

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, October 22, 2012, 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 Smith called the meeting to order at 3:04 p.m. and declared that a quorum was present.

PRESENT: Commissioners Butler, Garner, Karnes, Smith, Witten
Commissioner Boitnott arrived at 3:12 p.m.

ABSENT: Commissioner Burruss

OFFICER PRESENT: Glenda Edwards, Secretary-Treasurer

ALSO PRESENT: Cathy Wells, VP of Resident Services and Administration; Jackie Austin, VP of Finance/CFO; Joel Shank, VP of Operations; Helen Shampine, HCV Director; Desi Wynter, Director of Redevelopment and Modernization; David Bustamante, Director of Housing; Crystal Hall, Resident Services Manager; Terry Tucker, Resident Relations Coordinator; Deidre Myers, Service Coordinator; Katie Meyer, Executive Assistant; Mark Loftis, Legal Counsel; interested citizen

Vice-Chair Smith welcomed everyone to today's meeting.

II. REPORTS

1. Financial Report

Vice-Chair Smith asked for the Financial Report.

Ms. Austin referred to page 23 and stated that Public Housing sites are utilizing reserves to fund a portion of operations expenses. The total amount of reserves used through September 2012, comprising the entire fiscal year and nine months of the calendar year, is approximately \$1,500,000. Ms. Austin stated that fiscal year end September 30, 2012 invoices are continuing to be processed. Dwelling rental continues to catch up with budget projections and is currently over budget approximately \$4,000, mostly attributable to the sites having a current occupancy rate of 99%. Total expenses are showing a favorable variance of approximately \$224,000 and administrative expenses are approximately \$86,500 under budget due to costs that were budgeted but have not been incurred as of September 30, 2012 and savings that have been recognized from the restructuring of benefits. Central Office Property Management fees are reporting an unfavorable variance due to the higher occupancy rates. Tenant Services is reporting a favorable variance of \$85,000 due to expenses that are being covered by the Resident Opportunities for Self-Sufficiency (ROSS) grants. Utility expenses are under budget approximately \$300,000 due to budgeting for higher utility rates and usage expenses that have not been incurred to date. General expenses are under budget approximately \$185,000 due to reduced insurance costs and year-to-date debt setoff collections from the Virginia Department of Taxation. Ordinary maintenance is over budget approximately \$145,000 due additional maintenance work that has been performed at most sites. Extraordinary Maintenance, Replacement of Equipment, and Betterment & Additions are all over budget due to expenses that were unanticipated

during the 2012 budgeting process.

The Central Office Cost Center (COCC) is reporting net income of approximately \$139,000 as shown on page 32. Property Management income is over budget approximately \$38,500 due to increased occupancy at the sites which allows for increased fee revenue for the COCC since management fees are based on occupied units. Other income is reporting a favorable variance of approximately \$5,400 due to the sale of excess vehicles and surplus equipment. Total expenses are showing a favorable variance of approximately \$64,000. Administrative expenses are reporting a favorable variance of approximately \$41,000 mainly attributable to the cost savings realized from the transition to the Virginia Retirement System (VRS).

The Section 8 program is reporting a difference in revenues over expenses of approximately \$89,000 as shown on page 33. Total administrative fee revenue is reporting a favorable variance of \$38,000 mainly due to HUD's reconciliation of Section 8 Administrative Fees and the distribution of excess funds. Total expenses are showing a favorable variance of approximately \$49,000. Administrative expenses are under budget approximately \$66,000 primarily due to cost savings in employee benefits and expenses that have not been incurred to date. Replacement of equipment is over budget approximately \$88,000 due to purchases made for replacement of equipment that was not included in the 2012 budgets.

Commissioner Garner asked how much had been spent on Replacement of Equipment. Ms. Austin stated the amount is \$88,000.

Vice-Chair Smith thanked Ms. Austin for her report and asked if there were any other questions. There were none.

2. Executive Director's Report

Vice-Chair Smith asked for the Executive Director's report.

Ms. Edwards introduced Ms. Tucker and stated that she has been promoted from Assistant Site Manager at Indian Rock Village to Resident Relations Coordinator effective November 5, 2012. Ms. Edwards stated that, in Ms. Tucker's position as Resident Relations Coordinator, she will serve as RRHA's Hearing Officer for applicant, tenant, and participant appeals, as well as serving as Section 3 coordinator and liaison with the resident councils.

Ms. Edwards referred to her written report in the Monthly Operations Report and stated that the Governor's Housing Conference will be held November 14-16 at the Hotel Roanoke. She will be moderating a session focused on veterans' housing on November 15 at 10:15 a.m. Any Commissioner who would like to attend the conference may contact Ms. Meyer to handle registration.

