

MINUTES OF A REGULAR MEETING OF THE
 COMMISSIONERS OF THE
 CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY

The Commissioners of the City of Roanoke Redevelopment and Housing Authority met for a regular session on Monday, June 25, 2018, in the offices of the City of Roanoke Redevelopment and Housing Authority, 2624 Salem Turnpike, NW, in the City of Roanoke, Virginia.

I. CALL TO ORDER – ROLL CALL

Vice Chair Garner called the meeting to order at 3:00 p.m. and declared that a quorum was present.

PRESENT:	Commissioners Anguiano, Garner, Karnes, Smith, Witten
ABSENT:	Commissioners Burruss, Kepley
OFFICER PRESENT:	Mrs. Glenda Edwards Goh, Secretary-Treasurer
ALSO PRESENT:	Jackie Austin, VP of Finance/CFO; Kathy Beveridge, Housing Choice Voucher Director; David Bustamante, VP of Housing; Stephanie Cooperstein, Section 3 Employment and Social Media Manager; Betsy Crow, VP of Human Resources and Administration; Michelle Dykstra, Roanoke City Council Alternate Liaison; Frederick Gusler, Director of Redevelopment and Revitalization; Crystal Hall, Community Support Services Director; Mark Loftis, Legal Counsel; Suzzette McCoy, Site Manager; Lisa Saunders, Site Manager; Joel Shank, VP of Operations; Beatrice Parrish, Executive Assistant-Housing; Brian Townsend, Assistant City Manager for Community Development; Kelly Martin, Senior Executive Assistant

Vice Chair Garner welcomed everyone to today's meeting.

REPORTS

1. Financial Report

Vice Chair Garner stated that Mrs. Austin provided a Financial Narrative along with a Financial Report.

Responding to Commissioner Anguiano's inquiry concerning the variance in Public Housing total revenue, Mrs. Austin explained that the Jobs Plus program incurred a large non-budgeted expenditure and the expenses for several uncompleted projects, that were budgeted, are scheduled to be incurred during the last quarter of the year. Mrs. Goh added that the budget projections for operating subsidy were based on previous years. HUD provided funding to housing authorities at a higher proration than projected, which resulted in increased funding this year. Mrs. Austin said that RRHA's revenue for dwelling rental is almost \$300,000 higher than budgeted. Mrs. Goh commented that it is generally good news when rent is up, because the rent amounts are tied to income, so higher rent collections likely reflects increases in income.

Vice Chair Garner asked if there were any additional comments or questions. There were none.

2. Executive Director's Report

Vice Chair Garner asked for the Executive Director's report.

Mrs. Goh informed the Board that RRHA received an invitation from the U.S. Department of Housing and Urban Development (HUD) to submit another letter of interest for additional HUD-Veterans Affairs Supportive Housing (VASH) vouchers.

She stated that the Salem VA Medical Center provided a letter of support for 15 additional vouchers, and RRHA has submitted a letter of interest as directed by HUD.

Mrs. Goh mentioned that the Virginia Housing Alliance will be holding an annual policy forum on October 17, 2018 in Roanoke. RRHA will be providing space for the forum to be held in the community room at Melrose Towers. She stated that she will provide further details when available.

Mrs. Goh reminded the Board that a few years ago the RRHA Scholarship Program was renamed to the Melody Stovall Scholarship Program following the death of RRHA's Director of Resident Services, Melody Stovall. She said that this year, for the first time in a long time, there are four recipients of the scholarship and asked Ms. Hall to provide additional information. Ms. Hall explained that one high school senior and three adults were awarded scholarships; one person is from Jamestown, one from Hunt Manor, and two from Section 8. The recipients will be attending Bridgewater College, Radford, Mary Baldwin, and Virginia Western Community College. She stated that a couple of the individuals were interested in human services and the others have not determined their area of study. Mrs. Goh mentioned a success story concerning Theo Boardley, a student who spoke eloquently at the event held when RRHA was awarded the Jobs-Plus grant. She stated that Theo graduated from culinary school in June. He is now a chef and had several jobs offers upon graduation.

Vice Chair Garner mentioned an article that was published in the Roanoke Times concerning gangs and which specifically mentioned Lansdowne Park and inquired as to what RRHA is doing to address the concern. Mr. Bustamante stated

that within the last three to four months RRHA's contact with the police department has increased, not only due to the increased activity during the summer months but due to an incident at Lansdowne Park. He said that, according to the police department if someone is running from the police, Lansdowne Park is the place to go. Due to its topography, the individual has easy access in and out of the property towards Center Avenue or Salem Turnpike; however, it takes the police a long time to drive around the property to catch them. Mr. Bustamante said that the actual gang presence mentioned in the paper was not a Lansdowne Park resident; he was a guest of a Lansdowne resident. He explained that Ms. McCoy did a really good job determining the identity of this guest, and he has been barred from the premises. Mr. Bustamante went on to say that this does not mean that everyone who may be affiliated with a gang has left Lansdowne Park, but it sends a message that if RRHA is made aware of what is going on, management will speak with the police and get involved. If someone is participating they will be evicted.

Responding to Commissioner Anguiano's question about RRHA's strategy working with the police department concerning gang activity, Mr. Bustamante stated that RRHA is working with the police to identify and take care of any issues that arise. RRHA receives reports on a daily basis from the police and, depending on the reports, any issues will be addressed with the tenants involved. He stated that there are a number of challenges; one week it is the gang issue while the next week it might be someone who is trying to allow a sexual predator to live with them.

Vice Chair Garner said that the article specifically mentioned Lansdowne Park, but he would also like to know if there are any concerns at the other developments.

Mr. Bustamante said that it is very hard for him to say for sure that there is a gang presence at any of RRHA properties; however, there has not been a large police presence related to gangs at the other developments compared to Lansdowne Park.

Responding to Commissioner Anguiano's question as to whether Mr. Bustamante is comfortable with the level of security that RRHA currently has, he said that the police department is very active and responsive, and that he believes it is as secure as possible, short of having someone here twenty-four hours a day. He went on to say he feels comfortable walking the property after hours and coming in on weekends. Vice Chair Garner inquired about extra police protection, and Mrs. Goh stated that there is an agreement between RRHA and the police department to provide above-baseline policing at several public housing developments based upon the days and times of highest police call volume.

Commissioner Anguiano asked about an update concerning RRHA's EnVision Center application response and the implication it will have on the Jobs-Plus program in the future. Mrs. Goh responded saying RRHA staff was disappointed at not being selected in the first round, but there may be additional selection rounds. She explained that there were seventeen Housing Authorities selected in the first round. Ms. Hall mentioned that the most important item concerning the future of Jobs-Plus is the funding and how it can be maintained after the HUD grant ends at the end of September 2019. Mrs. Goh said that RRHA is hopeful that there will be additional opportunities available.

Vice Chair Garner asked if there were any other comments or questions. There were none.

3. Staff Reports

Vice Chair Garner asked if there were any staff reports, comments or questions. There were none.

4. Committee Reports

Vice Chair Garner reported that the Personnel Committee met earlier and discussed policy revisions to be brought to the Board at the August meeting.

Vice Chair Garner asked if there were any other Committee reports. There were none.

5. Commissioner Comments

Vice Chair Garner asked if there were any other Commissioner comments. There were none.

6. City Council Liaison Comments or Discussion

Vice Chair Garner asked if there were any City Council Liaison comments. There were none.

7. Residents or other community members to address the Board

Vice Chair Garner asked if there were any residents or community members who would like to address the Board. There were none.

II. CONSENT AGENDA

C-1 Minutes of the Regular Meeting of the Board of Commissioners held Monday, May 21, 2018.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 Monthly Operations Report for the month of May 2018.

RECOMMENDED ACTION: File as submitted

Commissioner Smith introduced a motion to approve the Consent Agenda. The motion was seconded by Commissioner Karnes and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner thereupon declared said motion carried as introduced.

III. **REGULAR AGENDA**

1. **Resolution No. 3961**

Mrs. Goh introduced Resolution No. 3961, requesting the Board to approve the 2018 Annual Plan update to the 2015-2019 Agency Plan for submission to HUD. She stated that the draft plan was distributed in April 2018, a forty-five day comment period was provided, and a HUD required public hearing was held last month. Mrs. Goh pointed out that one change was made to the Annual Plan relative to the Rental Assistance Demonstration Program (RAD). She stated that RRHA expected the process to take approximately one to two years after RRHA was placed on the waiting list, based on the timelines that have been applicable to the program in the past; however, RRHA has been notified that the invitation to apply will come very soon, likely due to Congress having increased the cap on the number of RAD units nationwide. She stated that since the opportunity to apply will come soon, more specific information relative to RRHA's RAD application needed to be incorporated in the 2018 Annual Plan. She said that this was the only substantive change made, and it is highlighted in the Plan included with the resolution. Mrs. Goh stated that, upon

approval of the 2018 Annual Plan by the Board of Commissioners, RRHA will obtain a certification from the City that the Plan is consistent with the City's Consolidated Plan and then submit it to HUD. The deadline for submission is July 18, 2018.

Responding to Commissioner Anguiano inquiry concerning the specific number of units to be included in the RAD application, Mrs. Goh explained that RRHA is applying for conversion of 300 units at Lansdowne Park. She stated that RRHA may submit additional applications for other sites in the future; for example, Mr. Shank is looking at Hunt Manor. Mrs. Goh said there are two types of applications that can be submitted, one is to convert all 300 units at one time or a multi-phase application can be submitted to allow conversion of the units in phases over a period of time. Mr. Gusler and Mr. Shank are working together to determine the type of application RRHA needs to submit.

Vice Chair Garner asked if there were any comments or questions. There were none.

Commissioner Witten introduced Resolution No. 3961 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND
HOUSING AUTHORITY APPROVING THE 2018 ANNUAL PLAN UPDATE TO
THE 2015-2019 AGENCY PLAN FOR SUBMISSION TO HUD

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) receives operating funds from the Department of Housing and Urban Development (HUD); and

WHEREAS, pursuant to Section 511 of the Quality Housing and Work Responsibility Act of 1998, RRHA is required to adopt an Annual and Five- Year Plan (the Plan); and

WHEREAS, the Plan is designed to provide a framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic public housing and tenant-based assistance program policies, rules and requirements concerning operations, programs, and services; and

WHEREAS, RRHA staff have consulted with the Joint Resident Council, Inc. and all active resident councils and have conducted community meetings at all public housing sites and with participants and landlords in Section 8 programs to gather input, which has been considered in development of the Plan; and

WHEREAS, RRHA Commissioners were provided with copies of the draft 2018 Annual Plan update to the 2015-2019 Agency Plan (2017 Annual Plan) in March 2018; and

WHEREAS, the Plan and Attachments have been revised to include updated information regarding the Rental Assistance Demonstration Program and to reflect items approved by the Board of Commissioners subsequent to publication of the draft; and

WHEREAS, RRHA gave 45 days public notice for the draft 2018 Annual Plan and made the Plan available for public review at RRHA administrative offices, public housing site management offices, the Roanoke City Municipal Building, and on the RRHA website; and

WHEREAS, the RRHA Board of Commissioners gave notice and held public hearings to receive public comments on the draft 2018 Annual Plan on May 21, 2018; and

WHEREAS, the 2018 Annual Plan meets the current regulatory and statutory requirements; and

WHEREAS, the final Plan must contain a certification by City officials that the Plan is consistent with the Consolidated Plan of the City of Roanoke; and

WHEREAS, RRHA is required to submit the 2018 Annual Plan to HUD by July 18, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the 2018 Annual Plan update to the 2015-2019 Agency Plan, in substantially the form circulated to the RRHA Board of Commissioners, is hereby approved for submission to the U.S. Department of Housing and Urban Development upon receipt of certification from City officials that the Plan is consistent with the Consolidated Plan of the City of Roanoke.

The motion was seconded by Commissioner Karnes and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner thereupon declared said motion carried and Resolution No. 3961 adopted as introduced.

2. Resolution No. 3962

Ms. Crow introduced Resolution No. 3962, stating that each year RRHA has to

restate the Premium Only Plan based upon IRS requirements. She said that Total Administration Service Corporation, RRHA's third party administrator, has restated the Plan Document for Plan Year July 1, 2018 – June 30, 2019. Ms. Crow stated that the summary plan is normally unchanged but this year the plan includes the addition of the Health Savings Accounts.

Vice Chair Garner asked if there were any comments or questions. There were none.

Commissioner Smith introduced Resolution No. 3962 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING RESTATEMENT OF ITS PREMIUM ONLY PLAN DOCUMENT AND EXECUTION OF ITS ADOPTION AGREEMENT

WHEREAS, effective July 1, 2012, the City of Roanoke Redevelopment and Housing Authority (RRHA) adopted its Premium Only Plan (POP) Document and executed an Adoption Agreement in accordance with Section 125 of the Internal Revenue Code of 1986 (Section 125); and

WHEREAS, the POP Plan provides pre-tax benefits to RRHA's employees; and

WHEREAS, under Section 125, a written Plan Document must be in place and officially adopted by the RRHA; and

WHEREAS, since Total Administration Service Corporation (TASC), RRHA's third party administrator of its POP Plan, has restated the Plan Document for Plan Year July 1, 2018 – June 30, 2019, it must officially be adopted by RRHA.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the Executive Director is authorized to execute the attached restated POP Plan Document and Adoption Agreement.

The motion was seconded by Commissioner Karnes and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner thereupon declared said motion carried and Resolution No. 3962 adopted as introduced.

3. Resolution No. 3963

Ms. Crow introduced Resolution No. 3963, requesting the Board to approve the revision of a personnel policy related to HUD's smoke free housing rule, which includes RRHA employees. RRHA staff has reviewed the Tobacco Products in the Workplace policy that was originally dated December 20, 1996 and updated it to be compliant with HUD regulations that prohibit employees from using tobacco products within twenty-five feet of Public Housing buildings beginning July 1, 2018. She stated that the policy revision has been reviewed by the Personnel Committee.

Vice Chair Garner asked if there were any other comments or questions.

There were none.

Commissioner Anguiano introduced Resolution No. 3963 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY APPROVING A REVISED PERSONNEL POLICY REGARDING TOBACCO PRODUCTS IN THE WORKPLACE

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) has undertaken a review of its personnel policies to ensure they are relevant, meet the needs of the agency and are legally compliant; and

WHEREAS, RRHA has reviewed and is proposing revisions to Policy No. 407 titled Tobacco Products in the Workplace, dated December 20, 1996, and previously revised on January 8, 2002 and December 1, 2013; and

WHEREAS, HUD regulations at 24 CFR §965.653, applicable to all persons, including RRHA employees, require that RRHA implement, no later than July 30, 2018, a policy prohibiting the use of prohibited tobacco products within 25 feet of

public housing property; and

WHEREAS, the proposed revisions to Policy No. 407 fully comply with HUD regulations at 24 CFR §965.653; and

WHEREAS, the Personnel Committee of the RRHA Board of Commissioners supports and recommends approval of this revised policy.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the attached revised Personnel Policy No. 407, Tobacco Products in the Workplace, is approved effective July 1, 2018.

The motion was seconded by Commissioner Smith and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner thereupon declared said motion carried and Resolution No. 3963 adopted as introduced.

4. Resolution No. 3964

Mr. Gusler introduced Resolution No. 3964, requesting the Board to authorize the sale of property located at 420 Rutherford Avenue, NW, at a price of \$3,500 to Eric Sillery. Mr. Gusler noted that this price appears low, but the amount was determined by the assessed value of the land. This was a property that was acquired by RRHA through foreclosure a few years ago. He explained that RRHA has advertised this property for quite some time, and it has been deteriorating. He stated that there is actually a tree growing under the foundation which has caused damage to the foundation. RRHA staff thinks it is imperative to sell the property before further deterioration occurs. Mr. Gusler said that Mr. Sillery owns a rental property next door which is in very good shape, and RRHA staff believes that his proposal and the

estimates for the work involved are very good.

Vice Chair Garner asked if there were any other comments or questions.

There were none.

