

MINUTES
SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY
BOARD OF COMMISSIONER'S MEETING
SDHDA CONFERENCE ROOM
APRIL 13, 2017

Board Members Present: Bill Hansen, Treasurer
Rick Hohn, Commissioner
Steve Kolbeck, Commissioner
Mark Puetz, Commissioner
Lloyd Schipper, Commissioner

Board Members Absent: David Pummel, Chairman
Brent Dykstra, Vice Chairman

Staff Present: Mark Lauseng, Executive Director
Brent Adney, Director of Homeownership Programs
Tasha Jones, Director of Rental Housing Management
Lorraine Polak, Director of Rental Housing Development
Mike Harsma, Director of Single Family Development
Amanda Weisgram, Director of Research and Marketing
Sheila Ricketts, Marketing/Executive Assistant
Scott Rounds, Housing Development Officer
Chas Olson, Housing Development Officer
Lindsay Uecker, Loan Documentation Specialist
Davis Schofield, Continuum of Care Administrator

Guests Present: Dixie Hieb, Davenport, Evans, Hurwitz & Smith, Counsel to SDHDA
Tom Caine, Caine Mitter & Associates (via telephone)
Bronson Martin, Caine Mitter & Associates (via telephone)
John Wagner, Kutak Rock, LLC (via telephone)
Wayne Wagner, Affordable Housing Solutions (via telephone)
Kaziah Haviland-Montgomery, Thunder Valley CDC (via telephone)
Janet Gravning, South Eastern Council of Governments (via telephone)
Joy McCracken, NeighborWorks® Dakota Home Resources (via telephone)
Ben Ide, G.A. Haan Development (via telephone)
Judy Domalewski, Black Hills Works (via telephone)
Patty Brooks, Habitat for Humanity Greater Sioux Falls (via telephone)

I. CALL TO ORDER/CONFLICTS OF INTEREST

The meeting was called to order at 10:31 a.m. and roll was called. Both Chairman Pummel and Vice Chair Dykstra were absent. It was moved by Commissioner Puetz and seconded by Commissioner Kolbeck that the meeting be run by Commissioner Schipper. Commissioner Schipper called for conflicts of interest. Commissioner Hansen stated that

he had a conflict of interest with respect to Old Business items 17-04-K1 through 17-04-K4 and New Business items 17-04-O1 through 17-04-O10, which dealt with consideration to conditionally commit or reserve Program funds for Inter-Lakes Community Action Partnership, Inc. (ICAP) and other competing Applicants. Commissioner Hansen stated that he is a member of the ICAP Board and serves as its treasurer, positions for which he receives no compensation, and that he would abstain from discussion and voting on all competing applications.

II. APPROVAL OF AGENDA

It was moved by Commissioner Kolbeck and seconded by Commissioner Hohn that the Agenda be adopted as amended, but reserving the right to make further changes during the meeting.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

III. APPROVAL OF MINUTES

It was moved by Commissioner Puetz and seconded by Commissioner Hansen that the Minutes of the Board of Commissioners' Meeting held on February 16, 2017, be adopted as presented.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

IV. TREASURER'S REPORT

Todd Hight, Director of Finance, presented the Treasurer's Report; the Statement of Net Position dated February 28, 2017 and the Statement of Revenues, Expenses and Changes in Net Position for the eight months ending February 28, 2017; and the Comparison of Actual Expenses to Budget as of February 28, 2017. It was moved by Commissioner Hansen and seconded by Commissioner Hohn that the Treasurer's Report be accepted as presented.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

V. EXECUTIVE DIRECTOR'S REPORT

Executive Director Lauseng stated the 2017 Mountain Plains Housing Summit will be held on May 1-3 in Boise, Idaho. He also stated the 2017 SDHDA Annual Conference is scheduled for September 12-13. Executive Director Lauseng reported the NCSHA 2017 Annual Conference & Showplace will be October 14-17 in Denver, Colorado. He

introduced new employees Davis Schofield, Continuum of Care Administrator, and Lindsay Uecker, Loan Documentation Specialist. Executive Director mentioned Jessica Lammle, Housing Management Officer, who was unable to attend meeting. Lastly, he congratulated current employee Tasha Jones for accepting the Director of Rental Housing Management position as Vona Johnson has retired.

VI. PROGRAM REPORTS

The Program Reports were given by Directors and discussed with the Board.

VII. OLD BUSINESS

A. Resolution No. 17-04-09: Resolution to Approve the 2017 Annual Action Plan

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Hansen that the above Resolution be adopted as follows:

WHEREAS, Title 24, Code of Federal Regulations, Part 91, requires that a Consolidated Plan be adopted for the Community Planning and Development Programs;

WHEREAS, the 2013-2017 Five-Year Consolidated Plan (Consolidated Plan) has previously been approved by the U.S. Department of Housing and Urban Development (HUD);

WHEREAS, annually HUD requires an action plan with respect to the Consolidated Housing and Community Development Plan to enable the State to access the HOME, Emergency Solutions Grants, Housing Trust Fund and Community Development Block Grant Program funds;

WHEREAS, on February 16, 2017, the Board of Commissioners approved the Draft 2017 Annual Action Plan and authorized the Executive Director to make it available for public comment; and

WHEREAS, as required by Federal Regulations, a Public Hearing was held on March 29, 2017, and comments received at the Public Hearing and during the written comment period, which ended April 10, 2017, were summarized and considered;

NOW, THEREFORE, BE IT RESOLVED that the 2017 Annual Action Plan, dated April 13, 2017, is hereby adopted; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to submit the 2017 Annual Action Plan to HUD and, upon notification of approval, distribute it to the public.

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.
Excused: Chairman Pummel and Commissioner Dykstra.

B. Resolution No. 17-04-10: Resolution to Approve the Amended 2016-2017 HOME Program Allocation Plan

After review and discussion, it was moved by Commissioner Kolbeck and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, Title 24, Code of Federal Regulations, Part 92, requires that a HOME Program Allocation Plan be adopted;

WHEREAS, on February 16, 2017, the Board of Commissioners approved the Draft Amended 2016-2017 HOME Program Allocation Plan and authorized the Executive Director to make it available for public comment; and

WHEREAS, as required by Federal Regulations, a Public Meeting was held on March 29, 2017, and comments received at the Public Meeting and during the public comment period, which ended April 10, 2017, were considered;

NOW, THEREFORE, BE IT RESOLVED that the Amended 2016-2017 HOME Program Allocation Plan, dated April 13, 2017, is hereby adopted; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to distribute it to the public.

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.
Excused: Chairman Pummel and Commissioner Dykstra.

C. Resolution No. 17-04-11: Resolution to Approve the Amended 2016-2017 Housing Trust Fund Allocation Plan

After review and discussion, it was moved by Commissioner Hansen and seconded by Commissioner Puetz that the above Resolution be adopted as follows:

WHEREAS, Title I of the Housing and Economic Recovery Act of 2008 requires that the Housing Trust Fund Allocation Plan be adopted;

WHEREAS, on February 16, 2017, the Board of Commissioners approved the Draft Amended 2016-2017 Housing Trust Fund Allocation Plan and

authorized the Executive Director to make it available for public comment;
and

WHEREAS, as required by Federal Regulations, a Public Meeting was held on March 29, 2017, and comments received at the Public Meeting and during the public comment period, which ended April 10, 2017, were considered;

NOW, THEREFORE, BE IT RESOLVED that the Amended 2016-2017 Housing Trust Fund Allocation Plan, dated April 13, 2017, is hereby adopted; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to distribute it to the public.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

D. Resolution No. 17-04-12: Resolution to Authorize Funding from the Housing Needs Study Program for Indian Reservations

After review and discussion, it was moved by Commissioner Kolbeck and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, the Housing Needs Study Program was originally approved per Resolution 12-02-05;

WHEREAS, per Resolution 13-09-74, \$20,000 of the FY2014 funding was set-aside for housing needs studies to be completed on Indian Reservations;

WHEREAS, funding for the Housing Needs Study Program is now a budgetary line item approved in connection with the SDHDA annual budget; and

WHEREAS, the Native American Homeownership Coalition has requested that an additional \$20,000 be set-aside for housing studies to be completed on Indian Reservations;

NOW, THEREFORE, BE IT RESOLVED that \$20,000 of the FY 2018 annual budget for the Housing Needs Study Program be set aside to assist with housing needs studies to be completed on Indian Reservations.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

E. Resolution No. 17-04-13: Resolution to Approve the Amended Terms of the FLEX-Rural Site Development Loan for Deadwood Stage Run

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Hansen that the above Resolution be adopted as follows:

WHEREAS, per Resolution No. 09-02-07, a commitment for a loan under the FLEX-Rural Site Development/Loan Guarantee Program (the "Program") was provided to NeighborWorks® Dakota Home Resources for the Deadwood Stage Run development;

WHEREAS, per Resolution No. 12-09-71, the Executive Director was authorized to increase the maximum affordable sales price limit to \$170,000;

WHEREAS, per Resolution No. 14-02-01, the term of the mortgage loan was extended one year;

WHEREAS, the Rural Site Development Loan was scheduled to mature on February 12, 2015;

WHEREAS, per Resolution No. 15-03-04, the term of the Rural Site Development Loan was extended two years and the maximum affordable sales price was increased to \$200,000;

WHEREAS, per Resolution No. 15-11-55 the Rural Site Development Loan was modified to remove the maximum affordable sales price limit; and

WHEREAS, the developer has requested a two-year extension of the loan term;

NOW, THEREFORE, BE IT RESOLVED that the modification is hereby approved for:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/LOCATION</u>
NeighborWorks Dakota	Deadwood Stage Run
Home Resources	Deadwood, SD

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

Commissioner Hansen abstained from discussion and voting on Resolutions No. 17-04-14 through 17-04-17 due to the conflict of interest in connection with his service as a Board member and officer of Inter-Lakes Community Action Partnership, Inc.

F. Resolution No. 17-04-14: Resolution to Commit HOME and Housing Trust Fund Funds for Horizon Place Apartments

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, per Resolution 16-11-72, a Reservation in the amount of \$1,085,816 of HOME funds and \$170,000 of Housing Trust Fund (HTF) funds was previously awarded to the following Applicant;

WHEREAS, the Applicant has agreed to comply with all HOME and HTF requirements; and

WHEREAS, the environmental review has been completed and Applicant has submitted most of the required documentation;

NOW, THEREFORE, BE IT RESOLVED that, upon receipt of satisfactory documentation, the Executive Director be authorized to issue a Commitment of HOME and HTF Funds for the following:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/ LOCATION</u>	<u>HOME FUNDS CHDO SET-ASIDE AMOUNT</u>
Inter-Lakes Community Action Partnership	Horizon Place Apartments Sioux Falls, SD	\$453,502
		<u>HOME FUNDS GENERAL POOL</u> \$632,314
		<u>HOUSING TRUST FUNDS</u> \$170,000

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

G. Resolution No. 17-04-15: Resolution to Commit HOME Program Funds for Sioux Falls Neighborhood Revitalization - 2017

After review and discussion, it was moved by Commissioner Hohn and seconded by Commissioner Kolbeck that the above Resolution be adopted as follows:

WHEREAS, per Resolution 16-11-86, a Reservation in the amount of \$150,000 was previously awarded to the following HOME Applicant;

WHEREAS, the Applicant has agreed to comply with all HOME requirements; and

WHEREAS, the environmental review has been completed and all of the required documentation has been received;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director be authorized to issue a Commitment of HOME Funds for the following:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/ LOCATION</u>	<u>HOME FUNDS GENERAL POOL</u>
Affordable Housing Solutions	Sioux Falls Neighborhood Revitalization – 2017 Sioux Falls, SD	\$150,000

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

H. Resolution No. 17-04-16: Resolution to Commit HOME and Housing Trust Fund Funds for Thokahe Wichothi (First Camp)

After review and discussion, it was moved by Commissioner Kolbeck and seconded by Commissioner Puetz that the above Resolution be adopted as amended as follows:

WHEREAS, per Resolution 16-11-79, a Reservation in the amount of \$1,095,267 of HOME funds and \$600,000 of Housing Trust Fund (HTF) funds was previously awarded to the following Applicant;

WHEREAS, the Applicant has agreed to comply with all HOME and HTF requirements; and

WHEREAS, the environmental review has been completed and Applicant has submitted most of the required documentation;

NOW, THEREFORE, BE IT RESOLVED that, upon receipt of satisfactory documentation, the Executive Director be authorized to issue a Commitment of HOME and HTF Funds for the following:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/ LOCATION</u>	<u>HOME FUNDS GENERAL POOL</u>
Cheyenne River Housing Authority	Thokahe Wichothi (First Camp) Eagle Butte, SD	\$1,095,267

HOUSING
TRUST FUNDS
\$600,000

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
Abstained: Commissioner Hansen.
Excused: Chairman Pummel and Commissioner Dykstra.

I. Resolution No. 17-04-17: Resolution to Commit HOME and Housing Trust Fund Funds for Trinity Point Apartments

After review and discussion, it was moved by Commissioner Hohn and seconded by Commissioner Puetz that the above Resolution be adopted as amended as follows:

WHEREAS, per Resolution 16-11-81, a Reservation in the amount of \$772,743 of HOME funds and \$68,000 of Housing Trust Fund (HTF) funds was previously awarded to the following Applicant;

WHEREAS, the Applicant has agreed to comply with all HOME and HTF requirements; and

WHEREAS, the environmental review has been completed and Applicant has submitted most of the required documentation;

NOW, THEREFORE, BE IT RESOLVED that, upon receipt of satisfactory documentation, the Executive Director be authorized to issue a Commitment of HOME and HTF Funds for the following:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/ LOCATION</u>	<u>HOME FUNDS GENERAL POOL</u>
Trinity Point Apartments Limited Partnership	Trinity Point Apartments Sioux Falls, SD	\$772,743
		<u>HOUSING</u> <u>TRUST FUNDS</u> \$68,000

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
Abstained: Commissioner Hansen.
Excused: Chairman Pummel and Commissioner Dykstra.

