

City of Albany Industrial Development Agency

21 Lodge Street
Albany, New York 12207
Telephone: (518) 434-2532
Fax: (518) 434-9846

Tracy Metzger, *Chair*
Susan Pedo, *Vice Chair*
Darius Shahinfar, *Treasurer*
Lee Eck, *Secretary*
Dominick Calsolaro
Robert Schofield
Jahkeen Hoke

Sarah Reginelli, *Chief Executive Officer*
Mark Opalka, *Chief Financial Officer*
Marisa Francini, *Agency Counsel*

To: Tracy Metzger
Darius Shahinfar
Susan Pedo
Robert Schofield
Lee Eck
Dominick Calsolaro
Jahkeen Hoke

CC: Sarah Reginelli
William Kelly
Joe Scott
Mark Opalka
Andy Corcione
Virginia Rawlins
Tammie Fanfa

Date: April 10, 2020

IDA REGULAR MEETING AGENDA

A Regular Meeting of the City of Albany Industrial Development Agency Board of Directors will be held on **Wednesday, April 15th, 2020 at 12:15 pm** at 21 Lodge Street, Albany, NY 12207 (Large Conf. Room)

Roll Call, Reading & Approval of the Minutes of the Board Meeting of March 19, 2020

Report of Chief Financial Officer

- Financial Report

Unfinished Business

New Business

Other Business

- A. Agency Update
 - COVID – 19 Response
- B. Compliance Update
 - Dilek, LLC – Resolution Authorizing Termination of Documents

Adjournment

The next regularly scheduled Board Meeting will be held **Thursday, May 21, 2020** at 21 Lodge Street, Albany, NY.
Please check the website www.albanyida.com for updated meeting information.

City of Albany Industrial Development Agency

21 Lodge Street
Albany, New York 12207
Telephone: (518) 434-2532
Fax: (518) 434-9846

Tracy Metzger, *Chair*
Susan Pedo, *Vice Chair*
Darius Shahinfar, *Treasurer*
Lee Eck, *Secretary*
Dominick Calsolaro
Robert Schofield
Jahkeen Hoke

Sarah Reginelli, *Chief Executive Officer*
Mark Opalka, *Chief Financial Officer*
Marisa Franchini, *Agency Counsel*

IDA MINUTES OF THE REGULAR BOARD MEETING

March 19, 2020 at 12:15 p.m.

Attending: Lee Eck, Tracy Metzger, Susan Pedo, Robert Schofield, Dominick Calsolaro, Jahkeen Hoke, and Darius Shahinfar

Absent: None

Public Present: Henry Nahal, Yusef Dincer, Ariel Hai, Ramiz Turan, Philip Wexler, Rob Gach, Stephanie Valle, Eric Shonfeld and David Hansen

Also Present: Sarah Reginelli, Amy Lavine, Joe Scott, Andy Corcione, Mark Opalka, Virginia Rawlins, Mike Bohne, Ashley Mohl, and Tammie Fanfa

Chair Tracy Metzger called the Regular Meeting of the IDA to order at 12:22 p.m.

Roll Call, Reading and Approval of Minutes of the February 20, 2020 Board Meeting

Chair Metzger conducted a roll call of Board members establishing that all members were present with the exception of Darius Shahinfar. Since the minutes of the previous meeting had been distributed to Board members in advance for review, Chair Metzger made a proposal to dispense with the reading of the minutes and to approve the minutes of the regular Board meeting of February 20, 2020 as presented. A motion to accept the minutes, as presented, was made by Robert Schofield and seconded by Susan Pedo. A vote being taken, Darius Shahinfar abstained from the vote having been absent at the previous meeting, the motion passed with all other members voting aye.

Unfinished Business

None

New Business

West Mall Office Center, LLC (4 Central Ave)

Staff and counsel reviewed the administrative request at hand involving an ownership change in the project. A motion to approve the Resolution Consenting to Change in Membership Interest was made by Darius Shahinfar and seconded by Dominick Calsolaro. A vote being taken, the resolution passed with all members voting aye.

