

Draft- 210th HHAC Board Meeting Minutes

Meeting date: August 2, 2023

Call to Order:

The 210th meeting of the Homeless Housing and Assistance Corporation (HHAC) was held at the NYS Media Service Center (MSC), in Albany, New York at 1:30 p.m. on August 2, 2023. The meeting was called to order by Rick Umholtz, Deputy Commissioner for Housing and Refugee Services within the NYS Office of Temporary and Disability Assistance (OTDA).

Members in Attendance:

Brett Hebner, Board Member Designee representing Board Member Kenneth Adams, Chairman of the NYS Housing Finance Agency (HFA), Suzanne Cook, Board Member Designee representing Board Member Commissioner Ann Marie Sullivan of the NYS Office of Mental Health (OMH), and Esteban Ramos, Advisory Board Member Designee representing Advisory Board Member Commissioner Chinazo Cunningham, M.D. of the Office of Addiction Services and Supports (OASAS).

Others in Attendance:

Dana Greenberg	HHAC President
Brenda McAteer	HHAC Vice President
John Cucinelli	HHAC Assistant Treasurer
Michael Washburn	HHAC Comptroller
Amanda Diller	HHAC Secretary
Megan Van Geest	HHAC Assistant Secretary
Cassandra Kelleher-Donnaruma	OTDA Division of Legal Affairs (DLA)
Martin Robinson	HHAP Project Manager

Items of Discussion:

Approval of Minutes

Mr. Umholtz requested a motion to accept the minutes of the 209th HHAC Board Meeting that took place on June 7, 2023. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

President's Report

Ms. Greenberg presented the President's Report and began with an overview of the status of all projects under development as of June 30, 2023, when there were 93 projects in various stages of development. Fifty of these projects were in construction, six of which were over 90% complete. Furthermore, 37% of the projects in development at that time were in New York

City, 12% were in the suburban regions of Westchester, Nassau and Suffolk counties, and the remaining 51% were in the rest of the state.

Project-Related Milestones

Final Award and Loan Agreements

- H.E.L.P. Social Service Corporation (HELP)/HELP Park Place LLC (2022-008/HC01084) executed a Final Loan Agreement (FLA) on May 25, 2023. HELP received a \$3,140,000 HHAP award reservation in June 2022 to develop eight units of permanent supportive housing (PSH) for chronically homeless families in Brooklyn. The remaining 36 units will be reserved for low-income individuals and families who earn between 50-80% of the Area Median Income (AMI), for a total of 44 units. This is a Vital Brooklyn (VBK) project. Other sources of funding include a Community Preservation Corporation (CPC) loan, Low-income Housing Tax Credit (LIHTC) equity, State LIHTC (SLHIC) equity, Housing Trust Fund (HTF), Federal Housing Trust Fund (FHTF) and Community Investment Fund (CIF) from NYS Homes and Community Renewal (HCR); a Sponsor CIF match, solar tax credits, a New York State Energy Research Development Authority (NYSERDA) incentive and deferred developer fee, for a total project cost of \$31,419,623. Katherine Blake is the project manager.
- Joseph's House & Shelter, Inc. (2019-037S/HC01085) executed a Final Award Agreement (FAA) on May 18, 2023. Joseph's House received \$98,500 in emergency shelter repair funds in January 2020 for the moderate rehabilitation of an existing 15 unit/39 bed emergency shelter in Troy. The repairs include installing new vinyl flooring throughout the building and the replacement of 46 windows. Heather Lombardo is the project manager.
- Mt. Olive Development Corp. (Mt. Olive)/Mt. Olive Senior Manor LLC (2021-023/HC01086) executed a FLA on June 22, 2023. Mt. Olive received a \$4,000,000 HHAP award reservation in December 2021 for the new construction of 65 units of affordable housing in the city of Buffalo. People, Inc. is also a guarantor and will serve as the supporting organization for this project. Of the 65 units of housing, 20 will be utilized as PSH for homeless seniors aged 55 and older. The remaining units will be reserved for low-income seniors and their families. Other sources of development funding include LIHTC equity, Supportive Housing Opportunity Program (SHOP) and FHTF from HCR; Buffalo Urban Renewal Agency (BURA) funds, Brownfield tax credits, developer equity and a deferred developer fee, for a total project cost of \$27,410,052. Martin Robinson is the project manager.
- Penates, Inc. (2021-034S/HC01080) executed a FAA on April 9, 2023. Penates received a \$100,000 HHAP award reservation in February 2022 for the moderate rehabilitation of three units/17 beds of emergency housing for homeless families in Bay Shore. The repairs include installing new kitchen cabinets, countertops, two sinks, a stove, two refrigerators/freezers in the kitchen and new flooring. Ryan Szalkowski is the project manager.