VIII. NEW BUSINESS

- A. Resolution No. 17-04-18: Resolution Authorizing the Issuance and Sale of South Dakota Housing Development Authority Homeownership Mortgage Bonds, 2017 Series A, B, C and D, in an Aggregate Principle Amount not to Exceed \$200,000,000, Determining the Final Terms Thereof and Setting Forth Covenants and Authorizing Execution of Documents with Respect Thereto**

After review and discussion, it was moved by Commissioner Hansen and seconded by Commissioner Kolbeck that the above Resolution be adopted as follows:

ARTICLE I

CREATION OF SERIES

Section 1.01. Authorization.

(a) **Resolutions.** This resolution, referred to herein as the "2017 Series Resolution," is adopted pursuant to Article II of the Authority's Resolution No. 77-27, adopted June 16, 1977, as amended and supplemented, and entitled: "Resolution Providing for the Issuance of Homeownership Mortgage Bonds of the South Dakota Housing Development Authority," referred to herein as the "Bond Resolution," to authorize the issuance and sale and determination of the terms and provisions of bonds of the Authority which are designated as "Homeownership Mortgage Bonds, 2017 Series A" (the "Series A Bonds"), "Homeownership Mortgage Bonds, 2017 Series B" (the "Series B Bonds"), "Homeownership Mortgage Bonds, 2017 Series C" (the "Series C Bonds") and "Homeownership Mortgage Bonds, 2017 Series D" (the "Series D Bonds"), or such other or additional series designations as an Authorized Officer may deem appropriate, in an aggregate principal amount not to exceed \$200,000,000 (such Series of Bonds are collectively referred to herein as the "Series Bonds"). All terms defined in Section 103 of the Bond Resolution are used with like meaning in this 2017 Series Resolution.

(b) **Purposes.** It is determined to be in the best interests of the Authority to issue the Series Bonds for the purpose of providing funding for the Authority's Program of making or purchasing Qualified Mortgage Loans to facilitate the development of a sufficient supply of residential housing in South Dakota at prices that persons and families of low and moderate income can afford, which funding may include the refunding of outstanding Homeownership Mortgage Bonds heretofore issued under the Bond Resolution or bonds or other indebtedness incurred by the Authority to finance its Program (the "Refunded Bonds"), and deposit of sale proceeds of the Series Bonds into the Funds and Accounts set forth in Section 2.02 of Article II hereof to be expended for the Program.

(c) **Sale.**

(i) *Contracts of Purchase Relating to Series Bonds.* The Authority authorizes negotiation for the sale of the Series Bonds to one or more of Citigroup Global Markets Inc. (“Citigroup”), Merrill Lynch, Pierce, Fenner & Smith Incorporated (“Merrill Lynch”), J.P. Morgan Securities LLC, Dougherty & Company LLC and Wells Fargo Securities (Wells Fargo Bank, National Association) (collectively, the “Underwriters” or the “Original Purchasers”). Any single investor may also be the sole purchaser of any Series Bonds if so authorized by an Authorized Officer. The Authority hereby approves the use of the form(s) of Contract(s) of Purchase previously used with respect to its 2016 Series C/D or 2016 Series E Bonds, pursuant to which form(s) the Series Bonds are proposed to be sold, executed and delivered. The Chair, Vice Chair or Executive Director (each an “Authorized Officer”) is authorized to select the Underwriters for the Series Bonds, to approve the final terms and provisions of the Contract(s) of Purchase relating to each series of the Series Bonds, and to execute the Contract(s) of Purchase for each on behalf of the Authority.

(ii) *Official Statement.* The Authority hereby approves the use of a Preliminary Official Statement, in the form previously used with respect to its 2016 Series C/D Bonds, or 2015 Series C Bonds (if any of the Series Bonds are sold to the public as variable rate demand bonds), containing information relating to the Authority and the related Series Bonds and such other information as is deemed appropriate by an Authorized Officer, and hereby approves and ratifies the distribution thereof by the Underwriters. A final Official Statement, substantially in the form of the Preliminary Official Statement except for revisions required or approved by counsel for the Authority, and the officers of the Authority executing the same, and insertion of the final terms of each of the related Series Bonds, is authorized to be prepared and signed by an Authorized Officer and furnished to the Underwriters.

(iii) *Approval of Continuing Disclosure Agreement.* The Authority hereby approves the use of a Continuing Disclosure Agreement relating to the Series Bonds in the form previously used with respect to its 2016 Series C/D Bonds, wherein the Authority will covenant for the benefit of the beneficial owners of the related Series Bonds to provide annually certain financial information and operating data relating to the Authority and to provide notices of the occurrence of certain enumerated events. Said Continuing Disclosure Agreement is approved substantially in the form described and is authorized to be signed on behalf of the Authority by an Authorized Officer.

(iv) *Approval of Interest Rate Hedging Agreements.* The Authority hereby approves the use of interest rate hedging agreements with such financial organizations as an Authorized Officer may specify (each, a “Counterparty”), in particular financial organizations with whom the Authority already has such hedging agreements and the form of the interest rate hedging agreements with such counterparties, consisting of an ISDA Master Agreement, including a Schedule and Credit Support Annex, and one or more Confirmations thereto, relating to any one or more series of the Series Bonds which may be variable rate bonds, which Counterparties and form of agreements satisfy the provisions of the Authority’s Interest Rate Swap Policy (collectively, the “Hedging Agreements”), and the Authorized Officers of the Authority are authorized to negotiate the final terms of, approve and execute any such Hedging Agreements; and such execution and delivery shall constitute conclusive evidence of their approval of all changes thereto.

(v) *Continuing Covenant and Standby Bond Purchase Agreements.* The Authority hereby approves the use of a Continuing Covenant Agreement (“CC Agreement”) relating to any one or more of the variable rate Series Bonds in substantially the form used in conjunction with the sale of the 2016 Series E Bonds. The Authority also hereby approves the use of a Standby Bond Purchase Agreement or comparable liquidity agreement (“SBPA”), either itself or with a financial organization, relating to any one or more of the Series Bonds which have a tender right, in substantially the form used in conjunction with the sale of the 2015 Series C Bonds. The Authorized Officers of the Authority are authorized to negotiate the terms of, approve and execute such CC Agreement or SBPA. The execution and delivery by any Authorized Officer of such Agreements shall constitute conclusive evidence of both the Authority’s and said Authorized Officer’s approval of all changes, modifications, amendments, revisions and alterations made therein and shall conclusively establish said Authorized Officer’s absolute, unconditional and irrevocable authority with respect thereto from the Authority and the authorization, approval and ratification by the Authority of the Agreements so executed.

(d) ***Pledge; Outstanding Bonds.*** The pledge made and security interests granted in the Bond Resolution with respect to all Mortgage Loans, Revenues, money, securities, Funds and Accounts therein defined and created, and all covenants and agreements made by the Authority therein, are made and granted for the equal benefit, protection and security of the Holders of all Series Bonds, as well as all Bonds presently Outstanding under the Bond Resolution, without preference, priority or distinction of one Bond over any other of that or any other Series

similarly authorized and issued under the Bond Resolution, as fully as though set out at length and resolved herein.

(e) **Capital Reserve Requirement.** The Capital Reserve Requirement with respect to the Series Bonds is determined to be 3% of the aggregate Capital Value of the Series Bonds from time to time Outstanding or any lesser amount determined by an Authorized Officer so long as the same does not adversely affect the ratings on the Bonds. Upon issuance, sale and delivery of the Series Bonds, there shall be deposited in the appropriate Account(s) for the Series Bonds in the Capital Reserve Fund from the sources set forth in paragraph (b) of Section 2.02 of Article II hereof, or by transfer from other Accounts therein, the amount, as directed in an Officer's Certificate delivered upon the Issue Date, which is equal to the Capital Reserve Requirement for such Series Bonds.