Commissioner Butler referred to Ms. Edwards's written report and asked if the sequestration language in the Budget Control Act could result in RRHA layoffs. Ms. Edwards stated that there are some unknowns at this point. Congress may approve a 2013 budget before sequestration is implemented, or they may agree on an alternative to sequestration. If nothing happens before January 2, 2012, and sequestration is implemented based on 2012 budget funding, then RRHA should receive a proration of Public Housing Operating Subsidy and Section 8 Administrative Fees of approximately 72%, based on Office of Management and Budget projections of 8.2% reductions in both programs resulting from sequestration. If Congress passes a 2013 budget, the prorations would likely be higher because 2013 budget proposals from the White House

and Congress contain funding for Public Housing and Section 8 at a higher amount than 2012. Although RRHA still has funds in Operating Reserves, decisions will have to be made once 2013 funding levels are known, because reserves cannot cover operating shortfalls indefinitely.

Commissioner Butler asked if RRHA is allowed to use operating reserves to cover a shortfall resulting from sequestration. Ms. Edwards confirmed that operating reserves may be used to cover such operating expenses.

Chair Boitnott thanked Ms. Edwards for her report and asked if there were any other questions. There were none.

3. Staff Reports

Chair Boitnott asked Mr. Wynter to present his report.

Ms. Edwards stated that she asked Mr. Wynter to provide a review of the Choice Neighborhoods Planning Grant since RRHA has now received the award.

Mr. Wynter stated that the grant provides \$200,000 for RRHA to use to create a Transformation Plan over the next 24 months. There will be approximately \$25,000 available to cover administrative costs related to grant implementation. RRHA will contract with a master planner who will work with the community to develop the Transformation Plan. The target area includes Lansdowne Park, Melrose Towers and the Loudon-Melrose/Shenandoah West neighborhood.

The planning process will be comprehensive, including input from the broader community and working with other partners such as Habitat for Humanity and Total Action for Progress (TAP). During the first quarter there are certain benchmarks to achieve such as having a master planner and surveyor on board, as well as completing

a market study. These activities will be followed by a comprehensive community survey and work with partners to develop the Transformation Plan. The Plan will provide a foundation for seeking additional resources for implementation, and RRHA plans to apply for a Choice Neighborhoods Implementation Grant in the future.

Commissioner Karnes asked if there was any coverage in The Roanoke Times regarding the award of the Choice Neighborhoods Planning Grant. Ms. Edwards stated that, although the press release was sent to all local media, the only media outlet that reported it was WSLS Channel 10.

Chair Boitnott thanked Mr. Wynter for his report and asked if there were any other questions. There were none.

4. Committee Reports

Chair Boitnott asked for committee reports.

Commissioner Karnes stated that the Personnel Committee met and continues to review policies for consideration at a later date.

5. Commissioner Comments

Chair Boitnott asked if there were any Commissioner comments.

Chair Boitnott congratulated Mr. Wynter on the award of the Choice Neighborhoods Planning Grant. Mr. Wynter thanked Chair Boitnott.

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

6. Residents or other community members to address the Board

Chair Boitnott 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, September 24, 2012.

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

C-2 Monthly Operations Report for the month of September 2012.

RECOMMENDED ACTION: File as submitted

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

AYES: Commissioners Butler, Garner, Karnes, Witten, Smith, Boitnott

NAYS: None

Chair Boitnott thereupon declared said motion carried as introduced.

IV. **REGULAR AGENDA**

1. Presentation of Reports – Discussion

Chair Boitnott stated that Ms. Austin does a great job presenting the monthly financial report each month. Chair Boitnott proposed that Ms. Austin submit a written summary of the highlights to accompany the financial reports in the Monthly Operations Report. Commissioners would then have more time to review the written report and then ask questions of Ms. Austin during the Board Meeting. Ms. Edwards stated that the RRHA Bylaws includes reports under the order of business, leaving which reports and what format to the discretion of the Board of Commissioners.

Chair Boitnott asked the Commissioners if they had any objection to receiving a written summary of the financial report. Commissioners agreed that a written summary would suffice. Ms. Edwards stated that a financial narrative report would be included in next month's Operations Report.

2. Resolution No. 3720

Ms. Wells asked for approval of Resolution No. 3720 approving a revised Personnel Policy regarding Annual Performance Appraisals and gave a brief overview of the changes.

Commissioner Witten asked if there was a probation period before a merit increase is awarded to a new employee. Ms. Wells stated that there is separate Initial Employment Period policy that addresses performance appraisal relative to the initial 6 months of employment.

Chair Boitnott asked if there were any other questions. There were none.

Vice-Chair Smith introduced Resolution No. 3720 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY APPROVING A REVISED PERSONNEL POLICY REGARDING ANNUAL PERFORMANCE APPRAISALS

WHEREAS, the Roanoke Redevelopment & Housing Authority (RRHA) has a Personnel Policy regarding Annual Performance Appraisals which was last revised December 20, 1996; and

WHEREAS, 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 determined that it is prudent and in the best interest of RRHA to revise Personnel Policy No. 610, Annual Performance Appraisals; and

WHEREAS, the proposed revised Personnel Policy No. 610, Annual Performance Appraisals, has been reviewed by RRHA's legal counsel and determined to be in compliance with legal requirements applicable to RRHA; 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. 610, Annual Performance Appraisals, is approved effective November 1, 2012.