- Penates, Inc. (2021-035S/HC01081) executed a FAA on April 9, 2023. Penates received a \$100,000 HHAP award reservation in February 2022 for the moderate rehabilitation of four units/17 beds of emergency housing for homeless families in Bay Shore. The repairs include installing new kitchen cabinets, countertops, two sinks, a stove, two refrigerators/freezers in the kitchen and new flooring. Ryan Szalkowski is the project manager.
- Rochester Housing Authority (RHA)/RHA Federal St. Associates LLC (2020-055/HC01083) executed a FLA on May 8, 2023. RHA originally received a \$1,627,884 HHAP award reservation in April 2021 and requested and received a \$406,971 award increase in February 2023 due to increases in construction costs and interest rates. The total HHAP investment is \$2,034,855 for the new construction of nine units of PSH for re-entry/ex-offenders and their families who are experiencing homelessness. The remaining 44 units will be reserved for low-income families, for a total of 53 units. Other sources of development funding include a S/LIHTC equity and a Public Housing Preservation Program loan from HCR, a CPC loan, a NYSEDA incentive, a sponsor loan and reserves, and a deferred developer fee, for a total project cost of \$26,912,028. Martin Robinson is the project manager.
- The Bridge, Inc./1559 Boone Avenue L.P. (2022-010) executed a FLA on June 28, 2023. The Bridge received a \$3,152,138 HHAP award reservation in December 2022 for the new construction of 51 units of PSH. Thirty-one units will serve chronically homeless adults with serious mental illness (SMI) and/or substance use disorder (SUD), eight units will serve homeless adults with SMI and 12 units will serve homeless seniors in the Bronx. The remaining 14 units will be reserved for seniors under the Affordable Independent Residences for Seniors (AIRS) Program serving tenants who earn up to 30% of the AMI. There will also be one unit for a live-in superintendent, for a total of 66 units. Other sources of development funding include LIHTC, SHOP, Senior Housing Program (SENR) and FHTF from HCR; Brownfield Tax Credit equity; a deferred developer fee; a sponsor loan for reserves; and accrued interest, for a total project cost of \$40,134,351. Matthew Ciulla is the project manager.
- West Side Federation for Senior and Supportive Housing, Inc. (WSFSSH)/Fischer Senior Apartments L.P. (2020-015/HC01088) executed a FLA on June 29, 2023. WSFSSH received a \$4,800,000 HHAP award reservation in February 2021 for the new construction of 32 units of PSH for homeless individuals suffering from SMI who are over the age of 55 in the Bronx. The remaining 72 units are for low-income senior households aged 62 and above with incomes below 50% of the AMI. There is one unit for a live-in superintendent, for a total of 105 units. Other sources of development funding include LIHTC equity and Senior Affordable Rental Apartments (SARA) funds through NYC Housing Preservation & Development (HPD), NYC Reso A funding, a construction loan, Freddie Mac funds and solar tax credit equity, for a total project cost of \$68,626,160. Michael Washburn is the project manager.

Amendment

- The County of Orange (2001-030/HC00682) executed a \$665,000 amendment on May 19, 2023, for a total HHAP investment of \$3,325,000. The County of Orange had previously executed a FAA but needed additional funding to complete the necessary repairs at HONOR EHG, Inc., a 73 unit/82 bed emergency shelter in Middletown. Repairs include roof replacement, repointing of bricks, Heating, Ventilation and Air Conditioning (HVAC), electrical upgrades and bathroom renovations. The other source of development funding is an Orange County Department of Social Services (OCDSS) contribution of \$1,095,870, for a total project cost of \$4,420,870. Michael Washburn is the project manager.

