

31662

DATE: December 26, 2012

TO: Board of Acquisition & Contract

FROM: Mark C. Fang
Executive Director, Human Rights Commission

RE: Authority to enter into an agreement with the City of Yonkers pursuant to which the County, through the Executive Director of the Human Rights Commission, will take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers, make monthly reports to the City concerning the status of such cases, and advise on recommendations for reducing the incidence of human rights violations and complaints in the City, for a one (1) year term commencing upon execution

Authority is hereby requested for the County of Westchester (the "County") to enter into an agreement with the City of Yonkers (the "City"), pursuant to which the County, through the Executive Director of the Human Rights Commission, will take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers, make monthly reports to the City concerning the status of such cases, and advise on recommendations for reducing the incidence of human rights violations and complaints in the City, for a one (1) year term commencing upon execution (the "Agreement"). In consideration for services rendered, the City will pay the County a lump-sum fee of Twenty-Five Thousand (\$25,000.00) Dollars.

By Local Law 17-1999, the Board of Legislators enacted the Westchester County Human Rights Law which is codified in Chapter 700 of the Laws of Westchester County (the "Law"). As your Honorable Board is aware, the Law prohibits acts of discrimination in Westchester County, including, *inter alia*, discrimination in employment, discrimination in public accommodations, discrimination in housing accommodation, discrimination in commercial space and land transactions, and discrimination in the issuing of credit. In addition, the Law provides for, *inter alia*, the establishment of the Westchester County Human Rights Commission (the "Commission") which is charged with enforcing the provisions of the Law. The Commission is headed by an Executive Director (the "Executive Director"), appointed by the Commission, who is responsible for, *inter alia*, initiating complaints alleging unlawful discriminatory practices in the county as set forth in the Law.

Pursuant to the terms of the Agreement, the Executive Director or his duly authorized designee will: (1) take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers provided by the City government; and (2) provide written monthly reports to the Yonkers Human Rights Commission and the Mayor of Yonkers and his staff, to apprise them of the complaints received relating to Yonkers residents and the status of such cases, as well as advise on recommendations for reducing the incidence of human rights

violations and complaints in the City based on his evaluation of the issues raised in the course of his work in the City and generally.

In consideration for services rendered, the City will pay the County a lump-sum fee of Twenty-Five Thousand (\$25,000.00) Dollars, payable up front prior to the commencement of services. In addition, the City will provide the office space, telephone service and reasonable supplies necessary for the Executive Director to perform the services, at no cost to the County.

It should be noted that in accordance with Section 700.09 of the Law, the Commission is empowered to enter into written agreements with federal, state and municipal agencies and commissions for purposes of achieving inter-governmental cooperation and coordination in matters pertaining to discrimination and the handling of complaints and investigations of discrimination.

The Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)iii, which exempts transactions or contracts with ... any State, and any political subdivision, agency or instrumentality thereof.

The goals and objectives of this Agreement are to provide greater access to the Commission for Yonkers residents who feel they have been victims of discrimination.

The goals and objectives are in the best interests of the County in terms of public health and welfare because by providing a satellite office in Yonkers, the Commission will be able to reach a greater population, thereby routing out a greater number of discriminatory practices.

The goals and objectives will be tracked and monitored by the Commission.

An appropriate resolution is herewith attached for your Honorable Board's consideration.

MCF/jpg

RESOLUTION

UPON A COMMUNICATION FROM THE EXECUTIVE DIRECTOR, WESTCHESTER COUNTY HUMAN RIGHTS COMMISSION, BE IT HEREBY:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with the City of Yonkers (the "City"), pursuant to which the County, through the Executive Director of the Human Rights Commission, will take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers, make monthly reports to the City concerning the status of such cases, and advise on recommendations for reducing the incidence of human rights violations and complaints in the City, for a one (1) year term commencing upon execution; and be it further

RESOLVED, that in consideration for services rendered, the City will pay the County a lump-sum fee of Twenty-Five Thousand (\$25,000.00) Dollars payable up front prior to the commencement of services; and be it further

RESOLVED, that the City will provide the office space, telephone service, and reasonable supplies necessary for the Executive Director to perform the services, at no cost to the County; and be it further

RESOLVED, that the County Executive or his duly authorized designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Agreement #
Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
	101	52	1000	9734		\$25,000

Budget Funding Year(s) 2013 Start Date _____ End Date _____
(must match resolution)

Funding Source Tax Dollars \$25,000
State Aid _____
Federal Aid _____
Other _____

\$ 25,000
(must match resolution)