

# AGENDA CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE MEETING THESDAY, HINE 2, 2014

# TUESDAY, JUNE 3, 2014 CUYAHOGA COUNTY JUSTICE CENTER COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR 10:00 AM

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PUBLIC COMMENT RELATED TO THE AGENDA
- 4. APPROVAL OF MINUTES
  - a) April 29, 2014 Meeting
- 5. MATTERS REFERRED TO COMMITTEE
  - a) R2014-0123: A Resolution approving the appointment or reappointment of various individuals to serve on the Cuyahoga County Soldiers' and Sailors' Monument Board of Trustees for various unexpired terms, and declaring the necessity that this Resolution become immediately effective:
    - 1) appointment for an unexpired term ending 11/15/2018:
      - a) Donald N. Jaffe
    - 2) reappointment for an unexpired term ending 4/15/2019:
      - a) Berj A. Shakarian
      - b) Jerry L. Young

- b) R2014-0138: A Resolution confirming the County Executive's reappointment of Thomas M. McDonald to serve on The MetroHealth System Board of Trustees for the term 5/27/2014 3/31/2020, and declaring the necessity that this Resolution become immediately effective.
- c) R2014-0130: A Resolution authorizing an amendment to Contract No. CE1200357-01 with Health Span Integrated Care fka Kaiser Foundation Health Plan of Ohio for group healthcare benefits for County employees and their eligible dependents including medical and pharmacy benefit management services for the period 1/1/2012 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount not-to-exceed \$4,000,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
- 6. MISCELLANEOUS BUSINESS
- 7. OTHER PUBLIC COMMENT
- 8. ADJOURNMENT

<sup>\*</sup>In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



#### **MINUTES**

CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE MEETING
TUESDAY, APRIL 29, 2014
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR
10:00 AM

1. CALL TO ORDER

Chairwoman Conwell called the meeting to order at 10:14 a.m.

2. ROLL CALL

Ms. Conwell asked Deputy Clerk Muller to call the roll. Committee members Conwell, Gallagher, Hairston and Simon were in attendance and a quorum was determined. Committee member Germana entered the meeting shortly after the roll call was taken.

3. PUBLIC COMMENT RELATED TO THE AGENDA

There was public comment related to the agenda.

- 4. APPROVAL OF MINUTES
  - a) April 1, 2014 Meeting

A motion was made by Mr. Gallagher, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the April 1, 2014 meeting.

- 5. MATTERS REFERRED TO COMMITTEE
  - a) <u>R2014-0115:</u> A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Mr. Albert Bouchahine, Personnel Manager, addressed the Committee regarding Resolution No. R2014-0115. Discussion ensued.

Committee members asked questions of Mr. Bouchahine pertaining to the item, which he answered accordingly.

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0115 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

No other public comments were given.

8. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Chairwoman Conwell at 10:46 a.m., without objection.

# County Council of Cuyahoga County, Ohio

# Resolution No. R2014-0123

Sponsored by: Councilmembers	A Resolution approving the appointment		
Connally and Conwell	or reappointment of various individuals to		
	serve on the Cuyahoga County Soldiers'		
	and Sailors' Monument Board of Trustees		
	for various unexpired terms, and declaring		
	the necessity that this Resolution become		
	immediately effective.		

WHEREAS, Ohio Revised Code Chapter 345 provides that a county may establish a memorial to commemorate the services of all members and veterans of the armed forces, and authorizes the taxing authority of the county to appoint a board of trustees for such a memorial; and,

WHEREAS, Article III, Section 3.01 of the County Charter establishes that the County Council is the "taxing authority;" and,

WHEREAS, Council has determined that Donald N. Jaffe is qualified to serve on the Cuyahoga County Soldiers' and Sailors' Monument Board of Trustees and that his service would be beneficial to the on-going success and development of the Cuyahoga County Soldiers' and Sailors' Monument; and

WHEREAS, Berj A. Shakarian and Jerry L. Young have served admirably as a Trustee for the Cuyahoga County Soldiers' and Sailors' Monument Commission since 2011; and

WHEREAS, Berj A. Shakarian and Jerry L. Young's most initial terms of service on the Cuyahoga County Soldiers' and Sailors' Monument Board of Trustees ended on April 15, 2014; and

WHEREAS, Council has determined that Berj A. Shakarian and Jerry L. Young's continued service on the Board of Trustees would be beneficial to the ongoing success and development of the Cuyahoga County Soldiers' and Sailors' Monument; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Commission.

#### NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF **CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Council of Cuyahoga County hereby approves the appointment of Donald N. Jaffe to serve on the Cuyahoga County Soldiers' and Sailors' Monument Board of Trustees for an unexpired term ending 11/15/2018.

**SECTION 2.** That the Council of Cuyahoga County hereby approves the reappointment of Berj A. Shakarian and Jerry L. Young to serve on the Cuyahoga County Soldiers' and Sailors' Monument Board of Trustees for an unexpired term ending 4/15/2019.

**SECTION 3.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County Commission. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective.

**SECTION 4.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion byadopted.	, seconded by	_, the foregoing F	Resolution was duly
Yeas:			
Nays:			
	County Counc	eil President	Date
	Clerk of Coun	ncil	Date
_	to Committee: May 13, : Human Resources, Ap		uity
Journal	_		

#### RESUME OF

#### DONALD N. JAFFE

#### I. GENERAL

E-Mail: djaffelaw@aol.com

Office Address: 1301 East 9<sup>th</sup> Street (Suite 1900)

Cleveland, Ohio 44114-1862

Telephone: (216) 687-3262 (Direct Dial)

FAX: (216) 621-8369

#### II. EDUCATION

Preparatory: Case Western Reserve University

Bachelor of Arts Degree - June 17, 1959

(From September, 1957 to February, 1958, while enrolled at Case Western Reserve, I was selected to participate in the Washington Semester Program at American University,

Washington, D.C.

Legal: Case Western Reserve University

Juris Doctor Degree – June 14, 1961

(Admitted to law school as a Senior in Absentia, September, 1958

#### III. PROFESSIONAL ADMISSIONS

United States Supreme Court (March 23, 1970)

Supreme Court of Ohio (October 23, 1961)

United States Court of Appeals, Third Circuit (August 26, 2002)

United States Court of Appeals, Sixth Circuit (February 20, 1963)

United States Court of Appeals, Seventh Circuit (Nov. 12, 1999)

United States Court of Appeals for the Armed Forces (April 26, 1963)

United States District Court, Northern District of Ohio (Nov 2, 1962)

United States District Court, Southern District of Ohio (May 6, 2008)

United States District Court, Eastern District of Michigan (Oct. 16, 1995)

United States District Court, Northern District of Illinois (Feb. 3,1998)

#### IV. LAW PRACTICE AND EXPERIENCE

Law Clerk to Chief Judge Paul C. Weick, U.S. Court of Appeals, 6th Circuit, Federal Building, Akron, Ohio (March, 1962 - June, 1964). As Law Clerk I assisted Judge Weick in the vast array of criminal and civil litigation coming before the court, including employment law, taxation, labor law, contracts, civil rights. The court has appellate jurisdiction for Michigan, Ohio, Kentucky and Tennessee.

Assistant Director of Law, City of Cleveland Heights, Ohio (June, 1964 - June, 1966). In this position I served as legal counsel to the city council and city boards, such as the zoning commission, police department, service department. The city is 60,000 people. I also served as legal counsel for the Cleveland Heights-University Heights Board of Education, which serves approximately 100,000 residents. The work involved advising the government agencies as to legal matters involving their work areas, drafting of proposed legislation, legal review of agency actions and advice as to procedures.

Trust Officer, Union Commerce Bank (now Huntington National Bank), East 9th Street, Cleveland, Ohio (July, 1966 - July, 1969). Served as trust administrator responsible for probating of estates and administering living and testamentary trusts amounting to millions of dollars.

Assistant U.S. Attorney (Chief, Civil Division), Office of the U.S. Attorney, Northern District of Ohio, Cleveland, Ohio (August, 1969 - February, 1972). Supervised all civil litigation in office. Represented federal agencies in court involving a myriad of subjects including real estate, contracts, personal injury and property damage claims, social security, civil rights, employment law matters.

Attorney, private practice, 1972 to present. During this period of time I have had responsibilities in business and corporate law matters, business litigation, employment and labor law matters. I have had direct involvement in such areas as contracts, real estate, public employment sector law, municipal law, uniform commercial code, bankruptcy, anti-trust, class action litigation. Clients have ranged from gross sales of several hundred thousand to 125 million as well as representing individuals in criminal and civil litigation. I have had personal responsibility in trial (jury and non-jury) and appellate matters before state and federal courts in Ohio, Florida, Maryland, Michigan, New Jersey, New York, Pennsylvania, Texas, Tennessee, Indiana, Puerto Rico and the U.S. Virgin Islands.

