreement in order to achieve the goals of the First Contractual Agreement effective August 24, 1999 between Brownfields Port Authority and MCRP;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Port of Greater Cincinnati Development Authority:

Section 1. The Board Chair of the Port Authority or his designee is authorized to execute, on behalf of the Port Authority, the Second Amended Contractual Agreement in substantially the form attached to this Resolution and presented to the Board at its meeting on December 6, 2001, and all other agreements, instruments, and documents contemplated by that agreement or required in connection with the transactions called for therein as the Chair, in his discretion, may deem necessary, appropriate and/or desirable, in such forms are approved by the Chair.

Section 2. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with the law

Section 3. This resolution shall be in full force and effect upon its adoption.

Adopted: December 6, 2001

Yeas: 14

Nays: 0

Abstentions: 1

\_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
Secretary