

**RESOLUTION NO. 871 -2013, ADOPTING LOCAL LAW
NO. 41 -2013, A CHARTER LAW TO IMPLEMENT
PERFORMANCE MEASUREMENT TO INCREASE
ACCOUNTABILITY AND ENHANCE SERVICE DELIVERY BY
CONTRACT AGENCIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on July 30, 2013, a proposed local law entitled, "**A CHARTER LAW TO IMPLEMENT PERFORMANCE MEASUREMENT TO INCREASE ACCOUNTABILITY AND ENHANCE SERVICE DELIVERY BY CONTRACT AGENCIES**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 41 -2013, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO IMPLEMENT PERFORMANCE
MEASUREMENT TO INCREASE ACCOUNTABILITY AND
ENHANCE SERVICE DELIVERY BY CONTRACT AGENCIES**

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County Government has been retrenching and downsizing since the national economic recession in 2008.

This Legislature also finds that since 2008 the County of Suffolk has been forced to lay off employees, sell assets and terminate and/or privatize services.

This Legislature further finds that notwithstanding the many difficult deficit mitigation actions taken to date, Suffolk County continues to face a large structural budget imbalance.

This Legislature also finds that under these difficult economic circumstances, Suffolk County must embrace performance measurements tools in order to deliver services more effectively and efficiently.

This Legislature finds that the County Executive recognized the vital importance of performance measurement and accountability in government when he created a performance management team within his office in 2012.

This Legislature determines that the County of Suffolk, to a very significant degree, relies on outside contract agencies to deliver vital services to seniors, veterans, young people, citizens with disabilities and other segments of the County's population.

This Legislature also determines that this body has enacted legislation to increase the oversight and accountability of contract agencies; the adoption of performance

measurement and reporting requirements can further enhance the efficiency and service delivery capability of contract agencies.

This Legislature further finds that access to important performance management data from contract agencies will allow County policymakers to make better informed budgeting and policy decisions when allocating resources.

Therefore, the purpose of this law is to make permanent performance measurement and reporting requirements applicable to County contract agencies and thereby make Suffolk County government more performance driven and accountable.

Section 2. Amendment.

Chapter 189 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 189: PURCHASING AND CONTRACTS

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Article VIII: Guidelines and Requirements for Contract Agencies

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189-41. Requirements

(l) All contracts with contract agencies, in excess of \$50,000, shall require the contract agency to identify, in conjunction with the contract's administering department, key performance measures and to develop an annual performance reporting plan. County departments and agencies will establish working groups, in conjunction with the County Executive's performance management team, to identify appropriate performance indicators for each contract agency and to evaluate performance measures on a monthly basis. No later than September 15th each year, all departments shall submit to the Clerk of the County Legislature a statement of actual performance for each contract agency funded in their departmental budget during that fiscal year, relative to the performance measures developed by the contract agency, the department and the performance management team.

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Section 3. Applicability.

This law shall apply to actions after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm,

partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law will take effect on January 1, 2015.

___ Underlining denotes addition of new language.

DATED: October 8, 2013

APPROVED BY:

/s/ Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: November 6, 2013

After a public hearing duly held on October 23, 2013
Filed with the Secretary of State on November 22, 2013