# V. REPRESENTATIVE SAMPLE OF LITIGATION MATTERS, OFFICIALLY REPORTED.

Arkla Air Conditioning Co. v. Famous Supply Co., U.S. District Court, N.D., Ohio (unreported), affirmed, 551 F.2d 125 (CA 6) (contracts, anti-trust law).

Amato v. General Motors Corp., et al, 11 Ohio App. 3rd 124 (class action, contracts, warranties) (counsel for defendant, A. D. Pelunis Oldsmobile, Inc.).

Cernuto, Inc. v. United Cabinet Corp., et al, U.S. District Court, W.D., Pennsylvania, 595 F.2d 164 (CA 3) (contracts, business interference, anti-trust) (counsel for defendant, Famous Supply Co.).

Cubberly v. Chrysler Corp., et al, 70 Ohio App. 2d 263 (trial counsel for defendant, Ganley Dodge, Inc.).

DeLorean Cadillac, Inc. v. National Labor Relations Board, 96 LRRM 1347, affirmed in part, reversed in part, 104 LRRM 2618 (CA 6) (labor law).

Finley v. United States, 314 F. Supp. 905 (N.D., Ohio), affirmed CA 6 (unreported) (medical malpractice; federal tort claims).

In Re: Hewlett E. Morris, Jr.; Shaw Steel, Inc. v. Hewlett E. Morris, Jr., 223 F.3d 548 (CA 7) (bankruptcy law)

National Labor Relations Board v. Magnetics International, Inc., 699 F.2d 806 (CA 6) (labor law, arbitration, employee discharge).

Roemisch v. Mutual of Omaha Insurance Co., 39 Ohio St. 2d 119 (insurance law, class action law).

Royal American Corp. v. City of Euclid, Ohio, (unreported in trial court, court of appeals and Ohio Supreme Court); cert. den'd., <u>sub nom</u>, Euclid v. Royal American Corp., 425 U.S. 966 (U.S. Supreme Court) (municipal law, constitutional law).

Sambunjak v. Board of Review, et al, 14 Ohio App. 3d 432, counsel for appellee, Hahn Manufacturing Co. (unemployment compensation law, employment discharge law).

Spitzer Akron, Inc. v. National Labor Relations Board, 79 LRRM 1286 (NLRB), affirmed, 470 F.2d 1000 (CA 6), cert. granted, reversed, 4ll U.S. 979; reaffirmed, 85 LRRM 1138 (NLRB); reversed, 504 F.2d 28 (CA 6); cert. den'd., 429 U.S. 1040 (labor law, successor corporation liabilities).

Young v. Equitec Real Estate Investors Fund, et al, 100 Ohio App.3d 136 (counsel for real estate agent) (real property law, leasing agent commission, receiver liability).

State ex rel.. Rogers v. Cleveland City School Distr. Bd. of Edn., 73 Ohio St.3d 197 (administrative law, administrator contract matters).

Zemcik v. LaPine Truck Sales & Equipment Co., 124 Ohio App.3d 581, 81 Ohio St.3d 1503 (contract)

State ex rel. S & Z Tool & Die Co. v. Industrial Commission, 84 Ohio St.3d 288 (administrative law)

#### VI SPECIAL EXPERIENCE

1972 to 1976, served as Acting Judge, Cleveland Heights Municipal Court

1982 to 1993, served as Acting Judge, Shaker Heights Municipal Court

2007 to present, serve as Hearing Officer, Ohio Department of Health

1986 to present, serve as labor Fact-Finder/Conciliator for the Ohio State Employment Relations Board (SERB) which is the state agency having jurisdiction over all local, county, school districts and state public sector labor relations matters.

2000 to present, serve as Arbitrator for the Better Business Bureau.

Certified as Arbitrator (Labor Panel; Commercial Law Panel), American Arbitration Association

Serve as volunteer Ombudsman/Mediator for the Employer Support of the Guard and Reserve Office (ESGR), U.S. Department of Defense regarding employment and re-employment matters under USERRA and Department of Labor regulations.

1997 to 2002, served as Hearing Office for the Ohio Department of Education on special education matters under IDEA, U.S. Department of Education regulations, Ohio law on special education and Ohio Administrative Code regulations.

#### VII HONORS AND PROFESSIONAL ACTIVITIES

Who's Who in American Law; Who's Who in America; Who's Who in Midwest; Who's Who in Ohio; Who's Who in Religion; Merit Service Award, Cleveland Bar Association; Fellow, Ohio State Bar Foundation; Ohio State Bar Association (member, Council of Delegates; member, Labor & Employment Law Section Council; former Vice-Chair, Federal Courts & Practices Committee; former councilman, City of Cleveland Heights; former instructor, American Institute for Paralegal Studies, Inc.; Tau Epsilon Rho Law Society (former Supreme Recorder; former member, Supreme Council); Delta Sigma Rho Fraternity (honorary debate and forensic); Pi Sigma Alpha Fraternity (honorary political science); Kappa Kappa Psi Fraternity (honorary music-band).

### VIII. MILITARY SERVICE.

Graduate, U.S. Military Intelligence School (with honors), Ft. Meade, Maryland (1961); former Troop Commander, 9th Judge Advocate Detachment (USAR); former Commanding Officer, 137th Judge Advocate Detachment (USAR), Honorable Discharge as Captain, U.S. Army Reserve (1974). Ohio Military Reserve (1986 to present) (formerly Staff Judge Advocate); presently serving as Deputy Commander (A&S) with rank of Brigadier General.

#### IX. PUBLICATIONS.

As Acting Judge, Cleveland Heights Municipal Court, wrote the opinion in Highland View Hospital v. Dempsey, 33 Ohio Misc. 209, 294 N.E.2d 925, 62 Ohio Ops. 367.

Article, "Specialization in Perspective," 37 Ohio Bar Reports 32; Cleveland Bar Association Journal, vol. 35, number 9.

While attending American University, wrote thesis entitled: "Study of Regionalization of the Post Office Department" (on file, U.S. Postal Service Library, Washington, D.C.)

Miscellaneous published decisions as labor arbitrator.

# BERJ A. SHAKARIAN, ARCHITECT - AIA

TO:

Councilmember Yvonne Conwell

FROM:

Berj A. Shakarian, Architect - AIA

DATE:

13 July, 2011

RE:

Application to the Cuyahoga County Soldiers & Sailors Monument Board of Trustees\

I am in receipt of a letter from Deputy Clerk of Council, Nikima Barnhill with respect to the above referenced application. The instructions in the letter were that "If you wish to be considered for Board service, but are unable to attend the July 21 meeting, please submit a letter..." Because of a planned family vacation, I will not be in Cleveland next week. Therefore I am complying with that instruction herein.

Assuming a position on the Board of the Soldiers & Sailors Monument Commission would be a sincere privilege and distinction. Almost two years ago I retired as the Cuyahoga County Architect, after more than 30 years of service. As County Architect, I literally "grew up" with the Soldiers and Sailors Monument. Every renovation of the monument, including the very successful recent completion in 2009, was led by me. The monument is very dear to my heart and I would be very interested in making certain that it is properly maintained and duly appreciated in the coming years.

I believe that, as a member of the Board of Trustees, I can professionally assist the other Board members in assuring that the monument is lovingly preserved.

With regard to acknowledging the importance of both the fiduciary responsibilities and the public nature of the service, I certainly can respect those obligations - especially after having been compliant to them in a far greater capacity for more than 30 years. I am proud to say that I have always been regarded as totally professional by all with whom I have worked. Further, I can definitely commit to attendance at meetings of the Monument's Board.

It would be an honor - and my pleasure - to *continue* to service the Soldiers and Sailors Monument. Thank you for your kind consideration of me.

# BERJ A. SHAKARIAN, ARCHITECT - AIA

berj525@gmail.com

#### **OBJECTIVE:**

To execute and deliver architectural and/or construction management services to institutional or private entities.

