

## VISIT NEBRASKAHAF.COM

2.18.2022

## **BOARD OF DIRECTORS MEETING**

NEBRASKA CATTLEMEN OFFICE 4611 CATTLE DRIVE, LINCOLN NE, 68521

## NEBRASKA INVESTMENT FINANCE AUTHORITY BOARD OF DIRECTORS MEETING

Friday, February 18, 2022 9:00 a.m.

#### Nebraska Cattlemen Office 4611 Cattle Drive, Lincoln NE

Option of Video/Audio Conference for Members of the Public

Notice Published: February 13, 2022 – Omaha World Herald February 13, 2022 – Lincoln Journal Star

#### **AGENDA**

**Open Meetings Act –** Copies of the Open Meetings Act are located on the table at the entrance to the meeting room, posted against the wall and are online at <a href="https://www.nifa.org/about/board-of-directors">https://www.nifa.org/about/board-of-directors</a>

- 1. Call Meeting to Order and Roll Call 5 minutes
- 2. Public Comment Related to the February 18, 2022 Agenda Items (comment period limited to five minutes) 5 minutes
- 3. Consent Agenda 5 minutes
  - a. January 18, 2022 NIFA Board of Director Meeting Minutes
  - b. Executive Director's Report
  - c. Report on Agricultural Program, Including Loans in Process
  - d. Report on Homeownership Program
  - e. Report on Community Engagement Activities
  - f. Private Activity Bond Cap Summary

#### **AGENDA**

#### February 18, 2021

Consideration of a Motion to Approve the Minutes and Accept the Reports on the Consent Agenda as Presented

#### **Action Items - 40 minutes**

#### **Programs Committee - 15 minutes**

 Consideration of a Motion to Approve Conditional Reservations for CRANE in the 2022 Low Income Housing Tax Credit (LIHTC) and Affordable Housing Tax Credit (AHTC) Programs

#### **Governance Committee** - 20 minutes

- 5. Consideration of a Motion to Approve NIFA's Reforecasted Operating Fund and NOF Budgets for the Fiscal Year Ending June 30, 2022
- 6. Clarification of the Motion Adopted on January 18, 2022, with Respect to the Executive Director's Compensation and Approval to Amend the Executive Director's Employment Agreement in Connection Therewith

#### <u>Operations</u> – 5 minutes

7. Consideration of a Motion to Approve Board Resolution No. 462 Amending and Restating the Nebraska Investment Finance Authority Health Reimbursement Arrangement

#### **Strategic Topic - 20 minutes**

8. A Look at the Operating Fund

#### NIFA Highlights - 20 minutes

- 9. Report on 2022 ABC Bond Sale and Market Update
- 10. Announcements and Discussion of Upcoming Events
- 11. Adjournment

# NEBRASKA INVESTMENT FINANCE AUTHORITY BOARD OF DIRECTORS MEETING and LEGISLATIVE LUNCHEON RECEPTION

NIFA Conference Room – 2<sup>nd</sup> Floor of Commerce Court 1230 O Street, Suite 200, Lincoln NE

Legislative Luncheon Reception
The Hruska Law Center-Hruska Conference Room
635 South 14th Street, Lincoln, NE

MINUTES OF TUESDAY, JANUARY 18, 2022, 9:30 a.m.

**Notice Published:** January 12, 2022 – Omaha World Herald [Affidavit attached] January 12, 2022 – Lincoln Journal Star [Affidavit attached]

Open Meetings Act - (i) 9:30 Board Meeting - Copies of the Open Meetings Act are located on the table at the entrance to the NIFA Conference room and posted against the wall of the NIFA Conference room and (ii)12:15 Legislative Luncheon Reception - Copies of the Open Meetings Act are located on the table at the entrance to the Hruska Conference room and posted against the wall in the Hruska Conference Room

All votes taken by roll call of the members.

**Board Members Present:** Anthony Goins

George Achola Susan Bredthauer Warren Arganbright Colten Zamrzla

Michael Walden-Newman

Herb Freeman Galen Frenzen

Board Members Absent: Steve Wellman

NIFA Staff Present: Shannon Harner, Executive Director and Board Secretary

Sheila Gans, Program Support Specialist and Board Clerk

Guests: Patti Peterson, Kutak Rock LLP

#### 1. Call Meeting to Order and Roll Call

Chair Goins called the meeting to order at 9:34 a.m. with eight members present. Goins reported that copies of the Open Meetings Act were posted on the side wall and located on the table as you enter the room. The notice of the meeting was published on Wednesday, January 12, 2022 in the Omaha World Herald and Lincoln Journal Star.

Affidavits of publication are attached.

### 2. Public Comment Related to the January 18, 2022 Agenda Items (comment period limited to five minutes)

Chair Goins asked if anyone wished to comment on any of the agenda items and directed that they come forward and state their name for the record. No individuals came forward.

#### 3. Consent Agenda

- a. December 10, 2021 NIFA Board of Director Meeting Minutes
- b. Report on Collaborative Resource Allocation of Nebraska (CRANE)

Moved by Achola seconded by Zamrzla to approve the minutes and accept the report on the Consent Agenda as presented.

Via roll call vote, the following votes were recorded:

Voting AYE: Walden-Newman, Bredthauer, Arganbright, Frenzen, Zamrzla, Freeman, Achola and Goins.

Absent: Wellman

The motion passed unanimously.

#### **Action Items**

#### **Governance Committee**

#### 4. Executive Director Performance Review

- a. Consideration of a Motion for Closed Session to Discuss the Executive Director's Performance Review/Motion to Exit Closed Session
- b. Consideration of a Motion, if Necessary, for Authorizations Relating to the Closed Session Regarding the Executive Director's Performance Review

Moved by Arganbright seconded by Achola to go into closed session at 9:37 a.m. to discuss the Executive Director's Performance Review and the evaluation of the job performance of the Executive Director, which closed session is consistent with the Nebraska Public Meetings law and is necessary to protect the interest of both NIFA and the public. The Executive Director has not requested a public meeting for this discussion.

Via roll call vote, the following votes were recorded:

Voting AYE: Walden-Newman, Bredthauer, Arganbright, Frenzen, Zamrzla, Freeman,

Achola and Goins. Absent: Wellman

The motion passed unanimously.

Prior to the closed session, the following statement was read by the Chair: "The closed session discussion shall be limited to matters related to the Executive Director's Performance Review and the evaluation of the job performance of the Executive Director. Members shall restrict their consideration of matters during the closed session to the purpose stated in the Motion."

#### **Closed Session**

Board Members met in closed session from 9:37 a.m. until 11:34 a.m.

Moved by Arganbright seconded by Frenzen to go into open session at 11:34 a.m.

Via roll call vote, the following votes were recorded:

Voting AYE: Arganbright, Frenzen, Zamrzla, Freeman, Achola, Goins, Walden-Newman,

and Bredthauer Absent: Wellman

The motion passed unanimously.

Moved by Arganbright, seconded by Achola to approve a 3% COLA increase and a 7.8% bonus to the Executive Director effective July 1, 2022.

Via roll call vote, the following votes were recorded:

Voting AYE: Frenzen, Zamrzla, Freeman, Achola, Goins, Walden-Newman, Bredthauer

and Arganbright Absent: Wellman

The motion passed unanimously.

#### **NIFA Highlights**

5. Announcements and Discussion of Upcoming Events

Shannon Harner announced the Board would recess the meeting to the Legislative Luncheon.

6. Consideration of a Motion to Recess the meeting to the Legislative Luncheon Reception at Hruska Law Center, 635 South 14<sup>th</sup> Street, Lincoln, NE, Hruska Conference Room.

Moved by Frenzen, seconded by Bredthauer to Recess the meeting to the Legislative

Luncheon Reception.

Via roll call vote, the following votes were recorded:

Voting AYE: Zamrzla, Freeman, Achola, Goins, Walden-Newman, Bredthauer,

Arganbright and Frenzen

Absent: Wellman

The motion passed unanimously.

#### 7. Reconvene Meeting at 12:15

a. Call Meeting Back to Order and Roll Call

b. Statement that Copies of the Open Meetings Act are located on the table at the entrance to the Hruska Conference room and posted against the wall in the Hruska Conference room

Chair Goins called the meeting back to order at 12:15 p.m. with seven members present. Goins reported that copies of the Open Meetings Act were located on the table as you enter the room.

**Board Members Present:** Anthony Goins

George Achola Susan Bredthauer Warren Arganbright Colten Zamrzla Herb Freeman Galen Frenzen

Board Members Absent: Steve Wellman

Michael Walden-Newman

NIFA Staff Present: Shannon Harner, Executive Director and Board Secretary

Sheila Gans, Program Support Specialist and Board Clerk Robin Ambroz, Deputy Director of Programs & Marketing John Turner, Manager of Community Development and

Research

Dudley Beyer, Agricultural Programs Manager

Sara Tichota, LIHTC Allocation Manager

Guests: Patti Peterson, Kutak Rock LLP

#### 8. Welcome to Senators

Executive Director, Shannon Harner welcomed Senators to the reception, introduced Board members and also introduced David Young, who will be joining NIFA on March 1, 2022 as NIFA's new Chief Technology and Operations Officer.

#### 9. Lunch and Table Discussions

#### 10. Adjournment

Moved by Vice Chair Achola to adjourn at 1:02 p.m.

