

A Video Conference Meeting of the Dormitory Authority of the State of New York (“DASNY”) among DASNY’s Offices in New York City, 28 Liberty Plaza, New York, New York and Albany, 515 Broadway, Albany, New York was held on Wednesday, October 9, 2024, with proceedings commencing at 9:45 a.m.

CALL TO ORDER / ROLL CALL

The Meeting was called to order by Chair Gomez at 9:45 a.m.

Board Members Present – NYCO

Lisa Gomez – Chair
Gerard Ronski, Esq. – Vice Chair
Beryl L. Snyder, Esq., Secretary
Wellington Chen – Board Member
Janice McKinnie – Board Member
Kent Syverud – Board Member

Board Members Present – Albany

Christina Coughlin, Designated Representative of the Commissioner of Education, Board Member (*ex officio*)
Ken Evans, Designated Representative of the Commissioner of Health, Board Member (*ex officio*)
Adrian Swierczewski, Designated Representative of the Director of Budget, Board Member (*ex officio*)

Board Members Absent

Alfonso L. Carney, Jr. – Board Member
Joan M. Sullivan – Board Member

Senior and Presenting Staff Members

Robert J. Rodriguez, President & CEO
Charlie Williams, Vice President
Stephen Curro, Managing Director, Construction
Kimberly Ellis, Chief Financial Officer
Nadine Fontaine, Esq., General Counsel
Portia Lee, Managing Director, Public Finance & Portfolio Monitoring
Sara Potter Richards, Managing Director, Executive Direction
Ricardo Salaman, Deputy General Counsel
Matthew Moore, Deputy General Counsel
Matthew Bergin, Director, Public Finance

Various DASNY Staff Members and Members of the Public also joined via Zoom.

PUBLIC SESSION

Chair Gomez welcomed the Members and Staff to the Meeting.

Minutes of the September 11, 2024 Board Meeting

Upon a motion from Mr. Syverud and a second from Ms. McKinnie, the minutes of the September 11, 2024 Regular Board Meeting were approved unanimously.

Finance Committee Report

Finance Committee Chair Gerard Ronski informed the Members that the Finance Committee met earlier today. He reported that after adopting the meeting minutes from the September 11, 2024 meeting, the Committee Members discussed the proposed changes to DASNY's Board Financing Authorization Policy and unanimously recommend full Board approval at today's meeting.

Governance Committee Report

Governance Committee Chair Beryl Snyder informed the Members that the Governance Committee met earlier today. She reported that after adopting the meeting minutes from the July 17, 2024 meeting, the Committee Members undertook the Annual Review of the Governance Committee Charter and Governance Principles. She noted that only Committee review is required for these items, and no Board action is required.

Ms. Snyder further informed the Members that the Committee also reviewed the Disposition of Real Property Guidelines and recommends full Board approval and adoption of the Resolution.

Mr. Chen moved adoption of the following entitled Resolution:

RESOLUTION OF THE MEMBERS OF THE BOARD OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK (DASNY) APPROVING THE GUIDELINES PERTAINING TO THE DISPOSITION OF CERTAIN PROPERTY OWNED BY THE DORMITORY AUTHORITY

Mr. Syverud seconded the motion and the Resolution was unanimously approved.

Ms. Snyder reported that Public Law Section 2824-A requires DASNY's Mission Statement and Performance Metrics to Quantify Performance Goals to be reviewed and approved annually by the Board. She stated that the Committee reviewed these documents and that Staff is not recommending any changes at this time. The Committee therefore recommends full Board approval and adoption of the Resolution at this time.

Mr. Chen moved the adoption of the following entitled Resolution:

RESOLUTION OF THE MEMBERS OF THE BOARD OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK APPROVING THE DORMITORY AUTHORITY

OF THE STATE OF NEW YORK MISSION STATEMENT AND METRICS TO QUANTIFY
PERFORMANCE GOALS

Ms. McKinnie seconded the motion and the Resolution was unanimously approved.

