

68576

DATE March 19, 2019

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with Legal Services of the Hudson Valley (LSHV) for the provision of legal services to eligible households needing protection from eviction as well as households in connection with housing resettlement and eviction prevention, and for residents of multi-unit building in Westchester County.

The attached resolution authorizes the County of Westchester ("County") to enter into an agreement with Legal Services of the Hudson Valley (LSHV) to provide legal services to eligible households needing protection from eviction to prevent the loss of affordable housing rental units in multi-family dwellings, including providing legal representation to tenants in court for the term January 1, 2019 through December 31, 2019. The agreement will be in the not-to-exceed amount of \$479,613.00, to be paid pursuant to an approved budget.

LSHV has provided legal eviction prevention/housing resettlement services to low income residents with County funding since 1998, with the majority of its clients receiving public assistance benefits as well as Medicaid and Veteran's Administration benefits. LSHV has helped the most vulnerable members of Westchester communities - poor and low income individuals and families - with free non-criminal legal counsel and representation to protect their basic necessities of life. These necessities include shelter, freedom from physical abuse, medical care and access to legal protections and supports that are guaranteed by law but not always provided. For many years, the County has retained LSHV to provide legal representation to eligible families to assist with housing resettlement and eviction prevention as well as to provide an attorney to advocate for preserving affordable housing within Westchester County. Eviction prevention clients are households that are incurring rental obligations that exceed the housing allowances provided to them by their government subsidies. This agency has the expertise and experience to provide the appropriate services, the capacity to provide these services and the local offices to provide the services at locations that are easily accessible to those who need these services.

Eligible households and individuals will include those with income at or below 60% of the County's Area Median Income as defined by the U.S. Department of Housing and Urban Development.

The agreement will prevent homelessness in Westchester County by providing legal assistance on approximately 500 new legal matters involving households in imminent danger of becoming homeless or household in need of assistance to remain in their homes in Westchester. LSHV will provide at least 180 households with eviction services to prevent homelessness and the need for additional public assistance. They will make a minimum of 50 court appearances or administrative appearances, defend/respond to a minimum of 20 filings in court on behalf of tenants, a minimum of 10 building complexes will benefit from LSHV services, will host 20 outreach and legal educational sessions for individuals and community groups and distribute a minimum of 150 informational brochures and fliers. It is in the County's best interest to enter into this agreement as the legal services to be provided will enable eligible low income households to avoid eviction, the resulting homelessness and the need for homeless shelter residences, thus avoiding social and economic disruption to households and consequential increased County expenditures for homeless shelters. LSHV was able to exceed all goals in 2018. We anticipate LSHV will continue meet or exceed all of their goals in 2019. Department of Planning staff shall monitor the agreement by reviewing LSHV's payment requests to ensure that all contractual requirements are met.

Authority to exempt the procurement of an agreement from the application of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been requested by your Honorable Board in accordance with a separate resolution of even date herewith.

I recommend approval of this agreement.

NVD/cp
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING BE IT HEREBY

RESOLVED, that the County of Westchester (“County”) is hereby authorized to enter into an agreement with Legal Services of the Hudson Valley for the provision of legal services to eligible families earning no more than 60% of the County’s Area Median Income as defined by the U.S. Department of Housing and Urban Development, in connection with housing resettlement and eviction prevention, and for residents of multi-unit buildings in Westchester County, for the term January 1, 2019 through December 31, 2019, for a total amount not-to-exceed \$479,613.00, to be paid pursuant to an approved budget; and be it further

RESOLVED, that this agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (“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 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 impact of any such budget(s) 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 the Agreement upon reasonable prior written notice; and be it further

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

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	19	0100	4420		\$479,613.00

Budget Funding Year(s): 2019 Start Date: January 1, 2019 End Date: December 31, 2019
(must match resolution)

Funding Source Tax Dollars \$479,613.00
State Aid _____
Federal Aid _____
Other _____

\$479,613.00
(must match resolution)