

## SUMMARY OF RESOLUTION

### Authorization to Amend the Port Authority of Allegheny County Cafeteria Plan

Port Authority of Allegheny County (Authority) maintains the Port Authority of Allegheny County Cafeteria Plan (the Plan). The purpose of the Plan is to offer certain welfare benefits on a pre-tax basis to eligible employees and to offer reimbursement accounts for certain medical expenses and dependent care expenses. Authority has retained responsibility for the administration of the Plan pursuant to the applicable plan documents.

Authority has also reserved the right to amend the Plan. Authority currently wishes to amend and restate the Plan to make certain changes required by recent applicable legislation, including proposed regulations under Internal Revenue Code Section 125 and the privacy rules under the Health Insurance Portability and Accountability Act (HIPAA) of 1996, to eliminate the grace period for making medical expense claim reimbursements and to make other clarifying changes which reflect Authority's administration of providing the following benefits to eligible employees:

- the ability to pay medical care premiums on a pre-tax basis;
- the ability to reduce compensation on a pre-tax basis in order to pay unreimbursed medical care expenses; and
- the ability to pay for dependent care expenses on a pre-tax basis.

The resolution authorizes an amendment of the Plan as set forth in Exhibit A to the resolution.

**RESOLUTION**

**WHEREAS**, Port Authority of Allegheny County (Authority) has previously established and maintains the Port Authority of Allegheny County Cafeteria Plan (the Plan) in order to provide eligible employees with: (1) the ability to pay medical care premiums on a pre-tax basis; (2) the ability to reduce compensation on a pre-tax basis in order to pay unreimbursed medical care expenses; and (3) the ability to pay for dependent care expenses on a pre-tax basis; and

**WHEREAS**, the Authority desires to amend and restate the Plan, effective January 1, 2010, as set forth in Exhibit A hereto and made a part hereof, in order to continue to provide such benefits to eligible employees in accordance with recent applicable legislation, including proposed regulations under Internal Revenue Code Section 125 and the privacy rules under the Health Insurance Portability and Accountability Act (HIPAA) of 1996, to eliminate the grace period for making medical expense claim reimbursements, and to make other clarifying and conforming changes; and

**WHEREAS**, the Authority has reserved the right to amend the Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Authority is authorized to amend the Plan, as set forth in Exhibit A, effective January 1, 2010.

**RESOLVED FURTHER**, that in order to fully carry out the intent and effectuate the purposes of this resolution, the proper members of the Port Authority of Allegheny County Pension Committee (the Committee) and/or their delegates and the Authority's Chief Financial Officer are hereby authorized to take all such further action and to execute and deliver all such further instruments and documents in the name and on behalf of the Authority, and in a form approved by counsel, including any required Plan amendments, which may be in the form of an amended and restated Plan document, as may be necessary or proper to carry out the intent and purpose of this resolution.