

**OHLONE COMMUNITY COLLEGE DISTRICT  
RESOLUTION NO. 02/09-10**

**RESOLUTION TO TRANSFER THE 403(b) PLAN  
ADMINISTRATION FROM THE TPA TO GREAT AMERICAN  
PLAN ADMINISTRATORS AND ZUK FINANCIAL GROUP**

**WHEREAS**, Ohlone Community College District (“OCCD”) presently maintains for the benefit of its employees a retirement plan described in Internal Revenue Code Section 403(b) (the “403(b) Plan”); and

**WHEREAS**, the 403(b) Plan is presently being administered by Planwithease.com (ING). (“TPA”) under a Vendor Agreement dated, January 1, 2009 (the “Vendor Agreement”); and

**WHEREAS**, the Vice President of Administrative Services has determined that it is in the best interests of the employees of OCCD to remove the current administrators of the 403(b) Plan; and

**WHEREAS**, there has been presented to the Vice President of Administrative Services, the Plan Services Agreement (the “Plan Services Agreement”) and Addendum thereto naming Zuk Financial Group (“Zuk”) and Great American Plan Administrators (“Great American”) to transfer the administration of the 403(b) Plan from the TPA to Great American as well as educational and consulting services from the TPA to Zuk; and

**WHEREAS**, in addition to changing the Plan Administrator, the Internal Revenue Service has promulgated regulations regarding §403(b) plans requiring all 403(b) plans to be put into writing, and the Vice President of Administrative Services has decided to amend and restate the 403(b) Plan to comply with the requirements of these regulations effective January 1, 2009 using documents provided by Great American.

**NOW, THEREFORE, BE IT RESOLVED**, that effective on September 3, 2009, OCCD hereby terminates the agreements with the TPA and related parties for the administration of the 403(b) Plan and hereby approves and adopts the Plan Services Agreement with Great American appointing Great American as the new third party administrator of the 403(b) Plan, for record keeping and administration and Zuk for related consulting and education required to effectuate the same; and

**BE IT FURTHER RESOLVED**, that the appropriate employees of OCCD are authorized and directed to execute and implement any and all agreements and documents reasonably required to effect the changes of the administration of the 403(b) Plan to Great American, and ZUK; and

**BE IT FINALLY RESOLVED**, that the appropriate employees of OCCD are authorized and directed to take any and all actions reasonably required in order to accomplish the directives of these resolutions.

**PASSED AND ADOPTED** by the Ohlone Community College District Board of Trustees on this fifteenth day of July, 2009 and that these resolutions have not been modified or rescinded as of the date this certificate is executed.

AYES:

NOES:

ABSENT:

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Secretary of the Board of Trustees of the  
Ohlone Community College District of  
Alameda County, State of California