Staff and counsel reviewed the administrative request at hand authorizing the release of certain parcels of the project as it has to do with West Mall Center, LLC as it relates to a change in ownership. A motion to approve the Resolution Authorizing Release of Certain Parcels was made by Darius Shahinfar and seconded by Dominick Calsolaro. A vote being taken, the motion passed with all members voting aye.

Annual Reporting

Staff informed the Board that the Audit Committee met with Teal, Becker and Chiaramonte to review the draft 2019 audited financial statements, in detail. Susan Pedo, Chair of the Audit Committee, provided a summary of the meeting and the audit, which received an unqualified opinion. A motion to accept the *draft 2019 Audited Financial statements* was made by Susan Pedo and seconded by Lee Eck. A vote being taken, the motion passed unanimously.

Staff reviewed the 2019 draft *Annual Report* to the Public Authorities Reporting Information System (PARIS) with Board Members noting that the full report had been distributed to the Board and public prior to the meeting for their review. Staff reviewed the few projects that still needed to submit compliance forms, however; staff reported that they were in active talks with all projects and were confident they could submit the annual reports through PARIS by the March 31st deadline. Staff reported on their line-by-line review to the Audit Committee of all active projects. Members of the Audit Committee discussed their review of the job creation/retention reports of active projects with specific review of any project under-performing. The Board noted that overall there was a net positive creation of jobs reported over what had been projected. A motion to accept the draft 2019 Annual Report with any necessary final revisions was made by Susan Pedo and seconded by Darius Shahinfar. A vote being taken, the motion passed unanimously.

Staff individually reviewed the *Draft 2019 Procurement Report, Draft 2019 Investment Report, and Draft 2019 Mission Statement & Performance Measures* with the Board. A motion to accept the *Draft 2019 Annual Report, Draft 2019 Procurement Report, Draft 2019 Investment Report, and Draft 2019 Mission Statement & Performance Measures* for the PARIS report pending any final revisions, was made by Susan Pedo and seconded Darius Shahinfar. A vote being taken, the motion passed unanimously.

Other Business

Agency Update

Staff made the request that projects 705 Broadway Residential One, LLC and 1385 Washington Ave Associates, LLC move forward with the request to receive quotes for professional services for third party application review. The Board provided consensus that staff move forward to engage potential consultants from the list previously approved by the Board.

Compliance Update

Staff informed the Board that the office is adhering to the COVID-19 guidelines, staff has been reduced for no more than 25% onsite. Staff also advised the Board that we are still in ABO compliance with live streaming the IDA Meetings.

Representatives of DILEK, LLC in attendance discussed the project's background, current operations of the project and the leasing status of the commercial space. Staff clarified previous commitments made by the Project Beneficiary, and noted the Agency had been working with the Project Beneficiary for a considerable amount of time to encourage and accommodate the lease-up of the space. Staff noted the measures the Agency had taken to date toward a potential termination of project assistance due to the lack of jobs created on site and failure to meet project goals. Representatives from the project gave a history of their perceived challenges and efforts to lease the commercial space. Project representatives stated they had a letter of intent dated 3.15.20 from a prospective commercial tenant. The Board discussed the particulars of the letter of intent with the Project Beneficiary. The Board indicated that without a signed lease within the next month, they would move forward to consider formal termination.

Report of Chief Financial Officer

Monthly Financial Report

Staff reviewed the financial report that was provided in advance for review.

A motion to go into Executive Session was made by Darius Shahinfar and seconded by Lee Eck, the motion was approved unanimously. The basis for going into Executive Session was for discussions regarding proposed, pending or current litigation and seek advice of Counsel. The Board entered into Executive Session at 1:27 p.m., and Staff and Counsel remained in the Zoom meeting. A motion to exit Executive Session was made by Darius Shahinfar and seconded by Lee Eck, the motion was approved unanimously. The Board left Executive Session at 1:50 p.m. and returned to its regular session. No action was taken during the Executive Session.

There being no further business, Chair Metzger adjourned the meeting at 1:51 p.m.

Respectfully submitted,

Lee Eck, Secretary

City of Albany IDA
2020 Monthly Cash Position
March 2020

	<i>Actual</i>			<i>Projected</i>									
	January	February	March	April	May	June	July	August	September	October	November	December	YTD Total
Beginning Balance	\$ 3,361,084	\$ 3,386,228	\$ 3,618,874	\$ 3,527,576	\$ 3,497,836	\$ 3,852,248	\$ 3,885,098	\$ 3,846,201	\$ 3,807,275	\$ 3,687,070	\$ 3,648,025	\$ 3,608,950	\$ 3,361,084
Revenue													
Fee Revenue													
Application Fee	\$ -	\$ 1,500	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000
Agency Fee	68,474	130,045	-	122,611	397,800	152,075	-	-	-	-	-	-	\$ 871,005
Administrative Fee	-	-	-	-	-	-	-	-	-	-	-	-	-
Modification Fee	500	1,000	-	-	-	-	-	-	-	-	-	-	1,500
Subtotal - Fee Revenue	\$ 68,974	\$ 132,545	\$ 1,500	\$ 122,611	\$ 397,800	\$ 152,075	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 875,505
Other Revenue													
Project Benefit Agreement	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000
9% LIHTC Fee	10,000	-	10,000	-	-	-	-	-	-	-	-	-	20,000
Interest Income	2,529	2,457	2,644	2,571	2,548	2,814	2,839	2,810	2,780	2,690	2,661	2,632	31,975
CRC	-	-	-	-	-	-	-	-	-	-	-	-	-
NYS BIC	-	-	-	-	-	-	-	-	-	-	-	-	-
Misc	-	-	-	-	-	946	-	-	-	-	-	-	946
Subtotal - Other Revenue	\$ 12,529	\$ 102,457	\$ 12,644	\$ 2,571	\$ 2,548	\$ 3,760	\$ 2,839	\$ 2,810	\$ 2,780	\$ 2,690	\$ 2,661	\$ 2,632	\$ 152,921
Total - Revenue	\$ 81,503	\$ 235,002	\$ 14,144	\$ 125,182	\$ 400,348	\$ 155,835	\$ 2,839	\$ 2,810	\$ 2,780	\$ 2,690	\$ 2,661	\$ 2,632	\$ 1,028,425
Expenditures													
Management Contract	\$ -	-	\$ 82,371	\$ 82,372	\$ 41,186	\$ 41,185	\$ 41,186	\$ 41,186	\$ 41,185	\$ 41,186	\$ 41,186	\$ 41,186	\$ 494,229
Consulting Fees	13,999	-	3,799	-	-	-	-	-	-	-	-	-	\$ 17,798
Strategic Activities	-	-	-	-	-	-	-	-	-	-	-	-	200,000
Website Maintance	-	-	-	5,000	-	-	-	-	-	-	-	5,000	10,000
Audits	-	-	-	4,500	2,500	-	-	-	-	-	-	-	7,000
Agency Counsel	42,000	-	-	-	-	-	-	-	-	-	-	-	42,000
ED Support	-	-	-	62,500	-	62,500	-	-	62,500	-	-	62,500	250,000
Sub-lease AHCC	-	-	18,321	-	-	18,750	-	-	18,750	-	-	18,750	74,571
NYS BIC	-	-	-	-	-	-	-	-	-	-	-	-	-
D & O Insurance	-	-	-	-	1,700	-	-	-	-	-	-	-	1,700
Misc.	360	186	950	550	550	550	550	550	550	550	550	550	6,446
Legal Expenses	-	-	-	-	-	-	-	-	-	-	-	20,000	20,000
Other Expenses	-	2,170	-	-	-	-	-	-	-	-	-	-	2,170
Total - Expenditures	\$ 56,359	\$ 2,356	\$ 105,441	\$ 154,922	\$ 45,936	\$ 122,985	\$ 41,736	\$ 41,736	\$ 122,985	\$ 41,736	\$ 41,736	\$ 347,986	\$ 1,125,914
Ending Balance	\$ 3,386,228	\$ 3,618,874	\$ 3,527,576	\$ 3,497,836	\$ 3,852,248	\$ 3,885,098	\$ 3,846,201	\$ 3,807,275	\$ 3,687,070	\$ 3,648,025	\$ 3,608,950	\$ 3,263,595	\$ 3,263,595