Commissioner Smith introduced Resolution No. 3964 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING THE EXECUTION OF DOCUMENTS NECESSARY TO CONSUMMATE THE SALE OF PROPERTY LOCATED AT 420 RUTHERFORD AVENUE NW, BEARING CITY OF ROANOKE TAX MAP NUMBER 2021704, TO ERIC SILLERY

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) was the mortgage lender to the previous owner of said property, who defaulted on said loan; and

WHEREAS, RRHA acquired such property by foreclosure auction on May 19, 2015; and

WHEREAS, Eric Sillery has agreed to purchase the property for the amount of \$3,500 for the purpose of providing quality affordable rental housing for participants in the Housing Choice Voucher program; and

WHEREAS Eric Sillery has agreed to have the property undergo a Housing Choice Voucher (HCV) Section 8 Housing Quality Standards (HQS) inspection within twelve months of purchase; and

WHEREAS, Eric Sillery has agreed to deposit, upon closing on the sale of the property, an additional amount of \$1,500 to RRHA, which will be returned to Eric Sillery contingent upon successful completion of the HQS inspection, with such deposit to be forfeited if the property does not pass an HQS inspection within a satisfactory time period; and

WHEREAS, RRHA desires to sell this property to Eric Sillery.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the Executive Director is hereby authorized and directed to execute documents necessary to consummate the sale of property at 420 Rutherford Avenue, NW, bearing City of Roanoke Tax Map Number 2021704, to Eric Sillery for the price of \$3,500.

The motion was seconded by Commissioner Anguiano and upon roll call the

following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner thereupon declared said motion carried and Resolution No. 3964 adopted as introduced.

5. Resolution No. 3965

Mr. Shank introduced Resolution No. 3965, requesting the Board to authorize the renewal of RRHA's Commercial Insurance Policy currently held by the Virginia Municipal League Insurance Programs. He stated that there is a slight reduction in premium this year primarily due to the lower number of claims concerning Workers' Compensation. He said there is a slight increase in premium for the automobile coverage, but some of the cost for liability coverage was decreased; therefore, the rest of the insurance amounts balanced out, resulting in an overall reduction in premium of around \$5,000 for the year.

Vice Chair Garner asked if there were any other comments or questions.

There were none.

Commissioner Smith introduced Resolution No. 3965 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING THE RENEWAL OF COMMERCIAL INSURANCE POLICIES CURRENTLY HELD BY THE VIRGINIA MUNICIPAL LEAGUE INSURANCE PROGRAMS

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) is required by Section 13 of the Annual Contributions Contract (ACC) with the U. S. Department of Housing and Urban Development (HUD) to procure adequate insurance for its public housing properties to protect RRHA from financial loss resulting from various hazards; and

WHEREAS, on September 27, 2007, HUD authorized non-competitive procurement with the Virginia Municipal League (VML) Insurance Programs as provided for under 24 CFR Part 85 – Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments; and

WHEREAS, RRHA has held commercial insurance policies through the VML since 2008; and

WHEREAS, VML provided a \$5,019 decrease in the 2018-19 renewal rate for RRHA's Automobile, Property, Excess Auto Liability, Boiler & Machinery, Crime, Worker's Compensation, General Liability, and Miscellaneous Coverage policies; and

WHEREAS, the cost of this insurance is deemed fair and reasonable, based on cost analysis completed by RRHA staff.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the Executive Director is authorized to provide a Notice of Renewal for and execute necessary documents to renew Automobile, Automobile Excess, Property, Crime, Boiler & Machinery, Worker's Compensation, General Liability, and Miscellaneous Coverage policies from Virginia Municipal League Insurance Programs for the term of July 1, 2018 through June 30, 2019, for a not to exceed contract amount of \$293,346.

The motion was seconded by Commissioner Anguiano and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner thereupon declared said motion carried and Resolution No. 3965 adopted as introduced.

6. Resolution No. 3966

Ms. Hall introduced Resolution No. 3966, requesting the Board to authorize the execution of a modification to a contract for resident services case management software fees and maintenance. She stated that RRHA is required by the Jobs-Plus Grant to purchase Case Management software. She explained that the contract has

reached a place where the modification for the annual fees and maintenance requires Board approval based upon the percentage of the contract amount.

Responding to Vice Chair Garner's inquiry concerning the quality of the software vendor, Ms. Hall replied that it is a great system, and the customer service is impeccable.

Vice Chair Garner asked if there were any other comments or questions.

There were none.

Commissioner Smith introduced Resolution No. 3966 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING EXECUTION OF A MODIFICATION TO A CONTRACT FOR RESIDENT SERVICES CASE MANAGEMENT SOFTWARE FEES AND MAINTENANCE

WHEREAS, the Department of Housing and Urban Development (HUD) procurement regulations allow the City of Roanoke Redevelopment and Housing Authority (RRHA) to join intergovernmental cooperative agreements; and

WHEREAS, RRHA has a continuing need for software for case management and performance tracking in resident services programs; and

WHEREAS, RRHA joined the GSA and Designing Success contract by agreement on July 29, 2015 with a term ending date of July 28, 2016; and

WHEREAS, RRHA and Designing Success have agreed to 2 extensions of the contract term, resulting in a current contract term ending date of July 28, 2018; and

WHEREAS, RRHA and Designing Success contract fully satisfies HUD's 5 intergovernmental cooperative agreement requirements; and

WHEREAS, RRHA joined the GSA and Designing Success contract through an intergovernmental cooperative agreement and executed a contract with Designing Success in an amount not to exceed \$85,000; and

WHEREAS, the two contract extension periods required modifications of the not-to-exceed amount of the contract by \$6,736.49 in 2016 and \$16,280.11 in 2017 for annual maintenance fees; and

WHEREAS, RRHA required custom programming for the interface with Emphasys Elite housing software in 2017, resulting in a contract modification of \$9,000; and

WHEREAS, additional license fees and maintenance related to the new housing software required a contract modification of \$5,168.76 in 2017; and

WHEREAS, with modifications, the current not-to-exceed amount of the contract with Designing Success is \$122,185.36; and

WHEREAS, an extension of the RRHA and Designing Success requires annual renewal fees of \$18,980.11, due July 28, 2018, which is an increase of 15.53%; and

WHEREAS, RRHA's Procurement Policy requires approval by the Board of Commissioners for any modification of a contract of \$100,000 or more, when the cumulative dollar value resulting from the modification will exceed 10% of the original contract value.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the Executive Director is authorized to execute a modification, to the contract between RRHA and Designing Success, increasing the not-to-exceed amount from \$122,185.36 to \$141,165.47, a net increase of \$18,980.11, with all other terms remaining unchanged.

The motion was seconded by Commissioner Witten and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner thereupon declared said motion carried and Resolution No. 3966 adopted as introduced.

7. Executive Session

Commissioner Smith moved that the Commissioners enter into Executive Session for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or

litigating posture of RRHA; consultation with legal counsel retained by RRHA regarding specific legal matters requiring the provision of legal advice by such counsel; and discussion of personnel matters of the RRHA, in accordance with Virginia Code Sections 2.2-3711(A) (1), (7), and (8).

The motion was seconded by Commissioner Anguiano and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

The Board of Commissioners entered into Executive Session at 3:29 p.m.

The Board reconvened into open session at 5:00 p.m.

Commissioner Smith introduced a motion stating that the members of the Board of Commissioners hereby certify to the best of their knowledge that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which the closed meeting was convened were heard discussed or considered by the Board in the immediately preceding Executive Session.

The motion was seconded by Commissioner Karnes and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

IV. ADJOURNMENT

There being no further business to come before the Board, Commissioner Smith moved that the meeting be adjourned.

The motion was seconded by Commissioner Witten and upon roll call the following vote was recorded:

AYES: Commissioners Anguiano, Garner, Karnes, Smith, and Witten

NAYS: None

Vice Chair Garner declared the meeting adjourned at 5:01 p.m.

Gail Burruss, Chair

Glenda Edwards Goh, Secretary-Treasurer

5-Year and Annual PHA Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires XX/XX/XXXX
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. Form HUD-50075-HP is to be completed annually by **High Performing PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, HCV-Only PHA, Small PHA, or Qualified PHA do not need to submit this form.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, and that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment, and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

A.	PHA Information.					
A.1	PHA Name: City of Roanoke Redevelopment and Housing Authority PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performer PHA Plan for Fiscal Year Beginning: (MM/YYYY): 10/2018 PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units 1,275 Number of Housing Choice Vouchers (HCVs) 2,067 Total Combined 3,342 PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission			PHA Code: VA011		
<p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p>The public may obtain copies of the 2018 Annual Plan, including all required plan elements, PHA policies, and other relevant information at each RRHA development management office, the RRHA central office, and on the RRHA website. A copy of the complete 2018 Annual Plan will be provided to the Joint Resident Council and all active Resident Councils. The public may obtain additional information regarding RRHA policies by accessing the Public Housing Admissions and Continued Occupancy Policy and the Administrative Plan for the Section 8 Housing Choice Voucher Program on the RRHA website.</p>						
<input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)						
Participating PHAs		PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
Lead PHA:					PH	HCV

B.	Annual Plan Elements
B.1	<p>Revision of PHA Plan Elements.</p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last Annual PHA Plan submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>(b) The PHA must submit its Deconcentration Policy for Field Office Review.</p> <p>(c) If the PHA answered yes for any element, describe the revisions for each element below:</p> <p><u>Financial Resources:</u> This information has been updated to reflect financial resources for 2018.</p> <p><u>Homeownership Programs:</u> RRHA received the signed Implementing agreement from HUD, and RRHA is now implementing the Section 32 Homeownership Program.</p>

B.2 New Activities.

