

**MINUTES OF THE MEMBERS' MEETING OF THE
NEW YORK STATE HOUSING TRUST FUND CORPORATION**

**HELD ON THURSDAY, APRIL 11, 2024 AT 9:00 A.M.
641 LEXINGTON AVENUE
NEW YORK, NEW YORK 10004**

DIRECTORS AND DESIGNEES

PRESENT:

Kenneth Adams	Chairman
RuthAnne Visnauskas	Commissioner, the New York State Division of Housing and Community Renewal
Bethaida Gonzalez	Member (via video conference)
James McIntyre	Member
Sadie McKeown	Member
Joyce Miller	Member
Jesse Olczak	New York State Division of the Budget, representing the Acting Director, Member (via video conference)
Chris Curtis	New York State Division of the Taxation and Finance, representing the Commissioner of Taxation and Finance, Member (via video conference)

Chairman Adams presided over the meeting.

Ms. Lauren McGill, Acting General Counsel to HCR, formally opened the meetings and acted as secretary.

Ms. McGill noted that Mr. Jesse Olczak, representing the Director of the New York State Division of the Budget, and Mr. Chris Curtis, representing the Commissioner of Taxation and Finance, are participating via video conference from the Capitol Building, Room 131, in Albany. Ms. McGill further noted that Bethaida Gonzalez is participating from the Syracuse Regional Office, 620 Erie Boulevard, Suite 312.

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

Ms. McGill asked for motions and seconds to call to order the April 11, 2024 meetings of the New York State Housing Trust Fund Corporation (HTFC), New York State Housing Finance Agency (HFA), and the New York State Affordable Housing Corporation (AHC). Ms. Miller motioned to call the HTFC Board to order and Chairman Adams seconded the motion.

Ms. McGill then asked for individual votes for each HTFC Board member.

Ms. McGill asked for motions and seconds to call to order the April 11, 2024 HTFC Governance Committee meeting. Chairman Adams motioned to call the HTFC Governance Committee to order and Mr. Olczak seconded the motion.

Ms. McGill noted that she would accept the prior votes of Chairman Adams, Mr. Curtis, and Mr. Olczak.

Ms. McGill noted that these motions and seconds would be used, unless specific items called for a different vote, or unless any Member wished to record his or her vote differently.

Commissioner Visnauskas then gave her President's report.

Commissioner Visnauskas reported that the State budget was still under negotiation but that she hoped it would be completed soon. She said there has been a lot of great discussion. The Governor included many items in her budget for housing and there continues to be discussion of those items including: a new 421-a tax exemption called 45-x; an extension of the old 421-a tax exemption to allow projects that have already qualified for that benefit to have a longer completion time; a tax exemption for commercial conversions to allow commercial buildings in the city of New York to convert but also require affordability; language around the legalization of basement apartments; and lifting the FAR 12 cap for residential construction in New York City. Commissioner Visnauskas stated that she believed everything was still on the table and being discussed but that she believed there was a little while to go before the budget was completed. Mr. Olczak stated that "we continue to make progress." Commissioner Visnauskas finished by stating that at the May meeting she would report on the final budget and that she was hopeful a lot would be included in it for housing.

Chairman Adams stated that HTFC and HFA would consider a resolution for approval to enter into Sustainability and Environmental Technical Assistance contracts.

Samantha Pearce presented.

Ms. Pearce explained that she was seeking authorization to enter into contracts to form a panel of various vendors to serve as the sustainability and environmental technical services assistance panel. This panel will serve five different technical service areas, fulfilling a broad range of services and provide HTFC and HFA the opportunity to enter into future contracts with any of the firms they are seeking approval to enter into contracts with. The five areas of service include training services of a technical nature, technical assistance, energy auditing services, energy

benchmarking services, and program and policy design. This will allow HTFC and HFA to deploy and continue to deploy all of the sustainability needs for the agencies over the next years without having to do individual procurement processes – there will be a bench of people that can serve in any of these areas.

Professor Ford asked what sustainability needs were encompassed by this request. Ms. Pearce responded that there are five different areas and they are pretty broad sweeping. She provided two examples – the agencies often receive funds that are coming into the market and may need additional support with program design. There has been a lot of federal money that is potentially available in addition to State money, so some services might look like support building and launching a program specifically around solar or something like that. That could be a foreseeable need the agencies might have. Ms. Pearce continued that the other example is that the agencies know they need support doing energy audits, which is going into and assessing buildings in the existing portfolio that might be able to decarbonize or start to switch out mechanical systems for electric heating. The work of this panel could include everything from doing work on the ground in the agencies’ buildings and doing some program design support that the agencies do not have in-house capacity for to bring new opportunities to the agencies.

Professor Ford then asked about the participation and engagement of minority firms on the panel. Ms. Pearce responded that the RFP information sent to over 58 MBE firms, 61 WBE firms, 11 MWBE firms, and over 1000 SDVOB firms. Ms. Pearce went on to say that there was one WBE respondee and one MWBE respondee of 17 total respondees. Professor Ford asked Ms. Pearce what that could be attributed to. Ms. Pearce responded that in her experience in this space, especially on the more technical side of things, there are not a lot of firms that do this work period, let alone firms that are MWBE owned and operated, doing energy auditing and technical service work like benchmarking, which are some of the requests here. Professor Ford stated that that was hopefully something they could look into moving forward.