Respectfully submitted,

Shannon R. Harner

Shannoy K Harrer

**Executive Director and Board Secretary** 



Date: January 12, 2022

#### Affidavit of Publication

NEBRASKA INVESTMENT FINANCE AUTHORITY 1230 O ST STE 200 LINCOLN, NE 68508-1402

Date Category Description Ad Size Total Cost 01/18/2022 Legal Notices NOTICE OF MEETING NEBRASKA INVESTMENT 1 x 0 L 706.92

#### **NOTICE OF MEETING**

#### NEBRASKA INVESTMENT FINANCE AUTHORITY

Notice is hereby given that the Nebraska Investment Finance Authority (the "Authority") will hold a Board of Directors Meeting and Legislative Luncheon Reception, which are open to participation by the public, on Tuesday, January 18, 2022. The Board meeting will begin at 9:30 a.m. and will be held at the offices of the Nebraska Investment Finance Authority, 1230 '0' Street, Suite 200, Lincoln, Nebraska. The Legislative Luncheon Reception will begin at 12:15 p.m. and will be held at the Hruska Law Center, 635 South 14th Street, Lincoln, Nebraska, in the Hruska Conference Room.

Persons requiring an accommodation consistent with the Americans with Disabilities Act are asked to contact Shella Gans at the Authority at (402) 434-3900 at least 48 hours in advance of the meeting.

The agenda of the meeting, which is kept continually current, is available for public inspection at the Authority's website at https://www.nifa.org/about/boar d-of-directors and posted on the front door of the Authority's office at 1230 'O' Street, Suite 200, Lincoln, Nebraska, during normal business hours.

business hours.

A current copy of the Open Meetings Act, Neb. Rev. Stat. 84-1407 et. seq., and a copy of the Board book materials, which may be updated, which will be discussed at the meeting and reception will be available at the meeting and reception locations the day of the meeting and at the Authority's website at https://directors. Handouts and other materials presented at the meeting and the reception will be available for viewing by all attendees. Copies of Board materials, not otherwise made available at the Authority's website, will be available from NIFA, upon request, subsequent to the meeting.

For more information or questions, please contact Christie Weston, Deputy Director, at (402) 434-3912.

## Publisher of the World Herald

I, (the undersigned) an authorized representative of the World Herald, a daily newspaper published in Omaha, Douglas County, Nebraska; do certify that the annexed notice NOTICE OF MEETING NEBRAS was published in said newspapers on the following dates:

01/12/2022

The First insertion being given ... 01/12/2022

Newspaper reference: 0000282707

Billing Representative

Sworn to and subscribed before me this Wednesday, January

12, 2022

**Notary Public** 

State of Virginia
City of Richmond

My Commission expires

Crystal Mickie Robinson Notary Public Commonwealth of Virginia Reg. No. 7932290 My Comm. Expires June 30, 2025

#### \*\*\* Proof of Publication \*\*\*

State of Nebraska) Lancaster County ) SS.

**NIFA** 

SHEILA GANS

PECEIVED JAN 2 0 2022

1230 O ST STE 200 LINCOLN NE 68508

ORDER NUMBER

1042888

The undersigned, being first duly sworn, deposes and says that she/he is a Clerk of the Lincoln Journal Star, legal newspaper printed, published and having a general circulation in the County of Lancaster and State of Nebraska, and that the attached printed notice was published in said newspaper

One successive times(s) the first insertion having been on 20 22 and thereafter on 20 and that said newspaper is the legal newspaper under the statues of the State of Nebraska.

Jogon Jonne

Section: Class Legals Category: 0099 LEGALS

PUBLISHED ON: 01/12/2022

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1/14/2022

The above facts are within my personal knowledge and are further verified by my personal inspection of each notice in each of said issues.

Subscribed in my presence and sworn to before me on

Notary Public

GENERAL NOTARY - State of Nebraska **UVA BOONE** My Comm. Exp. January 31, 2025 NOTICE OF MEETING NEBRASKA INVESTMENT FINANCE AUTHORITY

NOTICE OF MEETING NEBRAKA INVESTMENT FINANCE AUTHORITY
Notice is hereby given that the Nebraska Investment Finance Authority (the "Authority") will hold a Board of Directors Meeting and Legislative Luncheon Reception, which are open to participation by the public, on Tuesday, January 18, 2022. The Board meeting will begin at 9:30 a.m. and will be held at the offices of the Nebraska Investment Finance Authority, 1230 "O' Street, Suite 200, Lincoln, Nebraska. The Legislative Luncheon Reception will begin at 12:15 p.m. and will be held at the Hruska Law Center, 635 South 14th Street, Lincoln, Nebraska, In the Hruska Conference Room, Persons requiring an accommodation consistent with the Americans with Disabilities Act are asked to contact Shelia Gans at the Authority at (402) 434-3900 at least 48 hours in advance of the meeting, which is kept continually current, is available for public inspection at the Authority's website at https://www.nifa.org/about/board-of-directors and posted on the Iront door of the Authority's office at 1230 "O' Street, Suite 200, Lincoln, Nebraska, during normal business hours. A current copy of the Board book materials, which may be updated, which will be discussed at the meeting will be available at the meeting location the Authority's website at https://www.nifa.org/about/board-of-directors. Hendouts and other materials, not otherwise made available at the Authority's website, will be available at the Authority's website at https://www.nifa.org/about/board-of-directors. Hendouts and other materials, presented at the meeting will be available for milifa, upon request, subsequent to the meeting. For more information or questions regarding accessing the meeting electronically, please contact Christie Weston, Deputy Director, at (402) 434-3912.

#### February 2022 Board Meeting Executive Director Report

#### NIFA Board Members:

Welcome to February! The year has already flown by quickly. Much is afoot at NIFA. Below is an update and a meeting overview.

#### **Meeting Action Items:**

#### **Program Committee:**

The Program Committee is set to recommend approval of CRANE Projects. In a first for NIFA, we have five different projects that have reached a "One" (meaning ready to proceed) at the same time. Our resources do not allow us to fund all of these projects, and thus the staff tie breaker process has produced recommendations for three of the five projects at this time, which will require a reasonable amount of forward commitments of CRANE tax credits.

#### **Governance Committee:**

The Governance Committee has several action items, the first of which is presentation of a budget re-forecast, based on the first six months of the year. I am pleased with the results, which show an overall improvement in expenses. The revenue side projections are still a moving target and we expect to become more accurate over the longer term, however the unpredictability of earnings in the Operating Fund has been challenging. In addition, there is presented for consideration a clarification motion relating to Executive Director salary increases and bonus, as well a direction to amend the applicable contract accordingly. While not an action items, the Governance Committee has recommended that staff proactively schedule non-Lincoln meetings for 2022, which has been a goal of mine as well. We will discuss this as a Board at the meeting. Staff is looking at schedules and, based on additional Board discussion, will be working on calendars.

#### **Strategic Topic:** A look at the Operating Fund.

As you know, we've been working over the last year and a half to better understand cash flows, projections and revenues for NIFA. We will review historic trends and show some modeling for future years, with several different assumptions.

#### **Other Updates:**

Statewide Housing Strategy and Needs Assessment: NIFA is launching two initiatives which have been a point of discussion in the past, particularly with the Strategic Planning committee. To keep pushing forward on the previous efforts (e.g. Blueprint) to streamline Nebraska's housing resources and programs, NIFA has retained a consultant who will bring together several groups (a Core Team, Council, and Workgroups) over the next 10 months, to create a statewide housing strategy and plan for how to move forward

together. The Core group has been selected and the Council member invitations are being formulated at this time. You will receive many more updates on this process as well as information on how to be further involved. Tony is representing the NIFA Board on the Core Team. Another important and much discussed matter across the state is understanding our current need for housing. The Blueprint Report estimated a need, and the Omaha non-profit coalition also had a very detailed study completed. Leveraging the Omaha methodology and creating a tool for measuring community need, both regionally and at a state level, is a joint undertaking on which NDED and NIFA will be working together with an outside assessment team, with an expected June 30, 2022, completion date.

*HAF:* The State launched the HAF Program on February 1, 2022. As of Thursday, February 10<sup>th</sup>, we had 1153 applications begun in the system, with 498 applications submitted and in some stage of review/approval/denial, leaving 655 applications in draft form, awaiting submission. A small number of applications have been withdrawn, largely due to being duplicate applications. Initial information indicates applications from at least 144 Nebraska communities and represents a statewide application pool. The NIFA staff, the Nelnet team and the State have been working tirelessly to get to this important launching point. We look forward to the important work of helping Nebraska homeowners stay in their homes. The application website is <a href="https://nebraskahaf.com">https://nebraskahaf.com</a>

Community Engagement: The team continues to plan for the NIFA Housing Conference, to be held March 28 – 30. This event will be available both live and online in a hybrid format. Promotion of the event is imminent.

Human Resources: I am thrilled to note that David Young begins as NIFA's Chief Technology and Operations Officer on March 1, 2022. He will supervise our new Risk Management position, which we are working to hire. We have narrowed the field to two incredible candidates, who are meeting with NIFA leadership team members the week of the Board meeting. I firmly believe that getting the right people in the right seats is a critical item for the continued success of NIFA.

*Legislation:* NIFA is staying actively involved in following and testifying, when appropriate, regarding current legislation, including ARPA bills.

Bond Sale: NIFA will be closing on its latest bond sale the week of February 21, 2022. The markets have been interesting, to say the least, and we feel that our sale went well under the current circumstances. Jeff Gertz will be providing a Board update.

#### **Engagement Opportunities:**

Please mark your calendars for the NIFA Housing Conference, which will be held in hybrid form, on March 28 - 30, 2022.

I look forward to seeing you at the Board meeting, which will be at the Cattlemen's building again (Thank you Galen!).