## **EDUCATION**:

Case-Western Reserve University
Adelbert College – School of Architecture
Bachelor of Architecture

### **LICENSURE**:

State of Ohio Architect - # 5301 National Council of Architectural Registration Boards - # 17352 LEED Green Associate - # 10658876 LEED AP BD+C - # 10658876

## **EMPLOYMENT**:

2009 - present	Berj A. Shakarian - Architect, AIA
1978 - 2009	Cuyahoga County Architect, AIA
1975 - 1978	Berj A. Shakarian & Associates - Architects AIA
1969 - 1975	City of Cleveland, Design & Construction, Architect

# PROFESSIONAL AFFILIATIONS:

American Institute of Architects (AIA) Architectural Society of Ohio (ASO) Construction Specifications Institute (CSI)

# **COMPUTER PROFICIENCY:**

Software Proficiency - CAD (Computer Aided Design) all versions 2000-2010

- MS Word, Word Pro, Excel, Adobe Photoshop, Adobe PDF

# BERJ A. SHAKARIAN

Berj A. Shakarian was the County Architect in Cuyahoga County from 1978 through 2009. Prior to that, he directed his own architectural practice on the west side of Cleveland. He is a graduate of the former Case Western Reserve University School of Architecture and is licensed in both the State of Ohio and with the National Council of Architectural Registration Boards, giving him license privileges in almost all 50 states.

During his tenure as County Architect, Mr. Shakarian he has executed the annual long term Capital Plan, and designed and/or administered more than \$500 million in construction projects, including both new construction and restoration projects. Annually, he executed projects in excess of \$40. million; projects which have included the State and Ohio Theater Restorations, the Restoration of the Cuyahoga County Court House, and new facilities for both the Cuyahoga County Corrections Center and the County Coroner. He is very well respected by the design and construction community because of his firm, but fair approach to resolving cost and construction dilemmas with contractors

The statutory responsibilities of the County Architect included:

- providing in-house architectural design services,
- retaining and administering out-sourced architectural, engineering and construction management and construction firms,
- providing long-range plans and programs, and
- providing the organization and priorities for the county's Capital Plan.

Widely published in both professional journals and the secular press, Mr. Shakarian is highly regarded and respected by his peers in the architectural community. He is a member of the American Institute of Architects, Ohio Society of Architects, the Cleveland Chapter of the AIA, and several national and local professional organizations. His work has earned him numerous awards in both the public and private sector. In the arena of "green architecture," he is a recent recipient of the LEED Associate Certification and he is a candidate for the LEED AP BD+C certification.

He resides in Cleveland with his wife, Carol, and their four children.

Brochure available upon request

# Berj A. Shakarian, Cuyahoga County Architect (1978 - 2009)

Statement:

Berj A. Shakarian is the Architect for Cuyahoga County, the largest county in Ohio. In this capacity as the Owner-Architect, he redefined the value of public architecture and design. His leadership and vision are inspiring.

Achievements:

Berj A. Shakarian is a Public Architect par excellence. It is his belief that public architecture and design have a vital role to play in the society to improve the human condition.

theater complex from demolition in downtown Cleveland. The effort led to the restoration of the State and Ohio Theaters into a national entertainment center, the Playhouse Square, larger than This commitment provided impetus to lead the County Government to save the 1920's vintage

In addition, Mr. Shakarian led the restoration effort of the Cuyahoga County Court House and the Soldiers' and Sailors' Monument, two significant national landmarks and recipients of various awards. Further, under his tenure, more than \$1 billion in construction projects were realized, including both new construction and restoration projects in the context of the Capital Plan. The work entailed neighborhood centers, children' homes, correctional facilities, specialized entities, parking garages, and satellite offices. Each of these projects depicted both sensitivity to the users and context, including a responsible environmental stewardship. As the first County Architect, Berj A. Shakarian has truly introduced the profession of architecture to Cuyahoga County. He has implemented quality-based selection for architects with the mantra "we expect the professional practice to exceed the normal criteria of care and diligence," engaging small firms in public work and organizing competitions. His vision for Total Project Integration has involved a multitude of consultants - including painters, sculptors, restoration artists, graphic designers, landscape architects, preservationists and environmentalists. Additionally, Mr. Shakarian has instigated major changes in the county procurement system by developing a concise Project Manual for Construction Contracts, including standards of sustainability. Never before have both the public sector and the profession of architecture been so well served by the County Architect. Readily providing assistance and advice to adjoining communities, lecturing, publishing, and organizing AIA educational events, Berj A. Shakarian is a Public Architect par excellence.



Email 428scj@roadrunner.com

Profile: United States Air Force veteran 1974 - 1978

Retired from Morton Salt 1978 - 2008

Married for forty years to Linda, Father and Grandfather.

Education: 1974 Graduate of Buckeye High School.

One and two jet engine mechanic.

Auto and truck repair. Clock and watch repair.

