

RESOLUTION NO. 2004-21

A RESOLUTION ADOPTING A PLAN UNDER THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAM ADMINISTERED BY THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION BOARD FOR PARTICIPATION BY “ELIGIBLE EMPLOYEES” OF THE PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY.

WHEREAS, Ohio Revised Code Section 148 (the “Enabling Statute”) creates the Ohio Public Employees Deferred Compensation Board (the “Board”) and establishes the Ohio Public Employees Deferred Compensation Program (the “Program”), and a copy of the uniform plan document for the Program has been provided to and is on file with the Secretary and Fiscal Officer of the Port of Greater Cincinnati Development Authority (the “Port Authority”); and

WHEREAS, the Port Authority is an employer of “eligible employee(s)” (as defined by Ohio Revised Code Section 148.01(A)(3)), and thereby may adopt a Plan under the Program; and

WHEREAS, the Port authority desires to or is required to adopt a “Plan” under the Program for participation by “eligible employees.”

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors (the “Governing Body”) of the Port of Greater Cincinnati Development Authority, as follows:

Section 1. The Port of Greater Cincinnati Development Authority, by this Governing Body, hereby adopts a Plan under the Program, and shall properly contract with any “eligible employee” who desires to participate in the Plan. The Port Authority’s Plan shall be the uniform Plan as promulgated by and as amended from time to time by the Board.

Section 2. The Board is hereby authorized to administer the Plan under the Program, and to do all things necessary or proper for the administration of the Plan, consistent with the Enabling Statutes and all the Rules and Regulations promulgated by the Board, whether by the Ohio Administrative Code or otherwise, and consistent with the Program Adoption Agreement executed by the Port Authority.

Section 3. The President of the Port Authority or, in the absence of the President, the Chair of this Governing Body or his designee is hereby appointed the Responsible Official and is authorized and directed by this Governing Body to execute the Program Adoption Agreement.

Section 4. Consistent with the Program Adoption Agreement and the Rules and Regulations promulgated by the Board, the proper officials, officers, employees, and agents of the Port Authority are authorized to provide the Board with any information they may properly require for the administration of the Plan under the Program.

Section 5. This Governing Body finds and determines that all formal actions of this Governing Body concerning and relating to the adoption of this resolution were taken in an open meeting of this Governing Body and that all deliberations of this Governing Body and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. This resolution shall take effect and be in force immediately upon its adoption.

Adopted: November 11, 2004

Yeas: 10

Chair

Nays: 0

Attest: _____
Secretary