Respectfully,

Shannon R. Harner

#### **AGENDA ITEM #3c**

#### **Beginning Farmer/Rancher Division Report**

#### **NEW AG LOANS IN-PROCESS:**

- Borrower: Brandon and TylerAnn Zoubek
- Purpose: Purchase of approximately 135.69 acres of farm real estate –
   Saline County, Nebraska
- Purchase price: \$350,000
- NIFA loan/bond amount: \$175,000
- Interest rate through NIFA of 4.50% fixed (Market rate: 5.00% fixed)
- Bondholder: First Bank of Utica Utica, Nebraska
- Borrower: Andrew and Amber Horwart
- Purpose: Purchase of 122 acres of farm real estate Furnas County, Nebraska
- Purchase price: \$329,400
- NIFA loan/bond amount: \$175,065
- Interest rate through NIFA of 3.52% variable (Market rate: 4.69% variable)
- Bondholder: The First Bank of Holdrege Holdrege, Nebraska
- Borrower: Jacob Aschoff
- Purpose: Purchase of approximately 149.65 acres of farm real estate –
   Pierce County, Nebraska
- Purchase price: \$920,347.50
- NIFA loan/bond amount: \$575,400
- Interest rate through NIFA of 4.15% variable (Market rate: 4.75% variable)
- Bondholder: Midwest Bank Plainview, Nebraska

## **HOMEOWNERSHIP PROGRAM REPORT**

Board of Directors Meeting February 18, 2022

YTD 2022 Reservation Activity
As of 2/9/22

# Loan Reservations 171

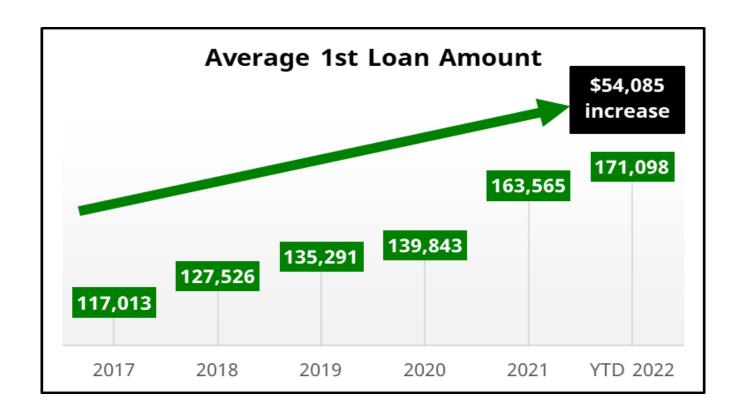
\$ Loan Reservations \$29,257,695

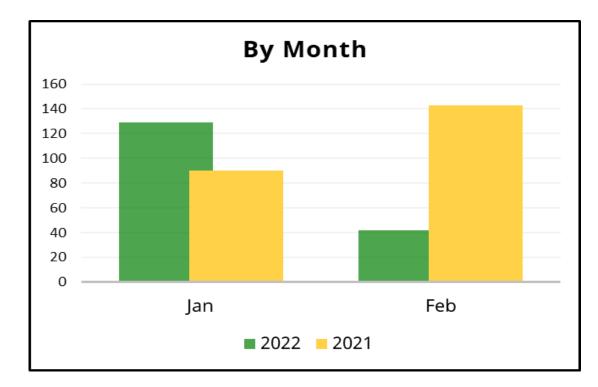
Average 1st Loan Amount \$171,098

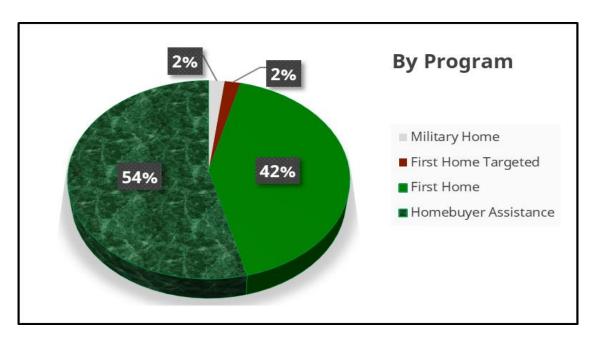
Average 2nd Loan Amount \$8,113

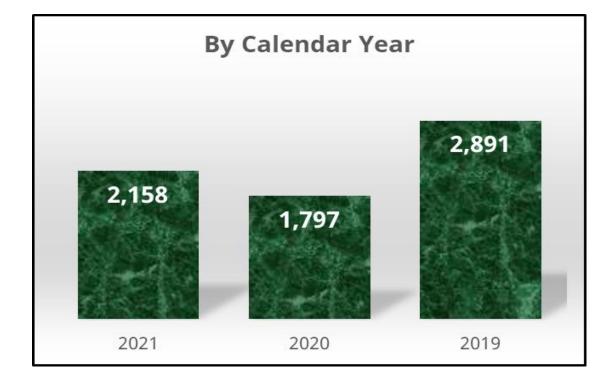
Urban Areas 49%

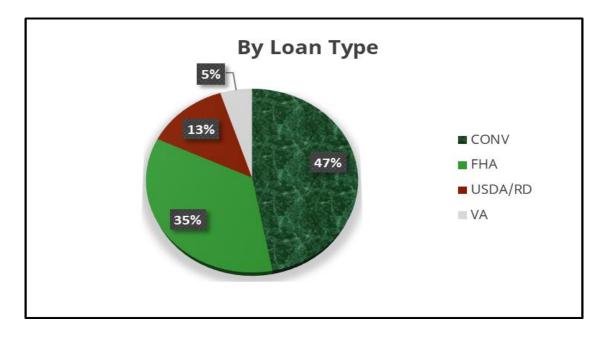
Rural Areas 51%













# NIFA COMMUNITY ENGAGEMENT FEBRUARY 2022 REPORT



## 2022 HOUSING INNOVATION MARKETPLACE CONFERENCE

NIFA's 18th annual Housing Innovation Marketplace conference is approaching fast!

We were unable to host the event in 2020 and 2021 due to the pandemic but 2022 is moving along as scheduled. The 2022 conference will be our first-ever hybrid event, allowing participants to attend in-person or virtually. We will also be adjusting our focus to three key tracks of interest: Homeownership, Rental and Technical Topics.

In addition to the informative conference session, NIFA will host the Lender Workshop and LIHTC Annual Compliance Training. Applications for continuing education credits are underway for Real Estate, Mental Health and Legal education.

## HOMEOWNER ASSISTANCE FUND

The Nebraska Homeowner Assistance Fund (NHAF) was launched on Tuesday, February 1, 2022. This is a collaboration with the State of Nebraska, Nelnet and HotB's CounselorDirect software. NIFA is serving as the Program Administrator to assist eligible homeowners who have been financially impacted by the COVID-19 pandemic. The program will help Nebraska homeowners with assistance in the form of mortgage reinstatement, mortgage payments, past-due property taxes, insurance premiums, and common charges that threaten sustained ownership of property. Homeowners can apply by going to NebraskaHAF.com or calling 844.565.7146.



## EMERGENCY RENTAL ASSISTANCE UPDATE

NIFA continues to collaborate with the State Budget Office and Deloitte to provide the "boots on the ground" approach throughout rural Nebraska. The Community Engagement Team handles 20 - 30 calls and spends 5 - 6 hours collaborating with Deloitte to resolve application issues each week. The State of Nebraska has voluntarily reallocated \$84,700,000 of its original \$158,000,000 to the local Nebraska jurisdictions so they can continue operating their programs through September 2022. This leaves approximately \$40,000,000 for rural Nebraska.



## Nebraska Opportunity Fund

Growing Nebraska communities through affordable housing and agribusiness.



#### Year to Date Expenditures:

#### **Housing Study Grant Program: \$42,860**

- Ashland Area Economic Development Corporation
- inCommon Community Development
- McCook Economic Development Corporation
- Western Nebraska Economic Development

## Outreach Partnership Program Existing Contracts: \$90,000

- Cozad Development Corporation
- Omaha Municipal Land Bank
- Housing Foundation for Sarpy County

## Native American Community Impact Grant – Existing Contract: \$30,000

• Nebraska Urban Indian Health Coalition, Inc.

#### Re-Entry Housing Partnership Grant: \$30,000

• Bridges to Hope

#### Support Resources for any Partner: \$30,000

• Indian Center, Inc. (Technical Assistance Grant)

Statewide Rental Database: \$12,128
Website: housing.ne.gov
Teach Nebraska Trades: \$8,333

Nebraska FFA Foundation: \$25,000

mySidewalk: **\$36,575** 

REACH Training Coalition: \$25,000 First Home Grant Program: \$6,252



#### **Workforce Housing Investments:**

#### **Rural Workforce Housing Match: \$4,970,000**

The Rural Workforce Housing (RWH) Match program was approved by the NIFA Board to provide matching funds to non-profit housing development organizations to develop workforce housing in rural areas of the State in conjunction with the Rural Workforce Housing Fund (RWHF).

The program provided up \$250,000 in matching funds per recipient who also received RWHF from the Nebraska Department of Economic Development. NIFA's RWH Match cannot exceed 33% of the total fund and must be used as revolving loan funds. A portion of the units developed with the fund must also create units that are rented or sold to households that meet NIFA's moderate-rate income limit.

Click here to see the complete list of recipients.

NUW-HOM: \$4,986,667

The NIFA Urban Workforce Housing Match (NUW-HOM) was approved by the NIFA Board to provide matching funds to non-profit housing development organizations to develop owner-occupied housing in specific census tracts in Douglas, Sarpy and Lancaster Counties.

