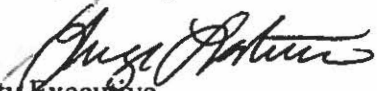


April 8, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: ACT – Amend an IMA
with Yonkers Re: Sexual Risk Avoidance Education Program.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 11, 2022 Agenda.

Transmitted herewith for your review and approval is an Act which would authorize the County of Westchester (“County”) to amend an inter-municipal agreement with the City of Yonkers.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 11, 2022 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



Office of the County Executive
George Latimer

April 8, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which would authorize the County of Westchester ("County") to amend an inter-municipal agreement with the City of Yonkers ("Yonkers") pursuant to which Yonkers agreed to provide a Sexual Risk Avoidance for a term commencing on July 1, 2021 and continuing through June 30, 2022 ("IMA") by increasing the previously approved not-to-exceed amount of \$30,334 by \$30,334, to a new total aggregate not to exceed amount of \$60,668.

By way of background, by Act 2021-182 your Honorable Board authorized the County, acting by and through its Youth Bureau (the "Youth Bureau"), to: 1) enter into a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program (the "Program") to address the need for teen pregnancy prevention and youth engagement in the seven highest need cities in Westchester, which includes Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers, and related administrative activities in the total aggregate amount of \$260,000, for a term commencing on July 1, 2021 and continuing through June 30, 2022 (the "Grant Agreement"); and 2) enter into inter-municipal agreements with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers (the "Municipalities"), for services to be funded with the grant funds, in the total aggregate not-to-exceed amount of \$212,338, comprised of an amount not to exceed \$30,334 per Municipality, for a term commencing on July 1, 2021 and continuing through June 30, 2022. The remainder of the grant funds were to be used to enter into an agreement with Nepperhan Community Center, Inc. ("Nepperhan").

Now, Nepperhan has advised the Youth Bureau that Nepperhan will not be providing the services. Approval of the Board of Acquisition and Contract was not sought nor was an agreement with Nepperhan executed.

Accordingly, authority is requested for the County to amend its executed IMA with Yonkers to provide for additional services. Pursuant to the proposed IMA amendment, the City of Yonkers would provide the Program to at least 15 additional youth, for a total aggregate number of at least 30 youth. The Program will continue to operate during after school hours in person or via virtual meetings as necessary. In addition, authority is requested to increase the previously approved amount payable by the County to Yonkers pursuant to the IMA by \$30,334 by to a new total aggregate not-to-exceed amount of \$60,668.

The Planning Department has advised that the proposed IMA amendment does not meet the definition of an "action" under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated January 14, 2022, which is on file with the clerk of your Honorable Board. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

The proposed amendment to the IMA with the City of Yonkers is intended to benefit additional youth in Yonkers through grant-funded services. Accordingly, I believe the proposed action is in the best interest of the County and, therefore, recommend your favorable action on the annexed proposed Act.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Latimer".

George Latimer
County Executive

Attachments

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the amendment of an inter-municipal agreement with the City of Yonkers (“Yonkers”) pursuant to which Yonkers agreed to provide a Sexual Risk Avoidance for a term commencing on July 1, 2021 and continuing through June 30, 2022 (“IMA”) by increasing the previously approved not-to-exceed amount of \$30,334, by \$30,334, bringing the total aggregate not to exceed amount to \$60,668.

By way of background, by Act 182-2021 your Honorable Board authorized the County, acting by and through its Youth Bureau (the “Youth Bureau”), to: 1) enter into a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program (the “Program”) to address the need for teen pregnancy prevention and youth engagement in the seven highest need municipalities in Westchester, which includes Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers, and related administrative activities in the total aggregate amount of \$260,000, for a term commencing on July 1, 2021 and continuing through June 30, 2022 (the “Grant Agreement”); and 2) enter into inter-municipal agreements with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers (the “Municipalities”), for services to be funded with the grant funds, in the total aggregate not-to-exceed amount of \$212,338, comprised of an amount not to exceed \$30,334 per Municipality, for a term commencing on July 1, 2021 and continuing through June 30, 2022, The remainder of the grant funds were to be used to enter into an agreement with Nepperhan Community Center, Inc. (“Nepperhan”).

Now, Nepperhan has advised the Youth Bureau that Nepperhan will not be providing the services. Approval of the Board of Acquisition and Contract was not sought nor was an agreement with Nepperhan executed.

Accordingly, authority is requested for the County to amend its executed IMA with Yonkers in order for Yonkers to provide additional services. Pursuant to the proposed IMA amendment,

Yonkers will provide the Program to at least 15 additional youths, for a total aggregate number of at least 30 youths. The Program will continue to operate during after school hours in person or via virtual meetings as necessary. In addition, authority is requested to increase the previously approved amount payable by the County to Yonkers pursuant to the IMA by \$30,334, bringing the total aggregate amount not-to-exceed to \$60,668.

The Planning Department has advised that neither the IMA amendment does not meet the definition of an “action” under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated January 14, 2022, which is on file with the clerk of your Honorable Board. Therefore, no further environmental review is required. Your Committee concurs with this conclusion.

Your Committee has been advised that the passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board.

Your Committee has been advised that adoption of the proposed legislation is necessary to effectively carry out this worthwhile program. Accordingly, after due consideration, your Committee recommends adoption of the annexed legislation.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: SEXUAL RISK AVOIDANCE EDUCATION PROGRAM

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 260000

Total Current Year Revenue \$ 260000

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: Trust: T02W: 263-11-T0W-1010, 263-11-T02W-1650, 263-11-T02W-1651, 263-11-T02W-

1680, 263-11-T02W-4380

Potential Related Operating Budget Expenses: Annual Amount \$ 260,000

Describe: SRAEP Grant expenditures incurred by the Youth Bureau, salaries, fringe benefits and contractual services.

(AMENDMENT ONLY - NO CHANGE TO THE PRIOR APPROVED TOTAL REQUEST)

Potential Related Revenues: Annual Amount \$ 260,000

Describe: Reimbursement by the New York State Office of Children and Family Services

Account: 263-11-T02W-9854

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \$8,664

Salaries \$5,278 and Fringe Benefits 3,386

Next Four years: \$8,664

Salaries \$5,278 and Fringe Benefits \$3,386

Prepared by: Bernie Dean *BD*

Title: Financial Administrator

Department: CEO/Youth Bureau

Reviewed By: *Laura A. [Signature]*

Budget Director

4/6/22

If you need more space, please attach additional sheets.

ACT NO. – 2022

AN ACT authorizing the County of Westchester to amend an inter-municipal agreement with the City of Yonkers for the Sexual Risk Avoidance Education Program.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (“County”) be and hereby is authorized to amend its inter-municipal agreement with the City of Yonkers (“Yonkers”) pursuant to which Yonkers agreed to provide a Sexual Risk Avoidance Education Program (“Program”) for a term commencing on July 1, 2021 and continuing through June 30, 2022 (“IMA”) by increasing the not-to-exceed amount payable by the County to Yonkers under the IMA by \$30,334 bringing the total aggregate amount not-to-exceed to \$60,668.

§2. The County is further authorized to amend the IMA, to require that Yonkers provide the Program to at least 15 additional youth, for a total aggregate number of at least 30 youth to be served. The Program will continue to operate during after school hours in person or via virtual meetings as necessary.

§3. All other terms and conditions of the IMA shall remain the same.

§4. The County Executive or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof.

§5. This Act shall take effect immediately.