(f) **Mortgage Reserve Requirement.** The Mortgage Reserve Requirement with respect to the Series Bonds shall be 2% of the Mortgage Loans then outstanding, or any lesser amount determined by an Authorized Officer so long as the same does not adversely affect the ratings on the Bonds. Upon issuance, sale and delivery of the Series Bonds, there shall be deposited in the appropriate Account(s) for the Series Bonds in the Mortgage Reserve Fund from the sources set forth in paragraph (b) of Section 2.02 of Article II hereof, or by transfer from other Accounts therein, the amount, as directed in an Officer's Certificate delivered upon the Issue Date, which is equal to the Mortgage Reserve Requirement for such Series Bonds.

Section 1.02. Form of Bonds.

(a) The Series Bonds shall be issuable in the form of fully registered Bonds, of single maturities, subject to transfer, registration and exchange as provided in Article VI of the Bond Resolution. The Series Bonds authorized hereby shall be numbered serially for each Series, and no such Series Bond, whether issued initially or upon reregistration, transfer or exchange, shall bear the same number as any other Bond of the same Series contemporaneously Outstanding; provided, however, that the form of any of the Series Bonds which are variable rate bonds may be modified in such manner as is approved by the Authority for the purpose of reflecting the addition, substitution or elimination of a CC Agreement or SBPA with respect to such Bonds in accordance with the terms hereof. Following a conversion date for the Series Bonds, the form of such Series Bonds may be appropriately revised to reflect the conversion of the interest rate on such Series Bonds, to delete the provisions of the form of Series Bonds which are then of no further force and effect, to include a description of the post conversion interest rate bonds, the terms upon which such Series Bonds may or are required to be redeemed and any additional security therefor and to make any other changes therein which are necessary or appropriate in such circumstances.

(b) The Series Bonds shall be typewritten or printed in substantially the form specified in an Officer's Certificate.

ARTICLE II

TERMS OF THE SERIES BONDS

Section 2.01. Terms.

(a) **Determination of Final Terms of Series Bonds and Refunded Bonds.** The issuance, sale and delivery of the Series Bonds from time to time is hereby approved, subject, however, to the hereinafter-described subsequent negotiation of the final terms of the Series Bonds, if issued, including the Series numbering and lettering, the interest rates on and maturities and redemption provisions of the Series Bonds, any bondholder rights to tender any such Bonds, the purchase price thereof and the underwriting fee; provided, however, that the Series Bonds shall mature no later than 40 years from the date of issuance and bear an interest rate not to exceed 7% per annum with respect to fixed rate bonds and 15% with respect to variable rate bonds. The terms of the Series Bonds and the determination of the Refunded Bonds, if any, to be refunded are subject to further authorization and approval as follows. The Executive Director-Secretary (or Director of Finance if the Executive Director-Secretary is not available) shall consult and coordinate with the Chair (or Vice Chair if the Chair is not available) with respect to the final terms of the Series Bonds and the determination of the Refunded Bonds, if any, and the Executive Director-Secretary (or Director of Finance if the Executive Director-Secretary is not available), after so discussing the final pricing terms and bonds to be refunded, if any, is authorized (subject in all cases to the limitations otherwise set forth herein) to determine the final size of the proposed issuance of the Series Bonds and bonds to be refunded, if any, and to negotiate the final terms of the proposed issuance of the Series Bonds with the Underwriter (which shall be selected from the Underwriters listed above), including the determination of final interest rates, initial variable interest rates and method of determination of variable rates and modes, tender provisions, provisions of any SBPA (which may initially be self-liquidity), including a mode change concerning such Series Bonds, redemption provisions (if any) and maturities, the sale price to the Underwriter and the net underwriting fee (which shall not exceed 1.5% of the principal amount of the Series Bonds to be issued), provided that all or a portion of any Series Bonds may be sold to a single institutional investor (and any CC Agreement or any SBPA negotiated and finalized in conjunction therewith) if the Executive Director-Secretary (or Director of Finance if the Executive Director-Secretary is not available) determines the same will result in more beneficial financing terms for the Authority.

(b) **Issue Date; Interest Payment Dates; Denominations and Record Date.** The Issue Date of the Series Bonds shall be the date of

delivery thereof or as may be otherwise specified by an Authorized Officer. The Series Bonds shall be issued in denominations of \$5,000 principal amount, or any integral multiple thereof, or such other denominations as shall be authorized by an Authorized Officer, all specified in the related Series Determinations (hereinafter defined) or such other denominations as shall be authorized by an Authorized Officer, in each case not exceeding the principal amount maturing on any principal payment date. Interest on the Series Bonds shall be payable each May 1 and November 1, or such other dates as may be specified by an Authorized Officer, or such dates set forth in any applicable CC Agreement or SBPA, by check or draft mailed to the person in whose name the Series Bond is registered on the registration books of the Authority maintained by the Trustee at the close of business on the Record Date (as set forth in the Series Determinations) or, upon the written request of a Holder of a Series Bond and payment of any applicable wire transfer fee of the Trustee, by wire transfer on each interest payment date from the Trustee to the Holder thereof as of the Record Date or as set forth in the CC Agreement or applicable SBPA with respect to variable rate Series Bonds purchased thereunder; provided, however, that so long as all of the Outstanding Series Bonds are registered in the name of The Depository Trust Company (“DTC”) or its designee, or other securities depository as permitted by paragraph (e) of Section 2.03 hereof, payment of interest on the Series Bonds shall be made in accordance with operational arrangements of the securities depository as agreed to by the Authority. The principal of, any redemption premium, if any, and interest due on Series Bonds shall be payable at the principal corporate trust office of the Trustee, or in the case of variable rate tender bonds, with respect to the purchase price, at the corporate trust office of the tender agent to be selected by an Authorized Officer, upon presentation and surrender of the Series Bonds on or after the date of maturity or redemption or purchase thereof; provided, however, that so long as all Outstanding Series Bonds are registered in the name of DTC or its designee, or other permitted securities depository, the securities depository may, in its discretion, make a notation on any Series Bond indicating the date and amount of any reduction of principal except in the case of final maturity, in which case the Series Bonds shall be surrendered to the Trustee for payment or in the case of variable rate bonds, with respect to the purchase price, at the corporate trust office of the Tender Agent. Notwithstanding the foregoing, payments on bonds purchased under a liquidity facility shall be made in accordance with the applicable liquidity facility.

(c) **General Redemption Provisions.**

(i) **Partial Redemption.** If less than all of the Series Bonds of any Series and maturity are to be redeemed at any time, whether by the application of Sinking Fund Installments or otherwise, the Trustee shall select the Series Bonds of said Series to be redeemed among numbers to be assigned by the Trustee to

each \$5,000 principal amount or other applicable minimum denomination of any such Series Bond, or such other method as may be authorized by an Authorized Officer; provided, however, that so long as all Outstanding Series Bonds are registered in the name of DTC or its designee, or other permitted securities depository, the Series Bonds to be redeemed shall be selected in accordance with the operational arrangements of the securities depository as agreed to by the Authority.