The program provided up to \$1 million in matching funds per recipient who also received Middle-Income Housing Funds from the Nebraska Department of Economic Development. NIFA's NUW-HOM cannot exceed 33% of the total fund and must be used as revolving loan funds. A portion of the units developed with the fund must also create units that are sold to households that meet NIFA's moderate-rate income limit.

Click here to see the complete list of recipients.











AS	OF	2/9/22

		50%	20%	/ <sub>0</sub>	30%	335,115,000
		_	Ag/ IDB/Non S	tatewide Hsg		_
	Housing Carryforward	Statewide Housing	50% Jan-June	50% July-Dec	Governor's Discretionary	GRAND TOTAL
<b>Beginning Allocation</b>	814,307,374.40	167,557,500.00	33,511,500.00	33,511,500.00	100,534,500.00	1,149,422,374.40
<b>Allocations Todate</b>	0.00	0.00	0.00	0.00	0.00	0.00
Ag Allocation not used Conditional Allocations			(5,000,000.00) 0.00			(5,000,000.00) 0.00
Transfers			0.00		0.00	-
<b>Balance Remaining</b>	814,307,374.40	167,557,500.00	28,511,500.00	33,511,500.00	100,534,500.00	1,144,422,374.40

Aş	g/IDB/Non Statewide	Housing-ALLO	CATION DETAIL	L
<u>District</u>	<u>AG</u>	<u>IDB</u>	<u>MF</u>	Total by <u>District</u>
1	0	0	0	0
2	0	0	0	0
3	0	0	0	0
Total by Category	0	0	0	0
Conditional Allocations		0	0	0
Ag Allocation not used	(5,000,000)			(5,000,000)
Total	(5,000,000)	0	0	(5,000,000)

	NIFA Housing-	CARRYFORWA	RD DETAIL	
Originated	2019	2020	2021	
Expires	2022	2023	2024	TOTAL
Beginning Used	221,130,677.40	319,011,497.00	274,165,200.00	814,307,374.40 0.00
Ending	221,130,677.40	319,011,497.00	274,165,200.00	814,307,374.40

Other Issuer	s -CARRYFORWAR	D DETAIL
Originated	2021	
Expires	2024	TOTAL
Beginning	24,000,000	24,000,000
Used	0	0
Ending	24,000,000	24,000,000

2022 Allocation Summary

#### Agenda Item No. 4

Consideration of a Motion to Approve Conditional
Reservations for CRANE in the 2022 Low-Income Housing Tax
Credit (LIHTC) and Affordable Housing Tax Credit (AHTC)
Programs.

#### **Discussion:**

Six (6) applications are currently in the CRANE process for 9% LIHTC and AHTC. One (1) application is under review for entry into the CRANE process.

- Five (5) applications are for developments to be located in metro areas and two (2) are to be located in non-metro areas.
- Three (3) applications, two (2) to be located in metro areas and one (1) to be located in a non-metro area, are included in the recommendation.

NIFA and NDED staff members reviewed the applications. The threshold review and scoring methods followed are in accordance with the 2022/2023 Amended and Restated Qualified Allocation Plan for Low Income Housing Tax Credits and Nebraska Affordable Housing Tax Credits, which was approved December 10, 2021, by the NIFA Board of Directors and approved by Governor Pete Ricketts on December 23, 2021.

#### **Action Required**:

The Board will be asked to make a conditional reservation of tax credits from the CRANE set-aside for CRANE, per the recommendations of the Programs Committee.

#### NIFA Programs Committee Report to the Board of Directors

February 18, 2022

#### **Committee Members:**

Susan Bredthauer Michael Walden-Newman Colten Zamrzla

#### Others Attending:

Shannon Harner Robin Ambroz Sara Tichota Pamela Otto

#### **Meeting Details:**

Friday, February 11, 2022 at 2:00 PM via Video Conference

#### **Summary of Meeting Discussion:**

Review and Recommendation of a Motion to Approve Conditional Reservations for CRANE in the 2022 Low-Income Housing Tax Credit (LIHTC) and Affordable Housing Tax Credit (AHTC) Programs

Sara Tichota presented data regarding the CRANE program applicants and their individual category status. She reviewed the CRANE developments that reached a Category One and are recommended for Conditional Reservations. Discussion regarding the annual LIHTC/AHTC allocation, recommendation methodology, and forward commitments occurred. Susan Bredthauer moved that the Programs Committee recommend to the board, approval of a Motion to Approve Conditional Reservations for CRANE in the 2022 LIHTC and AHTC Programs. Seconded by Colten Zamrzla. Approved unanimously. Absent: Herb Freeman

Recommended for Board Action: Motion to Approve Conditional Reservations for CRANE

## **CRANE APPLICATION LIST**

#### NEBRASKA INVESTMENT FINANCE AUTHORITY LOW INCOME HOUSING TAX CREDIT PROGRAM (updated 2/2/22)

NIFA	PROJECT NAME	APPLICANT				MARKET		PROJECT	PROFIT	FINANCING		ESTIMATED	LIHTC	AHTC	CATEGORY
PROJECT #	& ADDRESS	NAME	COUNTY	UNITS	UNITS	UNITS	BLDGS	TYPE	STATUS	SOURCES		COST	REQUESTED	REQUESTED	DESIGNATION
7-0974	3483 Larimore 2221 North 24 Street Omaha, NE 68110	Omaha Economic Development 2221 North 24th street Omaha, NE 68110 (Annette Atherton: 402.505.6041)	Douglas	45	45	0	1	Rehabilitation Metro Multifamily Seniors	Non-Profit	City CDBG Funds Tax Increment Finacing Historic Tax Credit State Historic Tax Credit	\$	14,422,895	\$ 904,815	\$ 904,815	Category 1
7-0989	Shadow Lake Apartments 72nd & Ponderosa Dr Papillion, NE 68046	Sheltering Tree Inc PO Box 4990 Omaha, NE 68104 (Denise Gehringer: 402.973.0229 (George Achola: 402.930.3090)	Sarpy	48	44	4	2	New Construction Metro Multifamily Developmentally Disabled Disaster	Non-Profit	Deferred Developer Fee Owner Equity	\$	11,573,312	\$ 673,247	\$ 673,247	Category 1
7-1000	The Sandhills Townhomes Lot 1 & 8, Blk 5 & L 4 Blk 3, L 8 Blk 7 Valentine, NE 69201	Hoppe & Son, LLC 5631 S. 48th Street, Suite 220 Lincoln, NE 68516 (Jake Hoppe: 402.489.1600)	Cherry	15	15	0	4	New Construction Non-Metro Row Home Homeless	For Profit	Cash Flow Loan Heartland	\$	3,662,532	\$ 262,270	\$ 262,270	Category 1
7-1014	YES Campus 528 S. 27th Street Omaha, NE 68105	Youth Emergency Services, Inc. 2679 Farnam Street, #205 Omaha, NE 68131 (Mary Fraser Meints: 402.345.5187)	Douglas	40	40	0	1	New Construction Metro Multifamily Special Needs: Homeless or near homeless youth	Non-Profit	Deferred Developer Fee Owner Equity	\$	15,745,231	\$ 660,008	\$ 660,008	Category 1
7-1015	Lofts on Main Street 814 Main Street Plattsmouth, NE 68048	The Historic Plattsmouth Apartments, LLC 4910 Dodge Street Omaha, NE 68132 (Matt Dougherty: 402.884.2870)	Cass	41	32	9	2	New Construction/ Adaptive/Reuse Metro Multifamily Disaster	For Profit	Loan Historic Tax Credit Deferred Developer Fee Owner Equity LB840 SHTC	\$	14,549,360	\$ 648,463	\$ 648,463	Category 1
7-1016	Grand Island Liberty Campus 2300 West Capital Avenue Grand Island, NE 68803-2003	Liberty Campus GI, LLC 10404 Essex Court, Suite 101 Omaha, NE 68114 (Delaney Nelson: 760.271.9123)	Hall	48	48	0	2	Adaptive/Reuse Non-Metro Multifamily Seniors Veterans	For Profit	HOME Funds-\$500,000 Tax Increment Financing Federal Historic Tax Credits State Historic Tax Credits Deffered Developer Fee Donation of Land & Buildings		17,433,784	\$ 800,000	\$ 800,000	Category 2
	Stephen Center														Category 4
				237	224	13	12				<u>¢</u>	77,387,114	\$ 3,948,803	\$ 3,948,803	-
				231	227	13	14				Ψ	77,507,114	Ψ 5,370,003	Ψ 5,370,003	

#### SHADOW LAKE APARTMENTS LIHTC DEVELOPMENT - SHELTERING TREE, INC.

Sheltering Tree, Inc. is a 501(c)(3) organization tackling a big issue-the urgent need for affordable housing for adults with developmental disabilities (DD).

Sheltering Tree is dedicated to serving persons with DD through consumer-controlled, affordable, supportive, and safe apartment communities. This housing model empowers adults with DD to live self-determined lives and to be engaged in their community.

With the experience of seven years of successful operation of two affordable, elaborate housing developments, Sheltering Tree is equipped with an effective and sustainable model set for future developments.