Completed

- DePaul Properties, Inc. (DePaul)/Batavia Special Needs Apartments, L.P. (2020-001/HC01044) obtained a Temporary Certificate of Occupancy (TCO) on May 25, 2023. DePaul received a \$5,514,760 HHAP award reservation in February 2021 for the new construction of 20 units of PSH for homeless individuals living with a SMI and frail/elderly homeless persons aged 55 and older in Batavia. This is an addition to an existing affordable housing project developed and operated by DePaul that has been in-service since 2009. Thirty-one units are funded through the NYS Office of Mental Health (OMH) and 11 units are for households earning at or below 60% of the AMI, for a total of 62 units. Other sources of development funding include an existing replacement reserve, a NYSERDA grant, an OMH Program Development Grant (PDG), and a contribution from the sponsor, for a total project cost of \$6,058,301. Michael Riley is the project manager.
- United Veterans Beacon House, Inc. (UVBH) (2022-003S/HC01072) received a \$74,591 HHAP emergency shelter repair award reservation in August 2022 for the moderate rehabilitation of their 15-bed emergency shelter for homeless adults in Suffolk County. Repairs and improvements were made to the exterior of the three-story shelter building, including replacement of the siding, windows, three exterior doors and all the house gutters and sealing the foundation near the front porch. Rachel Gaffey is the project manager.

Events and Ceremonies

- Delta Development of Western NY, Inc. (Delta)/Angela's House LLC (2019-003/HC01011) held a ribbon-cutting ceremony on May 11, 2023. Delta received a \$3,692,030 HHAP award reservation in October 2019 for the substantial rehabilitation of one wing of a large mixed-use building that will create 21 units of PSH and 46 low-income units for individuals aged 55 and over in Cheektowaga. Other sources of development funding include LIHTC and SHOP funds from HCR, Federal and State Historic Tax Credits, Cheektowaga HOME Funds, a deferred developer fee and a NYSERDA incentive, for a total project cost of \$22,884,200. Heather Lombardo is the project manager.
- Veterans Outreach Center (VOC) (2020-034/HC01045) held a ribbon-cutting ceremony on June 1, 2023. VOC received a \$2,000,000 HHAP award reservation in February 2021

for the substantial rehabilitation of Richard's House, their existing three-story structure located in Rochester. The project preserves 30 units of transitional housing for veterans and creates an additional 16 beds. This project now provides 46 transitional beds for homeless veterans, including those with a mental health diagnosis, those who are physically disabled, and/or have a SUD. Other sources of development funding include the Department of Veterans Affairs (VA), NYS Office of General Services (OGS), VOC savings and investments and private donors and foundations, for a total project cost of \$6,222,388. Heather Lombardo is the project manager.

Mr. Hebner commented that HCR, in conjunction with HHAP, provided additional resources for the RHA project.

Mr. Umholtz requested a motion to accept the President's Report. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

Treasurer's Report

Mr. Cucinelli provided a brief synopsis of Schedule One of the Treasurer's Report and reported the cash balance available as of the date of the meeting was \$12,240,222.32. This included \$4,639,508.32 in Mortgage Insurance Funds (MIF).

There was no further discussion or comment.

Mr. Umholtz requested a motion to accept the Treasurer's Report. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Regarding Certain SEQRA Classifications and Findings

Mr. Robinson presented the following projects to the Board:

- Project Name: Ibero-American Development Corporation 2020-054
- Project Name: Thankful Community Development Corporation 2022-038

Mr. Robinson reported that both the Ibero-American Development Corporation and Thankful Community Development Corporation projects were unlisted. After performing an evaluation and review of the proposed action it was determined that the Ibero-American project will not result in any significant adverse environmental impacts and therefore, a conditional Negative Declaration was recommended with the expectation that the sponsor creates and implements a construction protection plan to protect historic resources adjacent to the site. It was also determined that the Thankful Community project will not result in any significant adverse environmental impacts and therefore, a Negative Declaration was recommended.

There was no further discussion or comment.

Mr. Umholtz requested a motion to approve the SEQRA resolution. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Accepting the Resignation of an Officer

Ms. Greenberg introduced a resolution to accept the resignations of HHAC Treasurer Lee Ann Greenslade and HHAC Assistant Treasurer John Cucinelli.

This was no further discussion or comment.

Mr. Umholtz requested a motion to approve the resolution accepting the resignation of an officer. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Approving the Appointment of Officers

Ms. Greenberg introduced a resolution to appoint John Cucinelli as HHAC Treasurer.

This was no further discussion or comment.

Mr. Umholtz requested a motion to approve the resolution approving the appointment of an officer. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Revising Authorized Signatories

Ms. Greenberg introduced a resolution to revise the authorized designated signatories for HHAP Account Warrants to reflect "Finance" staff changes and appointment of new officers, including Chief Accountant, Michael Cody; Assistant Chief Accountant, Karen Martin; Principal Accountant, Shawn Smith; and Treasurer, John Cucinelli. Authorized "Program" signatories include President, Dana Greenberg; Vice President, Brenda McAteer; and Comptroller, Michael Washburn.

This was no further discussion or comment.

Mr. Umholtz requested a motion to approve the resolution revising authorized signatories. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Authorizing Awards

Ms. McAteer explained that the purpose of the resolution was to request the Board's approval of three awards from the state fiscal year (SFY) 2022-23 funding round totaling \$20,668,006 and two awards from SFY 2023-24 funding round totaling \$17,990,000. The following organizations were approved for funding:

From SFY 2022-23

- Mercy Haven, Inc.- Hempstead Homeless Housing
- The YWCA of Binghamton and Broome County- Lisle Avenue Apartments
- Bowery Residents' Committee, Inc.- Hill Top

From SFY 2023-24

- Breaking Ground II Housing Development Fund Corporation- 1760 Third Avenue
- WellLife Network, Inc.- Medford Gardens

Five applications were reviewed and not recommended for funding at that time:

- Project Renewal, Inc. - New Providence
- Institute for Community Living, Inc. - 161 Emerson Place
- The Puerto Rican Organization to Enlighten, Motivate and Serve Addicts (PROMESA), Inc. - Rogers Place
- People Community Housing Development Corporation - Juniper Apartments
- Soldier On, Inc. - Tent City (aka Gardner Lofts)

These applicants will be offered technical assistance.

Ms. McAteer stated that the \$20,668,006 in project funding recommended at the meeting from SFY 2022-23 will produce 160 units/194 beds of PSH. The \$17,990,000 in project funding recommended from SFY 2023-24 will produce 250 units/beds of PSH.

Ms. McAteer noted that both the SFY 2022-23 and 2023-24 enacted State Budgets contain a \$128 million appropriation for HHAP, including \$2 million for administrative expenses. Funds are awarded via an open Request for Proposals (RFP), which means that applications are reviewed, and awards are considered, in the order in which they are received, subject to the availability of funds. HHAC continued to accept applications through March 31, 2023, for funding under the RFP issued in September 2020. A new RFP was issued on May 4, 2023 with applications being accepted starting May 25, 2023.

The COVID-19 pandemic unquestionably impacted the construction world. HHAP's not-for-profit partners have experienced significant challenges during development; material costs have escalated substantially, as have interest rates for projects working toward construction closings. Working with its State and City partners, HHAC has assisted projects to fill gaps caused by these market forces. In SFY 2022-23 HHAC provided award increases to 20 projects totaling \$14.4 million. In addition, HHAP executed emergency health and safety amendments with four agencies totaling \$1 million. With approval of the HHAP awards presented for SFY 2022-23, the additional funds provided to projects in development, and amendments for health and safety concerns, the total funds committed to date is approximately \$122 million. With the approval of HHAP awards presented for SFY 2023-24, the remaining uncommitted appropriation balance of \$110,010,000 may be utilized for future awards, which includes up to \$1 million for emergency shelter repairs and \$2 million for HHAC operating and administrative expenses.

Ms. McAteer reported that there were six applications under review at the time of the Board meeting, requesting approximately \$16.7 million in HHAP funding.