(ii) **General Provisions.** All actions taken by the Authority and the Trustee in the redemption of Series Bonds shall conform to the provisions of Sections 405 and 409 and Article VII of the Bond Resolution, provided that, pursuant to the provisions of Section 803 of the Bond Resolution, the provisions of Section 704 of the Bond Resolution are hereby modified to require that mailed notice of redemption shall be given not less than 20 days prior to a redemption date and that published notice of redemption of the Series Bonds shall not be required, provided further that, notwithstanding the foregoing, a copy of the notice of the call for any redemption identifying any variable rate Series Bonds to be redeemed may be given by immediate notice, with respect to such Series Bonds, not less than 15 days (20 days if in book-entry-only form), or such lesser time period as may be agreed upon by the Authority and the purchaser of such Series Bonds prior to the date fixed for redemption if authorized by an Authorized Officer, and if Bonds purchased under a SBPA are to be redeemed, the Trustee shall give immediate notice of such Bonds to the SBPA counterparty at least one business day prior to the date fixed for redemption.

(d) **Modes, Tender and Conversion Provisions.** Any variable rate Series Bonds shall have such variable or fixed rate modes, tender provisions and conversion provisions as are authorized by an Authorized Officer as set forth in the related Series Determinations.

Section 2.02. Establishment and Funding of Accounts Related to Series Bonds.

(a) **Series Bond Clearing Account.** The Trustee shall establish on its books a Clearing Account for each series of the Series Bonds and deposit therein net proceeds of the related Series Bonds upon receipt by the Trustee from the Underwriters. The Trustee shall then transfer or credit amounts therein to other Funds and Accounts for the financing of Qualified Mortgage Loans and for the payment of the Refunded Bonds or costs of issuing the Series Bonds, if any, as directed in an Officer's Certificate.

(b) ***Establishment and Funding of Certain Accounts Relating to the Series Bonds.*** The following accounts are hereby created relating to the issuance of the Series Bonds and shall be funded from the sources and in the amounts set forth or determined in the manner as follows:

(i) There are established accounts designated as the Mortgage Loan Accounts for each series of the Series Bonds, moneys in which shall be used for the purposes and as authorized by Section 303 of the Bond Resolution. On the date of issuance of the Series Bonds, there shall be deposited by the Trustee into such Mortgage Loan Accounts, as the case may be, from the respective Series Clearing Accounts the amounts as directed in an Officer's Certificate delivered upon the Issue Date.

(ii) There is established within the Capital Reserve Fund, an account designated as such for each series of the Series Bonds. On the date of issuance of the Series Bonds, there shall be deposited by the Trustee into such Accounts, as the case may be, the Capital Reserve Requirement for the respective Series Bonds, from the respective Clearing Accounts as directed in an Officer's Certificate delivered upon the Issue Date.

(iii) There is established within the Mortgage Reserve Fund, an account designated as such for each series of the Series Bonds. On the date of issuance of the Series Bonds, there shall be deposited by the Trustee into such Accounts, as the case may be, the Mortgage Reserve Requirement for the respective Series Bonds, from the respective Clearing Accounts as directed in an Officer's Certificate delivered upon the Issue Date.

(iv) There is established within the Revenue Fund, an account designated as such for each series of the Series Bonds. On the date of issuance of the Series Bonds, the Trustee shall deposit the accrued interest, if any, received with respect to the sale of the related Series Bonds into the respective Accounts in the Revenue Fund.

(v) Such moneys shall be transferred to each of the Series Accounts of the Revenue Fund from the related Clearing Accounts, and such deposits shall be made into said Accounts on the dates of issuance of the Series Bonds from such sources, all as directed by an Officer's Certificate, and the Trustee shall make deposits and disbursements of Revenues allocable to the Series Bonds into and from said Accounts from time to time in accordance with Sections 402 and 403 of the Bond Resolution or as otherwise directed by an Officer's Certificate.

(vi) Costs of Issuance of the Series Bonds may be paid from the Revenue Fund or Special Program Fund, or any Costs of Issuance Accounts established in connection with the issuance of the Series Bonds, upon receipt by the Trustee of an Officer's Certificate authorizing and directing such payment.

(vii) There shall be established, if so specified in an Officer's Certificate, a Bond Purchase Account on the books of the Trustee (herein, each a "Bond Purchase Account"), for any series of Series Bonds subject to tender rights, in which shall be deposited as and when received, (A) all proceeds of the remarketing of the related Series Bonds, (B) all amounts received under any SBPA with respect thereto and (C) all payments made directly by the Authority with respect to the purchase of such Series Bonds in accordance with the Series Determinations related to such Series Bonds. Money in such Bond Purchase Account, if any, shall be used as provided in the Series Determinations related to such Series Bonds.

(c) **Single Account.** In lieu of establishing separate accounts for each such series of the Series Bonds as provided above in this Section, one or more single accounts may be established upon receipt by the Trustee of an Officer's Certificate directing the same.

Section 2.03. Conditions Precedent to Issuance and Delivery.

(a) **Documents Furnished to Trustee.** For purposes of the Bond Resolution, the Series Bonds are considered as being issued to provide funds for the making or purchase of Qualified Mortgage Loans, the refunding of Outstanding Bonds as set forth in Section 202(2) of the Bond Resolution, or both. In accordance with the provisions of Section 203 of the Bond Resolution, the Executive Director shall furnish to the Trustee on the dates of issuance and delivery of the Series Bonds:

(i) Certified copies of the Bond Resolution and this 2017 Series Resolution.

(ii) An opinion of Counsel to the Authority that the Bond Resolution and this 2017 Series Resolution have been duly adopted by the Authority and are valid and binding upon it and enforceable in accordance with their terms, that the Bond Resolution creates the valid pledge it purports to create, and that the principal amount of the Series Bonds then being issued, when added to the principal amount of other obligations theretofore issued by the Authority, does not exceed any legal limitations.

(iii) An Officer's Certificate, stating:

(A) The Series designations, interest rates, maturities, redemption provisions, tender rights (if any) and any other terms of the Series Bonds then being issued, as well as the form of the Bonds, the purchase price thereof, any underwriting fee and any bonds to be refunded, pursuant to Section 2.01(a) hereof (the "Series Determinations").

(B) The amounts of the proceeds of the Series Bonds then being issued and other funds to be credited to the Funds and Accounts referred to in Section 301 of the Bond Resolution at the time of delivery of such Series Bonds, as provided in this 2017 Series Resolution.

(C) Whether or not interest on the Series Bonds then being issued is to be exempt from federal income taxation.

(D) That upon the issuance of such Series Bonds, the Parity Test and the Cash Flow Test will be satisfied.

(E) That the issuance of such Series Bonds will have no material adverse effect on the ability of the Authority to pay the Principal Installments of and interest on all Bonds.

(iv) An Officer's Certificate:

(A) Identifying the bonds, interest and redemption premiums, if any, to be refunded and identifying separately those bonds to be paid at their respective maturity dates and those to be redeemed at specified Redemption Prices and on specified dates at which such bonds may be redeemed from funds held in the Redemption Fund and from other funds.

(B) Directing the Trustee to make due publication, if applicable, of a notice of redemption and refunding with respect to any Refunded Bonds to be redeemed prior to maturity.