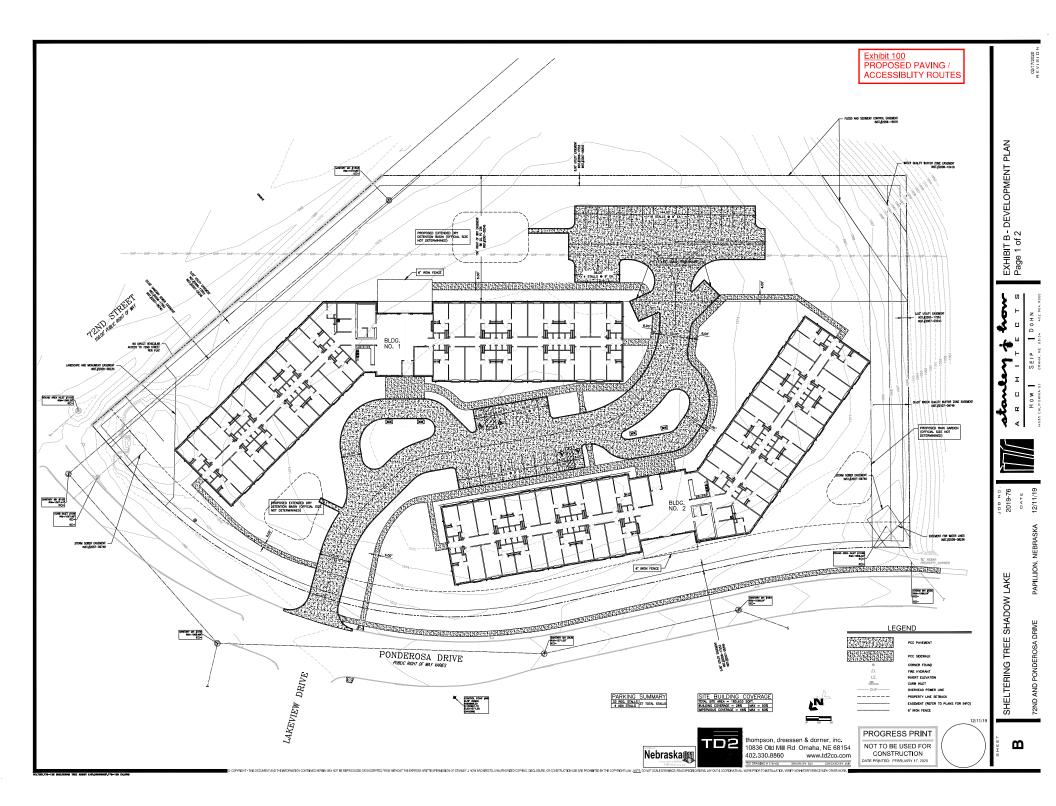
Sheltering Tree currently has a waiting list of 150+ prospective residents, and a population of more than 25,000 adults with DD living in Nebraska. Sheltering Tree apartment living includes 24/7 Resident Assistant monitored safety and security.

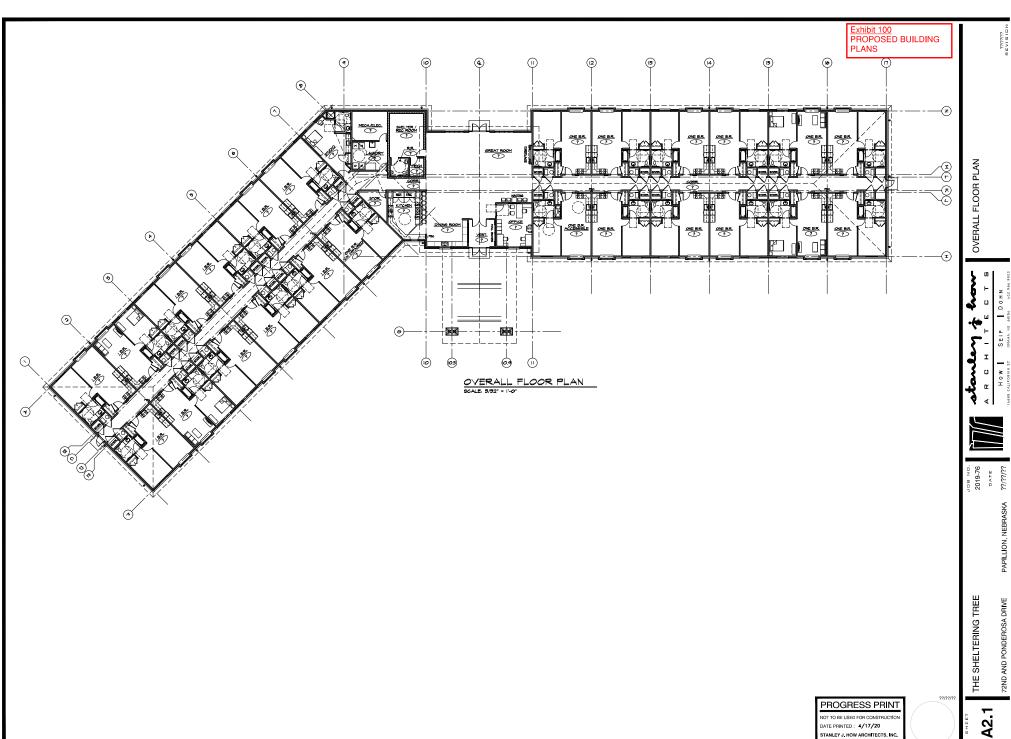
To assist both future and current residents with DD in realizing long-term apartments living success, Sheltering Tree offers a community-centered program appropriately called GOALS. GOALS-Growth Opportunities for Apartment Living Success offers classes designed to teach or expand skills in fun, interactive classes taught by certified trainers using evidence based and nationally recognized curriculum. Six key topics are taught over the course of a year: (1) Nebraska Rent Wise-How to be a Successful Tenant; (2) Money Management – Real World Budgeting; (3) Personal Health and Wellness; (4) First Aid/CPR; (5) Be Safe – Properly Interacting with First Responders; and (6) People Skills – Social Success.

Our next project, located in Sarpy County is Shadow Lake Apartments and will involve two single-story buildings of approximately 22,000 square feet in each. Located at 72<sup>nd</sup> and Ponderosa Drive, Papillion, NE, each of the two buildings will consist of twenty-two one-bedroom units approximately 664 square feet of affordable housing for adults with DD and two manager units. The project has a total of 48 units. The residents will have access to a commons area consisting of an entrance lobby, a gathering room, dining room, catering kitchen, storm shelter, mechanical room, laundry room, and wellness center. There will also be a paved and lighted parking lot with drive-up area located under each entrance canopy, therapeutic outdoor gardening spots, and a recreational basketball hoop area.

The property for the Papillion Sheltering Tree Apartments is located near a "town center" where access to grocery stores, employment opportunities, and entertainment are within walking distance. This is an important consideration as many adults with DD are not able to drive. This area was prioritized as our next build in part due to the preferences indicated by interested prospective residents on our growing waiting list.







#### LOFTS ON MAIN STREET

#### **EXHIBIT 1 THE PLAN:**

After the initial settlement of Plattsmouth and its rise to prominence as an important economic and transportation hub, the city's population remained relatively stable between 1900 and 1950, with around 4,000 inhabitants. There was also a great deal of construction during this time, which includes the Historic Plattsmouth High School. During this period, a large German and Czech Population began to migrate here between 1880 and 1920. There was a need to create a separate school for the middle school and high school children.

In 1919, The Historic Plattsmouth High School was built. The almost 40,000 sq. ft. school was designed to overlook the town along Main Street. The building was used from 1919 to 1985 where it has since moved to its current location to the west.

This former High School building will be renovated to house 25 units from one bedrooms to two bedroom apartments with some units having lofts. Behind this building to the northwest, one new 24,620 sq. ft. structures will be built to house 16 additional units. These additional units will be all three bedrooms. Both buildings will offer the tenants many amenities but most of all spectacular views of the river valley.

The Lofts on Main Street will serve individuals and families including those devastated by the recent floods. The rents will serve between 30%-60% AMI's. With the construction of the Highway 34 Bridge into Iowa, we believe this will open a population of folks that have lost their housing in areas near the river including but not limited to Tabor, Pacific Junction and Bartlett.

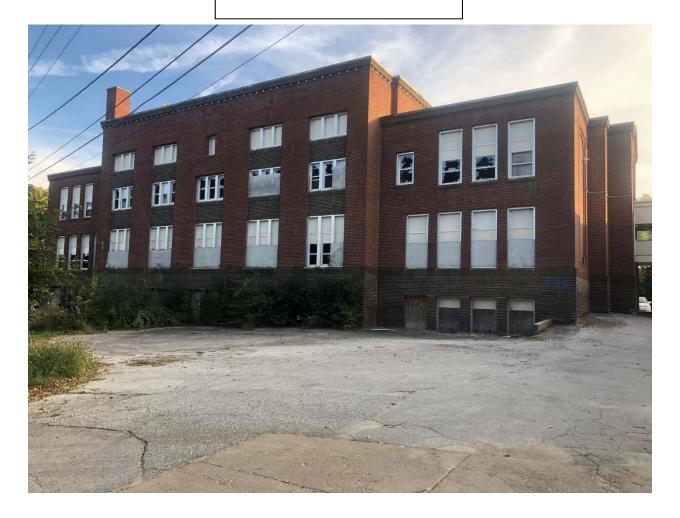
Last year Vireo Resources announced a \$50 million expansion that will create up to 300 new jobs for an creation of a new anti-coronavirus product. This housing will be crucial to the success of the new plant efforts to fight and end coronavirus.

The building offers many amenities from playground for the children to storage for those that need to move from a home to an apartment lifestyle. Its proximity to downtown Plattsmouth will offer residents with access to, medical services and many retail shops. It will offer highly efficient unit utilities with the use of LED lighting and high efficiency furnaces and air conditioners. Tenants will be supplied with washer and dryers. Each unit will be provided a storage unit. The building will offer a community room with kitchen and bathrooms. The building will be secured with an entry code system and cameras.

This City of Plattsmouth deems this project as a priority for the community and supports the proposed use and will also be supporting it financially. The opportunity to repurpose this former school building and land into a viable project has backing of a development team with over 50 years of experience.

## LOFTS ON MAIN STREET PLATTSMOUTH, NE

Northside of school



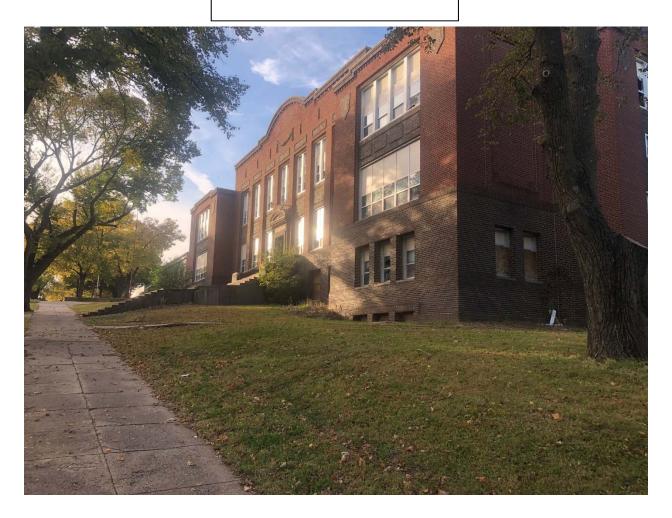
## LOFTS ON MAIN STREET PLATTSMOUTH, NE

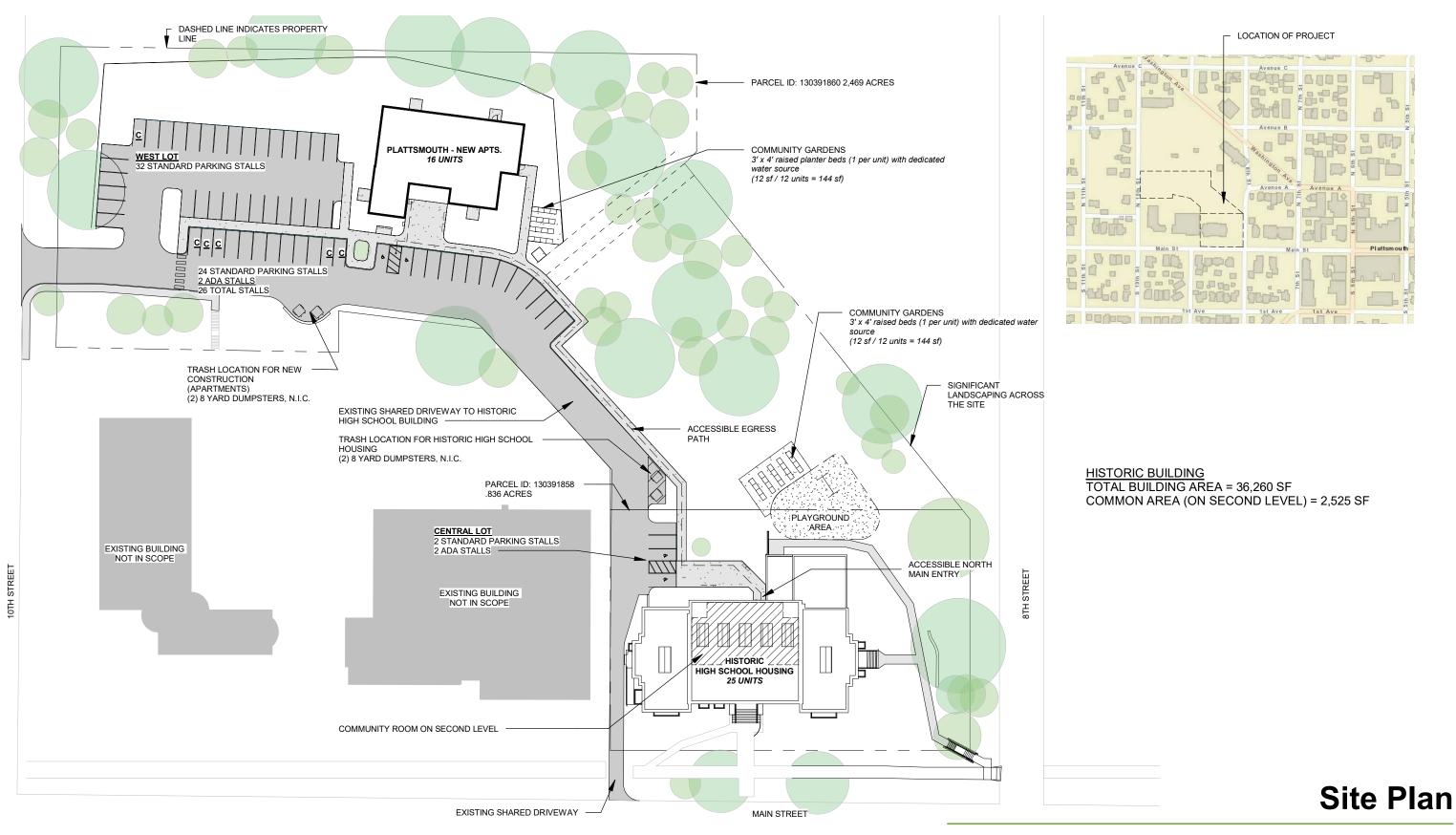
Eastside of school



## LOFTS ON MAIN STREET PLATTSMOUTH, NE

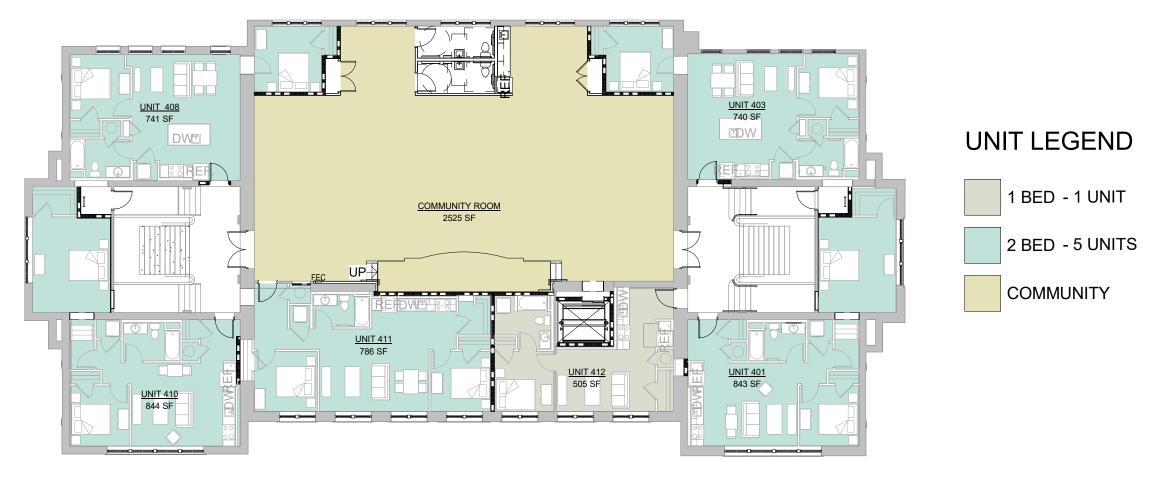
Southside of school







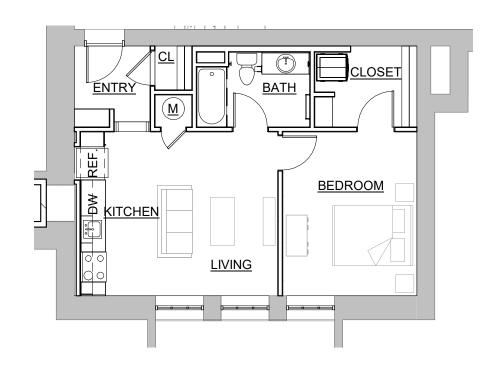
THE HISTORIC PLATTSMOUTH APARTMENTS, LLC
PLATTSMOUTH - NEW APARTMENTS
NIFA Submittal 2021.09.22

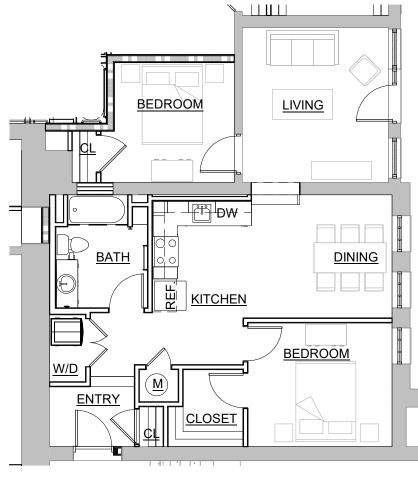


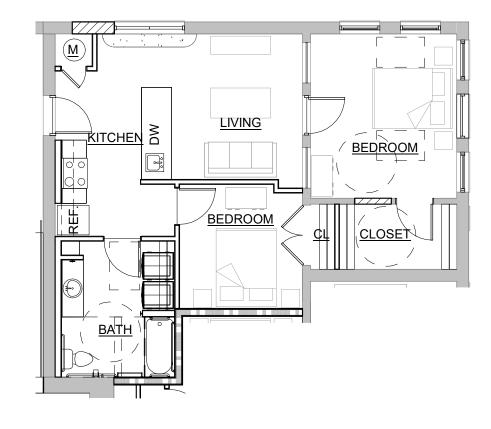
# N 04 SECOND FLOOR SCALE (11x17): 1/16" = 1'-0" SCALE (8.5x11): 1/32" = 1'-0"

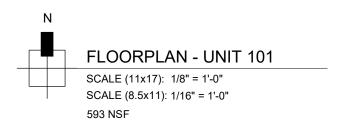
## Floorplan - Historic School Apts

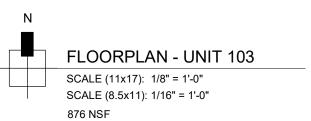
THE HISTORIC PLATTSMOUTH APARTMENTS, LLC PLATTSMOUTH HISTORIC HIGH SCHOOL HOUSING NIFA Submittal 2021.09.22

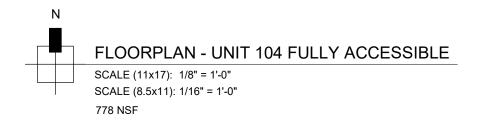












## **Unit Plans - Historic School Apts**

THE HISTORIC PLATTSMOUTH APARTMENTS, LLC PLATTSMOUTH HISTORIC HIGH SCHOOL HOUSING NIFA Submittal 2021.09.22

#### Sandhills Townhomes

#### **EXHIBIT 1**

#### **Summary of Proposed Development**

The Sandhills Townhomes is a proposed 15-unit rental housing project located in Valentine, Nebraska. The units will utilize existing in-fill residential lots located in the northeast corner of Valentine on East 9<sup>th</sup> Street, East 10<sup>th</sup> Street and Moon Street. The location is of residential character, and is located close to the hospital, the high school and elementary school, and local parks.