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?

Y N

- Hope VI or Choice Neighborhoods.
 Mixed Finance Modernization or Development.
 Demolition and/or Disposition.
 Conversion of Public Housing to Tenant Based Assistance.
 Conversion of Public Housing to Project-Based Assistance under RAD.
 Project Based Vouchers.
 Units with Approved Vacancies for Modernization.
 Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.

Hope VI or Choice Neighborhoods: RRHA completed a Transformation Plan for the Loudon-Melrose/Shenandoah West neighborhood utilizing funding from a Choice Neighborhoods Planning Grant awarded to RRHA by HUD in 2012. The Plan was submitted to HUD in October 2014, and implementation of the plan is underway. As part of this Transformation Plan, the Public Housing site at Lansdowne Park will be totally redesigned and reconfigured, including mixed-income development on the site and one for one replacement of Public Housing units on and off the site. A Choice Neighborhoods Implementation Grant application was submitted to HUD in November 2017, for which awards have not yet been announced. RRHA plans to use accumulated Replacement Housing Factor (RHF) funds as well as a loan financed through the Operating Fund Financing Program (OFFP) to develop new replacement public housing units associated with the implementation of Phase 1 of Loudon-Melrose/Shenandoah West Choice Neighborhood Transformation Plan. RRHA plans to submit an OFFP application for HUD approval in 2018.

Mixed Finance Modernization or Development: As a means of implementing the aforementioned Choice Neighborhoods Transformation Plan, RRHA is evaluating various financing options to redevelop Lansdowne Park and deconcentrate public housing units in the neighborhood. RRHA may pursue a mixed finance application to HUD in conjunction with a low-income housing tax credit (LIHTC) application (see below). Such an application would entail replacement housing possibly through RAD (see below) with project based or tenant based rental assistance.

Demolition and/or Disposition: Conversion of Public Housing to Tenant Based Assistance: RRHA is evaluating potential opportunities to apply for low-income housing tax credits (LIHTC) as part of the implementation efforts of the Loudon-Melrose/Shenandoah Choice Neighborhood Transformation Plan mentioned above. A LIHTC application may be submitted to the Virginia Housing Development Authority in conjunction with an application to HUD for mixed finance development that would convert some public housing units to tenant based assistance.

Conversion of Public Housing to Project-Based Assistance under RAD: RRHA ~~will evaluate the potential~~ intends to apply for Rental Assistance Demonstration (RAD) conversion ~~for some of the 300~~ public housing units at Lansdowne Park, and will apply for RAD conversion if appropriate. The RAD application will help implement the Choice Neighborhoods Loudon-Melrose/Shenandoah West Transformation Plan. RRHA intends to apply for a transfer of assistance to develop new units, whether in a standard or a multiphase RAD application, and raze the units at Lansdowne. A site, or sites, outside of the neighborhood will be selected for new development of a portion of the units. Such site, or sites, will have a low rate of poverty and low minority concentration. Some units will be redeveloped adjacent to or on the current Lansdowne site, consistent with the Choice Neighborhoods Plan. Tenants in the existing units at Lansdowne will remain in those units until such time that either the new units are close to completion, or a suitable relocation for those tenants becomes available.

Project Based Vouchers: RRHA will evaluate the need for project-based vouchers to ensure availability of sufficient high quality housing to meet identified housing needs and will set aside or seek new vouchers for this purpose if needed.

Units with Approved Vacancies for Modernization: RRHA plans to use a loan financed through the Operating Fund Financing Program (OFFP) for converting public housing units for accessibility by tenants with disabilities. RRHA has submitted an OFFP application for HUD approval, and is proceeding through the review and approval process.

Other Capital Grant Programs: RRHA received an Emergency Safety and Security grant from HUD to purchase additional surveillance cameras and enhanced site lighting to address safety and crime concerns at RRHA public housing properties. Camera purchases and installation of site lighting are in process and will be completed by the end of calendar year 2018.

B.3	<p>Progress Report.</p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p> <p>RRHA has made significant progress in meeting goals and objectives of the 2015-2019 Agency Plan. RRHA experienced a shortfall in Housing Choice Voucher program funding in 2017 and worked with HUD's Shortfall Prevention Team to reduce the amount of anticipated shortfall. Because RRHA was unable to issue vouchers in 2017, RRHA is currently providing assistance to 1,856 families. In 2018, RRHA is again able to issue vouchers to families on the waiting list as participants leave the program. RRHA has achieved High Performer designation in both the Public Housing and Section 8 programs. RRHA has maintained Public Housing program occupancy averaging 99%. RRHA is also currently assisting 11 participants with mortgage payments in the Housing Choice Voucher Homeownership program. RRHA is operating a successful Jobs-Plus Demonstration Program, utilizing a grant from HUD, which has increased employment among work-able residents at Lansdowne Park by more than 10%. One member of the RRHA Board of Commissioners is a resident of public housing. RRHA also has an active Resident Advisory Board, the Joint Resident Council, Inc., which promotes active participation and involvement by residents in all aspects of RRHA's mission and operations. RRHA received a Choice Neighborhoods Planning Grant in 2012 and engaged with the community to develop a Transformation Plan for the Loudon-Melrose/Shenandoah West Neighborhood. Implementation of the Transformation Plan is underway, with multiple community partners engaging in activities to improve the neighborhood. Property performance measures are reviewed by management staff and reported to the Board of Commissioners monthly. RRHA has developed and implemented staff and board development policies that ensure training in ethics as well as progressive skill development by staff and commissioners.</p>
B.4.	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
Other Document and/or Certification Requirements.	
C.1	<p>Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan</p> <p><u>Form 50077-ST-HCV-HP</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.2	<p>Civil Rights Certification.</p> <p><u>Form 50077-ST-HCV-HP</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.3	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
C.4	<p>Certification by State or Local Officials.</p> <p><u>Form HUD 50077-SL</u>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
D	<p>Statement of Capital Improvements. Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</p>

D.1	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.</p> <p>See HUD Form 50075.2, submitted to HUD on 06/20/2017.</p> <p>RRHA intends to use a portion, up to 20%, of annual Operating Subsidy for the Capital Fund Program, as allowed by the Housing Opportunity Through Modernization Act of 2016 (HOTMA), in accordance with HUD notice PIH 2018-03 (HA).</p>
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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 16.64 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.



Plan Document

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Article II: Purpose

- 2.01 **Creation and Title.** The Employer adopts this Cafeteria Plan as indicated by the Employer signature in Article XI - 11.01, and creates this Cafeteria Plan under the terms and conditions set forth in this Plan Document as well as through the Enrollment Communications that are expressly incorporated by reference into this Plan Document and described in Article XI - 11.06.
- 2.02 **Effective Date.** The original Effective Date of this Cafeteria Plan and the Effective Date of this Plan Document are identified on the Plan Schedule, see Article XI.
- 2.03 **Purpose.** The Plan allows Participants to elect between cash Compensation or certain nontaxable Qualified Benefits Plans maintained by the Employer as identified on the Plan Schedule, see Article XI. The Employer intends that this Plan qualify as a Cafeteria Plan under Section 125 of the Internal Revenue Code. Notwithstanding any term in this Plan Document, if any term is found to be in conflict with federal or state law, the term will automatically be amended to comply with the federal or state law.

Article III: Definitions

- 3.01 **Change in Status Event.** A Change in Status Event allows a Participant to revoke or change his/her pre-tax election during the Plan Year, and outside of the scheduled open Enrollment period. The Employer allows all of the Change in Status Events published by the IRS for this type of Plan under 26 CFR 1.125-4, as amended. A Participant who becomes eligible under the Health Insurance Portability & Accountability Act of 1996 ("HIPAA") for coverage under an accident or health benefit offered by the Employer will be allowed to make a consistent election, or election change under this Plan.
- 3.02 **Code.** The Internal Revenue Code of 1986, as amended from time to time.
- 3.03 **Compensation.** All the earned income, salary, wages and other earnings paid by the Employer to a Participant during a Plan Year, including any amounts contributed by the Employer pursuant to a salary reduction agreement which are not includable in gross income under Sections 125, 402(g)(3), 402(h), 403(b) or 457(b) of the Internal Revenue Code.
- 3.04 **Dependent.** For the purpose of the tax advantages available under this Plan, a Dependent is an individual who is a dependent of a Participant within the meaning of Section 152(a) of the Internal Revenue Code, and any child of the Participant to whom IRS Rev. Proc. 2008-48 applies (regarding certain children of divorced or separated parents who receive more than half of their support for the calendar year from one or both parents and are in the custody of one or both parents for more than half of the calendar year). For the purposes of the tax advantages available under Qualified Benefit Plans that provide accident and health benefits as defined under Sections 105 and 106 of the Code, a Dependent is determined without regard to Subsections (b)(1), (b)(2), and (d)(1)(B) thereof and includes any child (as defined in Code § 152(f)(1)) of the Participant who at the end of the taxable year has not attained age 27.
- 3.05 **Effective Date.** The date specified in the Plan Schedule, see Article XI, on which the Plan was first effective, and the date that this Plan Document is in effect.

- 3.06 **Eligible Employee.** An Employee who is eligible to participate in the one or more Qualified Benefits Plans sponsored by the Employer, limited to Employees as defined below who meet the additional requirements in the Plan Schedule, see Article XI, and not including the following:
- (a) Employees who are Non-Resident Aliens (within the meaning of Section 7701(b)(1)(B) of the Internal Revenue Code) who are deriving no earned income (within the meaning of Section 911(d)(2) of the Code) from the Employer which constitutes income from sources within the United States (within the meaning of Section 861(a)(3) of the Code); and,
- (b) Employees who are self-employed individuals (as described in Section 401(c) of the Internal Revenue Code) including sole proprietors, partners in a partnership, or more than 2% owners of subchapter "S" Corporations. This exclusion applies to the Spouse, children, parents, and grandparents under the Code Section 318 attribution rules.
- An Eligible Employee will also meet any additional conditions and terms as defined in the Enrollment Communication.
- If an Employee is not eligible to participate in this Plan and allowed to participate under any Qualified Benefits Plan, then the Employee cost will be paid with taxable income, and the Compensation will not be reduced by the Employer.
- 3.07 **Employee.** An Employee is a person who is currently or hereafter employed by the Employer, or by any other Employer aggregated under Sections 414(b), (c), (m), (n), or (o) of the Internal Revenue Code and the regulations thereunder, including a leased Employee subject to Section 414(n) of the Code.
- 3.08 **Employer.** The Employer adopting this Plan under Article XI, and any affiliate or subsidiary that, with the consent of the Employer becomes an Employer, by adopting the Plan, or any successor business organization that assumes the obligations of the Employer.
- 3.09 **Enrollment Communication.** The Employer will provide a written Enrollment Communication at open Enrollment and during the Plan Year for midyear enrollees. The Enrollment Communication will provide the specific process for Enrollment in the Qualified Benefits Plans. The Enrollment Communication is expressly incorporated by reference into this Plan Document. Enrolling in a Qualified Benefits Plan will automatically enroll you in the Medical or Medical-Related Premium Plan. There is no separate Enrollment form for the Medical or Medical-Related Premium Plan.
- 3.10 **Participant.** Any person who has been or is an Eligible Employee and who qualifies to participate and enrolls in a Qualified Benefits Plan.
- 3.11 **Plan Year.** Commencing on the first day of the Plan Year and each anniversary thereof, except that the first Plan Year may include a period of fewer than twelve (12) consecutive months. The Plan Year is identified on the Plan Schedule, see Article XI.
- 3.12 **Qualified Benefits Plan.** Employer-sponsored plans that are allowed tax advantages under this Plan pursuant to Section 125(f) of the Internal Revenue Code.
- 3.13 **Spouse.** An individual who is legally married to a Participant but is not separated from a Participant under a decree of legal separation.

Article IV: Administration

- 4.01 **Employer's Duties.** In addition to any rights, duties or powers specified in this Plan Document, the Employer will have the following rights, duties, and powers:
- (a) to interpret the Plan, to determine the amount, manner and time for payment of any benefits under the Plan, and to construe or remedy any ambiguities, inconsistencies or omissions under the Plan;
 - (b) to adopt and apply any rules or procedures to ensure the orderly and efficient administration of the Plan, and from time to time, amend or supplement such rules and regulations;
 - (c) to determine the rights of any Participant, Spouse, or Dependent to benefits under the Qualified Benefit Plans;
 - (d) to develop appellate and review procedures for any Participant, Spouse, or Dependent denied benefits under the Plan;
 - (e) to maintain records it may require in connection with the proper administration of the Plan;
 - (f) to employ any agents, attorneys, accountants or other parties (who may also be employed by the Employer) and to allocate or delegate to them such powers or duties as is necessary to assist in the proper and efficient administration of the Plan, provided that such allocation or delegation and the acceptance thereof is in writing;
 - (g) to correct any defect, supply any omission, or reconcile any inconsistency in the Plan in such a manner and to such extent as it shall be deemed expedient to administer the Plan;
 - (h) to amend or terminate this Plan.
- 4.02 **Information to be Provided to Employer.** The Employer, or any of its agents, will collect employment records of Participants under the Plan. These records will include, but will not be limited to, any information regarding period of employment, leaves of absence, salary history, termination of employment, or any other information the Employer may need for the proper administration of the Plan.
- A Participant will furnish the Employer the data the Employer reasonably requests to ensure the proper and efficient administration of the Plan, with documentation for items such as proof of relationship as needed.
- 4.03 **Interpreting Plan Terms.** Any interpretation of any provision of this Plan made in good faith by the Employer as to the terms of this Plan is final and will be binding upon the parties.
- 4.04 **Misstatements.** Any misstatement or other mistake of fact will be corrected as soon as reasonably possible upon notification to the Employer and any adjustment or correction attributable to such misstatement or mistake of fact will be made by the Employer as he considers equitable and practicable.
- 4.05 **Review Procedures.** An Employee or his/her authorized representative can appeal a decision made to deny Enrollment in a Qualified Benefits Plan or a decision to disallow an election change by sending a written request for an appeal to the Employer within 60 days of the decision to deny Enrollment or an election change.
- The appeal will be performed in a manner that does not afford deference to the initial determination and will be conducted by the Employer or designee.
- A Participant can request, free of charge, reasonable access to, and copies of, all documents and records relevant to the decision.
- Benefit appeals for denied claims are addressed in the Qualified Benefits Plan descriptions provided by the Employer.
- 4.06 **Rules Apply Uniformly.** The Employer will perform assigned duties in a reasonable manner and on a nondiscriminatory basis, and will apply uniform rules to all Participants similarly situated under the Plan.

- 4.07 **Facility of Payment.** Whenever a Participant who is entitled to receive a benefit under this Plan is under legal disability or is incapacitated to be unable to manage his/her financial affairs, the Employer may make payments to the Participant's legal representative, relative, or for the benefit of such Participant in such manner as the Employer considers advisable. Any such payment of a benefit in accordance with the provisions of this document shall be a complete discharge of any liability for the making of such payment under the provisions of this Plan.
- 4.08 **Information to be Furnished.** Participants shall provide the Employer with such information and evidence, and shall sign such documents, as may be requested reasonably from time to time for the purpose of administering the Plan.
- 4.09 **Medical Child Support Orders.** The Employer will adhere to the terms of any judgment, decree, or court order (including a court's approval of a domestic relations settlement agreement) which complies with federal or applicable state law. The Employer will comply with the administrative requirements described under 29 USC Sec. 1169 relating to Qualified Medical Child Support Orders (QMCSO), including any federal regulations or state laws relating to the same. On the date coverage is provided as directed by a QMCSO the Employee-parent will become eligible to participate in this Plan in order to pay his/her share of the cost of the coverage on a pre-tax basis.

Article V: Eligibility and Participation

- 5.01 **Eligibility Requirements.** Each Employee who enrolls in a Qualified Benefits Plan must be eligible to participate in this Plan to receive the tax advantages made available under this Plan. The eligibility for this Plan is set forth in the Plan Schedule, see Article XI.
- 5.02 **Current Employees at the Time of Plan Inception.** At the time of Plan adoption, all non-excluded Employees who meet the eligibility requirements may participate.
- 5.03 **New Employees.** New Employees engaged for employment after the Plan adoption, who meet the eligibility requirements, may participate in the Plan the next following entry date as indicated in the Plan Schedule, see Article XI.
- 5.04 **Re-employment of Former Employees.** Unless the Employer provides differently in the Enrollment Communications, the treatment of re-employed former Employees shall be as follows. A Participant whose employment terminates and is subsequently re-employed within 30 days of his/her separation of service and within the same Plan Year will immediately rejoin the Plan with the same Benefit elections.
- Should the Participant return within 30 days of his/her separation of service during the following Plan Year, the Participant will be allowed to change elections through the Plan Enrollment process.
- A Participant whose employment terminates and who is subsequently re-employed with more than 30 days separation of service will need to re-satisfy Plan eligibility requirements to rejoin the Plan. Any unused reimbursement Benefits Account balance prior to the initial separation of service date will be forfeited.
- 5.05 **Becoming a Participant.** To become a Participant, an Eligible Employee shall enroll in a Qualified Benefits Plan by any application, agreements, or process as may be required by the Employer at the time of Enrollment. The Enrollment Communication provided by the Employer at the time of Enrollment will define the process for becoming a Participant. By completing the Enrollment process, the Employee shall be deemed for all purposes to have agreed to participate and to conform to the Plan requirements. An Employee, electing to participate in the Plan, is choosing to participate for the entire Plan Year.

The annualized sum of salary reduction benefit elections shall constitute a current obligation of the Employee to the Employer. Such obligation may be revoked or changed only when the Employee has experienced and documents a Change in Status Event, when the request is consistent with the event, and notice is provided to the Plan within 30 days.

For Plan Years in which the Employer has 50 or more Employees, the Employer is required to make FMLA Leave available to Eligible Employees under circumstances that are prescribed by applicable federal law, including a period in which an Employee is off due to the FMLA shall be treated in accordance with the rules for a layoff or a leave of absence and provided to the extent required by the FMLA (e.g., the Employer will continue to pay its share of the contribution to the extent the Participant opts to continue coverage). If the Employer is subject to the FMLA, a Participant may revoke or continue an election through the Plan upon commencement of the FMLA Leave, whether such leave is paid or unpaid. This provision applies in addition to any other right to revoke and reelect benefits under the Plan. Upon return from FMLA Leave, a Participant may be reinstated to all pre-leave elections.

5.06 **Notification to Employees.** The Employer will communicate (in writing) to all Participants the terms and conditions of this Plan through administrative communications at the time of Enrollment and as needed during the Plan Year. These communications are expressly incorporated by reference into this Plan Document.

5.07 **Termination of Participation.** A Participant will automatically cease to be a Participant on the earliest of the following dates:

(a) the date on which this Plan or any Qualified Benefits Plan is terminated by the Employer;

(b) the end of the Plan Year, unless the Participant enrolls in a Qualified Benefits Plan for the next Plan Year;

(c) the date on which the Participant fails to pay any required premium (including payment by salary reduction);

(d) when the Participant's employment with Plan Sponsor is terminated this Plan will terminate on the earlier of the day of the termination or the day using the rule stated in the SPD, whether termination is initiated by the Participant or the Plan Sponsor, however the Participant's election can continue to be used for one or more of the Qualified Benefit Plans for the specified period of time communicated in the SPD.

Participation under each Qualified Benefit Plan is described in the materials provided by the Employer; see Article XI Section 11.6 for a list of plans and literature available from the Employer.

5.08 **Family Medical Leave Act.** The Family & Medical Leave Act of 1993 (29 U.S.C. 2611) as amended, is referred to as FMLA. FMLA Leave will not be available to Employees for Plan Years in which the Employer has fewer than 50 Employees as counted in that Act.

5.09 **Uniformed Services Employment & Re-employment Rights Act (USERRA).** The Employer shall permit Participants to continue benefits elections as required under the Uniformed Services Employment & Reemployment Rights Act and shall provide such reinstatement rights as required by such law.

5.10 **Layoff, Leave of Absences, and Sabbaticals.** Continuation under the Plan may occur in one of the following ways:

(a) In the case of a planned layoff, an Employee may be able to pre-fund a Qualified Benefits Plan through the end of the planned leave or the end of the Plan Year.

(b) During the period which the Employee is off and receiving a salary, the pre-tax deductions may continue. If the Employee is not receiving a salary, he/she may continue to fund his/her election with after-tax dollars while on leave. (Payment schedule to be agreed upon between the Employer and Employee prior to the commencement of the leave.)

Article VI: Elections

6.01 **Available Benefits.** The Qualified Benefits Plans offered under this Plan are listed on the Plan Schedule; see Article XI. The option for an Employee to make after-tax contributions for certain Qualified Benefits Plans will be communicated by the Employer at the time of Enrollment.

6.02 **Election Maximum Amounts.** Each Participant shall elect any combination of the benefits made available. No Participant may choose available benefits costing more than the maximum amount, if any, as indicated in the Qualified Benefits Plan. The maximum election amounts will be included in the Enrollment Communication and the literature available for each Qualified Benefits Plan.

6.03 **Failure to Elect.** A Participant failing to complete the Enrollment process on or before the specified due date for the Plan Year, or a midyear enrollee during the Plan Year, shall be deemed to have elected to receive his full Compensation in cash. The Employer will communicate any applicable Enrollment deadlines in writing at the time of Enrollment.

6.04 **Effective Periods for Elections.** The election must be made by each Participant prior to the commencement of each Plan Year, and shall be irrevocable except as provided for in a Change in Status Event that would allow an election change. Participants may not carry over any unused contributions or available benefits from one Plan Year to a subsequent Plan Year unless the Plan Schedule indicates that the Plan has incorporated the Grace Period or the Plan document includes a limited Carryover for the Medical-Related Expense Reimbursement Benefit Plan. Further, Participants may not use any contributions from one Plan Year to purchase any available benefits that will be provided in a subsequent Plan Year.

6.05 **Change in Status Events.** No Participant in the Plan will be allowed to alter or discontinue the Participant's benefits elections during a Plan Year except when due to and consistent with a Change in Status Event.

These Status Events include the Change in Status Events described in Notice 2014-55 that allow a Participant to revoke his/her election of coverage under the group health plan to enroll in Exchange coverage. Enrollment requests must be made within 30 days of the Change in Status Event and be consistent with the event. Notwithstanding, an Employee can make a prospective change to a Health Savings Account (HSA) election under this Plan during the Plan Year without having a Change in Status Event.

A Change in Status Event allows a Participant to change his/her contribution election during the Plan Year, and outside of the scheduled open Enrollment period. The Employer has elected to allow all of the Change in Status Events published by the IRS for this type of plan. An unpermitted election change will cause the elected benefit to be included in a Participant's gross income and can disqualify the Plan from tax preferred status.

Upon the occurrence of a Change in Status Event, the Participant will notify the Employer within 30 days and complete the forms provided by the Employer. The Employer can require additional documentation for evidence of the event. The new election will be effective prospectively and will apply only to those benefits accruing to the Participant, the Participant's Spouse, or the Participant's Dependents after the effective date of the election change. With respect to an election change under the special Enrollment period provisions of HIPAA, "timely submitted" will mean submitted no later than the last day of such special Enrollment period.

6.06 **Non-Discrimination.** The Plan is not intended to discriminate in favor of highly compensated individuals or key Employees as to eligibility to participate or contributions and benefits as required by the Code.

The Employer may exclude or limit certain highly compensated individuals from participation in the Plan, in the Employer's judgment, such actions serve to assure that the Plan does not violate applicable non-discrimination rules. The Employer can make necessary adjustments to Employee contributions during the Plan Year to assure that the Plan passes the required discrimination tests.

Article VII: Contributions

7.01 **Employer Contributions.** The Employer will contribute out of its general assets the amounts necessary to meet its obligations under the Plan. Unless the Employer provides differently in the Enrollment Communication or separate Plan Documents for the various Qualified Benefits Plans, there are no segregated funds established to collect or maintain the contributions. Contributions to the Plan for any Plan Year will be limited to the amounts necessary to pay for the Qualified Benefits Plans elected by the Participants.

The Employer may provide additional contributions in the way of cash or spending credits that can be used for any Qualified Benefits Plan, or used in a limited manner as defined by the Employer. The Employer may make defined contributions to specific Qualified Benefit Plans. The Enrollment Communications will include the amount of any Employer contribution, the rules defining how the Employer contributions can be used by the Participants, and any limitations on the use of Employer contributions. Employer contributions will continue to be provided while on approved FMLA Leave to the same extent provided to an Employee actively at work.

7.02 **Employee Salary Reductions.** The Participant shall agree to reduce his/her Compensation from the Employer by such amounts as are necessary to provide for those Qualified Benefits Plans which the Participant has elected. "Employee" salary reduction amounts are "Employer" contributions for purposes of Internal Revenue Code Section 125 and its applicable regulations. No Participant shall have, by virtue of the Plan, any interest in any specific asset or assets of the Employer. A Participant has only an unsecured contractual right to receive the benefits defined and limited by the Qualified Benefits Plans.

7.03 **Administrative Fees.** The Employer may charge the Employee reasonable cafeteria plan administrative fees. If any administrative fees are required, the Enrollment Communication will include the amount of the administrative fee and whether it is withheld from the Employee's salary reduction.

7.04 **Increases or Decreases in Premium.** The Employer reserves the right to increase the Participant's share of any Premiums and decrease the Employer's share by a like amount. The Employer will notify Participants prior to raising the Participant's obligations. If the premium or required contribution for any Qualified Benefits Plan increases or decreases during the Plan Year, a Participant's contributions will increase or decrease automatically in an amount sufficient to pay for such increase or decrease. However, in the case of an increase in premium, if a similar benefit is offered under the Plan at the time of said increase, the Participant may select such similar benefit rather than pay the increase.

The Employer reserves the right to reduce the Participant's share of any Premiums and increase the Employer's share by a like amount. The duration of this "Premium Holiday" is at the Employer's discretion and will be communicated by the Employer. As this is considered to be temporary, Participants are not considered to have incurred a Change in Status should the Employer invoke this option.

Article VIII: Records and Reports

- 8.01 **Responsibility.** The Employer shall exercise authority and responsibility to comply with the Plan relating to Participant records, balances, and benefits payable under this Plan. The Employer also shall be responsible for all Plan reporting and disclosure requirements.
- 8.02 **Examination of Records.** The Employer will make each Participant's records under the Plan available for his/her examination at reasonable times and during normal business hours.

Article IX: Plan Termination

- 9.01 **Plan Termination.** The Plan or any portion of the Plan shall be subject to termination at any time by the Employer, provided however, that such termination shall not affect any right or claim arising under the Plan prior to termination. Any unclaimed funds shall become payable as the Employer may direct. Such direction may include, but not be limited to a continuation of the Plan in order to pay balances in accordance with elected benefits.
- 9.02 **Rights to Terminate.** In accordance with the procedures set forth in this section, the Employer may terminate the Plan at any time. In the event of a dissolution, merger consolidation, or reorganization of the Employer, the Plan shall terminate unless the Plan is adopted and continued by a successor to the Employer in accordance with the resolution of its Board of Directors.

Article X: Plan Construction

- 10.01 **Taxation.** The Employer intends that this Plan be in compliance with Section 125 of the Internal Revenue Code, and therefore, the Employer may deduct the amount paid for the benefits provided from federal income and employment taxes.
- This Plan has not been submitted to the Internal Revenue Service, and there is no assurance that the intended tax benefit under this Plan will be realized.
- Neither the Employer nor its designated representatives makes any commitment or guarantee that any amounts elected or paid for the benefit of a Participant will be excludable from the Participant's gross income for federal or state income tax purposes, or that any other federal or state tax treatment will apply to or be available to any Participant.
- It shall be the obligation of each Participant to determine whether each payment is excludable from the Participant's gross income for federal and state income tax purposes, and to notify the Employer if the Participant has reason to believe that any such payment is not so excludable.
- Any Participant, by accepting a benefit under this Plan, agrees to be liable for any tax penalties and interest which may be imposed by the Internal Revenue Service with respect to these benefits.

- 10.02 **Adoption by Related Organizations.** Upon the approval of the Employer, this Plan may be adopted by any organization in affiliation with the Employer. For the purpose of this Plan affiliated organizations are described in Section 414(b), (c) or (m) of the Internal Revenue Code. The adopting organizations shall execute and deliver to the Employer a supplemental agreement providing for the adoption of this Plan and such other documents as the Employer deems necessary or desirable. The provisions of this Plan shall be applicable to such organization to the extent provided in the supplemental agreement.
- 10.03 **Uniform Exercise of Powers.** In the exercise of any of its powers, duties and discretion under this Plan, and within the scope of its authority, and in all of its acts, decisions, and determinations hereunder, the Employer shall at all times act in good faith and in a non-discriminatory manner and shall follow a consistent policy on comparable issues. All Employer actions and determinations shall be duly recorded. All such records, together with such other documents as may be necessary for the administration of this Plan, shall be preserved. Decisions regarding any Employer-disputed questions relative to the rights of a Participant hereunder and upon all matters within the scope of its authority shall be final and binding on all parties in interest.
- 10.04 **Construction.** No provision of this Plan shall be construed to conflict with any Treasury Department, Department of Labor, or Internal Revenue Service Regulation, Ruling, Release, or Proposed Regulation or other order which affect, or could affect, the terms of the Plan. This Plan will be in compliance with any changes related to the Internal Revenue Code. This 125 Plan is not subject to the Employee Retirement Income Security Act of 1974 (ERISA); however the Qualified Benefits Plans offered by the Employer can be subject to ERISA. Refer to the Qualified Benefits Plan for details.
- 10.05 **Entire Document.** This document, including any appendices or supplements thereto, shall constitute the entire and complete document, and as such shall govern the rights, liabilities and obligations of the Plan, except as the Plan may be modified.
- 10.06 **Severability.** In the event any provisions of this document shall be held illegal or invalid for any reason by law or a court of competent jurisdiction, said illegality or invalidity shall not affect the remaining provisions included herein either initially, or beyond the date said provisions are first held to be illegal or invalid, provided the basic purposes hereof can be affected through the remaining valid and legal provisions.
- 10.07 **Benefits Provided through Third Parties.** In the case of any benefit provided through a third party, such as an insurance company, pursuant to a contract or policy with such third party, if any conflict or inconsistency exists between the description of benefits contained in this Plan and such contract or policy, then the terms of such contract or policy shall control.
- 10.08 **Rights Against the Employer.** Neither the establishment of the Plan, nor any modification thereof, nor any distribution hereunder, shall be construed as giving to any Participant or any person whomsoever any legal or equitable rights against the Employer, its shareholders, directors, or officers, as such, or as giving any person the right to be retained in the employ of the Employer.
- 10.09 **Successor-Businesses.** Unless this Plan be sooner terminated, a successor to the business of the Employer, by whatever form or manner resulting, may continue this Plan by appropriate supplemental agreement.

Article XI Plan Adoption and Schedule

11.01 **Employer Adoption.** By signing this Plan Document, the Employer identified below represents that it has formally adopted this Cafeteria Plan.

Employer: City of Roanoke Redevelopment and Housing Authority

By: _____

Printed: Glenda Edwards Goh

Title: Executive Director

11.02 **Plan Year.** The Plan Year is from

July 1, 20 2018 to

June 30, 20 2019.

The Plan will continue to renew and operate on this 12 consecutive month Plan Year unless changed by the Plan Sponsor.

There is a short Plan Year beginning

_____, 20 ____ and ending

_____, 20 ____.

(If left blank, there is no short Plan Year.)

11.03 **Effective Date.** This Cafeteria Plan was

originally effective on July 1, 2012,

20 ____.

This Cafeteria Plan has been created or restated by this Plan Document

effective July 1, 20 18.

11.04 **Eligible Employee.** An Employee who meets the definition of an Eligible Employee, 3.06, and the requirements in 11.04, can enroll in this Plan by completing the process outlined in the Enrollment Communications.

An Eligible Employee must be regularly scheduled to work 30 hours per week in order to enroll in this Plan. Part-time Employees working fewer hours are not Eligible Employees.

Description of Excluded Employees

Union. Employees who are included in the unit of Employees covered by a collective bargaining agreement between the Employer and Employee representatives, provided benefits were the subject of good faith bargaining and two percent or less of the Employees of the Employer who are covered pursuant to that agreement are professionals (as defined in Treasury regulation Section 1.410(b)-9).

For this purpose, the term "Employee Representatives" does not include any organization more than half of whose members are Employees who are owners, officers, or executives of the Employer.

Excluded
 Eligible
 Not applicable

Seasonal Employees regularly working less than

_____ months within a year.

Excluded
 Eligible
 Not applicable

Employees under _____ years of age.

Excluded
 Eligible
 Not applicable

11.05 **Commencement of Participation.** An Eligible Employee can enroll in this Plan at the annual open Enrollment period or upon completion of the employment requirement identified below:

No wait, on the date of hire
 30 days after the date of hire
 60 days after the date of hire
 90 days after the date of hire
 First of the month after the date of hire
 First of the month after 30 days of continuous employment
 First of the month after 60 days of continuous employment
 Other _____

11.06 **Qualified Benefits Plans.** The Plan Documents and Summary Plan Descriptions identified in the chart below are expressly incorporated by reference into this Plan Document and provide specific description of each of the benefits available through the Plan, including the periods during which the benefits are provided (the periods of coverage if different from the Plan Year for this Plan), and the Plan's rules governing participation.

The following Plans are offered under this Cafeteria Plan:

Check if offered under this Plan:	Qualified Benefits Plans	Available Plan Documents or Summary Plan Description (SPD)
<u>X</u>	Medical or Medical-Related Premium for a group health plan. (This can include an imbedded or standalone dental/vision plan.)	A Medical or Medical-Related Premium SPD will be provided by the Employer within 90 days of Enrollment and upon request.
<u>X</u>	Health Savings Account (HSA)*	Details will be provided in the Enrollment Communication.
_____	Non-Employer-Sponsored Premium Account Plan for individual health plans (NESP).	See Appendix A.
_____	Medical or Medical-Related Expense Reimbursement Benefit (Health FSA).	See Appendix B. A Medical or Medical-Related Expense Reimbursement Benefit SPD will be provided by the Employer within 90 days of Enrollment and upon request.
_____	Non-Excepted Medical or Medical-Related Expense Reimbursement Benefit (Health FSA)	See Appendix D. A non-excepted Medical or Medical-Related Expense Reimbursement Benefit SPD will be provided by the Employer within 90 days of enrollment and upon request.
_____	Dependent Care Benefit.	See Appendix C.
<u>X</u>	Supplemental Insurance (Voluntary Indemnity Plans).	Details will be provided in the Enrollment Communication.
_____	Disability Insurance Premium (Employee Only) - Pre-taxing Employee contributions will make benefits paid taxable compensation.	Details will be provided in the Enrollment Communication.
<u>X</u>	Voluntary/Group Term Life Insurance **	Details will be provided in the Enrollment Communication.

NOTES

*A Participant is required to make an election before the start of the Plan Year, or before the first day of his/her coverage, showing the amount contributed to an HSA tax free under this Plan. A Participant will be able to change his/her HSA election for any month in the Plan Year regardless of whether the Employee can show a Change in Status Event.

** The cost of excess coverage as determined in Table I, published by the IRS, a will be imputed income. Excess coverage is any amount over a \$50,000 benefit.



Flexible Spending Accounts (FSA)
Health Savings Accounts (HSA)
Health Reimbursement Arrangements (HRA)
Funded HRA Administration
COBRA Administration
FMLA Administration
HIPAA Compliance
ERISA Compliance
PCORI Compliance
Medicare Part D Notices
ACA Employer Reporting
Form 5500 Preparation
Non-Discrimination Testing
PayPath Payroll Services
GiveBack (Workplace Giving)
DoxBox

Policy No. 407

TOBACCO PRODUCTS IN THE WORKPLACE

I. PURPOSE

To truly eliminate the risk of second-hand smoke exposure to public housing residents, and implement uniform requirements to ensure all public housing residents are equally protected, HUD has implemented a smoke-free policy which requires PHAs to implement a policy requiring that all PHA-owned public housing units, indoor common areas, and PHA administrative office buildings be free from indoor pollution created by prohibited tobacco products. Compliance under this HUD decision is required beginning July 1, 2018.

II. SCOPE

This policy applies to employees and visitors at RRHA.

III. POLICY

All tobacco products as defined by 24 CFR 965.653 are prohibited within 25 feet of all public housing living units and interior areas (including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures), as well as in outdoor areas within 25 feet from public housing and administrative office buildings (collectively, "restricted areas") in which public housing is located.

Prohibited tobacco products are defined as all items that involve the ignition and burning of tobacco leaves, which includes, but is not limited to, cigarettes, cigars, and pipes. All waterpipes, vaping, hookahs, etc. are deemed prohibited under this policy.

There will be no smoking in RRHA-owned vehicles at any time. There will be no tobacco use in personal vehicles when transporting persons on RRHA authorized business or within the stated non-smoking boundaries

To ensure the productivity of the staff, Supervisors will discuss the issue of taking breaks with both smokers and non-smokers. Designated smoking areas will be available as deemed practicable under this policy.

The Board of Commissioners has established this policy and delegates responsibility for establishing or modifying procedures for implementation of the policy to the Executive Director. Current procedures are detailed below.

IV. PROCEDURE

Responsibility for implementing and monitoring this policy rests with primarily with management; however, the success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. Therefore, all employees share in the responsibility for adhering to and enforcing this policy.

It will be the responsibility of the management staff to designate smoking areas where practicable at RRHA-owned or occupied buildings. "No smoking" signs shall be posted at all building entrances, washrooms, and RRHA owned vehicles.

It is the responsibility of the RRHA host to make certain all visitors to RRHA are made aware of this policy and to hold the visitors accountable.

Employees should not leave cigarette butts or traces of other tobacco use on the ground and should use the proper receptacles where provided. Smoking breaks should be worked out, as are

all breaks, through the supervisor so as not to interfere with operations. All employees must abide by this policy at all times whether at work, on the agency premises, in transit between work locations or assignments, at a meeting with a resident or client, or when off duty, if the employee is still on the premises of **RRHA**, or using vehicles owned, rented or leased by RRHA.

Supervisors may limit smoking breaks when necessary if at any time the breaks are shown to affect employee performance or interfere with operation. Violations of this policy may lead to disciplinary action, up to and including termination.

Through RRHA's EAP or health care provider, the agency will help employees who want to quit smoking by providing them access to recommended smoking cessation programs and materials.

Original Date: December 20, 1996

Revised: 01/08/02; 12/01/2013, 07/01/2018

Policy No. 407
Date: December 20, 1996
Revised: 1/8/02
Revised: December 1, 2013

TOBACCO PRODUCTS IN THE WORKPLACE

I. PURPOSE

Because RRHA recognizes the hazards caused by exposure to environmental tobacco smoke, it shall be the policy of RRHA to provide a smoke-free environment for all employees and visitors. This policy covers the smoking of any tobacco product and the use of oral tobacco products or "spit" tobacco.

II. SCOPE

This policy applies to employees and visitors at RRHA.

III. POLICY

No smoking of tobacco products will be allowed within any RRHA-owned or occupied facilities at any time. Designated smoking areas outside the building will be made available at each RRHA-owned or occupied facility.

All materials used for smoking in this area, including cigarette butts and matches, will be extinguished and disposed of in appropriate containers. If the designated smoking area is not properly maintained (for example, if cigarette butts are found on the ground), it can be eliminated at the discretion of management.

There will be no smoking in RRHA-owned vehicles at any time. There will be no tobacco use in personal vehicles when transporting persons on RRHA authorized business.

To ensure the productivity of the staff, Supervisors will discuss the issue of taking breaks with both smokers and non-smokers.

The Board of Commissioners has established this policy and delegates responsibility for establishing or modifying procedures for implementation of the policy to the Executive Director. Current procedures are detailed below.

IV. PROCEDURE

Responsibility for implementing and monitoring this policy rests with primarily with management; however, the success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. Therefore, all employees share in the responsibility for adhering to and enforcing this policy.

It will be the responsibility of the management staff to designate smoking areas at all RRHA-owned or occupied buildings. "No smoking" signs shall be posted at all building entrances, washrooms, and RRHA owned vehicles.

It is the responsibility of the RRHA host to make certain all visitors to RRHA are made aware of this policy and to hold the visitors accountable.

Through RRHA's EAP or health care provider, the agency will help employees who want to quit smoking by providing them access to recommended smoking cessation programs and materials.

Any violations of this policy will be handled through the standard disciplinary procedure.