

Robert P. Astorino
County Executive

Department of Social Services

Kevin P. Mahon
Commissioner

DATE: April 19, 2010

TO: Board of Acquisition and Contract

FROM: Kevin P. Mahon
Commissioner

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with My Sisters' Place, Inc. to operate a special needs shelter for up to fifteen (15) women and their minor children who are victims of domestic violence at a facility known as My Sisters' Place I for the period from July 1, 2010 through June 30, 2011 for an amount not to exceed \$320,000, \$20,000 of which is exclusively designated to cover the cost associated with uncompensated overstay for Westchester County residents at the aforesaid facility, to be paid monthly at an approximated per diem of \$97.36 pursuant to an approved budget and subject to appropriation.

The County of Westchester requests authorization to enter into an agreement with My Sisters' Place, Inc. to operate a shelter for up to fifteen (15) women and their minor children who are victims of domestic violence at a facility known as My Sisters' Place I for the period from July 1, 2010 through June 30, 2011 for an amount not to exceed \$320,000, \$20,000 of which is exclusively designated to cover the cost associated with uncompensated overstay for Westchester County residents at the aforesaid facility, to be paid monthly at an approximated per diem of \$97.36 pursuant to an approved budget and subject to appropriation. Uncompensated stay is defined as a continuous stay in a domestic violence shelter that exceeds the allowable 135 days. There has been no increase in the amount requested for the proposed agreement.

The County proposes to enter into this agreement to provide emergency shelter placements for victims of domestic violence. The Domestic Violence State Aid Rate (DVSAR) that has been approved by the New York State Office of Temporary and Disability Assistance for the period from January 1, 2010 through December 31, 2010 is currently \$97.36 per person per day. This rate is subject to modification by the State. The County is therefore requesting authorization to adjust the current per-diem rate to conform to the revised DVSAR when it is issued by the State.

The services to be provided pursuant to the proposed agreement serve a **public purpose** by assisting the County to provide immediate emergency shelter to eligible victims of domestic violence and their minor children.

The **goals and objectives** of the proposed agreement are as follows:

- to provide a safe environment to women and their minor children experiencing domestic violence
- to provide on-site counseling services and support groups
- to offer 24 hour hotline services seven days a week

- to increase responsiveness of the criminal justice system to the needs of battered women and their minor children by offering legal services, advocacy and accompaniment services for Court hearings and visits to the District Attorney's Office.

The goals and objectives of this program are in **the best interests of the County in terms of public health and public safety** as they are aimed at ensuring and enhancing the health and safety of the targeted population. The NYS Office for the Prevention of Domestic Violence reported that between 2007-2008, New York State saw an increase in indicators of domestic violence.

- 45 intimate partner homicides in counties outside New York City were reported in 2008, an increase of 45% from 2007. (Division of Criminal Justice Services)
- In 2008, 50% of females aged 16 and older who were victims of homicides were killed by an intimate partner. Four (4%) of male homicides victims were killed by an intimate partner. (DCJS)
- In 2008, the number of applicants for public assistance who indicated danger due to domestic violence increased 20% from 2007 (OTDA)

The County enhances public safety by providing a safe haven in the form of emergency housing to victims of domestic violence and their minor children. The 24-hour hotline allows Westchester County residents to receive help in a crisis situation with problems of domestic violence by offering options and resources to maximize safety. Individual and group counseling sessions are structured around empowerment, independency and self-sufficiency to reduce the number of families returning to their abusers. In the event a resident's length of stay exceeds the allowable 135 days, this program provides additional funding to allow said resident to remain in a safe haven until appropriate housing is arranged.

The goals and objectives are in the County's **best interests in terms of fiscal responsibility** as they help to reduce the costs associated with responding to emergency calls for help and protection by the victims of domestic violence.

Listed below are some of the ways in which the program would help cut costs and thereby reduce the County's financial burden.

- As individuals are moved to safe housing, the number of emergency response calls to the police department and ambulance services would be reduced. The medical expenses resulting from injuries due to domestic violence assaults would also be reduced.
- The frequent individual and group counseling sessions empowers some of the victims to permanently leave the abusive relationships that can be associated with a reduction in the number of referrals for abuse to Adult Protective Services and Child Protective Services divisions. Providing this service is potential cost avoidance with expenditures associated with the APS and CPS staff and court costs.
- The payment schedule is paid based upon an approximated per diem rate. The vendor payment for services is based upon the monthly occupancy rate in contrast to a flat fee schedule.

Failure to provide this service would result in the County being out of compliance with NYS laws and regulations requiring the provision of emergency housing for victims of domestic violence. Without this program, the Department will have a reduced capacity to house women and their minor children who are victims of domestic violence. Further, the Department's permanent capacity to provide domestic violence shelter placements will be reduced since its ability to open new domestic violence shelters is limited.

The **goals and objectives will be tracked and monitored** using the performance measurement indicators developed by the Department and approved by the County Budget Office.

The contractor is required to submit to the Department, quarterly statistical reports on all activities related to the program.

The **Department is able to report that the vendor's Performance Measurement Indicators** reflect that the program met its goal of housing eligible customers referred by the Department. The facility accepted 100% of appropriate referrals during the 2009 - 2010 contract period. As of 3/31/10, this program effectively provided shelter and supportive services for 12 women and 7 minor children from the County of Westchester. The average length of stay for Westchester County residents was 111 days. 17 Long Term Safety Plans were developed and signed by the residents.

This contract is exempt from the Westchester County Procurement Policy under Section 3(a) (xiv).

Therefore, the County of Westchester is hereby requesting permission to enter into an agreement with My Sisters' Place, Inc. for the aforesaid purpose.

A resolution requesting the same is attached for your Honorable Board's approval.

APPROVED BOARD OF ACQUISITION & CONTRACT - 5-13-2010 - JOMARY VIEIRA, SECRETARY

R E S O L U T I O N

Upon a communication from the Commissioner of Social Services; be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with My Sisters' Place, Inc. to operate a special needs shelter for up to fifteen (15) women and their minor children who are victims of domestic violence at a facility known as My Sisters' Place I for the period from July 1, 2010 through June 30, 2011 for an amount not to exceed \$320,000, \$20,000 of which is exclusively designated to cover the cost associated with uncompensated overstay for Westchester County residents, to be paid monthly at an approximated per diem of \$97.36 pursuant to an approved budget; and be it further

RESOLVED, that the contract per diem rate of \$97.36 is subject to change as may be prescribed by the New York State Office of Temporary and Disability Assistance; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to amend the aforementioned agreement subsequent to execution of the same in order to adjust the per diem rate to conform to the anticipated future modification of the said rate by the New York State Office of Temporary and Disability Assistance at such time as the County is notified by the State of such modification of the rate provided that such rate does not exceed the amount authorized herein; and be it further

RESOLVED, that this Contract is subject to County Appropriation; and be it further

RESOLVED, that this agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release (s) or adoption (s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is empowered to execute any document necessary to implement this Resolution.

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2010	101	22	8900	5850	_____	\$170,000
2011	101	22	8900	5850	_____	\$150,000

Budget Funding Year(s): 2010-2011 Start Date: 7/1/10 End Date: 6/30/11
(must match resolution)

Funding Source

\$320,000

(must match resolution)

Tax Dollars: 25%
State Aid: 25%
Federal Aid: 50%
Other: