

TRANSCRIPT OF THE OCTOBER 14, 2021 BOARD MEETINGS OF THE NEW YORK STATE HOUSING FINANCE AGENCY, THE STATE OF NEW YORK MORTGAGE AGENCY, THE AFFORDABLE HOUSING CORPORATION AND THE STATE OF NEW YORK MORTGAGE AGENCY MORTGAGE INSURANCE COMMITTEE

Linda Manley, Senior Vice President and Counsel to the Agencies, stated that she will now open the October 14, 2021 meeting of the Boards of the New York State Housing Finance Agency, the State of New York Mortgage Agency, the Affordable Housing Corporation and the State of New York Mortgage Agency Mortgage Insurance Committee, and noted that Legislation signed by the Governor into law on September 2nd in response to the continuing impact of COVID-19 extends until January 2022 the exemption to the Open Meetings law that provides that public bodies may meet to take actions without permitting in public in-person access to such meetings and authorizes meetings to be held remotely by conference call, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. As a result, participation in today's Board meeting is being carried out both via public meeting and via conference call. A call-in number has been made public, so that any interested members of the public can listen to the proceedings. A public notice of the meeting has been posted.

Ms. Manley noted that because of these special features a change in voting procedures would be put in place for this meeting and she would be asking each Board member to record their votes individually.

Ms. Manley asked for a motion to call the meeting of the HFA and AHC Boards to order. Chairman Adams made the motion and Mr. Olczak seconded. Mr. Mostert voted aye; Ms. Visnauskas voted aye; Ms. Sconiers voted aye; Ms. McKeown voted aye. Ms. Manley noted the presence of a quorum for HFA and AHC.

Ms. Manley asked for a motion to call the meeting of the SONYMA Board to order. Mr. Kapell made the motion and Chairman Adams seconded. Mr. Ballan voted aye; Ms. Visnauskas voted aye, Mr. Olczak voted aye; Ms. Gross voted aye; Mr. Rodriguez voted aye. Ms. Manley noted the presence of a quorum for SONYMA.

Ms. Manley asked for a motion to call the meeting of the SONYMA Mortgage Insurance Committee to order. Chairman Adams made the motion and Mr. Ballan seconded the motion. Mr. Kapell voted aye; Mr. Olczak voted aye; Ms. Visnauskas voted aye; Ms. Manley noted the presence of a quorum for the MIF.

Chairman Adams stated that Ms. Visnauskas would make her monthly President's report.

Ms. Visnauskas welcomed Board members and noted at today's meeting they would be presented with projects for approval that provide Mortgage Insurance for 217 units of affordable housing in Montgomery, Dutchess and New York Counties, as well as an AHC consent item for of just over \$1.7 million for 62-units of affordable housing located across the State. She noted that since our September meeting, HCR staff have participated in the following HCR project events, that the Boards have seen before as part of the Board approval process. Ms. Visnauskas then provided an update on a SONYMA initiative. She noted that in the Spring of 2021, SONYMA launched a \$5 Million pilot program called DPAL Plus aimed at increasing

SONYMA homeownership opportunities for lower income borrowers. The program was supported with settlement funds from the Office of the NYS AG. The program provides a richer down payment for borrowers who earn less than 60% of the Area Median Income. The program was hugely successful, and funds were fully expended in less than 5 months. In addition, we know that our total SONYMA lending to this population (less than 60% of AMI) has increased by 10% compared to preprogram levels. In light of that success, SONYMA has committed to a \$10 million expansion of the program using Agency resources.

Ms. Visnauskas then provided an update on Federal Housing and the HUD Budget. She noted that the President has reached a short-term agreement with Congressional leaders to extend the debt limit to December 3rd. Ms. Visnauskas' report focused on the following affordable housing resources which are included in the various competing proposals:

the reduction of the 50% test for bond-financed housing and an increase in the 9% LIHTC allocation which could *yield an additional 22,000 units in New York State each year.*

\$75 billion investment in the Public Housing Capital Fund

\$35 billion investment in HOME

\$45 billion investment in the Housing Trust Fund

Providing a significant increase in the Housing Credit volume cap

A number of indefinite 30% basis boosts primarily for private activity bond-financed properties

A 150% first-year LIHTC award to address issues related to COVID-19

Permanently limits the use of qualified contracts

Permanently prohibit local approval and contribution requirements

Extends for one year the 10% test deadline and the rehabilitation expenditure deadline

Creating a new low-income housing supportive services basis boost to cover a portion of costs for providing certain resident services at LIHTC properties.