Ms. McAteer also reported that of the \$128 million allocation, \$5 million is set aside for projects that will provide supportive housing for persons living with HIV/AIDS. For SFY 2022-23 one application for the HIV/AIDS set-aside had been submitted but was not awarded funding. Five

million dollars is also set aside for projects that will provide supportive housing for veterans. In SYF 2022-23 a total of \$4.3 million has been committed. At the time of the meeting, no applications have been received for either set aside for SFY 2023-24. Up to \$1 million of the appropriation is allocated for existing emergency shelter repairs outside of NYC. Emergency shelter repair awards do not require HHAC Board approval pursuant to the policy adopted by the Board in August 2019.

Ms. McAteer concluded her presentation by reporting on the geographic distribution of HHAP awards, award increases and amendments from SFY 2022-23. Forty-nine-point-nine percent (49.9%) of the funding was awarded to projects in the NYC region, 43.9% to the rest of state region, and 6.2% to projects in the suburban region of Suffolk, Nassau, and Westchester counties. With recommendations from the SFY 2022-23 appropriation, the \$106 million awarded to new projects funded 1,093 units/1,316 beds of PSH, 32 new units/80 new beds of emergency housing and preserved one unit/59 beds of emergency housing.

There was no further discussion or comment.

Mr. Umholtz requested a motion to approve the resolution authorizing awards. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

Agency Reports:

HCR

Mr. Hebner reported that HCR continues to work on moving forward their portfolio of Multifamily 9% LIHTC awarded projects. Since the beginning of the fiscal year, HCR has closed on construction financing for nine projects totaling 503 units, including 129 supportive units. HCR has also closed on permanent financing for six projects that are now operational.

Mr. Hebner stated that HCR is also working on the release of the next Multifamily 9% LIHTC RFP, which is targeted for release in September. HCR is moving back to an annual funding round, which will have multiple benefits including lowering application and pre-application costs and providing more consistency in the awards process.

Finally, Mr. Hebner reported on HFA's 4% bond activities. HFA approved two preservation projects at the June 2023 board meeting, consisting of over \$25 million in subsidy to create or preserve 282 affordable units, including 128 supportive units. One of the two projects, which is in Newburgh, was originally funded by HHAP.

OMH

Ms. Cook reported that OMH has released a Treatment Apartment Program (TAP) RFP for the development and operations of 450 units statewide. Proposals were due the week following the Board meeting. OMH is expecting to release three additional RFPs: one for formerly incarcerated, a second for transition aged youth, and a third to support the work of the Safe Options Support SOS Teams. OMH is also working with their ESSHI colleagues for the release of the next RFP.

OASAS

Mr. Ramos reported that OASAS continues to provide technical assistance to their current housing providers. The pilot program for the transitional safety units has been effective and will continue to be supported.

Mr. Ramos noted that OASAS continues to work with the interagency workgroup on the next ESSHI RFP.

Mr. Ramos mentioned that OASAS has taken on certifying recovery residences. OASAS is working on drafting regulations. These regulations are up for public comment on the State registry. Comments were accepted until August 13, 2023.

OTDA

Mr. Umholtz began his presentation by thanking the team for their commitment and ongoing hard work.

Mr. Umholtz reported that 16 concept papers were reviewed which requested \$90 million in HHAP funding.

Mr. Umholtz stated that The Balance of State is currently working with community partners in eight counties on a response to the recently released Notice of Funding Opportunity (NOFO) to secure renewals and additional funding. The application due date is at the end of September.

Mr. Umholtz concluded by reporting on three additional funding opportunities. The Operational Support for AIDS Housing (OSAH) awards have been announced, the Housing Opportunities for Persons With AIDS (HOPWA) RFP is open with applications due August 30th, and the additional resources made available through the new state budget made \$2.8 million available to increase rates for the NYS Supportive Housing Program (NYSSHP) for contracts commencing later this year.

New/Other Business:

The next HHAC Board meeting is scheduled to take place on Wednesday, October 4, 2023, hosted by the Media Service Center Studio, Albany, New York, at 1:30 p.m.

Mr. Umholtz asked for a motion to adjourn the meeting. Mr. Hebner made the motion, which was seconded by Ms. Cook. The motion carried.

Mr. Umholtz adjourned the meeting at 2:13 p.m.

Amanda Diller

HHAC Secretary

Date: