

**MINUTES OF THE
469TH MEMBERS MEETING OF THE
NEW YORK STATE HOUSING FINANCE AGENCY
HELD ON JULY 7, 2015 AT 8:33 A.M.
AT ITS OFFICES AT 641 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022**

MEMBERS AND DESIGNEES

PRESENT:

William C. Thompson	Chairman
Steven J. Weiss	Vice Chairman (via video conference)
Nestor M. Davidson	Member
James S. Rubin	Member
Elaine McCann	New York State Division of the Budget, representing Mary Beth Labate, Member (via video conference)
Joyce L. Miller	Member
Christopher Curtis	New York State Department of Taxation and Finance Representing Commissioner of Taxation and Finance

Chairman William C. Thompson presided over the meeting and welcomed everyone.

Mr. C. Jason Kim, Senior Vice President and Counsel to the Agencies, acted as Secretary. He noted that Ms. Elaine McCann, representing Budget Director, Ms. Mary Beth Labate, from the New York State Division of the Budget was participating in the meeting via video conference from the NYS Division of the Budget conference center at the Capitol Building, Room 131, in Albany; Mr. Steven Weiss, HFA/AHC Member participated in the meetings from the Agencies' Buffalo Regional Office at Electric Tower, 535 Washington Street, Suite 105 via video conference and Ms. Bethaida Gonzalez participated in the meeting via video conference from the Syracuse Regional Office, 620 Erie Boulevard, Suite 312.

Mr. Kim 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") and the State of New York Mortgage Agency ("SONYMA"), respectively. Mr. Weiss moved to call the HFA and AHC meetings to order; Ms. McCann seconded the motion. Mr. Bergamo moved to call the SONYMA meeting to order, Ms. Rogatz seconded the motion. Mr. Kim stated that as items were presented to each Board throughout the

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

The meetings of the affiliated Agencies were opened in joint session for the President's report, the recital of the Committee reports, the adoption of the minutes of previous meetings and consideration of various matters of shared importance. These minutes reflect only those items being considered by the Members of the New York State Housing Finance Agency. A record of items considered by the other Agencies is contained in the minutes of each of the Agencies.

The next item on the agenda was the adoption of the minutes of the HFA Members' meeting held on June 11, 2015. Absent comments or corrections from the Members, Mr. Kim reported that the minutes were deemed approved.

Chairman Thompson apologized for the cancellation and subsequent rescheduling of the meeting. He stated that he thought the new Commissioner should be present at this month's meeting as he would otherwise have been out of town. He then welcomed both Ms. Gonzalez and Commissioner Rubin to the meeting.

Chairman Thompson stated that the next item on the agenda was a resolution appointing James S. Rubin as President and Chief Executive Officer to the Agencies. Chairman Thompson spoke favorably about former New York State Division of Housing & Community Renewal's Commissioner, Darryl C. Towns. He stated that former Commissioner Towns performed admirably in his role as Commissioner for well over four (4) years. He described him as smart, focused and "a friend." He welcomed Mr. Rubin, noting his reputation as an intense and focused leader. He noted that he was confident that Commissioner Rubin would continue the great work that has been done at HCR.

Chairman Thompson stated that he looks forward towards the years that both he and Mr. Rubin will be working together and is proud to present the resolution for his appointment and approval.

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

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY THE AFFORDABLE HOUSING CORPORATION THE STATE OF NEW YORK MORTGAGE AGENCY APPOINTING JAMES S. RUBIN AS EXECUTIVE DIRECTOR WITH THE TITLE OF PRESIDENT AND CHIEF EXECUTIVE OFFICER

President Rubin thanked Chairman Thompson for his kind words. He summarized his past recent experience, noting that he had worked at HCR for two years, running the Governor's Office of Storm Recovery. He reported that he was in attendance at a press conference last week with Attorney General, Eric T. Schneiderman, who stood with representatives from the Citigroup and Bank of America to announce their commitment to create and preserve nearly 4,000 units of affordable housing across the State. The announcement, he noted, was made in front of the Sunset Park Library in Brooklyn, NY. He noted that the project was made possible in part through low-interest loans from Citi, funding from New York City, the Brooklyn Borough President's office, and a recent Low Income Housing Tax Credit allocation from New York State. He said, the library site will soon be transformed into an eight-story, mixed-use building, developed by the Brooklyn Public Library and the Fifth Avenue Committee, a nonprofit developer. He said a dramatically expanded library will occupy part of the second floor, the first floor and basement and the remainder of the building will feature 49 affordable units. He said that HCR will help to finance this project, which exemplifies what housing means to New York State.

President Rubin stated that he will be taking credit for the work that was already done at the Agencies as he recognizes that he stands on the shoulders of others who came before him, and thanked the Board for the appointment and their confidence.

The next item on the Agenda was a resolution appointing Senior Vice President and Counsel to the Agencies. Chairman Thompson noted that materials in connection with this item were sent to the Board Directors and Members under separate cover.

Chairman Thompson said that the current General Counsel, C. Jason Kim, Esq., served the Agencies for approximately two (2) years and has helped to guide him, in particular, since his appointment as Chair. He referred to Mr. Kim as someone who was a pleasure to work, with tremendous professionalism. President Rubin echoed Chairman Thompson's remarks and noted that Mr. Kim is a colleague of his, "is very capable and has done a great job over the last couple of years." He said "we look forward to see what he does next."

President Rubin reported that Mr. Kim's successor will be Adam S. Schuman and that he had a very successful private practice and ushered Standard & Poor's Rating Services' legal department through the really difficult times of the post mortgage crash. He noted that he has already hit the ground running and that it is really important that Agencies such as these keep infusing talent at every level.

President Rubin also noted that in Mr. Schuman's role as a Federal Prosecutor and Assistant U.S. Attorney at the U.S. Attorney's Office of the Eastern District of New York, he was hired by Loretta Elizabeth Lynch, 82nd and current Attorney General of the United States.

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

**A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE
AGENCY THE AFFORDABLE HOUSING CORPORATION AND THE**

STATE OF NEW YORK MORTGAGE AGENCY APPOINTING ADAM SCHUMAN AS SENIOR VICE PRESIDENT AND COUNSEL.

The next item on the agenda was a resolution appointing Senior Vice President and Executive Deputy Commissioner of Housing Development. President Rubin reported that RuthAnne Visnauskas could not be present at today's meeting because she was on a family vacation which she had scheduled a long time before this appointment.

President Rubin reported that Ms. Visnauskas has held several key positions working for eight (8) years at the New York City Housing, Preservation and Development ("HPD") through the Bloomberg Administration up to current Mayor de Blasio's Administration -- most notably, as Commissioner of HPD. He reported that she then went on to head the Robin Hood Foundation where she was the Managing Director and that at our Agencies she will oversee all of the Agency's development efforts.

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

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY THE AFFORDABLE HOUSING CORPORATION THE STATE OF NEW YORK MORTGAGE AGENCY APPOINTING RUTHANNE MICHAELNA VISNAUSKAS AS SENIOR VICE PRESIDENT AND EXECUTIVE DEPUTY COMMISSIONER OF HOUSING DEVELOPMENT

The next item on the agenda was a resolution approving the 2nd Quarter Bond Sale Report for the quarter ending April 30, 2015.

Chairman Thompson stated that there will be no discussion on this consent item unless the Directors so request. It was noted that information regarding this item was contained in the materials provided in connection therewith, which materials are incorporated herein by reference.

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

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AND STATE OF NEW YORK MORTGAGE AGENCY APPROVING THE AGENCIES' BOND SALE REPORTS

The next item on the agenda was a presentation by Ms. Lorraine Collings about Fair Housing. Commissioner Rubin noted that he and Ms. Lorraine Collings, Assistant Commissioner/Director of the Fair and Equitable Housing Office ("FEHO"), have met a number

of times. He also noted that she has already accomplished a tremendous amount and appears to be everywhere throughout New York State discussing fair housing.

Ms. Collins greeted everyone and introduced herself as Director and provided a brief overview of why the new office was created and highlighted some of its recent accomplishments and activities:

She started by summarizing for the Board the history of Fair Housing. After summarizing that history, she noted that unfortunately, nearly fifty (50) years later, our nation is still racially, ethnically and economically segregated.

She noted that in recent years, there have been several high-profile housing discrimination cases throughout the nation, and summarized them for the Board. She added that as time passed, it became more evident that a more proactive approach to removing regulatory barriers and to AFFH as the state level was needed; hence, HCRs FEHO was created to focus on the development and oversight of such activities. FEHO staff look at how the agencies' public investments affect the larger housing market, as well as research best practices and make policy recommendations to HCR's Executive Team regarding various fair and equitable housing issues and laws. Since January, FEHO staff has been working in concert with various HCR units to assess the agency's AFFH efforts. She said we are currently considering policies related to community preferences, affirmative fair housing marketing plans and tenant selection processes. She said we have also implemented an internal education tool by publishing a monthly newsletter on our intranet site. Each issue highlights a different fair and equitable housing topic.

Ms. Collins said building and strengthening relationships with our partners has been a priority for FEHO. We have begun to work collaboratively with the New York State Division of Human Rights; focusing on how the two agencies can better complement one another in fair housing-related activities. We have also held several met and greets with fair housing advocates across the State. These sessions not only served as an opportunity to introduce the Office to those on the front-line, but were also a time for the Agency to learn about the issues that advocates are encountering as they try to eliminate housing and lending discrimination.

Ms. Collins said over the next several months, the Office will be dedicated to working with a contractor on the preparation of the State's Analysis of Impediments to Fair Housing Choice (AI). At the May 2015, Housing Trust Fund Corporation's Board meeting, the Board approved a contract with Mullin & Longergan Associates for the preparation of the state's AI. The three-part AI will include an analysis of the state's non-entitlement jurisdictions and jurisdictions receiving federal Community Development Block Grant funds (not including New York City). It will also include a compilation of the analyses found in AIs submitted to HUD by local entitlement jurisdictions. The successful completion of this effort will require the active participation and cooperation of staff across all of HCRs entities.

In closing, Ms. Collins noted that HUD has made it clear that fairness and equality in housing is a priority. A Final Rule to improve compliance with the statutory obligation to AFFH is expected any day now. Under this rule, AFFH would mean "taking proactive steps beyond simply combating discrimination to foster more inclusive communities and access to community assets

for all persons protected by the Fair Housing Act.” Among other things, the final rule will replace the AI with a more data-driven Assessment of Fair Housing (“AFH”). The AFH will address significant disparities in access to community assets, segregated living patterns, racial and ethnic concentrated area of poverty and compliance with civil rights and fair housing laws. Since the State will still operate under the current AI requirements, we have asked the Contractor to incorporate components of the final rule into the document that will be submitted to HUD this fall.

Ms. Collins said the June 25th decision by the Supreme Court in the “disparate impact” Texas Department of Housing and Community Affairs v. Inclusive Communities Project further illustrates the importance of fair housing in the post-civil rights era. In upholding the Fair Housing Act, the court said plaintiffs can base their suits on evidence that a disputed policy has a “disparate impact” on a protected class (the basis of this case was the use of Low Income Housing Tax Credits in developments in the Dallas Metro area).

Ms. Collins expressed her hope that Commissioner Rubin and his Executive Team will have the support of the Board in activities related to fair and equitable housing that the agencies undertakes. She welcomed their thoughts and recommendations, and said it will take a collective effort to put the Empire State at the forefront of this issue to ensure that safe, affordable and fair housing is available in all areas of the State.

President Rubin reported that the United States Department of Housing & Urban Development (“HUD”) is very focused on the issue of fair housing and that the State has an obligation to fulfill and will rely on Ms. Collins and her staff for advisement. He stated that she has his full commitment as Agency head and know that she will have the full commitment of all Agency staff, as well.

HFA/AHC Vice-Chairman, Mr. Weiss suggested that the upcoming Board retreat would be a good opportunity to discuss the topic of fair housing. He advised that it would be helpful to get a summary of the Supreme Court decision, obtain guidance from the Governor’s Administration for funding future projects.

The next item on the agenda were resolutions authorizing and approving certain matters in connection with The Larstrand, 2180 Broadway Apartments Project, New York County. Ms. Marian Zucker, President, Finance and Development provided the relevant background information with regard to this request. She reported that in 2011, the Agency financed approximately \$123 million in tax-exempt and taxable bonds for a project located on 77th Street and Broadway, all of which remain outstanding. She said this project consists of one 20-story building containing 181 residential units and was financed based on the 80/20 structure.

Ms. Zucker said the owner of the project has requested that the Agencies approve an amendment and restatement of the existing bond resolution to include an unrated private placement bond option and other refinements; the bonds are currently outstanding in a weekly variable rate mode, secured by a Letter of Credit (“LOC”) issued by Wells Fargo Bank (“Wells”) N.A., which expires on October 5, 2015. She said Wells intends to purchase a 15-year secondary market credit enhancement after closing.

Ms. Zucker noted that the Agencies are seeing more and more interest from banks wanting to do a direct purchase instead of LOC because the New York City rental market is quite strong. She stated that Wells is proposing to purchase the bonds for an initial period of fifteen (15) years with optional tender at the end of year ten (10) subject to underwriting tests and re-pricing at optional tender. She said if the project doesn't underwrite in ten (10) years, the project will pay down a portion of their bonds or the Agency will refinance with another lender. Ms. Zucker said consistent with all Agency's private placements, the resolution authorizing the bonds contains certain restrictions to assure the bonds are held only by a sophisticated purchaser in a custodial account.

Mr. Weiss confirmed that the Agencies are simply exchanging the LOC for a direct purchase. Ms. Zucker stated that the full amount of the bonds will continue and pursuant to the Board's approval, the resolution will be amended and then all of the bonds will be purchased by Wells. She added that in these direct purchases senior management has repeatedly come back to the Board seeking approval to accommodate the new terms of the financing. She noted that the exposure remains the same because bonds continue to be outstanding. She noted that there is a sophisticated investor who signs a letter and agrees to hold the bonds.

Ms. Zucker reminded the Board that although this structure has been approved numerous times before, this will be the fourth direct purchase), and she appreciates any flexibility granted. She said that she prefers to seek Board approval for each and every amendment of this type.

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

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS 2180 BROADWAY APARTMENTS (A/K/A THE LARSTRAND)

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AMENDING AND RESTATING THE 2180 BROADWAY HOUSING REVENUE BOND RESOLUTION.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AMENDING AND RESTATING THE 2180 BROADWAY HOUSING REVENUE BONDS 2011 SERIES A RESOLUTION.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AMENDING AND RESTATING THE 2180 BROADWAY HOUSING REVENUE BONDS 2011 SERIES B RESOLUTION.

The next item on the agenda were resolutions authorizing financing approval in an amount not to exceed \$50,000,000 for 229 Cherry Street Apartments, New York County. Ms. Zucker provided the relevant background information with regard to this request. She noted that senior management seeks the Board's approval to issue bonds for the construction of one, twelve-story building consisting of approximately 182,000 square feet of residential space to be located on an approximately 95,000 square foot site bounded by Cherry Street.

Ms. Zucker explained that the project will benefit from approximately \$36 million in Developer Equity in connection with the City of New York Department of Housing Preservation and Development's Inclusionary Housing Program. She further explained that the project's total development cost is approximately \$90 million and is anticipated to be funded from a permanent First Mortgage Loan estimated at \$11.7 million. She said the financing structure is an estimated \$50 million in maximum fixed-rate, tax-exempt bonds and an estimated \$50 million in a maximum construction and permanent period First Mortgage Loan. She noted that with the tax credit equity, the Agency will get the bonds back within the time frame necessary to be recycled.

Ms. Zucker also noted that the project is part of a larger development that will comprise three (3) additional condominium units to be separately financed. She said these units include 50,000 square feet of retail space, a parking garage containing approximately 150 spaces and a seventy-story condominium tower containing approximately 815 for-sale, market-rate units.