At the end of her report Ms. Visnauskas Chairman Adams thanked her for the comprehensive report and noted one related area of interest. He commented on the fact that the Agencies are working with the Governor's office in preparing for the State of the State presentation in the coming year, and asked staff to brief the Board on the items that the Agencies were looking to include in that presentation. Chairman Adams noted that providing the Board with such a briefing would be instructive for the new Board members and would allow the Board as a whole to provide staff with programmatic suggestions. Ms. Manley noted that staff would look to do this in an Executive Session either in November or in December.

Chairman Adams also informed the Board that Senior Vice President Mr. Friedman had been involved in a serious bicycle accident which required hospitalization, and that staff had been informed that Mr. Friedman was no longer in the hospital and was recuperating at home, looking to return to the office in November. On behalf of himself and of the various Boards, Chairman Adams wished Mr. Friedman a speedy recovery and looked forward to his return.

Chairman Adams proceeded to present the various board transcripts of the September Board meetings and, noting that there were no comments from Board members, he stated that the transcript was deemed approved. The transcripts, until the Boards commence their regular Board meetings, would be adopted in lieu of Minutes.

Chairman Adams started with item two on the agenda; Approval to amend the BAM SAP Application Management Services (AMS) with Sierra Digital, Inc. (Sierra)

Ms. Mallow presented the item. She noted that on September 3, 2020, the Boards authorized a contract with Sierra for AMS Services for a one-year term, with four one-year optional renewals, in an amount not to exceed \$4,105,020 during the first year of the contract. She added that authorization to extend the term of the MSA with Sierra is being presented to the Members for approval, for a one-year period with three optional one-year renewals, in an amount not to exceed \$4,221,000 in the second year of the contract. The costs for the AMS will be covered by the annual approved operational budget and paid by HFA. She noted that during the past year, HFA paid Sierra \$2,889,737 (through September 30, 2021) for AMS Services under the contract with 100% of the payments allocated to HFA.

Ms. Manley moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HFA Members, the motion was carried, and the resolution was adopted.

Chairman Adams proceeded with the next item which was the approval of a contracts with firms on the Agencies' IT Temporary Staffing Consultant Services Panel.

Ms. Mallow presented the item. She noted that on October 15, 2020, the Boards authorized the Agencies to extend the term of contracts with all IT firms on the Panel, on an as-needed basis, for a one-year period (i.e., November 1, 2020 to October 31, 2021) in an amount not to exceed \$51,175,146 (or beyond, if funds remain), comprised of \$45,116,886 for BAM project IT Services through November 30, 2020 (or beyond, if funds remain) and \$6,058,260 for Non-BAM project and Below the Line IT Services through October 31, 2021 (or beyond, if funds remain). She noted that the item before the Boards requested authorization to extend the term of contracts with all firms on the Panel, on an as-needed basis, for a one-year period (i.e., November 1, 2021 to October 31, 2022) and an increase to the not to exceed amount by \$3,871,640 for IT Services, in a total life-to-date amount not to exceed \$55,046,786, for total life-to-date expenditures among the IT firms on the Panel.

Ms. Manley moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HFA Members and the SONYMA Board, the motions were carried, and the resolutions were adopted.

Chairman Adams moved to item four, a resolution Approval of the Hosted Technology Services Agreement with ProLink Solutions Inc. for the BAM Project.

Ms. Mallow presented the item. She noted that most recently at their July 15, 2021 meeting, the Members authorized the Agency to extend its contract with ProLink for a two-year period with annual hosting technology services costs up to \$330,900 and time and material costs for implementation and development services up to \$350 per hour. She added that in final negotiations, ProLink submitted new, increased annual support costs that reflect their current rates. These current rates reflect an increase of \$72,000 in 2021 and an increase of \$84,000 in

2022 from the authorization granted by the Board at the July 2021 meeting. The Members are requested to authorize amendment of the terms of the contract with ProLink to extend the term of the contract to December 31, 2023 and increase the annual hosting technology services cost by \$72,000 in 2021 and \$84,000 in 2022.

Ms. Manley moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HFA Members, the motion was carried, and the resolution was adopted.

Chairman Adams noted that next two items on the agenda were information items and there will be no discussion unless board members request.

ITEM 5: Current Agency Procurements in the Lobbying Restricted Period.

ITEM 6: Mortgage Insurance Committee Activity Report for the month of September.

Chairman Adams continued with the next agenda item seven to be considered by SONYMA Mortgage Insurance Committee; a resolution of the SONYMA Mortgage Insurance Committee approving 75% mortgage insurance on a \$7,650,000 CPC permanent first mortgage for Holland Circle Drive Apartments, Amsterdam, Montgomery County.

Ms. McGill presented the item.

Ms. Manley moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the SONYMA Mortgage Insurance Committee, the motion was carried, and the resolution was adopted.

Chairman Adams continued with the next agenda item eight to be considered by SONYMA Mortgage Insurance Committee; a resolution of the SONYMA Mortgage Insurance Committee approving 100% mortgage insurance on a \$2,500,000 CPC permanent first mortgage for Hudson River Grange, Lagrange, Dutchess County.

Ms. McGill presented the item.

Ms. Manley moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the SONYMA Mortgage Insurance Committee, the motion was carried, and the resolution was adopted.

Chairman Adams continued with the next agenda item nine to be considered by SONYMA Mortgage Insurance Committee and noted that this item and the next two items all involved similar projects in Harlem, located just next to each other and with similar features. He noted that all three projects would be considered as a group:

Item nine, a resolution of the SONYMA Mortgage Insurance Committee approving 100% mortgage insurance on a \$2,921,873 LISC permanent first mortgage for 505 West 134th Street, Manhattan, New York County.

Item ten, a resolution of the SONYMA Mortgage Insurance Committee approving 100% mortgage insurance on a \$3,251,014 LISC permanent first mortgage for 523 West 134th Street, Manhattan, New York County.

Item eleven, a resolution of the SONYMA Mortgage Insurance Committee approving 100% mortgage insurance on a \$3,202,272 LISC permanent first mortgage for 527 West 134th Street, Manhattan, New York County.

Ms. McGill presented the items.

Ms. Gross commented on the items. Her comments addressed the Fair Housing implications of the locations of the projects. She noted that she had analyzed each of the projects using a program that uses various criteria to assess whether a housing project was furthering fair housing in the area where it was located. She noted that the concern is that certain projects, despite their affordable housing aims, by virtue of their siting may inadvertently cause results that go against the aim to ensure that affordable housing is not limited to certain areas of minority concentration.

She noted that one of these three projects failed the fair housing test and asked staff if this was consistent with their findings. Ms. Visnauskas asked Ms. Gross if she could provide further details on the program she was using, which Ms. Gross did. Ms. Visnauskas made the general comment that given the Harlem location of the projects it would be difficult to perhaps satisfy some of the individual criteria, but asked Ms. Gross if she was amenable to voting on the projects, and then meeting with the Agencies' fair housing staff so that she could share the particular program with staff, and they could discuss it. Ms. Gross agreed to this approach.

Ms. Manley moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the SONYMA Mortgage Insurance Committee, the motion was carried, and the resolution was adopted.

Chairman Adams noted that item twelve on the agenda had been approved earlier at the meeting, in conjunction with the HTFC approval.

Chairman Adams noted that the next agenda item was a consent item for AHC.

Item thirteen; a resolution authorizing award of grants for certain projects located outside of New York City.

Ms. Manley moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the AHC, the motion was carried, and the resolution was adopted.

Chairman Adams asked Ms. Manley to adjourn the SONYMA, HFA and AHC meetings.

Ms. Manley noted that assuming the first and second previously entered for SONYMA, HFA and AHC, all in favor of adjourning please signify by saying Aye. The motions were carried and the meetings adjourned.

Ms. Manley informed about next SONYMA, HFA, AHC Boards and SONYMA Mortgage Insurance Committee meetings are scheduled for Wednesday, November 10, 2021 at 9:00 a.m.