

**MINUTES OF THE GOVERNANCE COMMITTEE,
AUDIT COMMITTEE, AND MEMBERS MEETING OF THE
NEW YORK STATE HOUSING TRUST FUND CORPORATION**

**HELD ON THURSDAY, DECEMBER 15, 2022, AT 9:00 A.M.
38-40 STATE STREET
ALBANY, NEW YORK 12207
AND
641 LEXINGTON AVENUE
NEW YORK, NEW YORK 10004**

DIRECTORS AND DESIGNEES

PRESENT:

Kenneth G. Adams	Chairman
Joyce Miller	Member
Sadie McKeown	Member
James McIntyre	Member, representing the Temporary President of the State Senate
Jesse Olczak	New York State Division of the Budget, representing Robert Mujica, Director (via video conference)
Chris Curtis	New York State Division of the Taxation & Finance, representing Robert Mujica, Budget Director, Member (via video conference)

Chairman Kenneth G. Adams presided over the meeting. Diana Villarnovo Lopez, Senior Vice President and Counsel formally opened the meetings and acted as secretary.

Ms. Lopez noted that Mr. Jesse Olczak, representing Mr. Robert Mujica, Director of the Division of the Budget and Mr. Christopher Curtis, representing the Commissioner of Taxation and Finance are participating in the meeting via video conference from the New York State Division of Budget conference center at the Capitol Building Room 131 in Albany, and that Andy San Filippo is participating from the Agencies' Buffalo regional Office at Electric Tower, 535 Washington Street, Suite 105.

A public notice was given of the time and location of the venues in accordance with the New York State Open Meetings Law.

Ms. Lopez also noted that Commissioner Visnauskas is participating in today's meeting

under Section 103-a of the Open Meetings Law, under the “extraordinary circumstances” exception. She is on via video, and members of the public have been provided with the link so they can view her participation. Under the law, Commissioner Visnauskas can participate in the meeting and vote, but she does not count for quorum and as such she is not listed as Member in the Member listing.

Ms. Lopez asked for motions and seconds to call to order the Members’ and Directors’ meetings of the New York State Housing Finance Agency (“HFA”), the New York State Affordable Housing Corporation (“AHC”), the New York State Housing Trust Fund Corporation (the “HTFC”), the State of New York Mortgage Agency (“SONYMA”), the State of New York Mortgage Agency Mortgage Insurance Committee (“MIC”), the State of New York Municipal Bond Bank Agency (“MBBA”), and the Tobacco Settlement Financing Corporation (“TSFC”).

Chairman Adams moved to call the HFA, HTFC and AHC meetings to order and Mr. McIntyre seconded the motion. Mr. Freeman moved to call the SONYMA meeting to order, and Chairman Adams seconded the motion. Chairman Adams moved to call the MIC meeting to order, and Mr. Kapell seconded the motion. Chairman Adams moved to call the MBBA and TSFC meetings to order, and Mr. SanFilippo seconded the motion.

Ms. Lopez asked for motions and seconds to call to order the meeting of the HTFC Governance Committee. Mr. Olczak moved to call the HTFC Governance Committee meeting to order and Mr. Curtis seconded the motion.

Ms. Lopez asked for motions and seconds to call to order the meeting of the HTFC Audit Committee. Mr. Olczak moved to call the HTFC Audit Committee meeting to order and Chairman Adams seconded the motion.

Ms. Lopez stated that as items were presented to each Board and Committee throughout the meetings, these motions and seconds would be used, unless specific items called for a different vote, or unless any Board Director wished to record his or her vote differently.

These minutes reflect only those items being considered by the HTFC Board, the HTFC Governance Committee, and the HTFC Audit Committee. A record of items considered by the other Agencies is contained in the minutes of each of the Agencies.

Chairman Adams wished all present a Happy Holiday and congratulated staff on the production of the voluminous set of materials found in the respective Board books provided to the Board members. On his own, and on behalf of the Board, he expressed his appreciation for all the hard work that goes into the production of the board books for the monthly board meetings.

Ms. Visnauskas then made her President’s report.