Report of the President

President Rodriguez greeted the members and delivered the President's report. He directed the Members' attention to the 2025 Board Meeting schedule included in the materials. The President asked the Members to review the schedule promptly and contact Ms. Richards and Ms. Nazario with any potential conflicts.

President Rodriguez reported on Employee and Board Engagements over the past month. He stated that in mid-September, nearly 400 DASNY employees came together for an Authority-wide education session and afternoon engagement activities at Bethlehem Town Park. The President stated that employees from all DASNY Offices and many field sites traveled to take part in the first gathering since COVID. He further stated that the event was a big success and helped to build up morale, helped people to reintroduce themselves to those in different offices, departments and divisions, and connect with the organization in a way that they have not in the past. He thanked Mr. Curro for his interesting and informative presentation highlighting several important projects undertaken by DASNY over the years. The President noted that this perspective was especially valuable as DASNY enters its 80th year of public service. President Rodriguez further reported that employees raised over \$2,000 at the event in memory of Charlie Fernandez, the daughter of DASNY employee Jason Fernandez. The funds will be donated to *Where Angels Play*, a nonprofit organization that funds inclusive playground renovations at various locations.

President Rodriguez stated that he is looking forward to today's Board retreat and thanked the Members who will be attending. The event will provide training as well as an opportunity to get to know each other better. He noted that this retreat was arranged in response to last year's Board Member feedback. The President stressed that there will be no business conducted at today's retreat.

President Rodriguez informed the Members that the 2024 Annual Report has been completed and a copy will soon be provided to each of the Members. He stated that the Report highlights DASNY's accomplishments across the Construction, Finance and Grants areas and contains much of the information provided to the Authorities Budget Office in June. The President reported that as of the end of the last fiscal year, DASNY had issued approximately \$7.2 billion of bonds for public clients and nearly \$800 million for independent and private institutions. He stated that the Grants Administration Unit administered over 2500 grants and DASNY executed nearly 800 Grant Disbursement Agreements totaling approximately \$200 million. With respect to the Construction Division, nearly 1,000 construction projects are currently underway. The President thanked the Members for their support over the past year.

President Rodriguez reported that DASNY's Grants Administration Unit is currently working on several competitive programs, including the Childcare Capital Program, which is being

administered in conjunction with OCFS. He stated that in September, the Governor announced \$50 million in awards to support additional childcare slots across the State.

President Rodriguez informed the Members that he continues to meet with stakeholders, clients and partners together with DASNY staff. He stated that in the last month, he attended the ACEC fall conference, met with the Building Congress and also went to the New York Municipal Investors Conference at Bank of America with Ms. Lee and her team. The President stated that he discussed our role as a conduit issuer as well as how to meet the challenges and opportunities facing communities as we work to build a more resilient and inclusive economy. He informed the Members that this was a productive and successful discussion, especially as DASNY was in the market at that time. The President noted that the attendees discussed investor engagement and ways to continue the dialogue with the investment community.

President Rodriguez described the ACEC fall conference in September. He stated he and members of the Construction team participated on a panel to discuss collaborative success engineering and the future of capital projects. Specifically, they spoke about the variety of State opportunities that exist in that space. He thanked Molly Larkin, Director of Upstate Design and Construction, and Chief Project Manager Sal Renda, for supporting him in that work and at that panel. He noted that DASNY spoke at the Building Conference to talk about various project delivery methods utilized in DASNY projects and recognized Senior Director of Construction, Mike Stabulas, Director of Procurement, Kara Mallard, and Director of Opportunity Programs, Carrie Torres who supported him and presented as well.

President Rodriguez reported that the Division of Public Finance and Portfolio Monitoring was especially busy last month. He stated that the NYU Langone Hospitals transaction priced at \$121 million financing. The President further stated that the refunding was oversubscribed and DASNY priced the bonds with a 12-year maturity at a TIC of 2.84%, resulting in significant savings for NYU. President Rodriguez stated that the \$1 billion Northwell transaction also generated significant interest and that the deal would be closing in the very near future. He also noted that the Columbia University transaction priced very successfully as well. The President informed the Members that there are still a few transactions in the pipeline as DASNY works to meet the goals and objectives of its private clients. He directed the Members' attention to the monthly SEQR and Grants Reports included in the Board materials.

President Rodriguez introduced Ms. Lee to discuss the proposed revisions to the Board Financing Authorization Policy.

Ms. Lee explained that the Members are being asked to authorize changes to the Board Financing Authorization Policy as previously discussed with the Members and recommended for approval by the Finance Committee. She further explained that the revised Policy would expand the categories of clients eligible for single approval by the Board to include BBB rated Higher Education and Health Care borrowers currently in the DASNY portfolio, as well as existing programmatic borrowers in the portfolio, and Private Placements.

Chair Gomez advised the Members that the Finance Committee has unanimously recommended adoption of the Resolution.

Ms. Snyder moved adoption of the following entitled Resolution:

RESOLUTION OF THE MEMBERS OF THE BOARD OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK (“DASNY”) AMENDING THE BOARD FINANCING AUTHORIZATION POLICY

Mr. Chen seconded the motion and the Resolution was unanimously approved.

Public Finance Report

Ms. Lee presented the Public Finance Report. She reported that clients are anxious to get into the market prior to the election, as evidenced by the number of transactions before the Board for approval at the September meeting. Ms. Lee summarized that the NYU Langone, Northwell and Columbia transactions priced over the last two weeks and will close this week.

Ms. Lee provided a brief market update. She stated that the total year-to-date new issuance volume for 2024 is approximately \$420.6 billion, up approximately 34.3% from last year’s comparable volume. Ms. Lee observed that this is a large increase and can be attributed in part to entities wanting to access the market prior to the election. She stated that last week’s municipal supply was approximately \$12.1 billion, and this week’s is expected to be approximately \$10.3 billion. Ms. Lee further stated that Municipal Bond Funds saw inflows for a 14th consecutive week last week. She reported that tax-exempt bond yields increased across the curve on Tuesday with the 10-year and 30-year AAA MMD increasing by 5 basis points to 2.72% and the 30-year to 3.65%. U.S. government bond yields increased as well; the 10-year Treasury yield increased by 1 basis point to 4.04% and the 30-year Treasury yield increased by 2 basis points to 4.32%. Ms. Lee further stated that since the September Board meeting, the one-year MMD rate has increased by 25 basis points, the 10-year MMD has increased by 9 basis points, and the 30-year MMD has increased by 13 basis points. During that same period, the 10-year Treasury yield increased by 39 basis points and the 30-year Treasury yield increased by 35 basis points.

Ms. Lee informed the Members that Garnet Health, formerly known as Orange Regional Medical Center, was downgraded by S&P from BB to BB-. She stated that S&P noted the entity’s thin unrestricted reserves and operating losses. Ms. Lee further stated that Moody’s downgraded Icahn School of Medicine from Baa1 to Baa3, primarily due to liquidity concerns.

Financial Report

Ms. Ellis presented the Financial Report. She directed the Members’ attention to the Board Materials and summarized that personnel expenses are slightly ahead of projections. Ms. Ellis explained that this is primarily due to increased salaries as a result of the management/confidential performance advances and longevity awards that were not included in the adopted budget, as well as hiring efforts, and increased health insurance due to higher participation rates. She noted that non-personnel expenses are slightly under projection by \$200,000. Ms. Ellis stated that there was no closing activity during the month of August, so year to date financing fees remained at \$500,000, and the percentage of direct hours charged to public client programs is slightly down from July at 95.8% but remains slightly over the budget amount of 94.7% for the year.

