



City of Grand Island

Tuesday, February 26, 2008

Council Session

Item G3

**#2008-56 - Approving Application and Memorandum of
Understanding for Safe Haven: Office on Violence Against Women
Grant**

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Joni Kuzma

Council Meeting: February 26, 2008

Subject: Approving Application and Memorandum of Understanding for Safe Havens: Office on Violence Against Women Grant

Item #'s: G-3

Presenter(s): Joni Kuzma,
Community Development Administrator

Background

In January 2003, the City of Grand Island received a Safe Haven Supervised Visitation and Safe Exchange Program Grant from the U.S. Department of Justice for the development of Supervised Visitation and Exchange Center in Grand Island. The grant requires that eligible applicants must fall into one of the three following categories: Units of Local Government, Indian Tribe, or Faith-Based or Community Organizations. The grant further requires that the eligible entity enter into a collaborative working relationship with state and local courts and a non-profit, non-governmental entity in the local community that provides local shelters and programs for domestic violence and sexual assault victims (i.e. The Crisis Center, Inc.)

The City received a \$119,983 Planning Grant for September 2003-2005 and a two-year \$349,950.00 Planning/Implementation grant for 2006-2008. A Memorandum of Understanding between the City of Grand Island, the Crisis Center, and the courts was approved for both of these grant applications by Council in 2003 and in 2006. This funding from the Office on Violence Against Women enabled Grand Island to open a supervised visitation and exchange center.

The Heartland Family Visitation Center opened for business in May 2006 with a full-time Director, a full-time Case Manager, and part-time visitation monitors. For this grant, the Safe Haven Director established a community-based advisory committee, created operating policies and procedures, provided documentation to the City for required reports to the Office on Violence Against Women, completed a needs assessment for the community, and created a safe, welcoming facility for families in need of visits or exchanges. The Heartland Family Visitation Center, located at 204 N. Locust, became

incorporated as a 501(c)(3) in December 2006 and has a nine member Board of Directors to oversee operations.

Discussion

A five-year grant is available to the City for 2008 - 2013 funding for operations of the Heartland Family Visitation Center and is due February 28, 2008. The amount of grant funding will decrease annually for five years, at which time the Center is anticipated to be self-sufficient. A signed Memorandum of Understanding between the City, the Heartland Family Visitation Center and required partners (Crisis Center and the courts) is required for the grant application and is included in this packet. This Memorandum will not be binding if the grant is not received.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the Memorandum of Understanding and authorize the Mayor to sign related documents
2. Refer the issue to a committee.
3. Postpone the issue to a later date.

Recommendation

City Administration recommends that the Council approve the Memorandum of Understanding and authorize the Mayor to sign related documents.

Sample Motion

Move to approve the Memorandum of Understanding and authorize the Mayor to sign related documents.

MEMORANDUM OF UNDERSTANDING
SAFE HAVENS: SUPERVISED VISITATION AND SAFE EXCHANGE GRANT
GRANT REFERENCE NUMBER: 2005-CW-AX-0013

This Memorandum of Understanding is approved and executed on this ____ day of _____ 2008 by THE CITY OF GRAND ISLAND (The City), THE HEARTLAND FAMILY VISITATION CENTER (Visitation Center), THE CRISIS CENTER, INC., AND THE HALL COUNTY COURT SYSTEM (The Courts).

I. Project Description.

The purpose of this Memorandum of Understanding is to state the general terms, conditions and commitments of respective parties to administer and meet the contract specifications of the Safe Havens: Supervised Visitation and Safe Exchange program grant, awarded to the City of Grand Island by the Department of Justice, Office on Violence Against Woman. This document will outline the understanding between the parties to this agreement to operate a safe place for supervised visitation and safe exchange of children in the event of domestic violence, child abuse, sexual assault, stalking or other difficulties in family dynamics in the city of Grand Island, Hall County, Nebraska and the outlying service area.

The Office on Violence Against Women requires that the grantee (City of Grand Island) enter into a “collaborative working relationship with state and local courts and a nonprofit, nongovernmental entity in the local community to provides local shelters and programs for domestic violence and sexual assault victims”. The parties included in this agreement are the City of Grand Island, the Heartland Family Visitation Center, The Crisis Center, Inc., and the Hall County Court.

II. History of Relationship.

The City of Grand Island collaborated with The Crisis Center, Inc. in 2001 to discuss the feasibility of and need for a Supervised Visitation and Exchange Center. From those discussions, the decision was made to apply for a Safe Havens: Supervised Visitation and Safe Exchange planning grant (2003-CW-BX-0026,) which was awarded in 2003. A two-year planning/implementation grant (2005-CW-AX-0013) was awarded in September 2005 to the City of Grand Island to fund continued development and operations. The Visitation Center began accepting referrals for supervised visits and exchanges in May 2006.

Throughout this process, the Visitation Center, Crisis Center, Court representatives, and the Consulting Committee met regularly to define the provision of visitation services to victims of domestic violence. The Crisis Center, Inc. has provided training for Visitation Center staff and Consulting Committee members in the following areas: recognizing signs of domestic violence; methods and strategies for working with victims of domestic violence; and the potential impact of domestic violence on children and battered persons.

Agencies who have participated on a consulting committee in each phase of the project include The City of Grand Island, The Crisis Center, Inc., Central Nebraska Child Advocacy Center, The Grand Island Police Department, Nebraska Department of Health and Human Services, a representative from the Nebraska State Legislature, Heartland Court Appointed Special Advocates (CASA), Central Health Center, a private supervised visitation service provider, and representatives from the mental health and legal communities. The committee goal is to continually plan for and improve services for the protection of victims of domestic violence and their children.

The City of Grand Island, The Heartland Family Visitation Center, and the Community Consulting Committee have established an active partnership with the Crisis Center, Inc. and the local court system. Representatives from the Crisis Center and the Hall County Attorney's office attend Consulting Committee meetings and provide valuable input into policies, processes, and unique circumstances associated with supervised visitation in cases of domestic violence.

In May 2006, the Heartland Family Visitation Center incorporated under the laws of the State of Nebraska as a nonprofit, public benefit corporation. This Memorandum replaces a 2006 agreement with the Central Nebraska Child Advocacy Center who had been acting as the program host under their 501(c)(3) incorporation.

III. Development of Application

Committee representatives provided input during the initial development phase and feedback beginning in 2002. Subsequent meetings resulted in a decision to apply for funding to establish a Supervised Visitation and Exchange Center in Grand Island to meet the needs of victims of domestic violence and their children. Meetings among collaborative partners included representatives from the City of Grand Island, the Heartland Family Visitation Center, The Crisis Center, Inc., Central Nebraska Child Advocacy Center and local court representatives have led to a project plan and defined MOU partner roles.

The Crisis Center acted as the lead grant partner for the initial grant and guided discussions, grant formation, and partner recruiting. Throughout the course of four (4) years, the Crisis Center and Visitation Center have 1) identified community need for a visitation center, 2) defined employee, Board, and Consulting Committee roles, 3) established Visitation Center policies and procedures, 4) promoted Visitation Center services to the courts and others from whom referrals are received, 5) solicited community support, 6) provided education and training to volunteers and community partners, 7) attended required and elective trainings by OVW and Praxis, 8) visited many other Safe Havens grantee sites and utilized others via telephone as resources, 9) filled a service gap in Central Nebraska, and 10) served clients from out-of-state who had no other supervised visitation resource.

Recent meetings among the Board of Directors, County and local court representatives, and the Crisis Center have led to the agreements reflected in this Memorandum of Understanding and the submission of the 2008 grant application.

IV. Recitals.

WHEREAS, the City of Grand Island, a Nebraska Municipal Corporation, is a unit of local government as identified by the Department of Justice as an eligible applicant, collaborated with The Crisis Center, Inc., the local domestic violence service provider, and applied for Safe Havens grant funds for implementation of a supervised visitation and safe exchange center. ~~This center was to be known as The Heartland Family Visitation Center in accordance with a plan developed under Safe Havens planning and implementation grants 2003-CW-BX-0026 and 2005-CW-AX-0013 from the Office on Violence Against Women;~~

WHEREAS, the Department of Justice encouraged all applicants for the Safe Havens grant to enter into a collaborative working relationship with state or local courts and a non-profit, non-governmental entity in the local community;

WHEREAS, the Community Based Consulting Committee feels very strongly that the visitation center is urgently needed in our community to meet the needs of victims of domestic violence, child abuse, sexual assault and stalking;

WHEREAS, the Heartland Family Visitation Center has incorporated as a 501(c)(3) non-profit entity and has established a governing Board of Directors;

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

V. Roles and Responsibilities

City of Grand Island, Hall County, Nebraska will

- Act as the fiscal agent for the cooperative agreement;
- Ensure compliance with reporting requirements of OVW;
- Support the collaborative efforts of the project by providing a conference room for monthly partner meetings; and
- Designate staff members from appropriate departments (i.e. the Police Department and Community Development Division) to participate on the Community Consulting Committee.

The Crisis Center, Inc., the local *Community Domestic Violence Agency*, will

- Collaborate with Director and staff of the Heartland Family Visitation Center to update and coordinate training curriculum to be utilized by both organizations in training of staff and volunteers to raise awareness about domestic violence and supervised visitation and safe exchange;
- Work with Heartland Family Visitation Center staff to develop policy and protocols related to staff attendance at court hearings and initial contacts of potential clients for the benefit of both organizations;
- Refer all domestic violence victims with children in need of supervised visitation or exchange services to Heartland Family Visitation Center. The Crisis Center staff agrees to provide relevant case information to the staff of the supervised visitation and safe exchange center with the consent of the client, and to follow-up on the outcome of referrals;
- Work with Visitation Center staff to promote training/education of local law enforcement agencies and court representatives regarding domestic violence issues and supervised visitation; and
- Appoint a domestic violence advocate and/or other direct service provider to participate in the monthly meetings of the Community Consulting Committee.