(C) Stating that funds will be deposited with the Trustee at or before the time of delivery of the Series Bonds then being issued, sufficient to effect retirement of any Refunded Bonds, interest and any redemption premiums thereon.

(b) **Trustee's Certification.** The Executive Director shall then request the Trustee to determine and certify:

(i) That it has received the documents listed in paragraph (a) of this Section 2.03.

(ii) That the amount to be deposited in the Capital Reserve Fund is sufficient to increase the amount in that Fund to the Capital Reserve Requirement effective after the issuance of the Series Bonds then being issued, as computed by the Trustee.

(iii) That upon the issuance of the Series Bonds then being issued, and deposit of amounts in all Funds and Accounts as directed in the Officer's Certificate, the Parity Test will be satisfied.

(c) **Certification under Applicable Federal Tax Law.** If the interest on any of the Series Bonds is to be exempt from federal income taxation, an Authorized Officer is authorized and directed, on the date of delivery of such Series Bonds, to prepare and execute a certificate on behalf of the Authority, setting forth in brief and summary terms the facts, estimates and circumstances on the basis of which the Authority reasonably expects that the proceeds of such Series Bonds will not be used in a manner that would cause such Series Bonds to be arbitrage bonds under applicable federal tax law.

(d) **Execution and Delivery of Series Bonds.** The Series Bonds shall be executed in the name of the Authority by the manual or facsimile signature of the Chair or Vice Chair and countersigned by the manual or facsimile signature of its counsel, attested by the manual or facsimile signature of the Executive Director, shall be authenticated by the Trustee by manual signature in accordance with the provisions of Section 603(A) of the Bond Resolution, and shall be sealed with a printed or actual facsimile of the official seal of the Authority. After receipt of the Trustee's Certificate referred to in paragraph (b) of this Section, the Authorized Officers are authorized and directed to prepare, execute on behalf of the Authority and deliver to the Underwriters the certificates, opinions and other documents specified in the related Contract of Purchase and the Bond Resolution and this 2017 Series Resolution and to deliver the Series Bonds (then being issued) to the Underwriters or Original Purchaser, as the case may be, after receipt by the Trustee of the purchase price in the amount and in the manner therein specified.

(e) **Securities Depository.**

(i) For purposes of this Section, the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Series Bond, the person in whose name such Series Bond is recorded as the beneficial owner of such Series Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Series Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Series Bonds as securities depository.

(ii) The Series Bonds shall be initially issued as separately authenticated fully registered Bonds, and one Series Bond of each Series shall be issued in the principal amount of each stated maturity of the Series Bonds of each such Series. Upon initial issuance, the ownership of such Series Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Trustee and the Authority may treat DTC (or its nominee) as the sole and exclusive owner of the Series Bonds registered in its name for the purposes of payment of the principal of or interest on the Series Bonds, selecting the Series Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Series Bonds under the Bond Resolution or this 2017 Series Resolution, registering the transfer of Series Bonds, and for all other purposes whatsoever, and neither the Trustee nor the Authority shall be affected by any notice to the contrary. Neither the Trustee nor the Authority shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Series Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Series Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of, interest, redemption premium or purchase price on the Series Bonds, with respect to any notice which is permitted or required to be given to owners of Series Bonds under the Bond

Resolution or this 2017 Series Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption or purchase of the Series Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Series Bonds. So long as any Series Bond is registered in the name of Cede & Co., as nominee of DTC, the Trustee shall pay all principal of and interest on, and purchase price of, such Series Bond, and shall give all notices with respect to such Series Bond, only to Cede & Co. in accordance with DTC's Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the Authority's obligations with respect to the principal of and interest on, and purchase price of, the Series Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Series Bond for each separate stated maturity of each Series evidencing the obligation of the Authority to make payments of principal, interest and purchase price. Upon delivery by DTC to the Trustee of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Series Bonds will be transferable to such new nominee in accordance with subsection (iv) hereof.

(iii) In the event the Authority determines that it is in the best interest of the Beneficial Owners that they be able to obtain Series Bonds in the form of bond certificates, the Authority may notify DTC and the Trustee, whereupon DTC shall notify the Participants of the availability through DTC of Series Bonds in the form of certificates. In such event, the Series Bonds will be transferable in accordance with subsection (iv) hereof. DTC may determine to discontinue providing its services with respect to the Series Bonds at any time by giving notice to the Authority and the Trustee and discharging its responsibilities with respect thereto under applicable law. In such event the Series Bonds will be transferable in accordance with subsection (iv) hereof.

(iv) In the event that any transfer or exchange of Series Bonds is permitted under subsection (ii) or (iii) hereof, such transfer or exchange shall be accomplished upon receipt by the Trustee of the Series Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of the Bond Resolution and this 2017 Series Resolution. In the event Series Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Series Bonds, or another securities depository as owner of all the Series Bonds, the provisions of the Bond Resolution and this 2017 Series Resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Series Bonds in the form of bond certificates and

the method of payment of principal of and interest on such Series Bonds in the form of bond certificates.

Section 2.04. General Authorization of Officers. The Authorized Officers are hereby authorized and directed to do all acts and things and to execute and deliver any and all documents, filings, certificates and other instruments necessary or desirable to effectuate the transactions contemplated by the Bond Resolution or this 2017 Series Resolution.

ARTICLE III

THE CODE AND RESTRICTIONS

Section 3.01. Tax Covenant and Restrictions.

(a) **General Tax Covenant.** In Section 505 of the Bond Resolution the Authority has covenanted that, if interest on any of the Series Bonds is to be exempt from federal income taxation, it will at all times do and perform all acts and things permitted by law and necessary or desirable in order to assure that interest paid by the Authority on the Bonds shall be exempt from all federal income taxation, and that no part of the proceeds of the Bonds shall at any time be used directly or indirectly to acquire securities or obligations the acquisition of which, from the funds used for that purpose, if reasonably anticipated on the date of issuance of any Bond, would have caused such Bond to be an arbitrage bond, unless such acquisition is at such time permitted by applicable federal tax law and the Treasury Regulations thereunder, as then in effect. The Authority shall at all times do and perform all acts and things permitted by law and the Bond Resolution and necessary or desirable in order to assure that the proceeds of such Series Bonds and the Revenues attributable thereto will be used in a manner consistent with the provisions of applicable federal tax law and applicable Regulations.

(b) **Authority and Effect.** Sections 3.01 and 3.02 of this Article III shall be applicable only to the obligations, covenants, agreements, limitations, conditions and restrictions of and upon the Authority in relation to the Holders of the Series Bonds on which interest is to be exempt from federal income taxation. The meaning of capitalized terms used in Sections 3.01 and 3.02 of this Article III are as defined in Section 103 of the Bond Resolution or in this 2017 Series Resolution. The covenants and restrictions set forth in Section 3.02 hereof shall apply to Mortgage Loans made in whole or in part from the proceeds of the Series Bonds on which interest is to be exempt from federal income taxation initially deposited into the Mortgage Loan Accounts or Revenues for the Series Bonds on which interest is to be exempt from federal income taxation attributable thereto. The Authority retains the right to impose covenants with respect to Mortgage Loans, Homes and Mortgagors more restrictive than those imposed by applicable federal tax law.