The Sandhills Townhomes is applying thru the CRANE Program. The project will hold a minimum of 5 units (30% of the total units) for NCAP referrals to serve households at risk of homelessness. Upon a vacancy, or at any point in which NCAP is serving fewer than 5 households in the project, NCAP's Valentine Services team will fill the vacant unit. NCAP will screen project residents based on their need for homelessness support. If it is determined that a housing solution and case management will result in more housing stability for the consumer they will receive an explanation of the support services available. If they choose to accept the housing services, a referral will be made to the management of the project, who will perform customary tenant screening.

NCAP will additionally be extending services to all residents of the development, such that the project will provide 5 or more supportive services to all tenants.

#### Collaboration with City of Valentine

The developer has worked in collaboration with the City of Valentine to secure the financing relationship with Heartland Public Power (HPP), such that HPP's loan can be considered to represent 10% community-based financial support.

#### **Buildings & Building Amenities**

The project consists of 3 bedroom rowhomes in two different styles. There are 9 2-story rowhomes, consisting of 1,388 sqft of residential living space, and 6 ranch-style rowhomes consisting of between approximately 1,015 and 1,039 sqft of residential living space. All units will include an attached garage, garage door opener, storage area, washer, dryer, range, and microwave. Lawn care, snow removal, and trash will be provided and paid for by the project. Each unit will include an individual raised planter box in the backyard with a watering system that is managed by the tenant, and paid for by the project.

#### Zoning & Land Use

The area is zoned appropriately for residential townhomes, so no zoning action is required to accomplish the project. All infrastructure for the intended use is in place. The townhomes are accessed from 9<sup>th</sup> Street, 10<sup>th</sup> Street, and Moon Street, all of which are paved residential streets. See attached location map.

#### Rents & Eligibility

Gross rents for all units will be at \$774 (<60% AMI)

#### Sources & Uses of Funds

The total project will cost approximately \$3,662,532, which we plan to fund by LIHTC equity, Nebraska Affordable Housing Tax Credits, and \$400,000 from a loan from Heartland Public Power, which will be a cashflow loan payable from available cash in the project.

#### **Development & Project Team**

Hoppe & Son, LLC of Lincoln, Nebraska will be the LIHTC applicant and developer of the project, and will be the managing member of The Sandhills Townhomes, LP. Prime Sites will be the management agent for the project. We anticipate Midwest Housing Equity group will provide the tax credit equity.

# THE SANDHILLS TOWNHOMES HOPPE HOMES LP

VALENTINE, NE



## SHEET INDEX

SHEET	NAME				
GENERAL					
G000	COVER SHEET				
ARCHITECTU	DAI				
	SITE PLAN				
A001					
A100	FLOOR PLAN - 4-PLEX - BLK 5 LOT 8				
A101	FLOOR PLAN - 4 PLEX - BLK 5 LOT 1				
A102	FLOOR PLAN - 3-PLEX - BLK 7 LOT 8				
A103	FLOOR PLAN - 4-PLEX - BLK 3 LOT 4				
A104	ROOF PLANS				
A110	ENLARGED PLANS				
A200	4-PLEX ELEVATIONS				
A201	4-PLEX ELEVATIONS				
A202	3-PLEX ELEVATIONS				





CITY THIRD ADDITION Pt. SE 1/4, SECTION 30, T34N, R27W of the 6th P.M. VALENTINE, CHERRY COUNTY, NEBRASKA /ES

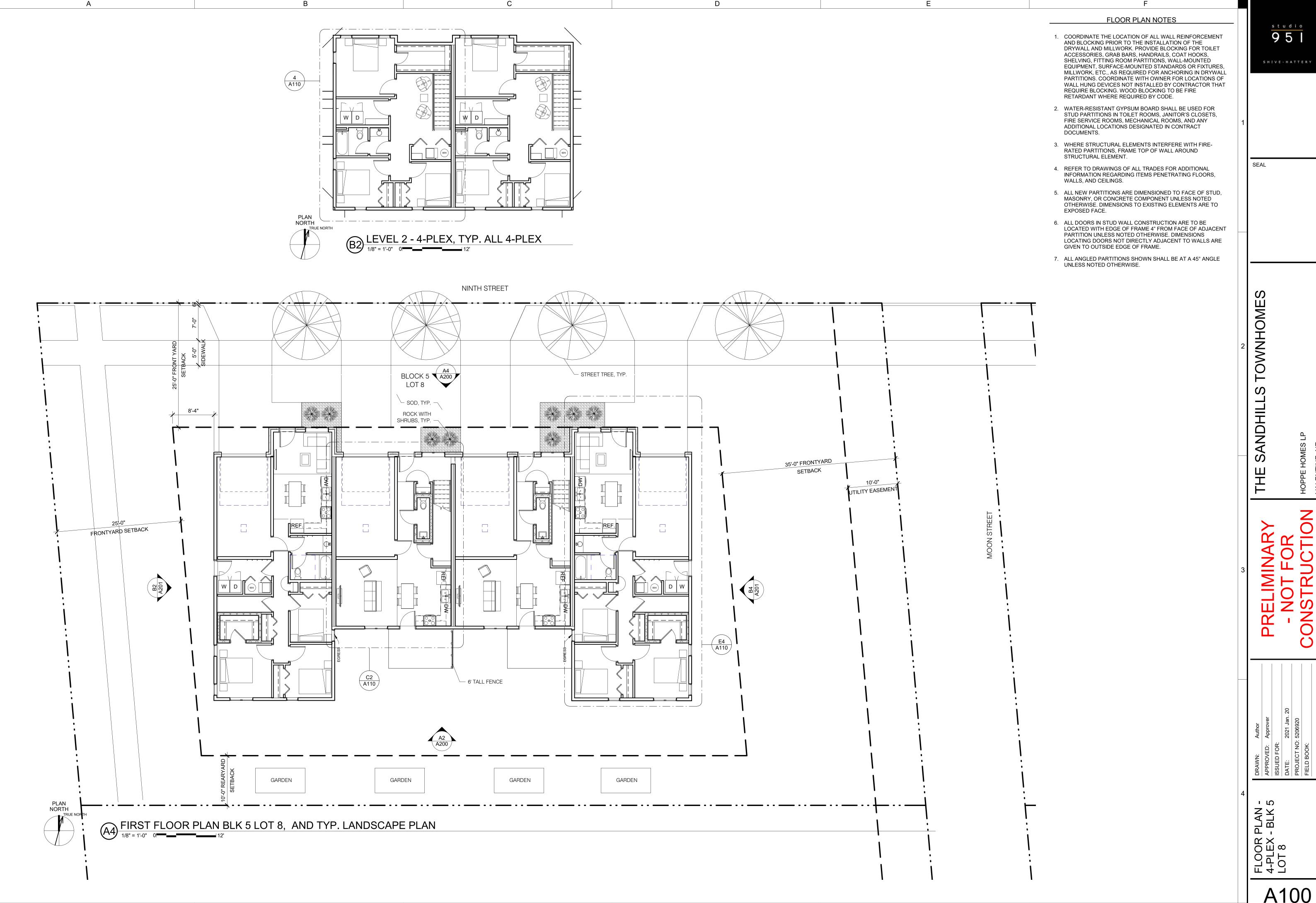
9 5 I

HOPPE HOPPE

PRELIMINAR - NOT FOR CONSTRUCTIO

> 2021 Jan. 20 PROJECT NO: 5206920

G000



# Governance Committee Report to the Board of Directors

February 18, 2022

#### **Committee Members:**

George Achola Warren Arganbright Herb Freeman Galen Frenzen

#### Others Attending:

Shannon Harner Robin Ambroz Christie Weston Patti Peterson

#### **Meeting Details:**

Tuesday, February 1 at 2:00 PM via Video Conference

#### **Summary of Meeting Discussion:**

#### Review of Nebraska Opportunity Fund (NOF) Report

Staff presented the quarterly NOF report, including year to date expenditures, specific entities that received grants, match requirements, and data collected by NIFA to measure impact. The committee discussed the use of housing studies within the HSG program to inform and complement the statewide housing assessment. Also discussed was the status of the original \$30 million commitment of NOF, which currently has an uncommitted balance of \$10.7 million.

