

35875

DATE: September 9, 2013

TO: Board of Acquisition and Contract

FROM: Melissa Staats
Acting Commissioner of Community Mental Health

SUBJECT: Amending a resolution approved on March 28, 2013, which, *inter alia*, authorized the County to enter into, terminate, and consolidate various grant agreements with the United States Department of Housing and Urban Development ("HUD") for the provision of funding in support of the Shelter Plus Care Program, for various amounts not-to-exceed and for various terms, in order to authorize the County to:

- 1) enter into eleven (11) grant agreements with HUD, with each having a term February 1, 2013 through January 31, 2014, for a total aggregate amount not-to-exceed \$7,087,002;
- 2) after execution of the aforementioned eleven (11) grant agreements, enter into an agreement with HUD to consolidate the aforementioned eleven (11) grant agreements into one (1) grant agreement; and
- 3) after execution of the aforementioned consolidated grant agreement, enter into a subsequent consolidated grant agreement with HUD for up to four (4) successive one (1) year terms.

On September 3, 2013, the County's Department of Community Mental Health (the "Department") was informed by HUD that in order to accept approximately seven million dollars (\$7,000,000) in Federal funds, the County will have to execute eleven (11) separate grant agreements (the "Eleven Grant Agreements") by September 16, 2013. If the Eleven Grant Agreements are not executed by that time, the County could forfeit up to the aforementioned approximately seven million dollars (\$7,000,000) in critically-needed funding under HUD's Shelter Plus Care program (the "Program"). As your Honorable Board may know, this funding under the Program provides rental assistance for hard-to-serve homeless persons with disabilities. Under the Program, the County serves between 450 and 600 homeless persons, consisting of both individuals and families.

Significantly, the above-described directive from HUD modifies a March, 2013 notification from HUD which required that the County immediately consolidate its eleven (11) existing Program grant agreements into one (1) grant agreement. However, HUD has advised the Department that subsequent to the execution of the Eleven Grant Agreements, HUD will ultimately perform this consolidation by requiring that the County enter into one (1) grant agreement that consolidates the Eleven Grant Agreements.

In furtherance of HUD's March request, your Honorable Board, by resolution approved on March 28, 2013, (the "March 28th Resolution") authorized the County, *inter alia*, to: enter into one (1), new, consolidated grant agreement with HUD in order to accept Program funding in a total aggregate amount not-to-exceed \$37,625,856 over five successive one (1) year terms, with the first term commencing February 1, 2013 and the last term concluding January 31, 2018.

Therefore, in order to comply with HUD's directive from September 3 and avoid the possible forfeiture of up to approximately seven million dollars (\$7,000,000) in critically-needed funding, it is most respectfully requested that your Honorable Board approve the attached time-sensitive resolution, which would amend the March 28th Resolution in order to authorize the County to:

- 1) enter into eleven (11) grant agreements with HUD, with each having a term February 1, 2013 through January 31, 2014, for a total aggregate amount not-to-exceed \$7,087,002, and in the individual amounts set forth in the Schedule "F" attached hereto;
- 2) after execution of the aforementioned eleven (11) grant agreements, enter into an agreement with HUD to consolidate the aforementioned eleven (11) grant agreements into one (1) grant agreement (the "Consolidated Grant Agreement"); and
- 3) after execution of the Consolidated Grant Agreement, enter into a subsequent consolidated grant agreement with HUD for up to four (4) successive one (1) year terms.

Except as otherwise specifically provided herein, all other terms set forth in the March 28th Resolution shall remain in full force and effect.

The proposed agreements will serve a public purpose by providing the County with the funding for housing and supportive services on a long-term basis for homeless persons with disabilities, (primarily those with serious mental illness, chronic problems with alcohol and/or drugs, and acquired immunodeficiency syndrome (AIDS) or related diseases) and their families who are living in places not intended for human habitation (e.g., streets) or in emergency shelters.

The goals and objectives of the proposed agreements are to provide the County with the funding for housing and supportive services on a long-term basis for homeless persons with disabilities, (primarily those with serious mental illness, chronic problems with alcohol and/or drugs, and acquired immunodeficiency syndrome (AIDS) or related diseases) and their families who are living in places not intended for human habitation (e.g., streets) or in emergency shelters.

The goals and objectives of the proposed agreements are in the best interests of the County in terms of the public health and welfare, as those who are need of housing will be able to find housing that is in a safe and secure environment and not in the streets. This will assist those in transition to find affordable housing and lead productive lives in Westchester County.

The goals and objectives of the proposed agreements will be tracked by the staff of the Department.

The proposed agreements do not constitute procurements and, as such, are not subject to the requirements of the County's Procurement Policy.

Thank you for your consideration of this matter.

MS/JPG/nn

Enclosures

RESOLUTION

Upon a communication from the Acting Commissioner of the Department of Community Mental Health, be it hereby

RESOLVED, that the resolution approved on March 28, 2013 (the "March 28th Resolution"), which, *inter alia*, authorized the County of Westchester, acting by and through its Department of Community Mental Health, (the "County") to enter into, terminate, and consolidate various grant agreements with the United States Department of Housing and Urban Development ("HUD") for the provision of funding in support of the Shelter Plus Care Program, for various amounts not-to-exceed and for various terms, is hereby amended by deleting the third RESOLVED clause and replacing it with the following three (3) RESOLVED clauses:

RESOLVED, that the County, acting by and through the Department, is authorized to enter into eleven (11) grant agreements ("the Eleven Grant Agreements") with HUD, with each having a term February 1, 2013 through January 31, 2014, for a total aggregate amount not-to-exceed \$7,087,002, and in the individual amounts set forth in the Schedule "F" attached hereto; and it is further

RESOLVED, that the County, acting by and through the Department, is authorized to, after execution of the Eleven Grant Agreements, enter into an agreement with HUD to consolidate the Eleven Grant Agreements into one (1) grant agreement (the "Consolidated Grant Agreement"); and it is further

RESOLVED, that the County, acting by and through the Department, is authorized to, after execution of the Consolidated Grant Agreement, enter into a subsequent consolidated grant agreement with HUD for up to four (4) successive one (1) year terms; and it is further

; and be it further

RESOLVED, that except as otherwise specifically provided herein, all other terms and conditions set forth in the March 28th Resolution shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute any and all documents necessary to effectuate the purposes hereof.

Account to be charged/credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/Sub Object	Trust Account	Dollars

Budget Funding Year(s) 2013-2018 Start Date February 1, 2013 End Date January 31, 2018
(must match resolution)

Funding Sources
Tax Dollars _____
State Aid: _____
Federal Aid _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/12/2013 - ROMARY VEIRA, SECRETARY

SCHEDULE "F"

<u>Grant #</u>	<u>HUD Grant Number</u>	<u>Term</u>	<u>Amount</u>
01	NY0498L2T041205	2/1/13-1/31/14	914,401
02	NY0489L2T041205	2/1/13-1/31/14	963,204
03	NY0490L2T041205	2/1/13-1/31/14	1,138,296
04	NY0491L2T041205	2/1/13-1/31/14	644,794
05	NY0492L2T041205	2/1/13-1/31/14	441,130
06	NY0493L2T041205	2/1/13-1/31/14	230,554
07	NY0494L2T041205	2/1/13-1/31/14	566,981
08	NY0495L2T041205	2/1/13-1/31/14	200,792
09	NY0626L2T041204	2/1/13-1/31/14	464,661
10	NY0748L2T041203	2/1/13-1/31/14	419,706
RAP	NY0488L2T041205	2/1/13-1/31/14	1,102,483
			<u>\$7,087,002</u>

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - JOMAR VERA, SECRETARY