Ms. Visnauskas noted the reason for her participation via remote access, noting that she was on her way to a Cabinet meeting scheduled in Albany where the Governor would be present. She then introduced Carrie Torres to the Boards, noting that she has taken over for Wanda

Graham in leading the Agencies' MWBE efforts. She added that later in the agenda Carrie would be presenting the goal plans for the upcoming year for both the MWBE and Service-Disabled programs. The plans outline our strategy to make sure that we are identifying opportunities to procure goods and services from as many MWBE and Service-Disabled partners as possible. But it also includes evidence of our efforts ensure that our development partners include these companies in the construction and professional services portions of their projects. She also noted that our agenda would include a presentation from our Fair Housing department seeking authorization for fair housing outreach and testing services. She stated that this work is done in conjunction with our non-profit partners and provided a quick summary of the work involved. She stated that the Agencies dispatch trained, fair housing testers, who act as potential renters or home seekers to uncover unlawful, discriminatory treatment by sellers, brokers, landlords, appraisers, and lenders. Ms. Visnauskas added that this past year the Legislature appropriated \$2 Million for fair housing testing services. She then noted that agenda would also include requests for approval for various grant awards under HTFC's Office of Community Renewal.

Ms. Visnauskas then highlighted the efforts of the Agencies and the Governor's office to get legislation passed at the federal level to revise the "50 percent test" which would allow us to expand our bond issuing authority. She noted that the New York delegation and California Governor Gavin Newsom sent a joint letter to Majority Leader Schumer in support of a small tweak that would make a huge difference to our programs: we are advocating for the threshold rather than being 50% of the costs funded by bonds to be changed to 25%. This minor change has the potential to allow us to double our production of affordable housing.

Ms. Visnauskas closed her remarks by providing a quick summary of the Agencies' efforts during the last year, noting that the year was significant in that it marked the end of the first five (5) year plan, where all the goals were met. She also noted that it marked the beginning of the next plan with the goal of providing an additional 100,000 units of affordable housing. She then noted the recent efforts to pass flexible rules around converting under-utilized hotels with commercial spaces in New York City into permanent housing. She noted that the Governor spoke yesterday on the importance of conversions of commercial buildings into housing as a way to increase the supply of housing in New York City.

Ms. Visnauskas also mentioned the Governor's remarks in her speech before the NYSFAFH housing conference two weeks ago, as well as yesterday, on the need for approximately 800,000 new homes over the next to 10 years to make up for decades of under production. She added that while we lead the nation in funding for affordable housing, and you all see that each month, we also lead the nation in barriers that limit housing. As a result, the Agencies are shifting our focus from just funding housing to trying to remove obstacles that restrict supply. This means focusing on developments that focus on commercial conversions as well as legalizing basement apartments in New York. This will not be easy, but the Agencies are excited to be able to play a role in these changes, which will make New York a place where families have more access to affordable housing. She thanked the boards and staff for the hours and the time and the commitment and the dedication to everything we do.

Ms. McKeown and Ms. Miller thanked Ms. Visnauskas for her work and leadership, noting the extraordinary work done by the Agencies under her leadership.

The first item on the agenda was the adoption of the minutes of the HTFC Board meetings held on November 10, 2022. There being no objections or corrections from the Members, the minutes were deemed approved.

The next items on the agenda were resolutions recommending approval of the MWBE and SDVOB Goal Plans. Chairman Adams led the Board in a discussion of the MWBE Goal Plan, as well as of the SDVOB Goal Plan. Both plans were considered as one item. During the discussion, staff summarized the salient parts of the Goal Plans and fielded questions from the Board members.

Ms. Torres presented the plans, noting that she was new to the position and that she looked forward to leading the Agencies' MWBE efforts with guidance from senior staff and the Boards. She noted that MWBE utilization across the Agencies, spanning the three major "spend" categories—procurement, indirect spends and bond issuances—exceed the State's overall goal when measured during the last year. She provided a summary of the results over the last three years, showing how the numbers showed the Agencies consistently exceeding the 30% MWBE goals throughout the period.

Professor Ford, a SONYMA Board member, requested interim reports, either monthly or quarterly, to be sent to the Boards detailing performance under the Plans. Ms. Torres noted that the reports were prepared during said time frames and agreed to look into which approach would work best.

