

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, March 23, 2015, 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

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

PRESENT: Commissioners Anguiano, Burruss, Butler, Garner, Karnes, Smith and Witten

ABSENT: None

OFFICER PRESENT: Glenda Edwards Goh, Secretary-Treasurer

ALSO PRESENT: Jackie Austin, VP of Finance/CFO; Christina Back, Human Resources and Executive Office Administrator; Kathy Beveridge, Compliance and Quality Assurance Manager; David Bustamante, VP of Housing; Nick Conte, Legal Counsel; Jessica Farmer, HCV Manager; Crystal Hall, Community Support Services Director; John Prillaman, General Counsel; Deidre Rayburn, Family Self-Sufficiency Coordinator; Lisa Reynolds, Site Manager; Joel Shank, VP of Operations; Desi Wynter, Director of Redevelopment and Modernization

Chair Witten welcomed everyone to today's meeting.

II. REPORTS

1. Financial Report

Chair Witten stated that Mrs. Austin provided a Financial Narrative along with the Financial Report and asked if there were any comments or questions. There were none.

2. Executive Director's Report

Chair Witten asked for the Executive Director's report.

Mrs. Goh reported that the fund set up by Commissioner Karnes and his wife to provide financial assistance for education to young men and women served by the Housing Authority has made its first grant to RRHA in the amount of \$400. RRHA staff will be working with Commissioner Karnes to ensure compliance with the intent of the funding for young individuals who may benefit from this educational opportunity.

Mrs. Goh stated that she attended the National Association of Housing and Redevelopment Officials (NAHRO) Legislative Conference last week. She reported that certain priority items were announced during presentations by HUD staff at the conference. One of those items is drafting a proposed rule for issuance this summer to make all Public Housing smoke-free. In addition, new Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) scoring systems are in development, also anticipated to be released this summer. Further, the transition to using the Uniform Physical Condition Standards (UPCS) for units in the Housing Choice Voucher (HCV) program is expected to begin this summer. UPCS are currently applicable to Public Housing, while Housing Quality Standards (HQS) are applicable to units in the HCV program. Mrs. Goh stated that this will be a

significant change in the inspection methodology and standards applicable to HCV units owned by private landlords. RRHA will continue to be responsible for conducting inspections; however, inspectors will need to be trained to inspect in accordance with UPCS. The inspections will be uploaded to HUD for scoring and determination of whether units pass or fail.

Commissioner Anguiano asked if the inspection changes would likely have any impact on the availability of housing.

Mrs. Goh stated that the change will involve going from a set of minimum standards to a much more stringent set of standards. The beneficial effect of this should be better quality housing for individuals participating in the voucher program. However, landlords who deem it cost prohibitive to bring properties into compliance with UPCS may choose to opt out of further participation in the program, which could reduce the amount of housing available for HCV participants.

Commissioner Butler asked whether HUD will publish a procedure for the enforcement of the mandatory smoke-free policy or will that be left up to the individual agencies.

Mrs. Goh stated that remains to be seen. Similar questions were raised in the session where this was announced at NAHRO conference; however, the responses provided did not include specific details as to what could be expected.

Commissioner Burruss stated that she cannot image what it would be like to try to enforce a mandatory smoke-free environment.

Mrs. Goh stated that enforcement has always been the challenge with considering smoke-free housing properties. During the conference session, one person

stated that, in the community where she manages Public Housing, there is more housing available than there is demand; she asked whether the housing authority will be held accountable for the negative impact on vacancy rates when half of the available rental population is no longer eligible due to smoke-free requirements. Another question was raised regarding whether housing authorities will be vulnerable to Fair Housing complaints as a result of implementing smoke-free requirements. The HUD representative indicated that this is an administration priority and should not create such issues.

Commissioner Garner referred to the Utility Consumption on page 12 in the Operations Report and asked if the utility consumption percentages and amounts used in comparison to the PUM average influence the PHAS scoring.

Mrs. Goh stated that utility consumption is not a factor in the PHAS score. The Utility Consumption Report was developed when RRHA converted to asset management. At that time HUD published some property performance standards, including one relating to utility consumption, but that measure has not been incorporated into PHAS scoring.