Ms. Ellis informed the Members that KPMG has completed its audit of the 12 individual restricted financial statements and issued a clean audit opinion on September 13, 2024. She stated that staff is completing its review of proposals received in response to the procurement for audit services and anticipates making a recommendation to the audit committee at the November meeting.

In response to an inquiry from Chair Gomez, Ms. Ellis stated that although cost of living (COLA) increases are included in the budget, the Performance Advances were not included this past year. Chair Gomez asked that Staff consider budgeting for this item annually, especially as the tenure of DASNY employees tends to increase year over year.

Construction Report

Mr. Curro presented the Construction Report. He stated that over the past month, 7 new projects were added to the portfolio: a \$6 million CUNY project at City College; 6 OMH projects totaling over \$40 million and located at the Capital District Psychiatric Center, the Hutchings Psychiatric Center, the Mohawk Valley Psychiatric Center, and the St. Lawrence Psychiatric Center. Mr. Curro further stated that DASNY completed 4 projects valued at approximately \$20 million for CUNY, SUNY, OASAS and OMH in the most recent reporting period. He informed the Members that year-to-date expenditures were \$322 million through August 2023 with \$328 million through August 2024, representing a minor increase in volume of \$6 million.

Mr. Curro directed the Members' attention to the cover page of the Monthly Projects Report, which depicts the \$5.5 million Livingston Tower project at SUNY Albany, which was undertaken in 13 weeks over the summer. He stated that the project consisted of selective demolition, asbestos abatement, installation of interior partition walls, patching and painting, and installation of new floors and ceilings at the 24 story, 440 bed residence hall.

Regarding the SUNY program, Mr. Curro stated that there is a new milestone schedule at FIT which reflects a completion date of November 11, 2024. He informed the members that last week's fire alarm pre-test was unsuccessful and the deficiencies are being addressed in preparation for another pre-test within the next several weeks. He reported that at SUNY New Paltz, work continues on the \$49 million Mohonk Residence Hall gut renovation and an addition of a floor and roof system project that is expected to be completed by July 2025. Mr. Curro stated that advertisements have been issued for a new design-build 350 bed dorm project at Binghamton. He stated that he is excited to be working with Binghamton again for the first time in many years.

Mr., Curro reported that the Construction team is meeting with CUNY tomorrow to discuss their 3rd and 4th quarter spending forecasts and to welcome Layla Bahbahani and Michael Scharff to the team, joining himself, Mike Stabulas, and Kate Seely-Kirk. He further reported that DASNY has a robust pipeline of existing and upcoming CUNY projects.

With respect to the OMH/OPWDD program, Mr. Curro stated that the team met with the General Contractor for the WNY Children's PC project to discuss project deficiencies and anticipated corrective action through bulletins from the original Design Consultant. He noted that he anticipates receiving the corrective bulletins this month and will then price accordingly. Mr. Curro

stated that the contract for the Mid-Hudson Psychiatric Center project has been executed and he is excited to move forward with that.

Mr. Curro reported that the 30% schematic design documents were received yesterday for the DOH Life Sciences Lab project and the design review and pricing process will begin. He noted that he expects to bring the PLA for this project to the Board for approval at the November meeting.

Mr. Curro concluded his presentation by reporting that there are currently 60 open positions in the Construction Division.

EXECUTIVE SESSION

Mr. Ronski moved that the Members go into executive session to discuss the financial and credit history of a particular corporation, matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation and proposed, pending or current litigation.

Ms. Snyder seconded the motion and the Members went into Executive Session.

PUBLIC SESSION

Chair Gomez noted that while in Executive Session, no decisions were made other than that to return to the Public Session.

Chair Gomez announced that the next Board Meeting will be held on November 6, 2024.

Mr. Syverud moved that the meeting adjourn. Upon a second by Ms. Snyder, the meeting was adjourned at approximately 10:25 a.m.

Respectfully Submitted,

Sara Richards
Assistant Secretary