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

AYES: Commissioners Butler, Garner, Karnes, Witten, Smith, Boitnott

NAYS: None

Chair Boitnott thereupon declared said motion carried and Resolution No. 3720 adopted as introduced.

3. Resolution No. 3721

Ms. Wells asked for approval of Resolution No. 3721 approving a revised Code of Ethics and Standards of Conduct Policy. Ms. Wells stated that terminology in the policy was updated to reflect current practice. Ms. Wells stated that the Personnel Committee also recommended that this policy be reviewed every year.

Commissioner Garner stated that the Code of Ethics and Standards of Conduct Policy is reviewed once a year with all employees and suggested that the policy also be reviewed with the Board of Commissioners with a signature of acknowledgment each year.

Chair Boitnott asked how the Board could move forward with approving the Resolution with the proposed change to the policy. Ms. Edwards stated that the Board

of Commissioners can approve Resolution No. 3721 with the stipulation that the policy be revised to add language stating that Commissioners will be provided a copy of the policy and the opportunity to review the policy with legal counsel each year, and each Commissioner will be asked to sign an acknowledgment which will be retained in the Commissioner's file.

Chair Boitnott asked if there were any other questions. There were none.

Commissioner Garner introduced Resolution No. 3721 and moved its adoption as introduced with the Code of Ethics and Standards of Conduct Policy revision approved as submitted with the addition of the proposed language as discussed by the Board of Commissioners:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND
HOUSING AUTHORITY APPROVING A REVISED CODE OF ETHICS
AND STANDARDS OF CONDUCT POLICY**

WHEREAS, the Roanoke Redevelopment & Housing Authority (RRHA) has a Code of Ethics and Standards of Conduct Policy which was approved by the Board of Commissioners by Resolution No. 3448 on November 19, 2007; and

WHEREAS, RRHA has a Personnel Policy No. 401 regarding Conflict of Interest which was last revised December 20, 1996; and

WHEREAS, 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, after review, RRHA has determined that the separate Personnel Policy No. 401, Conflict of Interest, should be eliminated because it has been superseded by the Code of Ethics and Standards of Conduct Policy, which comprehensively addresses conflict of interest requirements and guidelines;

WHEREAS, RRHA has also determined that it is prudent and in the best interest of RRHA to also review and update the Ethics and Standards of Conduct Policy; and

WHEREAS, the Personnel Committee of the RRHA Board of Commissioners supports and recommends approval of the revised Ethics and Standards of Conduct Policy and elimination of the separate Personnel Policy No. 401, Conflict of Interest.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Roanoke Redevelopment and Housing Authority that the attached revised Code of Ethics and Standards of Conduct Policy is approved effective November 1, 2012 and Personnel Policy 401, Conflict of Interest is eliminated.

The motion was seconded by Vice-Chair Smith and upon roll call the following vote was recorded:

AYES: Commissioners Butler, Garner, Karnes, Witten, Smith, Boitnott

NAYS: None

Chair Boitnott thereupon declared said motion carried and Resolution No. 3721 adopted as introduced.

3.

V. **ADJOURNMENT**

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

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

AYES: Commissioners Butler, Garner, Karnes, Witten, Smith, Boitnott

NAYS: None

Chair Boitnott declared the meeting adjourned at 3:23 p.m.

Adam Boitnott, Chair

Glenda Edwards, Secretary-Treasurer

PROPOSED POLICY

PROPOSED REVISION
Effective November 1, 2012

Policy No. 610

ANNUAL PERFORMANCE APPRAISALS

I. PURPOSE

To provide a formal and uniform review system by which the job performance and work related conduct of regular employees is appraised for purposes of assessing the level of performance effectiveness, providing performance feedback, providing for the development of goals and objectives for future growth, and to provide a fair basis for awarding compensation based on merit.

II. SCOPE

This policy applies to all regular employees.

III. POLICY

Formal performance appraisals are completed on an annual basis. The process begins in December of each year covering an individual's performance results of the full calendar year.

The employee performance appraisal process will be managed to accomplish the following objectives:

- a. To document the employee's performance results in all principal duties assigned and work related conduct.
- b. To develop a shared understanding of the employee's level of performance and to establish performance goals and plans to correct performance deficiencies
- c. To develop a shared understanding of the employee's job growth and to establish performance goals and plans designed to improve, sustain, or increase the employee's effectiveness.
- d. To develop a shared understanding of the employee's career path and to establish performance goals and plans to develop employee's overall career goals
- e. To summarize both formal and informal performance discussions held with employees throughout the review period
- f. To ensure effective business operations
- g. To link employee performance with merit increase considerations

Merit increases are not guaranteed and are based upon an employee's overall performance rating and the agency's approved merit budget.

An employee may only grieve an annual performance evaluation if the employee believes that the evaluation is arbitrary or capricious in nature.

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

Supervisors are responsible for setting and communicating clear performance expectations for their employees at the beginning of, and throughout, the review period.

Supervisors are responsible for observing and discussing the positive and negative aspects of their employee's job performance and work related conduct in relation to the established expectations for the review period. Supervisors will conduct an ongoing review of the expectations throughout the course of the year.

Supervisors are responsible for conducting formal annual performance appraisals on their employees in February of each calendar year documenting their job performance and work related conduct results in the previous calendar year.

Supervisors will use first-hand knowledge of the employee's performance, as well as input from others who have directly observed the employee's performance and/or are the direct recipients of an employee's work results or interaction. Employees are encouraged to provide a self-evaluation of performance to their supervisor at calendar year end.

On or about December 1st of each calendar year, Human Resources will provide supervisors a timeline for the completion performance appraisals.

Supervisors will recognize that annual performance appraisals are an important management function; therefore, they will submit draft appraisals for review and approval timely in order for presentations with employee's to occur on schedule.

Prior to presentation, all annual performance appraisals must be reviewed and approved by the next level manager and then are forwarded to Human Resources for final review. After review by Human Resources, the appraisal is returned to the Supervisor. The supervisor will then schedule a time to meet with the employee for presentation. The meeting should be held at a prearranged time in a private location free from interruptions.

Supervisors will present the appraisal and hold a face-to-face individual discussion with the employee regarding its contents. Employees are welcome to comment on their appraisal during the presentation and/or in written form. Written comments must be received by the Supervisor within three (3) working days of the presentation. If a merit increase is warranted and provided for in the budget, the Supervisor will generally announce the increase during the appraisal meeting. If a merit increase is given, it is generally applied to the first paycheck in March; however, the increase may become effective at a later date depending on budget limitations.

Employees will be asked to sign the appraisal as acknowledgement that they have read the appraisal and that the appraisal was reviewed with them. Signature on the appraisal is not an indicator of agreement with its comments or rating.

If an employee declines to sign the appraisal, the Supervisor will write "employee declined to sign" at the bottom of the appraisal and will initial and date before giving the employee a copy of the appraisal.

Supervisors will develop a performance improvement plan for any employee who receives an Overall Performance Evaluation Score of "less than expected". Although it is not necessary that the performance improvement plan follow a specific format, it must address each principal duty of the employee's that falls short of Meets Expectations, provide specific information as to what needs to be improved, how the improvement can be accomplished, what action will result if the employee fails to show satisfactory improvement within a stated timeline. The performance improvement plan must also include specific time intervals in which the Supervisor will provide the employee with documented feedback of the employee's progress or lack of up to that point. A Supervisor may recommend disciplinary action up to and including termination at any time during the performance plan timeline if it is noted that an employee is not making satisfactory progress toward improvement.

Completed appraisals will be retained in the employee's personnel file located in the Human Resources department.

The Executive Director has the authority to approve exceptions to this policy when warranted if it is in the best interest of the agency.

CURRENT POLICY

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Date: December 20, 1996
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EMPLOYEE PERFORMANCE APPRAISAL

I. PURPOSE

To provide a process by which the job performance of each employee is appraised for purposes of development, merit review and counseling.

II. SCOPE

This policy applies to performance appraisal of regular employees and employees in their initial period of employment.

III. POLICY

The employee performance appraisal process will be managed to accomplish the following objectives:

- A. To enhance individual employee performance and ensure effective business operations.
- B. To summarize both formal and informal performance discussions held with employees throughout the review period.
- C. To document performance areas in which employees do well and those areas which require improvement. To establish performance goals and plans to correct performance shortcomings.
- D. To link employee performance with merit increase considerations.

IV. PROCEDURE

- A. Each supervisor is responsible to set and communicate clear performance standards for his or her employees at the beginning of, and throughout, the review period.
- B. Each supervisor is also responsible to observe and discuss with his or her employees positive and negative aspects of their performance in relation to standards throughout the review period.
- C. Each supervisor is responsible to conduct formal performance appraisals on each subordinate employee on the employee's Merit Review Date, summarizing past discussions and setting performance goals.
 - 1. Timeliness.
 - a). Regular employees will receive two performance appraisals during each year. Performance evaluations will be conducted by supervisors on designated Merit Review Dates, followed by

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- interim evaluations 6 months after the Merit Review Date.
- b). Newly hired employees will be appraised after six months of their initial employment. (See Policy No. 030, Initial Period of Employment).
 - c). The Human Resources Director will maintain a system to assist supervisors to complete performance appraisals on time. The timely processing of performance appraisals is one of the most important management responsibilities of the supervisor.
2. Performance Appraisal Form. A copy of the employee performance review form follows and can be obtained from the Human Resources Director.
 3. Approvals. After the supervisor has completed the evaluation (without signature), the Reviewer (the supervisor's immediate supervisor) must review the evaluation (without signature). The evaluation is then given to the Human Resources Director for review. After review by Human Resources, the evaluation is returned to the Reviewer. It is then forwarded back to the supervisor. The supervisor will then schedule a time to meet with the employee to discuss the evaluation.
 4. Performance Appraisal Discussion. Supervisors will hold a discussion with the employee regarding each performance appraisal. The discussion should be held at a prearranged time in a private location free from interruptions.
 5. Employee Signature. The employee will be asked to comment on the appraisal and acknowledge it by signing the form. He or she will then be given a copy of the signed appraisal. If the employee declines to sign the form, he or she should be encouraged to discuss any concerns and perhaps write a rebuttal. If the employee still declines to sign the appraisal, the supervisor should write "employee declined to sign" at the bottom of the form, add his or her initials and the date, and give the employee a copy of the appraisal. The supervisor should then notify his or her manager of the situation.
 6. The supervisor will submit the performance appraisal to Human Resources by the due date to ensure proper processing of salary increases.

REDLINED POLICY
SHOWING PROPOSED
CHANGES

ROANOKE REDEVELOPMENT & HOUSING AUTHORITY

CODE OF ETHICS AND STANDARDS OF CONDUCT POLICY

PREFACE

The Roanoke Redevelopment & Housing Authority (RRHA) has established standards of conduct for its employees and members of its Board of Commissioners. These standards are designed to assure the utmost in public trust and confidence in the policies and practices of RRHA. Because of its status as an independent public entity, RRHA recognizes its responsibility to conduct all business in a manner above reproach or censure. This Code of Ethics will describe the standards by which members of the Board of Commissioners and RRHA employees are to be held accountable.

This code recognizes and incorporates those sections of federal, state, and local law which govern the conduct of public employees, and in no way supplants those provisions of law. In cases where no statutory precedent exists, the policy of the Roanoke Redevelopment & Housing Authority shall be applied.

The Standards of Conduct contained within the Code of Ethics shall be generally applied so as to avoid the appearance, or actual occurrence of, any favoritism or special treatment towards any applicant, resident, vendor, or agent having business, or dealings of any kind, with RRHA. No Commissioner or employee shall use or cause or allow to be used his or her position to secure any personal privileges for himself, herself, or others, or to influence the activities, actions, or proceeds of RRHA.

The Roanoke Redevelopment & Housing Authority, in establishing standards of conduct for its employees, agents and commissioners, recognizes the importance of establishing standards of conduct for external vendors and suppliers of products and/or services to RRHA. While RRHA cannot mandate the internal conduct or policies of vendors, it nevertheless requires that vendors and suppliers adhere to certain basic principles in conducting business with RRHA. Specifically, these principles include:

- A. No direct or indirect personal inducement of RRHA employees or agents. This includes the giving of gifts, money, tickets or any item or service having value, including but not limited to, a gift of cash regardless of its value, a non-monetary gift, a favor or promise of future employment; wherein, based upon any mutual understanding, either explicit or implicit, the official actions of RRHA would be influenced thereby. It shall be presumed that a non-monetary gift having a value of less than \$50.00 does not involve such an understanding, as long as items from any one source do not exceed a cumulative value of \$100 during any calendar year.
- B. No direct or indirect inducement of members of the Board of Commissioners. This shall include the same provisions covering employees, except that it is recognized that in the course of business dealings, there may be times when meals and/or visits may be arranged. In such cases, such events should be reported to the Chairman of the Board, with the nature of the visit explained.

It is expected that vendors or suppliers of professional services to RRHA will be governed by the Code of Ethics to which their particular profession prescribes.

Any vendor or supplier found in violation of this agency's policy shall be barred from future business dealings with RRHA. RRHA reserves the right to have vendors and suppliers sign a statement of compliance with the standards of conduct of RRHA.

1.0 TITLE

This shall be called "The Roanoke Redevelopment & Housing Authority Code of Ethics and Standards of Conduct."

2.0 APPLICABILITY

The provisions contained herein shall apply to all employees and all members of the Board of Commissioners of the Roanoke Redevelopment & Housing Authority. With respect to contracted professional services of RRHA (legal, accounting, or otherwise), it is assumed that these professionals will abide by the professional ethics of their particular profession.

3.0 PURPOSE

This Code of Ethics establishes standards for employee and Commissioner conduct that will assure the highest level of public service. Recognizing that compliance with any ethical standards rests primarily on personal integrity, and also recognizing in general the integrity of Commissioners and employees, it nevertheless sets forth those acts or omissions of acts that could be deemed injurious to the general mission of RRHA.

This Code of Ethics is not intended, nor should it be construed as, an attempt to unreasonably intrude upon the individual employee's or Commissioner's right to privacy and the right to participate freely in a democratic society and economy.

4.0 DEFINITIONS

"Applicant, Tenant, or Participant" shall be a person who expects to receive, or is receiving, some form of assistance from RRHA.

"Claim" shall mean any demand, written or oral, made upon RRHA to fulfill an obligation arising from law or equity.

"Commissioner" shall mean one of the persons serving on the Board of Commissioners of RRHA.

"Contract" shall mean any obligation to do something arising from an exchange of promises or consideration between persons, regardless of the particular form in which it is stated.

"Conventional" shall mean those housing programs operated by RRHA, which are broadly considered part of the "conventional public housing program." This shall include but not be limited to, such programs as public housing, the Capital Fund, HOPE VI, and the Public Housing Drug Elimination Program (PHDEP).

"Employee" shall mean any person appointed or hired, whether full or part time, seasonal, temporary, paid or unpaid, on a fixed or unfixed term, provisional or regular.

~~"Enrollee" shall broadly mean any applicant, resident, or program participant in any program operated by RRHA. Specifically, an "enrollee" shall be a person who expects to receive, or is receiving, some form of assistance from RRHA.~~

"Family" shall mean spouse, father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister, or persons living in the same household.

"Interest" shall mean a benefit or advantage of an economic or tangible nature that a person or a member of his or her family would gain or lose as a result of any decision, or action or omission to decide or act, on the part of RRHA, its Board or employees.

"Leasing program" shall mean those programs operated by the Roanoke Redevelopment & Housing Authority that are broadly included within the Section 8 Program or the tenant-based program, whether it be for certificates or vouchers. Unless otherwise noted, the provisions contained herein shall apply equally to both the "Leasing" and the "Conventional" programs of RRHA.

"Person" shall mean any individual, corporation, partnership, business entity, association, organization, and may include an RRHA employee.

"Public Information" shall mean information obtainable pursuant to the Virginia Freedom of Information Act and RRHA guidelines adopted pursuant thereto.

5.0 ETHICAL STANDARDS FOR EMPLOYEES

No employee of the Roanoke Redevelopment & Housing Authority shall have any employment, or engage in any business or commercial transaction, or engage in any professional activity, or incur any obligation in which directly or indirectly he or she would have an interest that would impair his or her independence of judgment or action in the performance of his or her official duties or that would be in conflict with the performance of his or her official duties.

In addition to any other applicable conflict of interest requirements, neither RRHA nor any of its contractors or their subcontractors may enter into any contract, subcontract, or arrangement in connection with a project(s) in which any of the following classes of people has an interest, direct or indirect, during his or her tenure or for one year thereafter:

- Any present or former member of RRHA's Board of Commissioners, or any member of the Board member's immediate family. There shall be excepted from this prohibition any present or former tenant commissioner who does not serve on the governing body of a resident corporation, and who otherwise does not occupy a policymaking position with the resident corporation, RRHA or a business entity.
- Any RRHA employee who formulates policy or who influences decisions with respect to the project(s), or any member of the employee's immediate family.
- Any public official, member of the local governing body, or State or local legislator, or any member of such individuals' immediate family, who exercises functions or responsibilities with respect to the project(s) or RRHA.

There shall be no preferential treatment given by an employee of RRHA acting in performance of his or her official duties to any person, agency or organization.

No RRHA employee shall use or permit the use of RRHA-owned vehicles, equipment, materials or property for the convenience or profit of himself, herself, or any other person; however this provision shall not apply in the case of usage for "diminutive" purposes, i.e., purposes which in and of themselves should not be construed as abuse of RRHA property.

No RRHA employee shall solicit any gift nor shall any RRHA employee accept or receive a gift having value, including but not limited to, a gift of cash regardless of its value, a non-monetary gift, a favor or promise of future employment; wherein, based upon any mutual understanding, either explicit or implicit, the official actions of RRHA would be influenced thereby. It shall be presumed that a non-monetary gift having a value of less than \$50.00 does not involve such an understanding, as long as items from any one source do not exceed a cumulative value of \$100 during any calendar year.

No RRHA employee acting individually can bind RRHA by any action or verbal representation.

No RRHA employee shall disclose without proper authorization non-public information or records concerning any aspects of the operation of RRHA, nor shall he or she use such information to the advantage or benefit of himself, herself, or any other person. This shall include records maintained on ~~enrollees~~applicants, tenants, or participants of RRHA, for whom a properly executed release of information form shall be obtained and kept in the client file. The release of any information relative to ~~enrollees~~an applicant, tenant, or participant of RRHA shall be done pursuant to government regulations allowing the release of information among government agencies or agencies receiving government subsidy, shall be done following prescribed methods of requesting and transmitting such information, and shall be done with full knowledge of the ~~enrollee~~applicant, tenant, or participant except in those cases where through action of law the ~~enrollee's~~applicant, tenant, or participant's knowledge is not required.

No RRHA employee shall intentionally make false representation or conceal material facts for the purpose of inducing another for any purpose.

No RRHA employee currently employed shall represent any person, other than him/herself, in business negotiations, judicial or administrative actions or procedures, to which RRHA may be a party.

No former employee of RRHA shall personally represent any person in a matter in which the former employee personally participated while employed by RRHA within the previous one year, if such representation would be adverse to the interests of RRHA. This provision shall not, however, bar the timely filing by a current or former employee, of any claim, account, demand, or suit authorized or permitted by law.

No member of the family of any RRHA employee shall be appointed or hired to serve under the direct supervision or authority of that employee, and in no event shall any RRHA employee participate in the decision-making regarding employment or contract for services of any family member.

No RRHA employee shall have an interest in an open and ongoing contract between any person and RRHA, except that this provision shall not apply if the contract was entered into prior to the employee's hire by RRHA; the employee discloses his or her interest in the contract prior to employment; and after employment, the employee has no power to formulate policy, influence decisions, authorize or approve payment under the contract, monitor performance or compliance under the contract, or audit bills or claims under the contract and the compensation of the employee will not be affected by the contract.

No RRHA employee shall have any employment, engage in any business or commercial transaction, or engage in any professional activity in which, directly or indirectly, he or she would have an interest that would impair his or her independence of judgment or action in the performance of his or her duties with RRHA or that would be in conflict with his or her duties at RRHA.

No employee of RRHA shall discuss, vote upon, decide or take part in (formally or informally) any matter before RRHA in which he or she has an interest. Exception shall be made in the case of an employee whose interest in the matter is minimal (e.g. an employee helping decide on a new telephone system owns 100 shares of AT&T stock), provided the employee shall fully and specifically describe his or her interest, in writing, and the underlying basis of it, whether it be ownership, investment, contract, claim, employment or family relationship, to his or her immediate supervisor prior to the employee's participation. If, in the opinion of the supervisor, there is any question as to whether the interest is minimal, the matter shall be referred to the Executive Director for a binding decision on the question.

Any matter decided on, contracted, adjudicated, or in any way acted upon by an employee who does not disclose a personal interest either in the matter, or in any person or organization having an interest in the matter, may be considered null and void by RRHA. Such a matter may be referred to the Executive Director to render judgment and assess any penalties if necessary.

If the Executive Director renders judgment that a matter was performed; a contract entered into; or any matter was conducted, decided or acted upon in a manner prohibited by RRHA's Code of Ethics; he/she may then propose, among other things, that the Board of Commissioners seek an injunction against the proscribed action.

If the Board of Commissioners renders judgment that a matter was performed; a contract entered into; or any matter was conducted, decided or acted upon by the Executive Director that is not in keeping with RRHA's Code of Ethics; the Board may, among other things, take disciplinary action up to and including termination, and any contract executed as a result of the Executive Director's conduct may be terminated. Further, the Board of Commissioners may seek an injunction against the proscribed action.

No person employed by RRHA shall be permitted to participate as a lessor or lessor's agent in the leasing programs. Similarly, no member of the Board of Commissioners in his or her individual capacity shall be a lessor or lessor's agent. These prohibitions, however, shall not apply where the employee or Commissioner is a principal in a not-for-profit or charitable, educational, or humanitarian agency or organization that may own or manage housing for rental purposes.

RRHA employees are subject to the provisions of Section 12(a) of the Hatch Act. No RRHA employee shall directly or indirectly use or seek to use his/her authority or the influence of his/her position to control or modify the political action of another person. An employee shall not, during hours of duty, engage in political activity.

6.0 ETHICAL STANDARDS FOR COMMISSIONERS

The Board of Commissioners of the Roanoke Redevelopment & Housing Authority is the architect of policy governing the operations of the agency and retains legal and fiscal responsibility for RRHA. Recognizing that the commissioners are chosen from a broad range of fields, professions and community interests renders difficult the circumscription of external interests and activities of the Commissioners. It is the intent that, insofar as is possible, the members of the Board of Commissioners are generally enjoined to follow the standards of conduct which are outlined in the Code of Ethics for employees.

Further, it is expected that a Commissioner will voluntarily and fully outline his or her personal interests and potential conflicts of interest prior to assuming his/her seat on the Board. Such a statement should be submitted to the Board Chairman within ninety (90) days of the Commissioner's appointment. For Commissioners currently serving, such an updated statement shall be developed within ninety (90) days of their re-appointment for a new term. Such a statement shall disclose the following:

- A. The names of any business, organizational, or professional involvements that might reasonably be inferred as having business with RRHA and for which at some point a Commissioner might be expected to vote, legislate, or rule on a matter involving said party.
- B. Any current or past contact in, or interest in, activities or programs of RRHA, including, but not limited to, any contracts previously bid and let, familial relationships with any staff or other Board members, or any consultative or professional contracts.

1. No Commissioner shall vote, decide on, or discuss any matter before the Board if that Commissioner has an interest in the matter, except that:
 - a. A Commissioner having interest through a voluntary association with the person or organization may be allowed to discuss the matter.
 - b. If the matter concerns a person or organization with which the Commissioner had former contact, and that former contact existed either prior to his or her selection, or occurred at least two years prior to the current discussion of the matter, the Commissioner may freely act.
2. No Commissioner may use his or her position on the Board to intimidate, coerce, persuade or otherwise influence any of the activities or employees of RRHA.

Each Commissioner will be provided a copy of the Code of Ethics and Standards of Conduct Policy and the opportunity to review the policy with legal counsel annually. Signed acknowledgments will be retained in Commissioner files in the RRHA Executive Office.

7.0 WHISTLEBLOWING

All Commissioners and employees have the right and the responsibility to question possible wrongdoings and are encouraged to remain vigilant against such possible actions. If an individual suspects wrongdoing (whether or not the suspected act has actually occurred), he/she should immediately report the matter to his/her Division Vice President, the Executive Director, the V.P. of Human Resources/Administration, any or all Board Commissioners, or RRHA's Legal Counsel.

RRHA does not view an individual who has 'blown the whistle' as a trouble-maker, but rather as a witness to an event. He/she will not suffer discrimination or persecution for raising concerns in good faith, even if the concern is not proved and, if possible, he/she will be informed of the outcome. Discrimination and persecution of employees who raise genuine concerns will not be tolerated under any circumstances and support will be provided to whistleblowers as appropriate.

Examples of suspected incidences, that may be potential or actual, which employees may feel require reporting include, but are not limited to:

- Violation of health, safety and environmental procedures or legislation
- Discrimination or other unwarranted detrimental treatment of employees (e.g. bullying, harassment)
- Misappropriation of funds
- Conflicts of interest
- Bribery, fraud or other forms of corruption
- Manipulation of accounts
- The deliberate provision of misleading information or falsification of records
- Suspected criminal activities or civil violations
- Misuse of agency property

8.0 ACTION ON VIOLATION

Each act that violates one or more provisions of this Policy shall constitute a separate violation.

Violations shall be proven by a preponderance of evidence.

If it is determined that a RRHA employee has violated a provision of this policy, he or she may be subject to disciplinary action up to and including termination of employment, and any contract executed as a

result of the employee's conduct may be terminated. In addition to any other penalty herein or otherwise provided by law, a violation may be cause for suspension, discharge, termination, or such other disciplinary action as may be deemed necessary and proper, consistent with RRHA personnel rules and applicable policies.

If it is determined that a RRHA Commissioner has violated a provision of this policy, he or she may be subject to disciplinary action up to and including removal from office, and any contract executed as a result of the officer's conduct may be terminated.

In addition to the above, one or more of the following actions for violation of any provision of this Policy may be imposed:

- A. Recommend prosecution or other action by the appropriate authorities;
- B. Recommend filing a civil action to recover any losses sustained, penalties imposed, and cost (including reasonable investigative costs) incurred by RRHA as a result of the violation;
- C. Recommend the imposition of monetary penalties as authorized by law.

CURRENT
PERSONNEL POLICY
No. 401

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CONFLICT OF INTEREST

I. PURPOSE

To protect the integrity of Authority information, services and employee efforts and to reduce the risk of litigation.

II. SCOPE

This policy applies to all full-time, regular employees of the Authority.

III. POLICY

Outside employment by regular full-time employees is permitted as long as the employee considers the position with the Roanoke Redevelopment and housing Authority as the primary job and no conflict of interest arises between the second job and responsibilities to his/her position with Authority.

Employees are expected to devote their best efforts to the interests of the Authority and the conduct of its affairs. The Authority recognizes the right of employees to engage in activities outside of their employment here which are of a private nature and unrelated to our business. However, a policy of full disclosure will be followed to assess and prevent potential conflicts of interest from arising.

IV. PROCEDURE

A. While describing all the circumstances and conditions which might develop is impossible, the following is set forth to guide employees:

1. Regular employees have an obligation to devote their full time to employment with the Authority and may not engage in any outside professional work without full disclosure to the Executive Director and Human Resources Director.
2. If an employee, spouse or other member of an employee's immediate family is engaged in a business similar in nature to the Authority, it must be disclosed in full to the Executive Director and Human Resources Director.
3. No employee may engage in outside work that will interfere with his or her primary job with the Authority. Nor will any employee engage in any activity of a nature that is in some way hostile or adverse to the Authority.

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4. No gifts or gratuities shall be accepted by any Authority employee or official from any person, agency, or firms with which the Authority conducts its business.
 5. Employees and members of his or her immediate family shall avoid any conduct which would give the appearance of giving or receiving unwarranted preferential treatment or consideration to any outside firm or individual.
 6. No outside work may be done during regular office hours and no Authority facilities, equipment, labor or supplies may be used to conduct this outside activity.
 8. Any employee doing any outside work is under obligation to advise his or her client that the work is in no way by, for, or in the name of the Authority.
- B. Any questions regarding a possible conflict of interest or outside work should be discussed with the immediate Supervisor or with the Human Resources Director.
 - C. Failure to disclose or discuss information related to any of the above points may lead to corrective action up to and including discharge.
 - D. A questionnaire dealing with conflict of interest will be completed annually by all employees covered by the scope of this policy as a continuing reminder and control on this important subject.