The Heartland Family Visitation Center will

- Dedicate a minimum of 4 staff members and volunteers to providing supervised visitation services to families impacted by domestic violence, child abuse, sexual assault, and stalking;
- Support growth of the collaborative effort and supervise all Visitation Center activities;
- Submit program evaluation information to the fiscal agent as required by OVW;

- Submit financial documentation for accounting as needed;
- Maintain confidentiality about individuals and families using Visitation Center Services;
- Provide facilities (e.g. rooms, enclosed playground, etc.) for the program service objectives;
- Collaborate with Director and staff of The Crisis Center, Inc. to update and coordinate training curriculum to be utilized by both organizations in training of staff pertaining to issues of domestic violence and supervised visitation and safe exchange; and
- Work with Crisis Center staff to monitor policy and protocols related to staff attendance at court hearings and initial contacts of potential clients for the benefit of both organizations.

Hall County Court, Local Court System, will

- Participate in the monthly meetings of the collaborative partners as are currently taking place via a representative from the Hall County Attorney's Office that will act as a liaison/representative for both the Hall County Courts and the Hall County Attorney's Office;
- Submit referrals and relevant case information to the staff of The Heartland Family Visitation Center, and follow-up on the outcome of the referrals;
- Provide training for community collaboration partners on the legal system and its role in working with victims of domestic violence, child abuse, sexual assault, and stalking; and
- Participate in training opportunities made available through the collaborative partnership pertaining to all issues surrounding supervised visitation and safe exchange services and family violence.

VI. Time Line.

The roles and responsibilities described above are contingent on the City of Grand Island, Hall County, Nebraska receiving the funds requested for this project in the OVW grant application. The beginning and ending dates of this collaborative effort would coincide with the grant period, anticipated to be September 1, 2008 to August 30, 2013. Any previously approved MOU will become null and void as of the effective date of this document.

VII. ~~This document shall be binding upon all the successors and assigns of the parties hereto.~~

Nothing in this MOU is intended to create a legal partnership, joint venture, or agency relationship between the parties.

VIII. The City of Grand Island reserves the right to withdraw from participation in this agreement at any time during the grant period.

IX. Future Amendments.

Occasionally the undersigned may jointly desire to amend the terms of this Memorandum of Understanding for any future agreement. Such consent shall not be unreasonably withheld but must be acknowledged in writing by all original parties to this Memorandum of Understanding before going into effect.

APPROVAL

We, the undersigned have read and agree with this MOU. Further, we have reviewed the portion of the proposed project budget pertaining to the collaborative effort described here, and approve it.

By _____
Cody Van Winkle, Director
Heartland Family Visitation Center

Date _____

By _____
Philip Martin
Hall County Court Judge

Date _____

By _____
Shellie Pointer, Executive Director
The Crisis Center, Inc.

Date _____

By _____
Margaret Hornady, Mayor
City of Grand Island

Date _____

ATTEST:

RaNae Edwards, City Clerk

RESOLUTION 2008-56

WHEREAS, the Office on Violence Against Women offers grant funding for Safe Havens Supervised Visitation and Exchange Programs that enable communities to provide supervised visitation and safe exchange of children, by and between parents, for families with a history of domestic violence, child abuse, sexual assault, or stalking; and

WHEREAS, grant funding for such program is available to local governments that propose to enter into a collaborative working relationship with state and local courts and a nonprofit, nongovernmental entity in the local community that provides local shelters and programs for domestic violence and sexual assault victims; and

WHEREAS, grant funding received to date has allowed a downtown location to be secured and has enabled the Heartland Family Visitation Center to open a supervised visitation and exchange center to provide safe exchanges and monitored visits for families with a history of domestic violence, child abuse, sexual assault, or stalking; and

WHEREAS, additional funding is now being sought to assist in the costs associated with operating such facility; and

WHEREAS, a Memorandum of Understanding between the City, the Heartland Family Visitation Center, The Crisis Center, Inc., and the Hall County Court System is required to set out the responsibilities of each party with respect to supporting the Visitation Center and helping to meet grant goals and objectives; and

WHEREAS, the City Attorney has reviewed and approved such Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

1. The City of Grand Island is hereby authorized to submit a grant application and related documentation to request funding from the Office of Justice Programs through the OJP Grants Management System for the Safe Havens Supervised Visitation and Safe Exchange Grant Program, Office on Violence Against Women.

2. The Memorandum of Understanding between the parties identified above is hereby approved for the use of Safe Havens grant funds to implement and operate a supervised visitation and safe exchange center as outlined in the document.

3. That the Mayor is hereby authorized and directed to execute the grant application and the Memorandum of Understanding on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, February 26, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk