

State of New York Homeless Housing and Assistance Corporation

A RESOLUTION OF THE HOMELESS HOUSING AND ASSISTANCE CORPORATION APPROVING THE ANNUAL INDEPENDENT AUDIT, ANNUAL REPORT, INVESTMENT GUIDELINES, INVESTMENT REPORT, PROCUREMENT GUIDELINES AND REPORT ON PROCUREMENT CONTRACTS AND SUBMISSION THEREOF

WHEREAS, Section 45-c of the Private Housing Finance Law created and established the Homeless Housing and Assistance Corporation (“Corporation”); and

WHEREAS, Public Authorities Law (PAL) §§ 2802 and 2800, respectively, require that the Corporation prepare an annual independent audit (“Audit”) of the finances of the Corporation and an annual report (“Annual Report”) of the operations and finances of the Corporation and that same be approved by the Corporation; and

WHEREAS, PAL §§ 2800 & 2802 further require that the Audit and Annual Report be submitted to the Governor, Chairman and Ranking Minority Member of the Assembly Ways and Means Committee, each Chair and Ranking Member of the Senate and Assembly Committees on Corporations, Authorities and Commissions, the Office of the State Comptroller (“OSC”), and the Authorities Budget Office (“ABO”); and

WHEREAS, PAL § 2925 requires that the Corporation adopt by resolution comprehensive investment guidelines (“Investment Guidelines”), which detail the Corporation's operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the Corporation and that same be annually reviewed and approved by the Members of Corporation; and

WHEREAS, PAL § 2879 requires that the Corporation adopt by resolution comprehensive procurement guidelines (“Procurement Guidelines”), which detail the Corporation's operative policy and instructions regarding the use, awarding, monitoring and reporting of procurement contracts and that same be annually reviewed and approved by the Corporation; and

WHEREAS, PAL §§ 2925 & 2879, respectively, further require that the Corporation annually prepare and approve an Investment Report and a Report on Procurement Contracts, both of which may be a part of any other annual report the Corporation is required to make, and that such reports be submitted to the Division of the Budget and copies thereof provided to the Department of Audit and Control, the Department of Economic Development, the Senate Finance Committee and the Assembly Ways and Means Committee;

NOW, THEREFORE BE IT

RESOLVED, by the Members of the Corporation, as follows:

Section 1. Members of the Corporation have reviewed and hereby approve the Audit prepared by EFPR Group and Annual Report for the 2022-23 Fiscal Year, Investment

Guidelines, Annual Investment Report with Schedule of Investments, Procurement Guidelines, and Report on Procurement Contracts, annexed hereto, including all referenced attachments.

Section 2. The President, Vice President, or other officer of the Corporation designated by either, shall submit the Annual Report and Audit to the Governor, Chairman and Ranking Minority Member of the Assembly Ways and Means Committee, each Chair and Ranking Member of the Senate and Assembly Committees on Corporations, Authorities and Commissions, OSC, the ABO, and any other entity as required by law.

Section 3. The President, Vice President, or other officer of the Corporation designated by either, shall submit, as part of the Annual Report, the Investment Guidelines, Investment Report with Schedule of Investments, Procurement Guidelines and Report on Procurement Contracts to the ABO, Division of the Budget and copies thereof to the Department of Audit and Control, Department of Economic Development, the Senate Finance Committee, the Assembly Ways and Means Committee, and any other entity as required by law.

Section 4. This resolution shall take effect immediately.

State of New York Homeless Housing and Assistance Corporation

A Resolution of the Homeless Housing and Assistance Corporation Establishing Guidelines for the Disposition of Property and Approving a Report on the Disposition of Property

WHEREAS, § 45-c of the Private Housing Finance Law (“PHFL”) created and established the Homeless Housing and Assistance Corporation (“Corporation”), a public benefit corporation, and authorized it to administer the Homeless Housing and Assistance Program (“HHAP”); and

WHEREAS, § 2896 of the Public Authorities Law (“PAL”) requires that the Corporation review and adopt annually, by resolution, comprehensive guidelines for the disposal of property (“Property Disposal Guidelines”), and prepare an annual report regarding property disposed of by the Corporation; and

WHEREAS, staff of the Corporation are employees of the Office of Temporary and Disability Assistance (“OTDA”), and generally utilize equipment provided and owned by OTDA (“Personal Property”); and

WHEREAS, in accordance with a prior resolution of the Members, the Corporation adopted OTDA’s policies and procedures with regard to the disposal of Personal Property; and

WHEREAS, staff of the Corporation have prepared the annexed Property Disposal Guidelines (“Guidelines”) and report on the disposal of property (“Report”); now, therefore be it

RESOLVED, by the Members of the Corporation, as follows:

Section 1. Members of the Corporation have reviewed and hereby adopt the attached Guidelines and approve the attached Report.

Section 2. The President, Vice President, or other officer of the Corporation designated by either, is hereby authorized and directed to provide a copy of the annexed Guidelines to the Office of the State Comptroller (“OSC”) and make the Guidelines available to the public via the internet in accordance with PAL § 2896.

Section 3. The President, Vice President, or other officer of the Corporation designated by either, is hereby authorized and directed to provide a copy of the annexed Report to OSC, the Director of the Budget, the Commissioner of General Services, the Legislature and the Authorities Budget Office, in accordance with § 2896 of PAL.

Section 4. This resolution shall take effect immediately.

New York State Homeless Housing and Assistance Corporation

A Resolution Regarding Certain SEQRA Classifications and Findings

WHEREAS, the Homeless Housing and Assistance Corporation (hereinafter the “Corporation”) is subject to the State Environmental Quality Review Act (SEQRA);

WHEREAS, the Corporation must conduct a SEQRA review of all its projects and make certain findings;

WHEREAS, the SEQRA Committee has reviewed several projects and has made recommendations to the Corporation; and

WHEREAS, the Corporation has determined that certain classifications and findings should be made.

NOW THEREFORE, BE IT

RESOLVED, that the Corporation accepts the recommendations of the SEQRA committee attached hereto; and be it further

RESOLVED, that the Corporation classifies the following projects as listed below, and finds that no further action is required for those termed Type II, and be it further

RESOLVED, that for the following projects, the determination as listed below be made and that no further action is required,

- Project Name: The Salvation Army 2022-017
- Location: Main Street, Buffalo, NY. County of Erie.
- Classification: Unlisted
- Determination: Negative Declaration

AND BE IT FURTHER RESOLVED by the Members of the Corporation, as follows:

Section 1 The SEQRA Officer is authorized and directed to implement the determinations of the Corporation as made above.

Section 2 This resolution shall take effect immediately.

State of New York Homeless Housing and Assistance Corporation

A Resolution of the Homeless Housing and Assistance Corporation Authorizing Awards

WHEREAS, Title 1 of Article 2-A of the Social Services Law, established the Homeless Housing and Assistance Program (“HHAP”) to provide State financial assistance to fund capital programs sponsored by not-for-profit corporations, charitable organizations or wholly owned subsidiaries thereof, public corporations and municipalities, for the purpose of expanding and improving the supply of shelter and other housing arrangements for homeless persons; and

WHEREAS, Section 45-c of the Private Housing Finance Law created and established the Homeless Housing and Assistance Corporation (“Corporation”), and authorized it to administer the HHAP; and

WHEREAS, the Corporation is authorized under such laws to enter into contracts with not-for-profit corporations, charitable organizations or wholly owned subsidiaries thereof, public corporations and municipalities, to provide such State financial assistance for costs attributable to the establishment and rehabilitation of homeless projects as defined in Section 42 of the Social Services Law of the State of New York; and

WHEREAS, eligible sponsors have applied for awards under HHAP’s Request for Proposals to establish and operate housing projects for homeless persons; and

WHEREAS, the Corporation staff has reviewed the required documentation and has recommended that awards be made and agreements be authorized for said eligible sponsors; now, therefore, be it

RESOLVED, by the Members of the Corporation, as follows:

Section 1. The President or Vice President of the Corporation, or other Officer of the Corporation designated by either, is hereby authorized, upon satisfactory compliance with any pre-contract conditions and other conditions as are required by statute, regulation or otherwise, to enter into preconstruction agreements, final award/ loan agreements and any and all other documents HHAC may require with the attached listed applicants.

Section 2. This resolution shall take effect immediately.

Section 3. The President or Vice President of the Corporation is further directed and authorized to review all information pertaining to disclosures of potential conflicts of interest for each of the eligible sponsors receiving an award pursuant to this Resolution. The President or Vice President of the Corporation shall consult with HHAC Counsel or their designee to determine, in accordance with New York Codes, Rules and Regulations (NYCRR) Part 800.10 (“HHAP Regulations”), whether an individual's position or relationship as an officer, director and/or employee of a sponsor organization, or the position or relationship of any member of their immediate family, or other category of persons described in the HHAP Regulations, constitutes a conflict of interest with respect to their involvement with the HHAP project. The President or Vice President of the Corporation is further authorized to determine whether to approve or require additional information and/or actions to mitigate the potential conflict of interest created by the position or relationship consistent with the Policy adopted by the Board in February 2006.