

TRANSCRIPT OF THE SEPTEMBER 8, 2022 BOARD MEETINGS OF THE NEW YORK STATE HOUSING TRUST FUND CORPORATION AND THE HOUSING TRUST FUND CORPORATION AUDIT COMMITTEE

Alejandro J. Valella, Vice President and Deputy Counsel to the Agencies, stated that he will now open the September 8, 2022 meetings of the Boards of the New York State Housing Trust Fund Corporation, New York State Housing Finance Agency, the State of New York Mortgage Agency, the Affordable Housing Corporation, the State of New York Mortgage Agency Mortgage Insurance Committee, the State of New York Municipal Bond Bank Agency, the Tobacco Settlement Financing Corporation and noted that the Governor's Executive Order in response to the continuing impact of COVID-19 has extended 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, today's Board meetings are being held via conference call instead of a public meeting open for the public to attend in person and certain Board members and staff are present at the Agencies' offices at 641 Lexington Avenue in New York City. But 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 also been posted.

Mr. Valella noted that Chairman Adams, SONYMA Board member Dave Kapell and HFA/HTFC Member James McIntyre were attending the meeting in person at 641 Lexington Avenue.

Mr. Valella asked for a motion to call the meeting of the HFA/HTFC and AHC Boards to order. Chairman Adams made the motion and Mr. Curtis seconded. Mr. Olczak voted aye; Ms. Visnauskas voted aye; Ms. Gonzalez voted aye; Ms. Miller voted aye; Mr. McIntyre voted aye. Mr. Valella noted the presence of a quorum for HFA/HTFC and AHC.

Mr. Valella asked for a motion to call the meeting of the SONYMA Board to order. Chairman Adams made the motion and Ms. Gonzalez seconded. Ms. Visnauskas voted aye; Mr. Kapell voted aye; Mr. Freeman voted aye; Mr. Ballan voted aye; Mr. Olczak voted aye; and Ms. Miller voted aye. Mr. Valella noted the presence of a quorum for SONYMA.

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

Mr. Valella asked for a motion to call the meeting of the MBBA and TSFC Boards to order. Chairman Adams made the motion and Ms. Baldwin seconded the motion. Mr. SanFilippo voted aye; Ms. Miller voted aye; and Mr. Olczak voted aye. Mr. Valella noted the presence of a quorum for MBBA and TSFC.

Mr. Valella asked for a motion to call the meeting of the HTFC Audit Committee to order. Chairman Adams made the motion and Mr. Olczak seconded the motion. Mr. Curtis voted aye. Mr. Valella noted the presence of a quorum for the HTFC Audit Committee.

Mr. Valella that unless Board members wished to vote differently, these votes would be used in the meetings as items came up for vote.

Ms. Visnauskas then made her monthly President's report.

Ms. Visnauskas noted that in May 2022 the Agencies issued a Notice of Funding Availability to select a program administrator for a new program called the Climate Friendly Homes Program. Ms. Visnauskas reminded the Boards that the Agencies received \$250 Million in last year's State budget to fund 10,000 units of multifamily rental housing over the next 5 years to convert them to electric heating and cooling or to get as close to that as possible. This is part of the State's Climate Leadership and Community Protection Act.

Ms. Visnauskas noted that initially the Agencies are going to prioritize funding for properties that are 50 units or less that are currently either subject to a Regulatory Agreement or are located in low-income areas. As the program progresses, those criteria may be changed to make more buildings eligible. Ms. Visnauskas stated that Samantha Pearce, who the Boards have heard from before, and who is the Vice President of Sustainability is going to provide a breakdown later on in the agenda of how the program is going to run. She reiterated that staff was very excited to move on this important initiative.

Ms. Visnauskas then provided a quick summary of the almost two dozen housing announcements that were made over the summer, noting that it is wonderful to be able to attend ribbon cuttings and groundbreakings in the communities served by our Agencies and actually see the brick-and-mortar realities of the buildings becoming ready for occupancy. She encouraged the Board to review the Agencies' newsletter for a lot of these details. She also noted the existence of a YouTube where the Agency has been posting videos from some of the events we've been to and where you can actually see inside some of our properties.