#### **Budget Report and Reforecast**

The committee reviewed the YTD budget comparison report and the results of staff's analysis and reforecast for the remainder of the fiscal year. Suggested budget adjustments *increase* operating revenue (related to HAF administration) by \$37,500, *decrease* operating expenses by \$113,500, and result in a *reduction* of the allocation from operating reserves of \$151,000. On the NOF side, the adjustments *decrease* NOF expenditures (and the corresponding allocation from NOF) by \$25,000. The committee voted to support approval of the reforecasted budget by the Board. The committee's recommendation with respect to the budget revisions will be presented at the Board meeting on February 18.

Also discussed was the budgeted use of operating reserves to fund current operations as a concern of the committee. Shannon reviewed the areas in which NIFA is considering new revenue sources to move toward fully self-funded operations, and how administration of the recently launched HAF program will impact NIFA's revenues.

#### **Executive Director Compensation**

After clarification regarding standard NIFA policies on cost of living adjustments (COLA), with respect to the Executive Director's compensation the committee:

- confirmed the bonus percentage approved by the Board in January
- clarified the amount of base salary as of 12/31/21 to which the bonus % applies
- proposed that the bonus be paid currently (instead of July 1, 2022 as approved)
- decided that COLA adjustments would be made pursuant to NIFA's standard compensation policy and not separately determined by the Board

The committee's recommendation with respect to the above will be presented at the Board meeting on February 18.

#### 2022 Board Meeting Locations

It was proposed that each year 1 NIFA board meeting be held in the third district, and 1 to 2 meetings be held in Omaha. Valentine was proposed as the third district location for 2022. An updated board calendar will be presented for the Board's consideration.

#### FY 2022 Budget Adjustments (12/31/21)

#### **Increase (Decrease) in Budget**

\$37,500 Revenue

+ HAF Program administration revenue to cover costs

(\$146,000) Personnel

- Internal promotion for Data Analyst position instead of hiring
- Retirement of COO 12/31/21
- Hiring of HAF Program Manager in November
- + Hiring of Chief Information & Technology Officer effective 3/1/22
- Delay in hiring for the risk management position (anticipated 3/1/22)
- Postponing the hiring of an additional compliance specialist

Office Operations (\$56,500)

- + Adjustment for 22% increase in S&P annual ICR fee vs. 3% budgeted
- + Addition of membership in Welcome Home
- Digital ad spend lower than projected
- Savings on internet service from Omaha office close
- Transfer travel budget to professional services for site inspections

**Professional Services** \$94,000

- + Add statewide housing assessment contract
- Add statewide housing strategy consultant
- + Engage CRMO search consultant
- Savings on BDO technology assessment
- Documentation work to be done internally vs by BDO
- + Engage Zeffert to perform site inspections (originally budgeted as staff travel)
- Lower than projected legal fees for the year

#### Information Technology

no adjustments

- Increase related to SEIM vendor replacement
- Technology investments on hold for onboarding of technology officer

Office (\$5,000)

- Termination of Omaha lease resulting in savings
- Costs associated with moving furniture & disposal of excess

NOF (\$25,000)

No plan to fund a Landlord Mitigation grant this year

#### FY 2022 Operating Fund Budget

(bracketed amounts = revenue; unbracketed = expense)	Original	7/1/21 - 12/31/21			Budget	
	Budget	YTD	YTD	Budget	Budget	Reforecast
	6/30/2022	Budget	Actual	vs. Actual	Adjustments	6/30/2022
Operating Revenue:						
Loans	(533,000)	(266,500)	(120,031)	(146,469)	0	(533,000)
Investments	(92,000)	(46,000)	(10,390)	(35,610)	0	(92,000)
Fees and Other Income	(1,955,559)	(977,780)	(495,520)	(482,260)	0	(1,955,559)
Single Family Op Fees	(1,600,000)	(800,000)	(655,092)	(144,908)	0	(1,600,000)
HAF Program Administration	0	0	0	0	(37,500)	(37,500)
Allocation from Operating Reserves	(2,376,431)	(1,188,216)	(1,511,996)	323,781	151,000	(2,225,431)
Total Operating Revenue	(6,556,990)	(3,278,495)	(2,793,029)	(485,466)	113,500	(6,443,490)
Operating Expenses:						
Personnel	3,985,995	1,992,998	1,663,573	329,425	(146,000)	3,839,995
Office Operations	556,938	278,469	218,357	60,112	(56 <i>,</i> 500)	500,438
Professional Fees	1,154,900	577,450	510,346	67,104	94,000	1,248,900
Information Technology	640,705	320,353	278,946	41,407	0	640,705
Rent	210,952	105,476	118,807	(13,331)	(5,000)	205,952
MBS/Warehouse Fees	7,500	3,750	3,000	750	0	7,500
Total Operating Expenses	6,556,990	3,278,495	2,793,029	485,466	(113,500)	6,443,490
Net Operating Income	0	0	0	0	0	0
Mission & Non-Recurring Expenses	700 500	265.250	222.647	26.622	(25.000)	705 500
NOF-Expenditures	730,500	365,250	328,647	36,603	(25,000)	705,500
NOF-Investments	230,000	115,000	0	115,000	0	230,000
Total Mission & Non-Recurring Expenses	960,500	480,250	328,647	151,603	(25,000)	935,500
Allocation from NOE Design to defend	(000 500)	(400.250)	(220.647)	(454,600)	25.000	(025 500)
Allocation from NOF Designated Funds	(960,500)	(480,250)	(328,647)	(151,603)	25,000	(935,500)
Net Income	0	0	0	0	0	0

#### **NIFA Board of Directors Meeting**

#### **February 18, 2022**

#### Agenda Item #6:

Clarification of the Motion Adopted on January 18, 2022, with Respect to the Executive Director's Compensation and Approval to Amend the Executive Director's Employment Agreement in Connection Therewith

#### **BACKGROUND:**

At its meeting on January 18, 2022, the Board approved a 3% COLA increase and a 7.8% bonus to be paid to the Executive Director, each effective July 1, 2022. After further discussion with NIFA staff, the Governance Committee was advised that procedures with respect to COLA increases in NIFA employee salaries are based upon a determination of COLA each year by the Executive Director and then become effective on January 1 of the following year. With respect to the Executive Director, a COLA increase of 1.5% (which was the COLA percentage increase for all staff entitled to a COLA increase) became effective on January 1, 2021. The COLA increase for NIFA staff for 2022 was 3.0% and was effective for staff on January 1, 2022. In discussion with the Governance Committee, it was suggested that COLA increases for the Executive Director continue to be treated in the same fashion as that for the NIFA staff (and that specific Board approval of COLA need not be obtained) and that the Executive Director's Employment Agreement be amended to clearly provide accordingly. Additionally, the Governance Committee further discussed that since the 7.8% bonus awarded to the Executive Director was based upon prior performance, such bonus should be paid to the Executive Director at this time (rather than on July 1, 2022).

#### **RECOMMENDED ACTION - Approval of the following Motion:**

Motion to clarify that (i) the Executive Director shall have been entitled to the 1.5% COLA increase for NIFA staff made effective January 1, 2021 (and paid to the Executive Director during 2021); (ii) that the Executive Director shall be entitled to such additional COLA increases as are effective for NIFA staff (including the 3.0% COLA increase for 2022, effective January 1, 2022); (iii) that the Chair and the Executive Director shall amend the Executive Director's Employment Agreement to accomplish the foregoing and (iv) that the 7.8% bonus (based on the salary amount as of December 31, 2021) authorized by the Motion adopted on January 18, 2022 shall be paid to the Executive Director at this time.

#### **NIFA Board of Directors Meeting**

#### February 18, 2022

#### Agenda Item #7:

Consideration of a Motion to Approve Board Resolution No. 462 Amending and Restating the Nebraska Investment Finance Authority Health Reimbursement Arrangement

#### **BACKGROUND:**

The Nebraska Investment Finance Authority Health Reimbursement Arrangement (the "Plan") allows eligible NIFA employees to receive reimbursements for certain medical expenses. An employee enrolled in the high deductible health plan ("HDHP") that NIFA sponsors must satisfy the annual statutory minimum deductible for the HDHP before the employee may receive medical expense reimbursements from the Plan. The Plan is intended to be a medical reimbursement plan (as defined in Sections 105 and 106 of the Internal Revenue Code of 1986, as amended (the "Code")) and a post-deductible health reimbursement arrangement ("HRA") as described in Notices 2002-45 and 2004-45 published by the Internal Revenue Service.

Treasury Regulations set forth methods for an HRA to be integrated with a group health plan, such as the HDHP, for certain purposes under the Patient Protection and Affordable Care Act. The amended and restated Plan incorporates those provisions and makes related conforming changes. The amended and restated Plan also revises various provisions to reflect the procedures followed by NIFA in connection with the implementation and administration of the Plan.

The attached Board Resolution authorizes the Executive Director to execute the amended and restated Plan.

#### **RECOMMENDED ACTION:**

Adoption of Board Resolution No. 462

#### **BOARD RESOLUTION NO. 462**

## RESOLUTION TO ADOPT AMENDED AND RESTATED HEALTH REIMBURSEMENT ARRANGEMENT

Be it resolved by the Nebraska Investment Finance Authority as follows:

- 1. The Nebraska Investment Finance Authority Health Reimbursement Arrangement (the "Plan") is amended and restated in the form presented with this Board Resolution; and
- 2. The Executive Director is hereby authorized to execute the amended and restated Plan and take such further action as may be necessary or appropriate to effectuate the provisions thereof.

Passed and approved this 18th day of February, 2022.

NEBRASKA INVESTMENT FINANCE AUTHORITY
Executive Director