Commissioner Burruss asked for a definition of PUM.

Mr. Shank stated that PUM is Per Unit Month.

Commissioner Garner referred to page 17 of the Operations Report regarding the Family Unification Program (FUP) and asked whether the total of 81 vouchers is usually utilized and if recommendations or referrals from the Department of Social Services are required to utilize those vouchers.

Mrs. Goh stated that those vouchers are not usually at 100% utilization. They

are set aside for the specialized population of families with children in foster care who can be reunified if they have housing and for children who are aging out of foster care. Referrals for FUP vouchers must come through the Roanoke City and Roanoke County Departments of Social Services.

Commissioner Garner referred to page 18 of the Operations Report regarding inspections and asked whether the outside contract inspectors for Public Housing conduct inspections for the purpose of bringing units into compliance for PHAS scoring.

Mrs. Goh stated that the information on page 18 is related to the Housing Choice Voucher program. The Public Housing contractors use the same UPCS scoring guidelines as those applied by HUD's Real Estate Assessment Center (REAC) inspectors. The reports that the contractors provide identify items that would constitute deficiencies on a REAC inspection. RRHA uses the inspection reports to correct the identified deficiencies.

Commissioner Garner inquired about the crime reporting on pages 13, 14, and 15 of the Operations Report and asked if there is a standard statistic that ties the crime analysis to the PHAS scoring.

Mrs. Goh stated that the crime reporting is not a component of the PHAS scoring. Similarly to the utilities report, the crime report was introduced when RRHA converted to asset management. One of the measures of property performance HUD identified for asset management was a comparison of the rate of crime in a Public Housing development to the rate of crime in the surrounding community.

Commissioner Garner asked who uses the information.

Mrs. Goh stated that RRHA utilizes the information for management purposes in

evaluating property performance. In addition, when submitting the Annual Plan update to the Agency Plan to HUD each year, RRHA addresses property performance. One attachment to the plan specifically addresses security at the properties.

Commissioner Garner asked whether there was a noticeable decrease in crime when the cameras were installed.

Mrs. Goh confirmed that there was a noticeable decrease in crime at several sites, which was the focus of an article published by the Roanoke Times. There remain some areas of concern, and crime rates have increased at some sites over the past 2 years. The installation of the cameras was fairly well publicized, and that may have influenced the decrease in crime following installation of the cameras. There is also the possibility that, when the cameras are helpful in solving crime problems on a site, the publicity surrounding such situations could have a positive impact on crime rates, which is one of the benefits of having a working camera system.

Commissioner Garner asked how many cameras are installed and whether a digital record is retained and for how long.

Mr. Bustamante and Mr. Shank reported that there are around one hundred and fifty cameras.

Mrs. Goh stated that, because stimulus funds were used for the initial camera installation, there was a "Buy American" requirement. This requirement resulted in a thirty percent increase in the cost of the camera system. This may have also impacted negatively on the quality of the cameras purchased, because the competition was reduced due to the restriction.

Commissioner Garner asked if there was a warranty on the cameras.

Mrs. Goh stated that there was a warranty on the cameras, but it has expired.

Mrs. Goh stated that the crime statistics are also referenced in grant applications, such as Choice Neighborhoods and Jobs Plus, to support the need for redevelopment and community improvements at certain sites like Lansdowne Park. The crime statistics support efforts to obtain grant funds to implement activities that would mitigate the issues.

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

3. Staff Reports

Chair Witten asked if there were any staff reports. There were none.

4. Committee Reports

Chair Witten asked if there were any committee reports.

Commissioner Karnes stated that the Personnel Committee had met to discuss the Personnel Policy on Bereavement Leave and expects to bring the revised policy to the Board for approval next month.

5. Commissioner Comments

Commissioner Karnes stated that it was good to see Mr. Shank back.

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

6. Residents or other community members to address the Board.

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

III. CONSENT AGENDA

C-1 Minutes of the Regular Meeting of the Board of Commissioners held
Monday, February 23, 2015.

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

C-2 Monthly Operations Report for the month of February 2015.

RECOMMENDED ACTION: File as submitted

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

AYES: Commissioners Anguiano, Burruss, Butler, Garner, Karnes,
Smith, Witten

NAYS: None

Chair Witten thereupon declared said motion carried as introduced.

IV. **REGULAR AGENDA**

1. Resolution No. 3832

Mrs. Back requested adoption of Resolution No. 3832 authorizing the Executive Director to execute the necessary documents to continue participation under The Local Choice Health Benefit Program for the period of July 1, 2015 through June 30, 2016 for an amount not to exceed \$740,000. The employee medical and dental insurance contract will expire on June 30, 2015. The Local Choice Health Benefit program fully satisfies HUD's five intergovernmental cooperative agreement requirements. Mrs. Back stated that The Local Choice Health Benefit Program has provided satisfactory service to RRHA. The rate increase of 4.7% is favorable in comparison to the market and staff recommends continuing participation in the Local

Choice Health Benefit Program.

Commissioner Burruss asked how many employees currently participate in The Local Choice.

Mrs. Back stated that there are approximately 60 active full-time employees, 5 retirees, and 1 individual through COBRA, currently participating in The Local Choice Health Benefit Program.

Commissioner Burruss stated that some of those also include family coverage and inquired as to what was the average cost per employee, given the not to exceed amount of \$740, 000 for the contract.

Mrs. Goh stated that the cost per employee averages about \$1,000 per month. RRHA offers employees a high deductible plan and a comprehensive plan.

Commissioner Burruss asked how many employees are currently enrolled in the high deductible plan.

Mrs. Back stated there are currently 2 employees enrolled in the high deductible plan and that enrollment may increase this plan year due to vision coverage being added to the plan.

Mrs. Goh stated that the \$740,000 contract amount is the cost for 100% of the premium which includes both the RRHA contribution and the employee's portion of the premium. Because the full premium payment flows through RRHA, the contract covers the entire premium amount.

Commissioner Burruss asked for an explanation of the division of the premium between RRHA and the employees.

Mrs. Goh stated that for individual plans, RRHA pays 80% and employees pay 20%; for employee plus one and family plans, RRHA pays 70% and employees pay 30%.

Commissioner Burruss asked if the percentages are the same for the high deductible plan.

Mrs. Back confirmed that it was the same for both plans offered.

Commissioner Burruss stated that does not give much incentive to go with the high deductible plan. She stated that, with the high deductible plan, an advantage to employees is establishing a Health Savings Account, which can be used to pay medical expenses.

Mrs. Goh stated that one of the rules of participation in The Local Choice is that for the individual plan regardless of which plan, RRHA must pay 80%. With the employee plus one and family plans, RRHA has more latitude to determine the employer's share of the premium.

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

Vice-Chair Butler introduced Resolution No. 3832 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE NECESSARY DOCUMENTS TO CONTINUE PARTICIPATION IN A COOPERATIVE AGREEMENT FOR EMPLOYEE MEDICAL AND DENTAL INSURANCE COVERAGE

WHEREAS, the City of Roanoke Redevelopment and Housing Authority's (RRHA) employee medical and dental insurance contract expires June 30, 2015; and

WHEREAS, HUD procurement procedures allow RRHA to join intergovernmental cooperative agreements; and

WHEREAS, The Local Choice Health Benefit Program was created exclusively to provide health benefits for local governments, authorities, school divisions and constitutional officers and is managed by the Commonwealth of Virginia's Department of Human Resources; and

WHEREAS, The Local Choice Health Benefit Program fully satisfies HUD's five (5) intergovernmental cooperative agreement requirements; and

WHEREAS, RRHA is currently enrolled in The Local Choice Health Benefit Program; and

WHEREAS, The Local Choice Health Benefit Program has provided satisfactory service to RRHA; and

WHEREAS, The Local Choice rate increase of 4.7% is favorable in comparison to the market; and

WHEREAS, staff recommends continuing RRHA's participation in The Local Choice Health Benefit Program.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the Executive Director is authorized and directed to execute necessary documents to continue RRHA's participation under the Local Choice Health Benefit Program for the period of July 1, 2015 through June 30, 2016 for an amount not to exceed \$740,000.

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

AYES: Commissioners Anguiano, Burruss, Butler, Garner, Karnes, Smith, Witten

NAYS: None

Chair Witten thereupon declared said motion carried and Resolution No. 3832 adopted as introduced.

2. Resolution No. 3833

Mrs. Back requested adoption of a resolution approving revised Personnel

Policies regarding Exempt/Non-Exempt Employee Status and Court Leave. The original date for Policy No 110 regarding Exempt/Non-Exempt Employee Status is December 20, 1995, and it was last revised on October 20, 2008. The original date of Policy No 315 regarding Court Leave is December 20, 1996, and it was last revised on July 7, 2011. The proposed revisions to these policies include a statement to separate policy from procedure. The personnel committee supports and recommends approval for these policies to be effective April 1, 2015.

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

Commissioner Smith introduced Resolution No. 3833 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY APPROVING REVISED PERSONNEL POLICIES REGARDING EXEMPT/NON-EXEMPT EMPLOYEE STATUS AND COURT LEAVE

WHEREAS, the City of Roanoke Redevelopment & 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 Personnel Policy No. 110 regarding Exempt/Non-Exempt Employee Status, dated December 20, 1995, which was last revised on October 20, 2008; and Personnel Policy No. 315 regarding Court Leave, dated December 20, 1996, which was last revised on July 7, 2011, to better reflect current requirements and practices; and

WHEREAS, the Personnel Committee of the RRHA Board of Commissioners supports and recommends approval of these revised policies.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the attached revised Personnel Policies No. 110, Exempt/Non-Exempt Employee Status, and No. 315, Court Leave, are approved effective April 1, 2015.

The motion was seconded by Vice-Chair Butler and upon roll call the following

vote was recorded:

AYES: Commissioners Anguiano, Burruss, Butler, Garner, Karnes, Smith, Witten

NAYS: None

Chair Witten thereupon declared said motion carried and Resolution No. 3833 adopted as introduced.

3. Resolution No. 3834

Mr. Bustamante requested adoption of a resolution approving a revised Administrative Plan for the Section 8 Housing Choice Voucher Program. Some of these changes have been presented to the Board previously, such as biennial inspections. The changes are in accordance with the Nan McKay model Administrative Plan.

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

Commissioner Smith introduced Resolution No. 3834 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY TO APPROVE A REVISED ADMINISTRATIVE PLAN FOR THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

WHEREAS, the Roanoke Redevelopment and Housing Authority's (RRHA) Board of Commissioners and staff are committed to providing safe and affordable housing to eligible individuals and families, including persons with disabilities; and

WHEREAS, the United States Department and Housing and Urban Development (HUD) has authorized Public Housing Agencies (PHA) to administer a Housing Choice Voucher (HCV) program, through the use of the PHA's Administrative Plan; and

WHEREAS, the Administrative Plan must state the PHA's policies on matters for which the PHA has discretion to establish local policies; and

WHEREAS, a PHA is required to revise its Administrative Plan as necessary to remain in compliance with the Department of Housing and Urban Development (HUD) regulations as set forth in 24 CFR 5, 8, 35, 92, 882, 887, 888, 903, 908, 982, 983, 984, and 985; and

WHEREAS, the current Administrative Plan for the Section 8 HCV Program of the RRHA, dated January 26, 2015 states that RRHA will review and update the Administrative Plan at least once a year; and

WHEREAS, RRHA staff have reviewed the Administrative Plan and made revisions to reflect changes in regulations and RRHA operations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Roanoke Redevelopment and Housing Authority that:

1. The Revised Administrative Plan for the RRHA Section 8 HCV Program, with revised chapters in substantially the form circulated to the Board, is approved.
2. The Executive Director be and hereby is authorized and directed to make minor procedural changes as necessary between annual updates.

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

AYES: Commissioners Anguiano, Burruss, Butler, Garner, Karnes, Smith, Witten

NAYS: None

Chair Witten thereupon declared said motion carried and Resolution No. 3834 adopted as introduced.

4. Resolution No. 3835

Mr. Bustamante requested adoption of a resolution authorizing the execution of a contract modification to the Cooperative Agreement with Virginia Polytechnic Institute and State University (Virginia Tech) and Orion DBA X7S1 in the amount of \$120,484.64 to replace 41 non-functioning cameras. This project was divided into phases. Phase 1

was to complete restoration of all the wireless networks. The company thought that some of the cameras not functioning correctly was due to the wireless network. The second phase was to clean, reposition, and make sure each camera was working. As this process was completed, it was discovered that there are 41 cameras that are not functional, resulting in this request for approval by the Board of a contract modification in order to purchase replacement cameras to complete this project.

Chair Witten asked if there were any budget issues related to the contract modification request.

Mrs. Goh stated that there are sufficient reserves available to fund this modification.

Commissioner Garner asked if there is a contract in place to maintain the cameras.

Mrs. Goh stated that there is a contract in place now.

Commissioner Garner asked how often the cameras will be inspected.

Mr. Bustamante stated that this is under the same contract as Virginia Tech. The company states that they will complete pro-active and preventive maintenance at least every 6 months. If there is an issue, the company will need to be notified, and they will respond to fix the issue.

Commissioner Anguiano asked if RRHA was aware that there was an issue with the camera system and what happened here is that the cameras were determined to be the part not functioning.

Mr. Bustamante stated that is partially correct. RRHA knew there was a problem and what was initially thought to be a wireless infrastructure problem turned out

to be a problem of non-functional cameras.

Mrs. Goh stated that once the problem with the wireless infrastructure was corrected, they were able to determine that some the cameras were not working.

Commissioner Garner asked about the life expectancy of the cameras.

Mr. Bustamante stated that the cameras are exposed to the outside elements and, without proper maintenance, the life expectancy for the cameras is generally shortened. Since there will be a maintenance contract, the assumption is that the cameras should last longer, and they will be under warranty.

Chair Witten stated that a 4 to 5 year replacement cycle results in better functioning and power usage. It is hard to say what the life cycle may be since wireless digital cameras have only been in widespread use for about the past 15 years.

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

Commissioner Smith introduced Resolution No. 3835 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING EXECUTION OF A CONTRACT MODIFICATION TO THE COOPERATIVE AGREEMENT WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (VIRGINIA TECH) AND ORION DBA X7SI

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) joined the Virginia Polytechnic Institute and State University and Orion dba X7SI contract by agreement on May 17, 2014 with a term ending date of April 17, 2015; and

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

WHEREAS, the Virginia Polytechnic Institute and State University and Orion dba X7SI contract fully satisfies HUD's five (5) intergovernmental cooperative agreement

requirements; and

WHEREAS, the Virginia Polytechnic Institute and State University and Orion dba X7SI agreement requires modification of the not-to-exceed amount to complete necessary camera replacement; and

WHEREAS, based on the completed assessment and repairs of the wireless transmission system, Orion dba X7SI has determined that 41 cameras are nonfunctioning and beyond repair; and

WHEREAS, Orion dba X7SI has provided a quote for replacement of 41 nonfunctioning cameras needed to make RRHA's video surveillance systems fully functional, in the amount of \$120,448.64, necessitating a modification of the not-to-exceed amount of the contract; and

WHEREAS, RRHA has sufficient Public Housing Operating Reserves to obligate for this contract modification.

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 be funded by Public Housing Operating Reserves, to the not-to-exceed amount of the Virginia Polytechnic Institute and State University and Orion dba X7SI agreement from \$494,200 to \$614,648.64, a net increase of \$120,448.64, with all other agreement terms remaining unchanged.

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

AYES: Commissioners Anguiano, Burruss, Butler, Garner, Karnes, Smith, Witten

NAYS: None

Chair Witten thereupon declared said motion carried and Resolution No. 3835 adopted as introduced.

V. **ADJOURNMENT**

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

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

following vote was recorded:

AYES: Commissioners Anguiano, Burruss, Butler, Garner, Karnes,
Smith, Witten

NAYS: None

Chair Witten declared the meeting adjourned at 3:36 p.m.

Timothy Witten, Chair

Glenda Edwards Goh, Secretary-Treasurer

DRAFT

Policy No. 110
 Date: December 20, 1995
 Revised: 10/20/08, 04/01/2015

EXEMPT/NON-EXEMPT EMPLOYEE STATUS

I. PURPOSE

To define exempt and non-exempt employee status and to provide guidelines for determining this status according to the Fair Labor Standards Act.

II. SCOPE

This policy applies to all employees of RRHA.

III. POLICY

It is the policy of RRHA that all positions in RRHA will be classified as either exempt or non-exempt in compliance with the Fair Labor Standards Act and for compensation administration purposes.

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

The Human Resources and Executive Office Administrator is charged with reviewing job descriptions against the FLSA tests and determining the proper exempt/non-exempt classification.

As job descriptions change, the Human Resources and Executive Office Administrator will re-evaluate the classification accordingly.

The Human Resources and Executive Office Administrator may seek legal counsel to review any classifications as needed.

Definitions of exempt and non-exempt status are based on provisions of the Fair Labor Standards Act (FLSA) and state law. These definitions according to FLSA are summarized as follows:

Exempt: FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide [executive](#), [administrative](#), [professional](#) and [outside sales](#) employees. The Act also exempts certain [computer](#) employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Non-exempt: Employees whose positions do not meet FLSA exemption tests as noted above and who are paid one-and-one-half times their regular rate of pay for hours worked in excess of 40 in one week.

Related Policies:

Policy No. 010 Definitions of Employment Status
 Policy No. 120 Classification and Pay
 Policy No. 210 Hours of Work and Paydays

Policy No. 110
 Date: December 20, 1995
 Revised: 10/20/08

EXEMPT/NON-EXEMPT EMPLOYEE STATUS

I. POLICY

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II. SCOPE

This policy applies to all employees of RRHA.

III. PURPOSE

To define exempt and non-exempt employee status and to provide guidelines for determining this status according to the Fair Labor Standards Act.

IV. DEFINITIONS

Definitions of exempt and non-exempt status are based on provisions of the Fair Labor Standards Act (FLSA) and state law. These definitions according to FLSA are summarized as follows:

Exempt: FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide [executive](#), [administrative](#), [professional](#) and [outside sales](#) employees. The Act also exempts certain [computer](#) employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Non-exempt: Employees whose positions do not meet FLSA exemption tests as noted above and who are paid one-and-one-half times their regular rate of pay for hours worked in excess of 40 in one week.

V. PROCEDURE

- A. The V.P. Human Resources/Administration is charged with reviewing job descriptions against the FLSA tests and determining the proper exempt/non-exempt classification.
- B. As job descriptions change, the V.P. Human Resources/Administration will re-evaluate the classification accordingly
- C. The V.P. Human Resources/Administration may seek legal counsel to review any classifications as needed.

Approved by the Board of Commissioners: (10/20/08)

Executive Director: _____

DRAFT

Policy No. 315
 Date: December 20, 1996
 Revised: 11/01/00, 03/17/08, 07/01/11, 04/01/2015

COURT LEAVE**I. PURPOSE**

It is the intention of RRHA and this policy to comply with federal, state, and local laws.

II. SCOPE

This policy applies to all employees.

III. POLICY

It is the policy of RRHA to allow employees who are called on to perform Jury Duty or Witness Duty to fulfill their civic and legal duties and to allow employees who are victims of a crime to be present in criminal proceedings relating to the crime against the employee.

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. PROCEDURES

- A. Notification and Verification. Any employee of RRHA who is called upon to perform Jury Duty or receives a summons to appear as a witness, shall immediately inform his/her Supervisor, making available such summons for verification.

Employees who are victims of a crime must immediately inform his/her Supervisor and present RRHA a copy of the form provided the employee by the law-enforcement agency pursuant to subsection A of §19.2-11.01 and if applicable, provide RRHA a copy of the notice of each scheduled criminal proceeding.

A Request for Leave Form, with applicable documentation as noted above attached, must be completed and submitted to the employee's Supervisor for approval prior to Court Leave being taken.

- B. Limitations: RRHA reserves the right to limit the amount of Court Leave taken by employees who are victims of a crime if it is determined that the leave creates an undue hardship to the organization.
- C. Amount of Pay. Regular full time and part time employees will receive their regular rate of pay and Jury Duty pay, up to fifteen (15) calendar days per year; however, the stipend you receive from the Court for your services must be turned over to the Payroll Department to the extent allowable by state or local law. Should any additional time off for Court Leave be necessary, employees may elect to use any available Personal Time Off or take Leave Without Pay. Temporary employees will be allowed time off without pay for any Court Leave.
- D. Reporting To Work. Any employee on Court Leave is to report to work any day in which the court does not require the employee's presence at Jury Duty or the employee has been excused early from the courts and can complete at least one-half day of the normally scheduled workday.

Definition:

Court Leave. This is the time off from work for one of the following purposes:

- The employee is commanded to appear as a witness, or
- The employee is summoned to jury duty.
- The employee is a victim of a crime

This definition does not include appearances before a court of law where the employee is a plaintiff or defendant in non-RRHA related matters (except as noted above in Section IV, A, 3).

ORIGINAL

Policy No. 315
 Date: December 20, 1996
 Revised: 11/01/00
 Revised: 03/17/08
 Revised: 05/23/11 – Effective 07/01/11
 Page 1 of 2

COURT LEAVE**I. PURPOSE**

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II. SCOPE

This policy applies to all employees.

III. POLICY

It is the intention of RRHA and this policy to comply with federal, state, and local laws.

IV. DEFINITION

A. Court Leave. This is the time off from work for one of the following purposes:

1. The employee is commanded to appear as a witness, or
2. The employee is summoned to jury duty.
3. The employee is a victim of a crime

B. This definition does not include appearances before a court of law where the employee is a plaintiff or defendant in non-RRHA related matters (except as noted above in Section IV, A, 3).

V. PROCEDURES

A. Notification and Verification. Any employee of RRHA who is called upon to perform Jury Duty or receives a summons to appear as a witness, shall immediately inform his/her Supervisor, making available such summons for verification.

Employees who are victims of a crime must immediately inform his/her Supervisor and present RRHA a copy of the form provided the employee by the law-enforcement agency pursuant to subsection A of §19.2-11.01 and if applicable, provide RRHA a copy of the notice of each scheduled criminal proceeding.

A Request for Leave Form, with applicable documentation as noted above attached, must be completed and submitted to the employee's Supervisor for approval prior to Court Leave being taken.

B. Limitations: RRHA reserves the right to limit the amount of Court Leave taken by employees who are victims of a crime if it is determined that the leave creates an undue hardship to the organization.

- C. Amount of Pay. Regular full time and part time employees will receive the their regular rate of pay and Jury Duty pay, up to fifteen (15) calendar days per year; however, the stipend you receive from the Court for your services must be turned over to the Payroll Department to the extent allowable by state or local law. Should any additional time off for Court Leave be necessary, employees may

elect to use any available Personal Time Off or take Leave Without Pay. Temporary employees will be allowed time off without pay for any Court Leave.

- D. Reporting To Work. Any employee on Court Leave is to report to work any day in which the court does not require the employee's presence at Jury Duty or the employee has been excused early from the courts and can complete at least one-half day of the normally scheduled workday.

Proposed Administrative Plan Revisions 03-23-2015

Proposed revisions to the RRHA Administrative plan are summarized below. Note that the summary only includes substantive revisions. Corrections to spelling or grammar and formatting changes are not listed. All revisions are highlighted in the separate redlined document provided to Commissioners for review.

Revised Chapter	Summary of Proposed ACOP Revisions
Chapter 2 Fair Housing and Equal Opportunity	Added reference to Notice PIH 2014-20 in seventh bullet on p. 2-I.A. Added PHA requirements upon receipt of discrimination complaints under 2-I.B.
Chapter 3 Eligibility	Updated heading 3-I.B, removing reference to HUD 50058 IB p. 13. Updated definition of Extremely low-income family and added text to the following paragraph under 3-II.A.
Chapter 4 Applications, Waiting List and Tenant Selection	Minor edits for clarification in first paragraph under Income Targeting Requirement under 4-III.C.
Chapter 6 Income and Subsidy Determinations	Updated section regarding applying utility allowances under 6-III.D. Removed outdated references (CFR 5.609(b)(4) and FR Notice 11/24/08) and added 24 CFR 5.609(c)(14) under 6-I.H.on pp. 6-25 and 6-26
Chapter 8 Housing Quality Standards and Rent Reasonableness Determinations	Updated second paragraph under Introduction to reflect change in inspection frequency requirements. Added Biennial to heading and created a new PHA Policy above the Scheduling the Inspection policy under 8-II.C. Added statement regarding acceptance of inspections performed by HUD or conducted for the HOME or LIHTC programs under 8-II.C. Added phrase regarding LIHTC and HOME exceptions to first paragraph under 8-III.A. Added further clarification regarding scheduling timeframes for special inspections to the first paragraph under heading 8-II.D. Added section on LIHTC and HOME Assisted units under 8-III.B.
Chapter 11 Reexaminations	Added PHA Policy for asking about registered sex offenders during reexaminations under 11-I.C.

<p>Chapter 16 Program Administration</p>	<p>Added bullet point to bottom of list regarding requirements of Notice PIH 2014-20 under 16-VI.B.</p> <p>Added Sexual Assault to protections covered by VAWA under 16-IX.C. and 16-IX.D.</p>
<p>Chapter 17 Project-Based Vouchers</p>	<p>Removed Reference to FR Notice 11/24/08 and added final sentence under 17-II.A.</p> <p>Added sentence regarding no need for RRHA to conduct competition in certain circumstances under 17-II.B.</p> <p>Removed all mentions of licensed appraiser under 17-II.B.</p> <p>Added clarification of existing housing qualifications under heading 17-II.C.</p> <p>Added further information to Ineligible Housing Types section under 17-II.D.</p> <p>Added FR Notice 06/25/14 to heading 17-II.E.</p> <p>Added paragraph regarding subsidy layering requirements under 17-II.E.</p> <p>Removed FR Notice 11/24/08 from last heading under 17-II.F.</p> <p>Changed building to project and updated PHA Policy, including additional information about exceptions to the project cap under 17-II.F.</p> <p>Added FR Notice 6/25/14 and Biennial to header regarding inspections, added PHA policy regarding frequency/percentage of unit for inspection and removed references to annual inspection requirements under 17-III.D.</p> <p>Added clarifying information regarding HAP contracts for properties assisted through the Project Based Voucher program and changed CFR reference in last paragraph under 17-IV.B.</p> <p>Extensive edits to detail more clearly requirements and procedures, including a new section regarding HAP contracts, Statutory Notice Requirements: Contract Termination or Expiration, under 17-V.B.</p> <p>Updated references and replaced building with project on 17-V.C.</p> <p>Updated reference in headings, changed wording in last bullets and added additional bullet to end of list under 17-V.D.</p> <p>Added further information regarding tenancy approval in second paragraph under 17-VI.B.</p> <p>Updated information regarding Initial Term and Lease Renewal, including adding bulleted list under 17-VII.B.</p>

	<p>Added further information under Tenant Absence from the Unit heading and a new section titled continuation of Housing Assistance Payments, which includes an additional PHA policy under 17-VII.B.</p> <p>Added clarification of termination of housing assistance payments for wrong type of unit under 17-VII.C.</p> <p>Removed FR Notice 11/24/08 from heading and made various edits including an additional paragraph regarding an excepted unit under 17-VII.D.</p> <p>Updated PHA Policy under 17-VII.D.</p> <p>Removed FR Notice 11/24/08 from Certain Tax Credit Units heading and other minor edits including deletion of last paragraph under 17-VIII.B.</p> <p>Added Reasonable Rent section, including new PHA Policy under 17-VIII.B.</p> <p>Added phrase regarding rents under HAP contracts to end of Rent Decrease section under 17-VIII.B.</p> <p>Added phrase regarding rents under HAP contracts under 17-VIII.C.</p> <p>Rewrote first paragraph under the Other Subsidy heading under 17-VIII.D.</p>
Glossary	<p>Glossary updated throughout with the following:</p> <p>Under A. Acronyms, deleted QHWRA.</p> <p>Under B. Terms, added Annual and Biennial, and updated Eligible Family, Extremely low-income family, and living/sleeping room</p>

Attachments to Resolution No. 3834 are not included due to size of the attachments.

Attachments to Resolution No. 3834 are retained in the Official Executive Office Board Meeting files.