

RESOLUTION NO. 2012-07

RESOLUTION AUTHORIZING THE PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY TO ENTER INTO AN AGREEMENT WITH THE U. S. ARMY CORP OF ENGINEERS FOR A COST SHARE STUDY THROUGH THE PLANNING ASSISTANCE TO STATES PROGRAM FOR THE RE-DESIGNATION OF THE BOUNDARIES OF THE PORT OF CINCINNATI

WHEREAS, the purpose of the Planning Assistance to States Program ("PAS") is to assist states, local governments, and other non-federal entities in the preparation of comprehensive plans for the development, utilization, and conservation of water and related land; and

WHEREAS, pursuant to Section 22 of the Water Resources Development Act of 1974, the Port of Greater Cincinnati Development Authority ("Port Authority") may make application to the U.S. Army Corp of Engineers ("USACE") for a cost share study through the PAS program to assist with re-designation of the current boundaries of the Port of Cincinnati; and

WHEREAS, the Port Authority, in collaboration with other organizations, shall request funding from the PAS program, to re-designate the boundaries of the Port of Cincinnati from the existing 26-mile river reach to an estimated 200-mile river reach; and

WHEREAS, the Port Authority is required to submit a non-binding Letter of Intent to the USACE and negotiate a PAS Agreement for an amount not to exceed \$100,000 to initiate the re-designation process; and

WHEREAS, funds required by USACE will be used to review and validate the Port Authority's justification for expanding the current boundary, including, but not limited to an analysis of the geographical and economic linkages of terminals, docks, facilities in the proposed expanded port boundary and public outreach and notification to political and business entities affected by the re-designation; and

WHEREAS, the Port Authority has determined that the re-designation effort of the Port of Cincinnati is consistent with Ohio law and is in the best interests of the Port Authority and will advance the Port Authority's economic development activities; and

WHEREAS, the Port Authority desires and intends to (i) enter into an USACE PAS Agreement, and (ii) conduct activities and provide services in the exercise of its powers as set forth in Ohio Revised Code Chapter 4582 and in furtherance of economic development activities contemplated in Section 13 of Article VII of the Ohio Constitution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors ("Board") of the Port Authority:

Section 1. The Board hereby finds that the President of the Port Authority is authorized to negotiate and execute a PAS Agreement with the USACE not to exceed \$100,000, in a form substantially similar to that which is on file in the Port Authority's offices. Such Agreement may include third party

organizations with which the Port Authority is collaborating on the re-designation of the Port of Cincinnati.

Section 2. The funds required by USACE will be used to review and validate the Port Authority's justification for expanding the current boundary of the Port of Cincinnati.

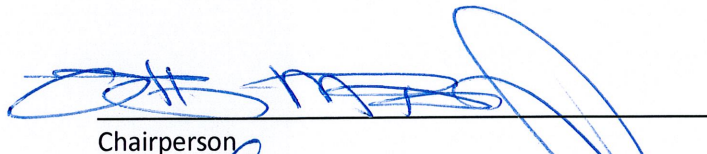
Section 3. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board that resulted in such formal action were held, in meetings open to the public, in compliance with the law.

Section 4. This Resolution shall be in full force and effect upon its adoption.

Adopted: June 13, 2012

Yeas: 6

Nays: 0



Chairperson

Attest: 

Secretary