(c) **Amendments.** If and to the extent that applicable federal tax law is amended or additional Regulations are promulgated or rulings given thereunder, and the Authority determines on the advice of counsel that the effect thereof is to add to, delete from or change the restrictions and limitations contained in applicable federal tax law or the Authority's interpretation thereof, any provision of Sections 3.01 and 3.02 of this Article III may be amended or supplemented to conform to applicable federal tax law and the Regulations and rulings thereunder as then in effect, without the consent of the Trustee or Bondholders, as contemplated in Section 801 of the Bond Resolution.

Section 3.02. Compliance With Applicable Federal Tax Law.

(a) **Code Provisions.** If interest on any of the Series Bonds is to be exempt from federal income taxation, the Authority determines to apply the provisions of Section 103 or 143, as applicable, of the Code to the Mortgage Loans to be made or purchased, in whole or in part, from the proceeds of such Series Bonds, and the Authority determines to take all necessary action to insure that the Series Bonds on which interest is to be exempt from federal income taxation meet the requirements of Section 103 or 143 as an issue of Pre-Ullman single-family mortgage revenue bonds or "qualified mortgage bonds", as applicable. In conjunction with the issuance of any Refunded Bonds the Authority covenanted to comply with then applicable federal tax rules and take all action necessary to insure that such Refunded Bonds (or any "new money" Bonds refunded thereby) complied with the requirements of said Section 103 or 143, as applicable (or any applicable prior provisions of the Code), including any Mortgage Loans financed with recycled repayments of Mortgage Loans financed by such Refunded Bonds, so that the interest on the related Bonds would be exempt from federal income taxation; the Authority hereby reconfirms and renews such covenants in conjunction with the issuance of the Series Bonds on which interest is to be exempt from federal income taxation.

(b) **Arbitrage.** The Authority will take all actions as may be necessary to assure that the Series Bonds will meet the requirements of Sections 143(g), if applicable, and Section 148 of the Code, if any, and applicable Regulations, relating to arbitrage, and the Authority will pay or cause to be paid the rebate amount with respect to the Series Bonds on which interest is to be exempt from federal income taxation required by Section 148(f) of the Code and the Regulations, as provided in the Arbitrage Rebate Certificates executed by the Trustee and the Authority in conjunction with the issuance and delivery of the Series Bonds on which interest is to be exempt from federal income taxation.

Section 3.03. The Authority hereby declares its intention, within the meaning of Section 1.150-2 of the Internal Revenue Code regulations, to facilitate continuous funding of its homeownership program (as described above) by, from time to time, financing mortgage loans and then issuing

bonds in one or more series within 18 months thereof to reimburse itself for such financing, all in an amount presently expected to not exceed the amount of the Series Bonds authorized by Article I hereof, and hereby confirms that the Executive Director has been and continues to be authorized to also so declare the intention of the Authority within the meaning of said Section 1.150-2 to issue bonds to reimburse itself for the financing of mortgage loans, provided that the final amount of any such bond issuances shall be determined only by subsequent action of the Authority and any such declaration does not authorize or obligate the Authority to issue any such bonds.

ARTICLE IV

EFFECTIVE DATE

This 2017 Series Resolution shall take effect immediately.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

B. Resolution No. 17-04-19: Resolution to Conditionally Commit HOME Program Funds under the Security Deposit Assistance Program for Pathways Shelter for the Homeless in Yankton

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, the following HOME Program application was received for the Security Deposit Assistance Program (SDAP) set-aside; and

WHEREAS, the required documentation has been reviewed and evaluated, and the Applicant has agreed to comply with all HOME requirements;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director be authorized to issue a conditional commitment of HOME funds from the SDAP set-aside for the following:

	<u>SECURITY DEPOSIT</u>
	<u>ASSISTANCE</u>
<u>APPLICANT</u>	<u>PROGRAM AMOUNT</u>
Pathways Shelter for the	\$14,000
Homeless in Yankton	

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hansen, Hohn, Kolbeck, Puetz and Schipper.

Excused: Chairman Pummel and Commissioner Dykstra.

Commissioner Hansen abstained from discussion and voting on Resolutions No. 17-04-20 through 17-04-31 due to the conflict of interest in connection with his service as a Board member and officer of Inter-Lakes Community Action Partnership, Inc.

C. Resolution No. 17-04-20: Resolution to Conditionally Commit Housing Opportunity Fund Funds for Black Hills Works Rehabilitation

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Kolbeck that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 Housing Opportunity Fund (HOF) Allocation Plan; and

WHEREAS, based on information provided, the Applicant is eligible to receive HOF funds and has agreed to comply with all HOF requirements;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director be authorized to issue a Conditional Commitment of HOF funds to the following Applicant:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/LOCATION</u>	<u>HOF URBAN RENTAL</u>
Black Hills Works, Inc	Black Hills Works Rehabilitation Scattered Sites	\$91,000

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

D. Resolution No. 17-04-21: Resolution to Reserve HOME Funds for Clear Spring Apartments

After review and discussion, it was moved by Commissioner Hohn and seconded by Commissioner Puetz that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 HOME Allocation Plan;

NOW, THEREFORE, BE IT RESOLVED that based on information provided in the application, a letter offering a Reservation of HOME funds be forwarded to the following Applicant, and that upon satisfaction of all conditions, HOME funds be allocated to:

<u>OWNER/APPLICANT</u>	<u>LOCATION</u>	<u>HOME FUNDS GENERAL POOL</u>
Clear Springs Apartments Limited Partnership	Clear Springs Apartments Spearfish, SD	\$600,000

Via voice vote, the following votes were recorded:
 Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
 Abstained: Commissioner Hansen.
 Excused: Chairman Pummel and Commissioner Dykstra.

E. Resolution No. 17-04-22: Resolution to Reserve HOME Funds for Habitat for Humanity Building Houses, Building Neighborhoods

After review and discussion, it was moved by Commissioner Kolbeck and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, the following application was submitted in accordance with the 2016-2017 Housing Opportunity Fund (HOF) Allocation Plan;

WHEREAS, there are insufficient HOF funds available to fund this project;

WHEREAS, with the Applicant's consent, the application has been considered for an award from the 2016-2017 HOME Allocation Plan (HOME Plan); and

WHEREAS, the application has been reviewed and evaluated in accordance with the HOME Plan;

NOW, THEREFORE, BE IT RESOLVED that based on information provided in the application, a letter offering a Reservation of HOME funds be forwarded to the following Applicant, and that upon satisfaction of all conditions, HOME funds be allocated to:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/LOCATION</u>	<u>HOME FUNDS GENERAL POOL</u>
Habitat for Humanity Greater Sioux Falls	Habitat for Humanity Building Houses, Building Neighborhoods Sioux Falls, SD	\$99,040

Via voice vote, the following votes were recorded:
 Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
 Abstained: Commissioner Hansen.
 Excused: Chairman Pummel and Commissioner Dykstra.