On that same theme, Ms. Visnauskas noted that staff will be bringing seven (7) projects before the HTFC Board that were selected through our 9%, low-income housing, tax credit RFP, noting that these projects represent \$30 Million in investments and create over 400 units of housing. Ms. Visnauskas also noted that staff will be asking Board approval to award our 5th Legacy Cities award. She reminded the Board that HTFC launched Legacy Cities as a way to assist land banks who are holding on to a number of distressed properties in upstate cities, with the goal of getting those properties back into use. In that regard, HTFC will be seeking approval for an award to the Capital Region Land Bank to develop nine (9) 1-2- and 3 family homes in the City of Amsterdam.

Ms. Visnauskas closed her report by briefing the HTFC Board on a HUD issue of crucial importance to that Agency. This has been an issue that HTFC has been monitoring for some time as it has a potentially large impact on the Agency.

HTFC operates under a contract with HUD called the Performance Based Rental Assistance Program for the project based rental assistance portfolio across the state. The project based rental assistance program services about 16,000 units across the country. It provides approximately 2 million persons with housing. HTFC serves about 100,000 households across New York state with that contract. HTFC works with a series of administrators to manage these contracts.

HTFC participates due to its status as a public housing authority. HUD is now looking to expand eligibility for program administration by changing the criteria for selection so that private companies can come in and operate those contracts. This new approach was launched a couple of years ago and was unsuccessful for a number of technical reasons. HUD decided to retool it and they are now out with a new RFP that essentially abandons the long standing and successful partnership between HUD and the public housing authorities. Ms. Visnauskas stated the current structure of the solicitation will minimize the role of public housing authorities, which is something she considers unfortunate, as it loses a lot of the expertise and the partnerships with the residents and the communities.

HTFC is strongly recommending to HUD to reconsider its approach in this draft solicitation. HTFC sent a letter to the Secretary of HUD asking her to reconsider their approach, and they made a change in a comment period and extended it by 30 days, to give more time to have respondents go through what is a quite dense RFP. We are hoping that this time will both allow us and other state housing agencies to continue to be vocal about urging HUD to keep these project-based rental systems contracts with housing authorities and not try to privatize in an effort to reduce costs in a way that we think will be to the detriment of both the buildings and the residents. Ms. Visnauskas stated that as this matter progresses, staff will keep the Board apprised of developments.

Chairman Adams thanked Ms. Visnauskas for her detailed report.

He paused to take up a matter he had addressed at the beginning of the day's meetings, during the Audit Committee meetings. It concerned the retirement from the SONYMA Board of Board member Elaine Gross, from Long Island. He noted that Ms. Gross had retired and moved out of State, thus having to resign from her position on the SONYMA Board.

Chairman Adams pointed out the importance of Elaine's advocacy over the last several years around the rigorous enforcement of and being mindful about doing everything we can to advance, fair housing in the State. He noted that Elaine was a tireless advocate for fair housing and that the Agency will miss that advocacy.

Mr. Adams then once again welcomed EJ Freeman to the SONYMA Board to replace Elaine.

Shared Agenda Items

Item 15: Chairman Adams noted that the next item required action by the Mortgage Insurance Committee and the SONYMA Board as well as the HFA Finance and Program Committee and HFA and the HTFC Members.

- (a) Resolutions of the State of New York Mortgage Insurance Committee and of the State of New York Mortgage Agency recommending and approving 100% mortgage insurance on a \$17,875,000 HFA permanent first mortgage loan for Tait Lane Reserve, Saratoga Springs, Saratoga County.
- (b) Resolutions of the Finance and Program Committee and of the Members of the New York State Housing Finance Agency recommending and authorizing, respectively, the issuance of an amount not to exceed \$41,885,000 in fixed rate tax-exempt or taxable bonds, and a subsidy loan in an amount not to exceed \$19,190,000 for Tait Lane Reserve, Saratoga Springs, Saratoga County.
- (c) Resolution of the Housing Trust Fund Corporation authorizing an award of \$4,000,000 under the Homes for Working Families Program.