Professor Ford noted that he had some very preliminary discussions with the President and the Chair with respect to a range of areas that we as public benefit corporations can assess in terms of utilizing attorneys or banking firms and other service providers as well as when we bring in contractors to do work here at the agency, as in temporary work.

He also focused on outreach: he noted that a number of the activities the Agencies are involved in are not a matter of common knowledge for people who are not attorneys or bankers, and he asked about efforts in other areas of outreach. Ms. Torres noted that, in the short term, she and her staff have attended some conferences to enhance outreach and noted for the Boards that her experience has been just in this kind of engagement with the business community to ensure that they are aware of the opportunities that exist for work in the government sector.

Mr. Freeman, a SONYMA Board member, asked about the website where his understanding from prior Board meetings is that there has not been any tracking as far as being able to actually see who is receiving Agency funds, in the way of mortgages or rental housing opportunities, particularly based on categories such as union activity or individuals of color. He also asked whether, in the budget, funds are allocated for this, because a number of these contractors are not registered or licensed through the State. How would we be able to increase the activity with these individuals as far as getting them registered and licensed to be able to

work with the Agencies. Ms. Torres noted that she has been speaking with the data evaluation team on different processes that we could use to collect more detailed data.

Mr. Freeman then referred to one of the Agency projects in Long Island where he has actual knowledge that they do not have union support or outreach to individuals of color. He asked whether there were repercussions for any Agency that does not meet the required standards. Ms. Torres noted that she would need to review the case and get back to the Board.

Chairman Adams noted that this is a project previously discussed at the Board level and noted that his understanding was that the failure to meet our standards had serious repercussions for our project partners, particularly in terms of liquidated damages. Chairman Adams then led the Board through a detailed discussion of a hypothetical project to show how the Agencies use their existing procedures to monitor the use of contractors at the project to ensure that MWBE participation, as set forth in the specific goals for such a project, would be monitored and if not met, how sanctions, for example in the form of liquidated damages, would be levied. He summarized the two main categories of work where the goals are not applied: those areas that are deemed as “exempted” from the goals and those where there are findings of “exclusions”.

Mr. McIntyre, an HFA Board member, highlighted one area where the Agencies, in his view, played an extraordinary role and were leaders in the industry. He focused on the “fellows” program that the Agencies have been running for many years to provide opportunities to recent college graduates who are members of the minority community to work in the finance activities of the Agencies. He noted that these programs provide that the fellows work at the Agencies and then at major banks for the second part of the internship. He added that many of the graduates of the program are now working on Wall Street and have been for many years. Ms. Hiwot and Mr. Valella took the opportunity to list a number of current and former fellows, all of whom have passed through or are in the program.

The discussion then moved to the topic of how to increase the pool of minority developers. Ms. Hiwot noted that the Agencies have updated two of our term sheets for New York City, where the Agencies typically limit our investments to supportive housing and senior housing, to provide incentives for the use of minority contractors.

Mr. Freeman stressed that even though 31% participation numbers for MWBEs is a good number, the harsh reality is that this means that 69% of the work is not going to MWBEs and that therefore there is much work to be done. Professor Ford asked whether when the Agencies issue RFPs for banking or legal services they have included in their outreach organizations such as the National Association of Securities professionals and the Metropolitan Black Bar Association.

Ms. Lopez moved for adoption of the resolution transmitted in connection therewith. Considering the first and second previously entered for the HTFC Governance Committee, the motions were carried and the following resolution was adopted unanimously:

A RESOLUTION OF THE GOVERNANCE COMMITTEE OF THE HOUSING TRUST FUND CORPORATION APPROVING THE MINORITY AND WOMEN BUSINESS ENTERPRISE PROGRAM MASTER GOAL PLAN.

Ms. Lopez moved for adoption of the resolution transmitted in connection therewith. Considering the first and second previously entered for the HTFC Governance Committee, Ms. Lopez asked all HFA members voting to approve to signify by saying aye. The motions were carried, and the following resolution was adopted unanimously:

A RESOLUTION OF THE GOVERNANCE COMMITTEE OF THE HOUSING TRUST FUND CORPORATION APPROVING THE SERVICE-DISABLED VETERAN-OWNED BUSINESS PROGRAM MASTER GOAL PLAN.

