

**OHLONE COMMUNITY COLLEGE DISTRICT**

**RESOLUTION NO. 05/08-09**

**RESOLUTION TO ADOPT A GOVERNMENTAL 457(B)  
DEFERRED COMPENSATION PLAN  
CHANGE OF TRUSTEE**

**WHEREAS**, the Governing Board of Ohlone Community College District (“District”), designated as a governmental employer previously adopted the Ohlone Community College District Elite Choice 457(b) Deferred Compensation Plan, a governmental non-qualified plan that qualifies under IRC Section 457(b) (the “Elite Choice 457(b) Deferred Compensation Plan”); and

**WHEREAS**, the District desires to continue in providing the Elite Choice 457(b) Deferred Compensation Plan; and

**NOW, THEREFORE, BE IT RESOLVED** that

1. **The Board hereby** removes Union Bank of California, N.A. as Trustee of the Elite Choice 457(b) Deferred Compensation Plan, and
2. **The Board hereby** appoints and authorizes Benefit Trust Company as Trustee of the Elite Choice 457(b) Deferred Compensation Plan, and
3. **The Board hereby** authorizes the Superintendent/President or designee, to develop appropriate procedures to install necessary controls to insure that the Plans are operated in conformance with the Internal Revenue Code, including related regulations as currently stated, and as amended in the future.

**PASSED AND ADOPTED** by the Ohlone Community College District Board of Trustees on this tenth day of December, to become effective on or before December 31, 2008, by the following vote:

AYES:  
NOES:  
ABSENT:

**STATE OF CALIFORNIA, COUNTY OF ALAMEDA**

I, Gari Browning, Secretary of the Ohlone Community College District Board of Trustees, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Trustees at a regularly called and conducted meeting held on said date.

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Secretary of Board of Trustees

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Employer Plan Administrator