Ms. Zucker reported that the bonds are expected to be purchased by Deutsche Bank. She also reported that the managing agent will be Wavcrest and the architect for the project will be Dattner Architects.

Ms. Zucker noted, particularly for the benefit of Ms. Joyce Miller, that the project has been designed in accordance with green building guidelines including high efficiency building systems, low-flow plumbing fixtures, energy efficient lighting, energy star appliances and a green roof.

Ms. Zucker reiterated that this project will contain a rental building within a larger condominium structure; there is a legal separation to accommodate the low-income units; the rents on the low-income building are flat. She said The condominium law does allow for an unbalanced allocation of expenses (see Battery Park City).

Ms. Miller asked if the Agency was paying a share of the costs based on the share of the revenue. Ms. Zucker responded affirmatively but noted that the percentage is steadily declining and the costs are based on the allocation of development costs of the building.

Ms. Miller expressed concern about having luxury housing and affordable housing units next to each other and whether a claim could be made for discriminatory or segregated practices. Ms. Zucker explained that there will be oversight between the Regulatory Agreement and the City's inclusionary program.

Chairman Thompson stated that he has looked at this project thoroughly and realizes there may be sensitivities and concerns, but reiterated that these are two completely separate and distinct entities and there's a separation of costs. Ms. Zucker added that the Agency's overarching concern

is with the creation of affordable housing units. Commissioner Rubin confirmed that the Regulatory Agreements have inherent and standard compliance and monitoring features and service level components to protect the affordable units, adding that the market rate rents don't have the benefit of a Regulatory Agreement. Hence, tenants in affordable units have added protections coupled with the City's enforcement.

Ms. Zucker stated that "the core of what drives the Agency is to make sure that our tenants are protected."

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

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS 229 CHERRY STREET APARTMENTS

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 229 CHERRY STREET APARTMENTS HOUSING REVENUE BONDS.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 229 CHERRY STREET APARTMENTS HOUSING REVENUE BONDS, 2015 SERIES A, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$50,000,000.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 229 CHERRY STREET APARTMENTS HOUSING REVENUE BONDS, 2016 SERIES A, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$50,000,000.

A RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF 229 CHERRY STREET APARTMENTS HOUSING REVENUE BONDS, 2017 SERIES A, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$50,000,000.

The next item on the agenda was a resolution authorizing financing approval in an amount not to exceed \$9,130,000 for Evergreen Lofts Supportive Apartments, City of Buffalo, Erie County. Mr. Bret Garwood, Senior Vice President, Multifamily Housing, provided the relevant background information with regard to this request. He reported that this investment funds the acquisition and rehabilitation of a historic, five-story, industrial building located at 392 Genesee Street, City of Buffalo, Erie County, to be known as Evergreen Lofts Supportive Apartments.

Mr. Garwood noted that this project along with the next project are supported by the New York State Medicaid Redesign Team loan subsidy (\$3.5 million); this program has expanded to the upstate New York area. He said State officials are always looking for additional ways to fund the services of the program. He said in this case, it will be funded through the United States Department of Housing and Urban Development (“HUD”).

Mr. Garwood reported that the building will be converted into fifty-six (56) revenue-generating residential units to be set aside for tenants with incomes at or below 60% of the Buffalo-Niagara Falls Area Median Income (“AMI”), adjusted for family size. Twenty-eight (28) units will be set aside for tenants with a chronic medical condition and who are also chronically homeless.

Mr. Garwood said the project will benefit from an estimated \$489,000 annual allocation of 4% Low Income Housing Tax Credits (“LIHTC”); an estimated \$1.3 million in New York State Historic Tax Credit equity.

Mr. Garwood reported that there will be 50 one-bedroom units, 4 two-bedroom units and 2 three-bedroom units. He said the project team (project ownership and management) will consist of the borrower and owner, Evergreen Lofts Support Apartments, L.P., the general partners of the borrowers, ELA Development, Inc. (controlled by STEL and Evergreen Associates) and the eliminated partner of the Borrower, NEF). He said Evergreen is a 501(c)(3) non-profit corporation, created to combat the crisis generated by HIV/AIDS and other sexually-related infections in Western New York.

Mr. Garwood said the LOC is provided by First Niagara Bank, N.A.

President Rubin inquired about the coordination between the various parties. Mr. Garwood stated that the coordination is very good and it gives the Agency an opportunity to work with many State partners.

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

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS EVERGREEN LOFTS SUPPORTIVE APARTMENTS

A SUPPLEMENTAL RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF AFFORDABLE HOUSING REVENUE BONDS, 2015 SERIES _ IN A PRINCIPAL AMOUNT NOT EXCEEDING \$9,130,000.

The next item on the agenda were resolutions authorizing financing approval in an amount not to exceed \$5,900,000 for VOA Cobblestone Place, Monroe County. Mr. Bret

Garwood stated that this project represents another integrated suburban supportive housing project in upstate New York.

Mr. Garwood reported that this investment funds the construction of sixty (60) units to be allocated in the Town of Webster, Monroe County. He said all fifty-nine (59) revenue generating units will be set aside for seniors ages 62 or older, with incomes at or below 50% of the AMI for the Rochester Metropolitan Statistical Area, adjusted for family size. He said of these units, thirty (30) will be set aside for frail, elderly residents and will benefit from an estimated \$6 million MRT award. He said Monroe County is contributing a substantial amount (\$120,000) along with an estimated \$300,000 from the Federal Home Loan Bank. Mr. Garwood said it is anticipated that the project will receive the project-based Section 8 voucher subsidy for sixty (60) units from the Rochester Housing Authority.

Mr. Garwood reported that the project is part of a Planned Unit Development known as the Webster Golf Tee Plan ("the Plan") that is intended to meet the Town of Webster's goal of promoting mixed-use and mixed income developments. He said in addition to the project, the Plan includes the development of approximately 41,400 square feet of commercial space and seventy (70) recently completed market rate apartment units.

Mr. Garwood said the services are going to be provided by Volunteers of America of Upstate New York Inc. and ElderOne. He said VOA will be onsite weekly to provide assistance in coordinating services with ElderOne and residents; ElderOne will provide medical and supportive services on-site to qualified residents that enroll in its All-Inclusive Care for the Elderly (PACE) Program which helps prevent the need for seniors to go into nursing homes who would otherwise be considered nursing home eligible. He said this program allows them to continue to live independently in the community.

Mr. Garwood said the acquisition price of \$1.2 million is allocated equally between the Phase I and Phase II.

Mr. Garwood said the owner will be VOA Cobblestone Place Apartments, LLC; Conifer Management LLC will be the property manager. He said during the construction period and lease-up period, the Bonds will be secured by an irrevocable, unconditional direct pay letter of credit from First Niagara Bank.

Commissioner Rubin asked if there were any residence requirements. Mr. Garwood stated that there are no geographic residency requirements.

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

**AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING
FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN
MATTERS IN CONNECTION WITH THE FINANCING OF THE
PROJECT KNOWN AS VOA COBBLESTONE PLACE**

A SUPPLEMENTAL RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF AFFORDABLE HOUSING REVENUE BONDS, 2015 SERIES _ IN A PRINCIPAL AMOUNT NOT EXCEEDING \$5,900,000.

The next item on the agenda were resolutions authorizing financing approval in an amount not to exceed \$15,000,000 for Ludlow Commons Senior Apartments, Westchester County. Mr. Bret Garwood stated that this investment funds the new construction of seventy-one (71) units of affordable housing for very low income seniors to be located at 7-17 Ludlow Street in the City of Yonkers, Westchester County using HUD's Section 2012 Mixed Finance Program. He said this project represents yet another integrated suburban supportive housing project in upstate New York.

Ms. Zucker noted that a Request for Proposal was issued last year in anticipation of being funded by Community Development Block Grants ("CDBG")-Disaster Recovery Assistance. She said the Program funds the Governor's Office of Storm Recovery fund areas in New York State hit hard by several natural disasters including Hurricanes Sandy and Irene, and Tropical Storm Lee, which caused significant damage to homes, etc.