City of Albany IDA

Fee Detail by Month

March 2020

	Name	Application Fee	Agency Fee	Administration Fee	Modification Fee	TOTAL FEE
<i>January</i>	363 Ontario Street		\$ -	\$ -	\$ 500	\$ 500
	New Scotland Avenue	-	13,500	-	-	13,500
	1385 Washington Avenue		54,974			-
	TOTAL	\$ -	\$ 68,474	\$ -	\$ 500	\$ 68,974
<i>February</i>	The REP	\$ -	\$ 95,045	\$ -	\$ -	\$ 95,045
	705 Broadway Hotel				500	500
	Capital District Apartments				500	500
	45 Columbia Street Associates, LLC		35,000			-
Lofts at Pine Hills	1,500				-	
TOTAL	\$ 1,500	\$ 130,045	\$ -	\$ 1,000	\$ 132,545	
<i>March</i>	FC 705 Broadway LLC	\$ 1,500		\$ -	\$ -	\$ 1,500
	TOTAL	\$ 1,500	\$ -	\$ -	\$ -	\$ 1,500
<i>April</i>	427 Washington Avenue	\$ -	\$ 26,000	\$ -		\$ 26,000
	45 Columbia Street		70,000			70,000
	39 Columbia Street		26,611			-
	TOTAL	\$ -	\$ 122,611	\$ -	\$ -	\$ 122,611
<i>May</i>	New Scotland Village	\$ -	\$ 397,800	\$ -	\$ -	\$ 397,800
	TOTAL	\$ -	\$ 397,800	\$ -	\$ -	\$ 397,800
<i>June</i>	705 Broadway Hotel	\$ -	\$ 152,075	\$ -	\$ -	\$ 152,075
	TOTAL	\$ -	\$ 152,075	\$ -	\$ -	\$ 152,075

City of Albany IDA

Fee Detail by Month

March 2020

	Name	Application Fee	Agency Fee	Administration Fee	Modification Fee	TOTAL FEE
<i>July</i>		\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -
<i>August</i>		\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -
<i>September</i>		\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -
<i>October</i>		\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -
<i>November</i>		\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -
<i>December</i>		\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -
	2020 TOTAL	\$ 3,000	\$ 871,005	\$ -	\$ 1,500	\$ 875,505

**RESOLUTION AUTHORIZING TERMINATION OF DOCUMENTS
DILEK, LLC PROJECT**

A regular meeting of City of Albany Industrial Development Agency (the “Agency”) was convened in public session in the offices of the Agency located at 21 Lodge Street in the City of Albany, Albany County, New York on April 15, 2020 at 12:15 o’clock p.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Tracy L. Metzger	Chair
Susan Pedo	Vice Chair
Hon. Darius Shahinfar	Treasurer
Lee E. Eck, Jr.	Secretary
Dominick Calsolaro	Member
Jahkeen Hoke	Member
Robert T. Schofield, Esq.	Member

Each of the members present participated in the meeting telephonically pursuant to Executive Order No. 202.1 issued by New York State Governor Andrew M. Cuomo, suspending provisions of Article 7 of the Public Officers Law that require public in-person access to public meetings and authorizing board members to participate in said meetings by conference call or similar service.

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Sarah Reginelli	Chief Executive Officer
Mark Opalka	Chief Financial Officer
Ashley Mohl	Director of Development, Capitalize Albany Corporation
Andrew Corcione	Senior Economic Developer II, Capitalize Albany Corporation
Michael Bohne	Communications & Marketing, Capitalize Albany Corporation
Tammie Fanfa	Executive Assistant, Capitalize Albany Corporation
Amy Lavine, Esq.	Agency Counsel
A. Joseph Scott, III, Esq.	Special Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 0420-

RESOLUTION AUTHORIZING CITY OF ALBANY INDUSTRIAL DEVELOPMENT
AGENCY TO EXECUTE CERTAIN DOCUMENTS IN CONNECTION WITH THE
TERMINATION OF THE DILEK, LLC PROJECT.