F. Resolution No. 17-04-23: Resolution to Reserve HOME Funds for Jefferson Village Apartments

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Kolbeck that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 HOME Allocation Plan;

NOW, THEREFORE, BE IT RESOLVED that based on information provided in the application, a letter offering a Reservation of HOME funds be forwarded to the following Applicant, and that upon satisfaction of all conditions, HOME funds be allocated to:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/LOCATION</u>	<u>HOME FUNDS GENERAL POOL</u>
Huron Jefferson Village Apartments, LLC	Jefferson Village Apartments Huron, SD	\$1,061,000

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

G. Resolution No. 17-04-24: Resolution to Conditionally Commit Housing Opportunity Fund Funds for SEDF Lot Redevelopment Program – Phase 3

After review and discussion, it was moved by Commissioner Hohn and seconded by Commissioner Kolbeck that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 Housing Opportunity Fund (HOF) Allocation Plan; and

WHEREAS, based on information provided, the Applicant is eligible to receive HOF funds and has agreed to comply with all HOF requirements;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director be authorized to issue a Conditional Commitment of HOF funds to the following Applicant:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/ LOCATION</u>	<u>HOF URBAN HOMEOWNERSHIP</u>
South Eastern Development Foundation (SEDF)	SEDF Lot Redevelopment Program - Phase 3 Sioux Falls, SD	\$50,000

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

H. Resolution No. 17-04-25: Resolution to Approve HOME Program Waiver Request for Sioux Falls Neighborhood Revitalization – 2017.1

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, Affordable Housing Solutions (Applicant) has submitted an application for HOME Program funds for Sioux Falls Neighborhood Revitalization – 2017.1; and

WHEREAS, the Applicant has requested a waiver of the 2016-2017 HOME Qualified Allocation Plan requirements with regard to exceeding Project Finance limits by more than 15 percent;

NOW, THEREFORE, BE IT RESOLVED that the waiver is hereby approved for Sioux Falls Neighborhood Revitalization – 2017.1.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

I. Resolution No. 17-04-26: Resolution to Reserve HOME Funds for Sioux Falls Neighborhood Revitalization – 2017.1

After review and discussion, it was moved by Commissioner Hohn and seconded by Commissioner Puetz that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 HOME Allocation Plan;

NOW, THEREFORE, BE IT RESOLVED that based on information provided in the application, a letter offering a Reservation of HOME funds be forwarded to the following Applicant, and that upon satisfaction of all conditions, HOME funds be allocated to:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/LOCATION</u>	<u>HOME FUNDS</u> <u>GENERAL POOL</u>
Affordable Housing Solutions	Sioux Falls Neighborhood Revitalization – 2017.1 Sioux Falls, SD	\$75,000

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
Abstained: Commissioner Hansen.
Excused: Chairman Pummel and Commissioner Dykstra.

J. Resolution No. 17-04-27: Resolution to Continue Working with Thunder Valley Regenerative Community Development

After review and discussion, it was moved by Commissioner Kolbeck and seconded by Commissioner Puetz that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 HOME Allocation Plan; and

WHEREAS, the application does not meet the requirements for reservation of HOME funds;

NOW, THEREFORE, BE IT RESOLVED that SDHDA staff is authorized continue working with the Applicant and that the Applicant will have until June 30, 2017 to meet the requirements necessary for reservation of HOME funds; and

BE IT FURTHER RESOLVED that if completion of those items necessary to receive a reservation of HOME funds is completed by the June 30, 2017 deadline, the application will be submitted to the Board of Commissioners for further consideration for a reservation of HOME funds.

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
Abstained: Commissioner Hansen.
Excused: Chairman Pummel and Commissioner Dykstra.

K. Resolution No. 17-04-28: Resolution to Approve Housing Opportunity Fund Program Waiver Request for Village on Monroe

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, NeighborWorks Dakota Home Resources (Applicant) has submitted an application for Housing Opportunity Fund (HOF) Program funds for Village on Monroe; and

WHEREAS, the Applicant has requested a waiver of the 2016-2017 Housing Opportunity Fund Allocation Plan requirements with regard to

the limitation on the amount of HOF funding that applicants may request and the Board may award;

NOW, THEREFORE, BE IT RESOLVED that the waiver is hereby approved for Village on Monroe.

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

L. Resolution No. 17-04-29: Resolution to Conditionally Commit Housing Opportunity Fund Funds for Village on Monroe

After review and discussion, it was moved by Commissioner Kolbeck and seconded by Commissioner Hohn that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 Housing Opportunity Fund (HOF) Allocation Plan; and

WHEREAS, based on information provided, the Applicant is eligible to receive HOF funds and has agreed to comply with all HOF requirements;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director be authorized to issue a Conditional Commitment of HOF funds to the following Applicant:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/ LOCATION</u>	<u>HOF URBAN HOMEOWNERSHIP</u>
NeighborWorks Dakota Home Resources	Village on Monroe Rapid City, SD	\$220,000

Via voice vote, the following votes were recorded:

Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.

Abstained: Commissioner Hansen.

Excused: Chairman Pummel and Commissioner Dykstra.

M. Resolution No. 17-04-30: Resolution to Deny HOME, Housing Trust Fund and Housing Opportunity Fund Funds for Whittier Park Apartments

After review and discussion, it was moved by Commissioner Hohn and seconded by Commissioner Kolbeck that the above Resolution be adopted as follows:

WHEREAS, the following application has been reviewed and evaluated in accordance with the 2016-2017 HOME Program Allocation Plan, the 2016-

2017 Housing Trust Fund Program Allocation Plan and the 2016-2017 Housing Opportunity Fund Allocation Plan;

NOW, THEREFORE, BE IT RESOLVED that the application for HOME, Housing Trust Fund and Housing Opportunity Fund funds be denied for:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/LOCATION</u>
Affordable Housing Solutions	Whittier Park Apartments Sioux Falls, SD

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
Abstained: Commissioner Hansen.
Excused: Chairman Pummel and Commissioner Dykstra.

N. Resolution No. 17-04-31: Resolution to Reserve HOME Funds for Yankton Build H-42

After review and discussion, it was moved by Commissioner Puetz and seconded by Commissioner Kolbeck that the above Resolution be adopted as follows:

WHEREAS, the following application was submitted in accordance with the 2016-2017 Housing Opportunity Fund (HOF) Allocation Plan;

WHEREAS, there are insufficient HOF funds available to fund this project;

WHEREAS, with the Applicant's consent, the application has been considered for an award from the 2016-2017 HOME Allocation Plan (HOME Plan); and

WHEREAS, the application has been reviewed and evaluated in accordance with the HOME Plan;

NOW, THEREFORE, BE IT RESOLVED that based on information provided in the application, a letter offering a Reservation of HOME funds be forwarded to the following Applicant, and that upon satisfaction of all conditions, HOME funds be allocated to:

<u>OWNER/APPLICANT</u>	<u>DEVELOPMENT/LOCATION</u>	<u>HOME FUNDS</u> <u>GENERAL POOL</u>
Habitat for Humanity Yankton County	Yankton Build-H42 Yankton, SD	\$60,000

Via voice vote, the following votes were recorded:
Voting AYE: Commissioners Hohn, Kolbeck, Puetz and Schipper.
Abstained: Commissioner Hansen.
Excused: Chairman Pummel and Commissioner Dykstra.

IX. DATE OF NEXT MEETING AND ADJOURNMENT

The next Board of Commissioners' Meeting has not been scheduled. It was moved by Commissioner Hansen and seconded by Commissioner Puetz that the meeting adjourn. The meeting adjourned at 12:24 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Lauseng". The signature is written in a cursive, somewhat stylized font.

Mark Lauseng
Secretary