The next item on the agenda was a resolution authorizing an increase for a Housing Trust Fund Award for the Reynolds Way Apartments project.

Mr. Hebner presented.

Mr. Hebner began by stating that he was requesting the Board's approval to increase a Housing Trust Fund award by approximately \$1.8 million for the Arbor Housing project known as the Reynolds Way Apartments. This is a 41-unit development in Chemung County that encountered delays. Mr. Hebner explained that due to the project's complexity and HTFC's inability to add LIHTC to the project due to its combination with historic tax credits, the project is seeking additional Housing Trust Fund funding to cover the gap in financing created by cost increases.

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

The next item on the agenda was a resolution authorizing Community Development Block Grant CARES Act awards.

Ms. Loffler presented.

Ms. Loffler began by stating that the HTFC Office of Community Renewal (OCR) was advancing one new CARES award and amendments for two existing CARES awards. The new project is to purchase vans for transportation for individuals with disabilities and the award amendments are to support a cost increase for a construction project and to expand a small business assistance program that is oversubscribed. Ms. Loffler stated that OCR is requesting awards totaling just over \$1.5 million in CDBG CARES Act funding for these projects.

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

The next item on the agenda was a resolution authorizing Community Development Block Grant Imminent Threat award.

Ms. Loffler presented.

Ms. Loffler stated that HTFC makes CDBG funding available on an open round basis to address urgent needs or issues that present an imminent threat to a community's public health and safety. The Village of Ilion in Herkimer County requested funding to assist with the demolition of a storm-damaged building that became unstable and presented a threat to neighboring properties and pedestrians. OCR is requesting board approval to award \$49,775 and enter into a grant agreement with the Village of Ilion to support this imminent threat demolition project. Ms. Loffler explained that while this is a very small award, it is very important and meaningful to a small village that does not have extra cash on hand to address an issue like this.

Chairman Adams thanked Ms. Loffler for her presentation and advised the Members that the Village of Ilion had been badly flooded a number of years ago with Hurricanes Irene, Lee, and Sandy due to its close proximity to the Mohawk River.

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

The next item on the agenda was a resolution authorizing New York State HOME Local program awards.

Ms. Loffler presented.

Ms. Loffler began her presentation by stating that HCR makes its Federal HOME funding available for a variety of uses including an annual competitive funding round for activities including homeowner-occupied rehab, down payment assistance, manufactured housing replacement, and tenant-based rental assistance. Applications were received from eligible nonprofits and municipalities, and Ms. Loffler explained that if applicants receive awards, they become HCR subrecipients called Local Program Administrators. This year, OCR is requesting approval to award funds to and enter into grant agreements with twenty organizations for awards totaling just over \$11.6 million.

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

The sixth item on the agenda was a resolution authorizing New York State Housing Program awards.

Ms. Loffler presented.

Ms. Loffler first stated that OCR releases an annual competitive funding round to offer a group of state-funded programs to eligible applicants. These programs include Access to Home and the related Access to Home for Medicaid Recipients and Access to Home for Heroes programs which provide grants for accessibility modifications; the Manufactured and Mobile Home Replacement Program; and the RESTORE Program which funds emergency repairs for elderly homeowners. This year, OCR is requesting board approval to award and enter into grant agreements for 86 awards totaling just over \$15.7 million.

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

The next item on the agenda was a resolution approving the SEQRA documentation and classification of the Boone Avenue Apartments.

Ms. Spitzberg presented.

Ms. Spitzberg stated that she was recommending a SEQRA classification for the Boone Avenue Apartment project located at 1559 Boone Avenue in the Bronx. This is a new construction project of an eight-story, sixty-six unit building funded with Federal Housing Trust Fund and SHOP awards. No unmitigated environmental impacts were found during the environmental review. Ms. Spitzberg stated that she was recommending the Board classify the project under SEQRA as an unlisted action and that a negative declaration be made.

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

The eighth item on the agenda was a resolution approving the HTFC budget.

Chairman Adams noted that this was an Audit Committee item.

Ms. Mickle presented.

Ms. Mickle began her presentation by stating that her presentation was the required Authorities Budget Office submission of the financial plan and budget for HTFC for fiscal year 2023-24. She stated that this is an awkward presentation and is somewhat difficult to review. It includes HTFC's figures from the last fiscal year that ended March 31, 2022 and lines out and ties into HTFC's financial statements from the last fiscal year. There is also a column that identifies our current year or estimated expenditures through the end of the current fiscal year that goes through March 31, 2023. Finally, there is an estimate of next year's adopted budget. Ms. Mickle stated that this estimate is a "best guess" because as the Board is aware, most of HTFC's budget is based on Federal and State resources, and at this time, we do not have insight into what might be presented for the budget for the upcoming State fiscal year. Additionally, Ms. Mickle stated that there are very rough estimates for the outlying years of 2025, 2026, and 2027.

Ms. Mickle explained that the format of the budget is required by the Authorities Budget Office, so there is very limited flexibility in how it can be presented. It includes not only HTFC's estimates for administrative expenditures, but estimates for project and program expenditures and revenue HTFC may receive. It also includes the Governor's Office of Storm Recovery (GOSR), now named the Office of Resilient Homes and Communities, which until recently HTFC did not have a lot of information about or insight into. For these reasons, Ms. Mickle explained that this budget is a little cumbersome to present, but it is a requirement that it be submitted by December 31, 2022. She also stated that in March 2023, there will be a much more detailed presentation of the budget for the administrative expenses that are anticipated for next fiscal year.

Chairman Adams thanked Ms. Mickle for her presentation and for explaining the challenges of putting together a budget without all necessary information from HTFC's partners.

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

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

The ninth item on the agenda was a resolution authorizing contracts for fair housing testing and outreach services contracts.

Ms. Salcedo presented.

Ms. Salcedo stated that Commissioner Visnauskas had walked through the salient points of this item during her President's report. Ms. Salcedo then explained that HTFC is seeking approval for contracts totaling \$2,204,024 of state legislative appropriations for fair housing testing and fair chance housing reforms outreach and education. Ms. Salcedo stated that this is an exciting action by HTFC to provide funding to six fair housing organizations throughout the state. This will continue a pilot program that HCR started last year and that the Office of the Attorney General also funded. The program involves outreach, education, landlord education, and networking amongst the fair housing organizations. Ms. Salcedo stated that these organizations would reach into fair housing deserts such as Albany that do not have a local fair housing organization to increase capacity in such areas. Services will include boots on the ground testing of housing transactions whether buying, renting, or appraising. Ms. Salcedo reiterated her excitement to present this item and what she considered to be a strong collaboration and partnership between the fair housing organizations.

Mr. McIntyre asked Ms. Salcedo if this was enough money for such an endeavor and cited the damage that the penal system has done to human beings and the lack of resources individuals have coming out of the penal system. He went on to state that we often address homelessness and other problems when many of these issues could be solved by bigger interventions. He reiterated his question of whether this program is big enough given the challenge and the secondary and tertiary consequences of not funding such a program.

Ms. Salcedo responded that no, this is not enough funding given how endemic housing discrimination is, but that is why there is a large outreach, training, and social media component to this program. Not only are there boots on the ground, there is also a "shot across the bow" by the fair housing organizations to say that housing discrimination is happening. Ms. Salcedo also stated that they would like to see expansion of protections for individuals with justice-involvement histories, but that there are New York State laws providing protections that many people do not know about. For example, she stated that a landlord cannot ask about adjournments in contemplation of dismissal. If a landlord asks about this, a prospective tenant can respond no as if it never happened. Ms. Salcedo stated that these are things people may not know about and that the funding will go towards shedding light on.

Mr. Kappell stated that early in his career as a real estate broker, his first practical experience in real estate came when he was living on 78th Street and First Avenue and went to work for an apartment broker on his block. The first and only instructions he got from this broker was how to respond to people who called in on ads that he had placed in local papers for the apartments they had available to rent. He stated that the instructions were that for anyone who called, the first answer about an apartment's availability was that the apartment was rented. He was also instructed not to show an apartment until both the husband and wife of a married couple presented themselves at the office so they could see who they were dealing with. He stated this was absolutely unbelievable.

Ms. Salcedo responded that these are the kinds of things that would not be known unless you had a tester that walked in as a married couple and not a married couple and as a person of color and not as a person of color. She went on to state that the funding provided is much more than previously provided and that the fair housing organizations are impressed by the commitment of the state on the issue.

Mr. Freeman asked who puts in the requests for the tests. Ms. Salcedo responded that the organizations are long existing and have many mechanisms to do the intakes including complaint lines and even some of HCR's housing may be tested. There are no restrictions on where testing can occur, so if the organizations hear whispers in the community or hear from local elected officials about potential problems, they can do testing.

Chairman Adams thanked Ms. Salcedo for her presentation and for the important work and congratulated her for the increase in funding.

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

Chairman Adams noted that the next two items on the agenda are consent items, and that there would be no discussion on these items unless the Members so requested. He noted that both items had been discussed at the Governance Committee meetings held earlier in the day.

The items involve a resolution approving Minority and Women-Owned Business Enterprise Annual Goal Plan for Fiscal Year 2023-2024 and a resolution approving Service-Disabled Veteran-Owned Business Program Annual Plan for Fiscal Year 2023-2024.

Considering the first and second motions previously entered, the motions were carried, and the following resolutions were adopted unanimously:

A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION APPROVING THE MINORITY AND WOMEN BUSINESS ENTERPRISE PROGRAM MASTER GOAL PLAN.

A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION APPROVING THE SERVICE-DISABLED VETERAN-OWNED BUSINESS PROGRAM MASTER GOAL PLAN.

The next item on the agenda was a resolution providing affirmative concurrence to extend the contract with Horne, LLP without a new competitive award process.

Ms. Ward and Mr. Lozito presented.

Ms. Ward introduced herself as a member of the legal department at the Governor's Office of Storm Recovery (GOSR)/the Office of Resilient Homes and Communities. She stated that she was seeking a one-year extension without a competitive award process for the contract with Horne, LLP. Horne, LLP was selected by GOSR to provide professional services related to tenant relocation through an RFP where Horne, LLP was the sole respondent. They were selected for the contract based on a variety of criteria, and GOSR feels that Horne, LLP has provided adequate services in support of GOSR's compliance with Federal and State uniform relocation requirements. Horne, LLP has also been successful in providing closeout documentation related to those relocation requirements across all housing programs. Ms. Ward stated she believed that Horne, LLP has also provided tenant relocation services for GOSR infrastructure program projects. Those infrastructure program projects are nearing closure, and Ms. Ward stated she believed GOSR only has a limited number of housing projects that still need relocation services. In light of those reasons, GOSR feels that the contract extension is appropriate because the cost and the time it would take to do another solicitation and potentially onboard another vendor outweighs the efficiencies of continuing the contract for a short, defined period of time to close out what still needs to be closed out.

Mr. Lozito added that it is less than fifteen homes that need relocation services and the contract is associated with some complexities of facilitating a buyout in Sydney, NY. Additionally, Horne, LLP, amongst other firms, was prequalified with a current procurement to provide case management services as of 2019. He stated that while this contract dates to 2017, Horne, LLP was prequalified to provide similar services in 2019.

Professor Ford asked how long of an extension was being requested. Ms. Ward responded one year, although they do not necessarily think it's going to take a year. Professor Ford responded that he heard them state a "limited period of time" and asked whether one year is what the current contract is for. Ms. Ward stated that she believes this is the standard extension time for GOSR contracts and that rather than committing to a date and possibly having delays, it might be a strategic choice to extend for one year. Mr. Lozito stated that GOSR was seeking a one-year extension to be conservative as tenant relocation is particularly hard and there is a limited tenant market in Sydney, NY. He stated that GOSR wants to make sure they have the capacity to provide those services to those tenants. Additionally, after the relocation is complete there are rigorous Federal requirements that need to be documented to close out the program. He believes that one year will be a sufficient time frame to complete these requirements. He expanded that as it is the holiday season, relocations probably would not occur until February or March, but they will try to move as quickly as possible.

Professor Ford asked if it would be fair to say that regardless of the circumstances, at the end of this next one-year contract, GOSR would put this back out for competitive bid again. Mr. Lozito responded yes, and Professor Ford asked if this could be put into the resolution. Professor Ford stated that otherwise, this could be a slippery slope, and ten years from now GOSR could

be working with the same group on this. Ms. Ward stated that she also oversees procurement for GOSR and that she will also make a note to address this as they approach the one-year mark.

Mr. Lozito further stated that this was a point well taken as the new Office of Resilient Homes and Communities office is being created and that they are reviewing what procurements need to be developed in the future. Ms. Ward expanded that they are being mindful of keeping procurements open and competitive and reaching out to a variety of firms. Ms. Lopez asked that when GOSR advises Horne, LLP of the extension, they tell them that the HTFC Board has specifically requested that if the work under the contract is not completed in one year, it has to be rebid. Professor Ford stated that Horne, LLP could be told they received an extension for one year, but that GOSR would be beginning the process to rebid earlier on, and Horne, LLP could reapply if they wanted to. Chairman Adams agreed and stated that they should be told that if the work is not completed in one year, they would have to come back for approval in a year and the Board would not be likely to give that approval. Ms. Ward agreed and stated they could build in controls earlier on like Professor Ford suggested, and have dates to review this three or six months in advance.

Ms. McKeown stated that knowing how tricky tenant relocation is, whether this was an issue with Horne, LLP or an issue due to the nature of tenant relocation. Mr. Lozito stated that it is the nature of tenant relocation and explained that in the Village of Sydney GOSR is demolishing homes in a certain area because it is no longer safe to live there. Once the homes are demolished it decreases the overall rental market, and because Sydney is isolated, identifying where to relocate people is challenging. Furthermore, it is disruptive to families that may include school children that need to be relocated to an adjacent community. These on the ground, situational circumstances inform some of the timeline issues, not the vendor per se.

Ms. Lopez moved for adoption of the resolution transmitted in connection therewith, providing that if the contract is not completed within this one-year extension, the contract will be rebid; further, the applicant would be advised of this in connection with the one-year extension. Considering the first and second previously entered for the HTFC Members, Ms. Lopez asked all HTFC members voting to approve to signify by saying aye. The motion was carried, and the resolution adopted.

In regard to Mr. Lozito's previous statement about the possibility of school children being relocated to adjacent communities, Mr. Kappell asked whether there were district requirements that students live within the school district. Mr. Lozito stated that this varies by community but could be an issue. Mr. Kappell stated that this might be something that we recommend the legislature look at to provide flexibility for children to remain in their original school during the period of relocation. Chairman Adams responded that Sydney is a town of 3500 people in Delaware County and that a move could be very disruptive if this is where you grew up and you had to move outside of the district.

The next item on the agenda was a resolution designating agents and authorized signatories.

Ms. Ward presented.

Ms. Ward stated that GOSR/ORHC was requesting the addition of Krishna O'Neal (GOSR/ORHC General Counsel), Eileen Meus (GOSR/ORHC Deputy Executive Director for Community Reconstruction and Infrastructure), and Paul Onyx Lozito (GOSR/ORHC Chief Strategy and Program Officer) as agents and authorized signatories. This would be in addition to Katie Brenna, Robert Miller, and Kim Hettinger.

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

Chairman Adams noted that the next items on the agenda are informational items, and that there would be no discussion on these items unless the Members so requested.

ITEM 14. Review of SEQRA Concur Actions

ITEM 15. Review of SEQRA Type II Actions

ITEM 16. Review of the Contract with Emphasys Computer Solutions, Inc. for Section 8 Housing Choice Voucher Technology Services

ITEM 17. Review of the Contract with Elation Systems Inc. for the Provision of Davis-Bacon Labor Standards Compliance Monitoring and Reporting Services

ITEM 18. Review of the Independent Auditor Services Agreement with Lumsden & McCormick, LLP (*Audit Committee Item*)

ITEM 19. Review of Current Agency Procurements/Contracts in the Lobbying Restricted Period

There being no unfinished business, Ms. Lopez asked for a motion to adjourn the HTFC Board, Governance Committee, and Audit Committee meetings. Considering the first and second motions previously entered, the motions were carried, and the meetings were adjourned.

Ms. Lopez informed the Members that the next HTFC Board meeting is scheduled for Thursday, January 26, 2023, at 9:00 a.m.

Diana Villarnovo Lopez, Secretary

DRAFT