Experience: At Morton Salt, I was responsible for the drying and chemical

Analysis of salt products including USP and Reagent

Pharmaceutical grades of salt.

Owned in partnership Auto and Truck repair shop 1978 -

1990. sold same in 1990.

Own and operate clock and watch repair 1990 to present.

Member of United Steel Workers of America in good

standing.

Served in several positions in the union. Steward for nine Years. Grievance Committee for nine years. Contract Negations for twelve years. Information Officer to all

International Unions for twelve years.

Computer

Skills: Microsoft XP, Vista, Windows 7, and 8. Microsoft Office.

Microsoft Works and Word.

Interests: Life member of the Disabled American Veterans.

Life member of the National Rifle Association.

Member National Marrow Donor Program

Trustee and volunteer for the Cuyahoga County Soldiers and

Sailors Monument.

Trustee and volunteer for the Woodland Cemetery

Foundation.

Volunteer at St. Herman's House of Hospitality. Active in genealogy and private investigations.

Santa Claus for many charities and schools throughout Ohio.

Sincerely, Jerry L. Young

# County Council of Cuyahoga County, Ohio

# Resolution No. R2014-0138

Sponsored by: Councilmembers	A Resolution confirming the County		
Connally and Conwell	Executive's reappointment of Thomas M.		
	McDonald to serve on The MetroHealth		
	System Board of Trustees for the term		
	5/27/2014 - 3/31/2020, and declaring the		
	necessity that this Resolution become		
	immediately effective.		

WHEREAS, Ohio Revised Code Chapter 339 provides for the organization and operation of a county hospital; and

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six year term; and

WHEREAS, pursuant to Ohio Revised Code 339.02(F)(1), the County Executive has sought and received approval from both the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service; and

WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and

WHEREAS, the County Executive has nominated Thomas M. McDonald to be reappointed to serve on The MetroHealth System Board of Trustees to fill an expired term ending 3/31/2020; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

NOW, THEREFORE, BE IT APPROVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

**SECTION 1.** That the Cuyahoga County Council hereby confirms the reappointment of Thomas M. McDonald to serve on The MetroHealth System Board of Trustees to fill a vacancy in an expired term, commencing immediately and expiring 3/31/2020.

**SECTION 2.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion byduly adopted.	, seconded by	, the foregoin	g Resolution was
Yeas:			
Nays:			
	County Council	President	Date
	Clerk of Council	<u> </u>	Date
First Reading/Referred to C Committee(s) Assigned: H			У
Journal, 20			

# County Council of Cuyahoga County, Ohio

# Resolution No. R2014-0130

Sponsored by:	<b>County Executive</b>
FitzGerald/De	partment of Human
Resources	

A Resolution authorizing an amendment to Contract No. CE1200357-01 with Health Span Integrated Care fka Kaiser Foundation Health Plan of Ohio for group healthcare benefits for County employees and their eligible dependents including medical and pharmacy benefit management services for the period 1/1/2012 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount not-to-exceed \$4,000,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Human Resources has recommended approval of an amendment to Contract No. CE1200357-01 with Health Span Integrated Care fka Kaiser Foundation Health Plan of Ohio for group healthcare benefits for County employees and their eligible dependents including medical and pharmacy benefit management services for the period 1/1/2012 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount not-to-exceed \$4,000,000.00; and

WHEREAS, the primary goal of this project is to continue to provide group healthcare benefits, including medical and pharmacy benefits to County employees and their eligible dependents; and

WHEREAS, this Contract will be funded 100% by the General Fund; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

# NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

**SECTION 1.** That the Cuyahoga County Council hereby amends Contract No. CE1200357-01 with Health Span Integrated Care (fka Kaiser Foundation Health Plan of Ohio), for group healthcare benefits, including medical and pharmacy benefit

management services for County employees and their eligible dependents for the period 1/1/2012 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount not-to-exceed \$4,000,000.00.

**SECTION 2.** That the County Executive is authorized to execute the amendment and any and all documents consistent with this Resolution.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion byduly adopted.	_, seconded by, the foregoing	ng Resolution was
Yeas:		
Nays:		
	County Council President	Date
	County Executive	Date
	Clerk of Council	Date
First Reading/Referred to C Committee(s) Assigned: Hi	ommittee: May 13, 2014 uman Resources, Appointments & Equi	i <u>ty</u>
Journal		