WHEREAS, City of Albany Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 325 of the 1974 Laws of New York, as amended, constituting Section 903-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, on March 14, 2013 (the “Closing Date”), the Agency granted certain “financial assistance” within the meaning of the Act (the “Financial Assistance”) in connection with a project (the “Project”) being undertaken by the Agency on behalf of Dilek, LLC (the “Company”) consisting of the following: (A) (1) the acquisition of an interest in a parcel of land containing approximately 0.06 acres and located at 423-425 Madison Avenue in the City of Albany, Albany County, New York (the “Land”) together with the existing facility containing approximately 1,730 square feet of space located on the Land (the “Existing Facility”), (2) the demolition of the Existing Facility, (3) the construction of a new building to contain approximately 7,000 square feet of space (the “Facility”) and (4) the acquisition and installation therein and thereon of certain machinery and equipment (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), the Facility and portions of the Equipment to be owned by the Company and leased to various commercial and residential tenants, for use by the tenants for commercial, restaurant, retail and/or residential uses and other directly and indirectly related activities; (B) the granting of “financial assistance” (within the meaning of the Act) with respect to the foregoing, including potential exemptions from certain sales taxes, real estate transfer taxes, mortgage recording taxes and real property taxes (the “Financial Assistance”); and (C) the lease (with the obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, the Financial Assistance was granted by a resolution adopted by the members of the Agency on July 19, 2012 (the “Approving Resolution”) and various other documents (collectively, the “Financing Documents”), including a lease to Agency dated as of March 1, 2013 (the “Lease to Agency”) by and between the Company and the Agency, a lease agreement dated as of March 1, 2013 (the “Lease Agreement”) by and between the Company and the Agency, pursuant to which the Company agreed to cause the Project to be undertaken and completed and a payment in lieu of tax agreement dated as of March 1, 2013 (the “Payment in Lieu of Tax Agreement”) by and between the Company and the Agency; and

WHEREAS, in the Application dated May 11, 2012 (the “Application”) and submitted by the Company to the Agency, the Company represented that the first floor of the Facility would be leased to commercial tenants and that jobs for approximately 12 full-time workers, 6 part-time workers and 16 seasonal workers would be created in connection with the Project; and

WHEREAS, the first floor of the Facility has not been leased to any commercial tenants and the job levels represented by the Company in the Application have not been achieved; and

WHEREAS, in light of the failure by the Company to lease the first floor of the Facility or to create the job levels represented in the Application, the Agency is considering whether to terminate the Lease to Agency, the Lease Agreement and the Payment in Lieu of Tax Agreement by the execution and delivery of certain termination documents (collectively, the "Termination Documents"); and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Based upon a review of the status of the Project and discussion with Agency staff and Special Agency Counsel, the Agency hereby makes the following findings and determinations:

(A) That the Agency granted to the Company the Financial Assistance based on the representations by the Company contained in the Application.

(B) That in the Application the Company represented to the Agency that the first floor of the Facility would be leased to commercial tenants and that jobs for approximately 12 full-time workers, 6 part-time workers and 16 seasonal workers would be created in connection with the Project.

(C) That the Company has failed to lease the first floor in the Facility to commercial tenants, and has further failed to create the jobs described in the Application.

(D) That the Agency has informed the Company on numerous times since the Closing Date of the Company's failure to complete the Project and create the jobs represented by the Company.

(E) That due to the failure by the Company to complete the Project and create the jobs represented in the Application, the termination of the Financing Documents is in the public interest.

Section 2. The Agency hereby authorizes the execution by the Agency of the Termination Documents.

Section 3. The Chair (or Vice Chair) of the Agency is hereby authorized to execute and deliver the Termination Documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the form attached to the Lease Agreement, with such changes, variations, omissions and insertions as the Chair (or Vice Chair) shall approve, the execution thereof by the Chair (or Vice Chair) to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Termination Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Termination Documents binding upon the Agency.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Tracy L. Metzger	VOTING	_____
Susan Pedo	VOTING	_____
Hon. Darius Shahinfar	VOTING	_____
Lee E. Eck, Jr.	VOTING	_____
Dominick Calsolaro	VOTING	_____
Jahkeen Hoke	VOTING	_____
Robert T. Schofield, Esq.	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of City of Albany Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on April 15, 2020 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”) except as modified by Executive Order 202.1, said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present, either in-person or appearing telephonically in accordance with Executive Order 202.1, throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this ____ day of April, 2020.

(Assistant) Secretary

(SEAL)