Mr. Friedman presented on behalf of the SONYMA Mortgage Insurance Committee and Ms. Behrens presented on behalf of HFA and HTFC.

Chairman Adams noted that this is a great example of a community supporting affordable housing in its midst—particularly a fairly affluent community such as Saratoga Springs. He noted that this project is producing over 200 units of affordable housing and supportive housing and marveled at the community acceptance. Ms. Behrens noted that for whatever reason there was a substantial pipeline of similar projects in this area and in other similar areas. Chairman Adams noted this with satisfaction.

Mr. Freeman asked where he would be able to find any land use plans, city, planning models, or impact studies regarding these projects. Ms. Behrens agreed to provide him with the information.

Mr. Valella moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HFA Finance and Program and for HFA and for HTFC, Mr. Valella asked all HFA members voting to approve to signify by saying aye. The motions were carried, and the resolutions adopted.

ITEM 17:

- (a) Resolutions of the HFA Finance and Program Committee and the HFA Members recommending and authorizing the financing approval of \$35,090,000 maximum

fixed-rate and/or variable-rate, tax-exempt and/or taxable bonds, an estimated \$15,559,276 in HFA subsidy funds for Taylor I Apartments, City of Troy, Rensselaer County.

(b) Resolution of the Housing Trust Fund Corporation authorizing an award of \$4,000,000 under the Homes for Working Families Program.

Mr. Hubley presented the item.

Mr. Valella moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HFA Finance and Program and for HFA and for HTFC, Mr. Valella asked all HFA and HTFC members voting to approve to signify by saying aye. The motions were carried, and the resolutions adopted.

New Item: APPOINTMENT OF SENIOR VICE PRESIDENT FOR STATEWIDE ASSET MANAGEMENT.

Chairman Adams noted that the next item was a new item on the agenda and had been mailed to the HFA and HTFC Members by separate cover, and posted on the Agency's website.

Ms. Visnauskas presented the item, summarizing for the Board the key role that Mr. Pearson has played at the Agencies during his time here, with particular emphasis on his asset management experience. She recommended his appointment, without reservation.

Mr. Valella moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for HFA and HTFC, Mr. Valella asked all HFA and HTFC members voting to approve to signify by saying aye. The motion was carried, and the resolution adopted.

HTFC Agenda Items

Chairman Adams then proceeded to present the first item as **the approval of the transcript of the HTFC meeting held on July 14, 2022.**

Chairman Adams moved to item 2 on the agenda, a resolution authorizing a Legacy City ACCESS Program Award.

Burke Blackman presented this item.

Ms. Neitzel recused herself from this item. Mr. Valella moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Mr. Valella asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 3 on the agenda, a resolution authorizing Multifamily Awards.

Brett Hebner presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 4 on the agenda, a resolution authorizing CDBG Economic Development and Microenterprise Program Awards.

Crystal Loffler presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 5 on the agenda, a resolution authorizing CDBG CARES Act and Housing Assistance Program Awards.

Crystal Loffler presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 6 on the agenda, a resolution authorizing an Amendment to a NYS HOME Program Small Rental Development Initiative Award.

Crystal Loffler presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 7 on the agenda, a resolution authorizing Section 8 Project Based Voucher Awards.

Dan Buyer presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel

asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 8 on the agenda, a resolution authorizing Entry into a Contract with the Community Preservation Corporation to Administer the Climate Friendly Homes Fund.

Samantha Pearce presented this item.

Mr. McIntyre recused himself from voting on this item. Mr. Valella noted that a quorum was present even without Mr. McIntyre participating, so the vote on this item could proceed.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 9 on the agenda, a resolution authorizing entry into contracts with Home Headquarters, Inc. and the Community Development Corporation of Long Island to Administer the Climate Change Mitigation and Adaptation Retrofit Program.

Rachel Wieder presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 10 on the agenda, a resolution authorizing the SEQRA Documentation and Classification of Dromore Road Apartments.

Heather Spitzberg presented this item.