Mr. Garwood noted that it is anticipated that the Agency will close several of these projects by the end of the year (HUD section 202 with tax exempt bonds). He said the investment recommendation for this project is \$15 million. He said this will be a short-term investment by the Agency and the leverage, here, is in the amount of \$11.5 million dollars from the HUD Section 2012 Capital Advance Fund. Mr. Garwood said CDBG-Disaster Recovery Program funds in the estimated amount of \$3.4 million. He said participation also provides rental assistance based on a Project Rental Assistance Contract which will contribute to the payment of the project's operating expenses for all of the revenue-generating units. He said contributed amount takes into account the average tenant contribution toward rent. the tenants whose incomes are at or below 50% of the AMI, will pay no more than 30% of their adjusted monthly income for rent.

Mr. Garwood reported that the project will be an eight-story rental apartment building. He said seventy (70) of the units will be one-bedroom apartments, and one (1) one-bedroom apartment will be set aside for the superintendent. He said it is expected that eight (8) units will be accessible for mobility impaired tenants and three (3) units will be adapted for visual and hearing impaired tenants in order to comply with HUD's Section 202 Program requirements. He said these requirements mandate that at least 5% of the total units will be accessible to and usable by handicapped seniors.

Mr. Garwood said the project is located within walking distance of retail, municipal and health services. He said the project's total development cost is estimated at approximately \$25,999,161.

Commissioner Rubin advised that extra caution be given to the project due to a particularly scrutinized area (Westchester County) as it relates to the developer's marketing plan and the use

of CDBG funds. Mr. Garwood confirmed that the Agency has a close partnership with HUD and will be vigilant in this regard.

Considering the first and second motions previously entered, the motions were carried, and the following resolutions were adopted with the recusal of Mr. Steven Weiss.

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS LUDLOW COMMONS SENIOR APARTMENTS

A SUPPLEMENTAL RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING THE ISSUANCE OF AFFORDABLE HOUSING REVENUE BONDS, 2015 SERIES __ IN A PRINCIPAL AMOUNT NOT EXCEEDING \$15,000,000.

The next item on the agenda were resolutions authorizing revisions to 26-14 Jackson Avenue Development Project, Queens County. Ms. Zucker noted that this next project requires that revisions be made to the resolutions that financed the project.

Ms. Zucker reported that in 2012, the Agency's Members adopted resolutions approving the issuance of up to \$32.38 million of tax-exempt and/or taxable bonds for the 26-14 Jackson Avenue Apartments projects. She said on August 8, 2012, the Agency issued \$27.66 of tax-exempt and taxable bonds known as the New York State Housing Finance Agency Jackson Avenue Apartments Housing Revenue Bonds 2012 Series A and 2012 Series B for the project.

Ms. Zucker said senior management wishes to move on with the issuance of bonds that were originally approved but not issued. She said at the time of the original closing, it was anticipated that additional taxable bonds in the amount of up to \$4.72 million may be issued based on Citibank's loan to value analysis at construction completion and occupancy

Ms. Zucker said the average market rate residential rents at the time of the construction loan closing were projected at \$44 per square feet and current actual are averaging \$54 per sq. ft.

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

AN OMNIBUS RESOLUTION OF THE NEW YORK STATE HOUSING FINANCE AGENCY AUTHORIZING AND APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FINANCING OF THE PROJECT KNOWN AS 26-14 JACKSON AVENUE

**A SUPPLEMENTAL RESOLUTION OF THE NEW YORK STATE HOUSING
FINANCE AGENCY AMENDING THE JACKSON AVENUE APARTMETNS
HOUSING REVENUE BOND 2014 SERIES A RESOLUTION**

There being no unfinished business, Mr. Kim asked for a motion to adjourn the meeting. Mr. Weiss moved to adjourn; Ms. McCann seconded the motion, and the meeting was adjourned 10:05 a.m.

Mr. Kim informed the Members that the next Board meeting is scheduled for Thursday, September 10, 2015, at 8:30 a.m.



C. Jason Kim, Secretary