Professor Ford then asked about the implications of the next presidential election on resources for HCR.

Chairman Adams responded by stating that there needs to be a distinction between state resources that the state uses for a green agenda – the Governor and the Legislature can work to lock in these state resources. Chairman Adams also spoke about identifying federal support that is coming out of the Inflation Reduction Act and the Bipartisan Infrastructure Act.

Professor Ford then asked what steps we are taking to protect the mission of the organization in terms of what is happening in Washington D.C. and how its effecting New York State.

Ms. McKeown stated that engineering firms and the industry have historically been primarily white. The greenhouse gas production in both of these [cannot be discerned]. A minimum of 40% of the money needs to be invested. They need to reach beyond the communities and neighborhoods and reach for the people of color. The organizations are working closely with universities to do trainings. The Greenhouse Gas Reduction Fund is where many of the resources will come from. The contracts are to be executed by the awardees. Washington will want to delay.

Professor Ford went on to speak about how the federal government is the mothership for all funding coming to the State. We need to persuade construction companies to come to New York State. The construction company that is involved with the J.F.K. expansion came from out of state.

Ms. Pierce states that she works closely with our state partner agencies and they are doing a lot for workforce development then went on to explain how there's actually a low income energy task force where there is an energy equity collaborative which brings together grassroots community groups that are trying to solve this.

Professor Ford went on to speak about how firms in other states like California and Georgia are engaging in building initiating and building Black Owned Firms that are in very technical and large-scale projects.

Chairman Adams spoke about the outreach to WBE firms, but the results are 1 out of 17. The one thing these firms have in common is their statewide reach. That could also be a criterion that we were looking at in firms across the state. Speaking on how the next time we go to panel, and we were open to smaller firms that are local, but they don't have the statewide compacity but they're small and minority owned. That is the way to get in on the projects. When we shape procurements, we need to be thoughtful on how we will get the response we want. The RFP that we created, smaller firms don't have offices all over the state. The panel is in place for 5 years.

Ms. McKeown brought up the fact that when someone is selected off the panel, they will then have to demonstrate if there are any sub-contracting opportunities. There was also a survey taken asking everyone to speak about their established relationships, and that we are doing a better job at working with companies that have the same established values.

Professor Ford then questioned if there can be another procurement to change the panel before the 5 year mark.

Ms. Pierce then stated that if they need to go outside of the scope of work, that the answer could be yes. Lisa Pagnozzi also stated that this is the first procurement that we did not only with HTFC and HFA but also DHCR and we needed to abide by the state rules. There is a clause in in the RFP that says we can open the panel and invite more firms and without doing a full blown [cannot be discerned].

Mr. McIntyre then spoke about doing studies on the MWBE firms and how they get associated and acclimated to the contract process and everything is going to take a year to be put in place, with the panel being out for 5 years, they're going to be sitting there for 4 years, being able to oversee everything that is going on with the panel itself and the dictating policy. He then asked if a sub-panel could be put in place for the new MWBE firms that are coming in and whether it could be made a requirement of those people on the panel to assist those in the sub-panel to be able to bring them up to speed, and then we see that they have the 30% or 40% requirement of participation. In the subcontracting side, they are going to be reaching out to the union workers and a lot of people of color are not in those unions. He then asked how we are going to get people of color into these unions.

Ms. Pierce then answers that the scope of work is not necessarily actual construction work – it is more of inspection work.

Ms. Pagnozzi then states that they cannot change the scope of the original RFP but we can see stretching within the policy panel when we call new firms to give them work. Ms. Pierce then stated that we want as many firms as possible on the panel, we did not want a limit, and we wanted to access all different agencies.

Chairman Adams then stated that we should have a list of availability of smaller engineering, legal advisory, and environmental firms that are certified. He also mentioned that if Turner gets one million dollars from us to go do energy retrofits, they then want to sub the work out to minorities and firms and that's getting us to 30%-40%. We want to capacity build.

Mr. McIntyre then goes on and speaks about AA, and how they are a non-profit. Emerald City Collective, which is providing job training to people of color in Chicago and the Midwest. There is going to be a lot of Federal funding and a lot of new firms coming in this new year. We want to see more non-profits that aren't going to compete with larger firms. We in New York State have to view this as a great building preservation moment in addition to an energy movement. We need to think about the flow of money into this ecosystem and it will create more of these firms. We need to continue to support those initiatives to get more firms.

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

A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION AND THE HOUSING FINANCE AGENCY APPROVING ENTRY INTO SUSTAINABILITY AND ENVIRONMENTAL TECHNICAL ASSISTANCE CONTRACTS.

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

ITEM 11. Review of SEQRA Type II Actions

ITEM 12. Quarterly Review of the Climate Friendly Homes Fund

Mr. McIntyre noted that he was recusing himself from reviewing the Climate Friendly Homes Fund.

ITEM 13. Review of Current Agency Procurements/Contracts in the Lobbying Restricted Period

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

Ms. McGill informed the Members that the next HTFC Board meeting is scheduled for Thursday, May 16, 2024, at 9:00 a.m.

M. Lauren McGill

Lauren McGill
Acting General Counsel