Ms. Miller asked Ms. Spitzberg about the zip code listed in the item materials. Ms. Spitzberg stated that although the project has a Scarsdale zip code, it is located in the Town of Greenburgh.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 11 on the agenda, a resolution authorizing the transfer of Residual Preservation Initiative Program Funds to the Preventative Troubled Asset Program.

Maralyne Fleischman presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 12 on the agenda, a resolution authorizing the Housing Trust Fund Corporation to Release the New Berlin Housing Preservation Co., Inc.'s Existing Debt with the Housing Trust Fund Corporation and Release the New Berlin Housing Preservation Co., Inc. from its Regulatory Agreement with the Housing Trust Fund Corporation.

Maralyne Fleischman presented this item. Ms. Fleischman described how the Red Mill Apartments had been mismanaged by the New Berlin Housing Preservation Company, but Greater Opportunities for Broome and Chenango, Inc. had agreed to renovate the Red Mill Apartments to create affordable housing. Greater Opportunities for Broome and Chenango, Inc. agreed to renovate the property and take on ownership and management of the apartments on the condition that the existing regulatory agreement and debt of the New Berlin Housing Preservation Company be released.

Ms. Miller asked how the affordability aspect of the projects will be preserved without a regulatory agreement. Ms. Fleischman stated that a new regulatory period will start with the CDBG funding the program has received and this will extend affordability and redevelop the units as affordable housing.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 13 on the agenda, a resolution authorizing the Housing Trust Fund Corporation to Release St. Ann's Apartments, L.P.'s Existing Debt with the Housing Trust Fund Corporation and Release St. Ann's Apartments, L.P. from its Regulatory Agreement with the Housing Trust Fund Corporation.

Maralyne Fleischman and Lenny Skrill presented this item. Ms. Fleischman described how St. Ann's Apartments are currently vacant due to their dangerous and deteriorated physical condition and insufficient operating income and reserves. She then detailed a pending redevelopment of the property from distressed and vacant housing to a large scale medical campus.

Ms. Gonzalez asked if people are still living in the apartments. Ms. Fleischman responded that the last tenants had moved out approximately seven years ago. Ms. Gonzalez then asked what lessons HTFC had learned from this project. Lenny Skrill explained that at the time of development the local church and parish were very active and that was no longer the case. Ms.

Fleischman said they had learned from the experience of developing a property that was connected to an entity that HTFC does not control.

Mr. McIntyre asked what would happen with the proceeds of the sale of the property. Ms. Fleischman responded that they would be divided between Delta Development and HTFC.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 14 on the agenda, a resolution authorizing Entry into a Contract with Franke Consulting Group for Technical Assistance Support Services.

Crystal Loffler presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 15 on the agenda, a resolution authorizing an Amendment to the Contract with SaxBST LLP for Independent Auditor Services.

Stacey Mickle presented this item.

Ms. Neitzel moved for the adoption of the resolution transmitted in connection therewith by the HTFC Audit Committee. Considering the first and second motions previously entered for the HTFC HTFC Audit Committee, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Ms. Neitzel moved for the adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams moved to item 16 on the agenda, a resolution authorizing the Extension of the Contract with Rapid Construction and Management.

Nanika Shaw presented this item.

Ms. Neitzel moved for adoption of the resolution transmitted in connection therewith. Considering the first and second motions previously entered for the HTFC Board, Ms. Neitzel

asked all members voting to approve to signify by saying aye. The motion was carried, and the resolution was adopted.

Chairman Adams noted that the next four (4) items are all information items. There will be no discussions on the next four items on the agenda unless Board Members so request.

Item 17 Review of SEQRA Concur Actions;

Item 18 Review of SEQRA Type II Actions;

Item 19 Review of a Correction to a Resolution Authorizing Awards Under the Public Housing Drug Elimination Program; and

Item 20 Review of Current Agency Procurements/Contracts in the Lobbying Restricted Period

Chairman Adams asked Mr. Valella to adjourn the HTFC Board meeting.

Mr. Valella noted that assuming the first and second previously entered for HTFC, all in favor of adjourning please signify by saying Aye. The motion was carried and the meeting was adjourned.