



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

68807

DATE: March 2019

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner, Department of Social Services

SUBJECT: Authority to amend agreements with The Children's Village, Inc., Graham Windham, and Lincoln Hall (collectively the "RTA Facilities") pursuant to which the County of Westchester (the "County"), acting by and through the Department of Social Services (the "Department"), functions as a "pass-through" for the 100% New York State funding to the RTA Facilities in order to ensure that a sufficient number of residential foster care beds and adequate services are maintained to accommodate the number of juvenile delinquents who are placed into foster care by family courts as a result of the raise-the-age laws.

By Resolution of Your Honorable Board on November 8, 2018, the County was authorized to enter into agreements (the Agreements) with The Children's Village, Inc., Graham Windham, and Lincoln Hall (collectively the "RTA Facilities") pursuant to which the County of Westchester (the "County"), acting by and through the Department of Social Services (the "Department"), functions as a "pass-through" for the 100% New York State funding to the RTA Facilities in order to ensure that a sufficient number of residential foster care beds and adequate services are maintained to accommodate the number of juvenile delinquents who are placed into foster care by family courts as a result of the raise-the-age laws. Under the Agreements, the County is to provide the funding for 100% of the RTA Facilities' start-up costs which have been predetermined by New York State. Under the terms of the Agreements they were to commence upon execution and continue through June 30, 2022. The Agreements were subsequently executed.

The Department has been informed by the Department of Finance ("Finance") that, because the RTA Facilities' start-up costs were incurred beginning on October 1, 2018 which is prior to the execution of the Agreements, Finance is unable to process the payments to the RTA Facilities.

Therefore, authority of Your Honorable Board is now respectfully requested to enter into amendments (the "First Amendment") of the Agreements in order to amend the commencement date retroactively to October 1, 2018, to ensure that the payments to the RTA Facilities can be processed.

The proposed First Amendments will serve a public purpose by helping to ensure that there will be adequate accommodations and services for juvenile delinquents to meet the increased demands created by Raise the Age.

The goals and objectives of the proposed First Amendment are to provide a means for OCFS to provide the funding to the RTA Facilities to provide a sufficient number of beds and adequate services to juvenile delinquents who are placed into foster care by family courts as a result of Raise the Age.

Except as specifically amended hereby, all other terms and conditions of the Agreements shall remain in full force and effect.

The goals and objectives of the proposed First Amendment will be tracked and monitored by the Department

I respectfully recommend your Honorable Board's approval of the attached Resolution.

KMM/PE/JRC

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Social Services, is hereby authorized to enter into amendments (the “First Amendments”) of the agreements with The Children’s Village, Inc., Graham Windham, and Lincoln Hall (collectively the “RTA Facilities”) pursuant to which the County will function as a “pass-through” for the 100% New York State funding to the RTA Facilities in order to ensure that a sufficient number of residential foster care beds and adequate services are maintained to accommodate the number of juvenile delinquents who are placed into foster care by family courts as a result of the raise-the-age laws and to reimburse the RTA Facilities for their start-up costs ; and be it further

RESOLVED, that under the terms of the First Amendments, the commencement date of the Agreements shall be amended retroactively to October 1, 2018; and be it further,

RESOLVED, that all other terms and conditions of the Agreements shall remain in full force and effect; and be it further

RESOLVED, that the County Executive, or his authorized designee, is authorized 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
N/A	N/A	N/A	N/A	N/A	N/A

Budget Funding Year(s): N/A Start Date: 10/01/2018 End Date: 06/30/22
(must match resolution)

Funding Source Tax Dollars: N/A
State Aid: N/A
Federal Aid: N/A
Other:

\$N/A
(must match r

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/04/2019 - LISA MRIJAJ, SECRETARY