

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, December 19, 2011, 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

Chairperson Garner called the meeting to order at 3:01 p.m. and declared that a quorum was present.

PRESENT: Commissioners Boitnott, Burruss, Butler, Karnes, Garner, Witten

ABSENT: Commissioner Smith

OFFICER PRESENT: Glenda Edwards, Secretary-Treasurer

ALSO PRESENT: Cathy Wells, VP of Resident Services and Administration; Earl Saunders, VP of Real Estate Management; Jackie Austin, VP of Finance/CFO; Roger Vest, VP of Real Estate Development; Helen Shampine, HCV Director; Joel Shank, VP of Operations; Desi Wynter, Director of Redevelopment and Modernization; Lisa Saunders, Interim Director of Housing; Gloria Charlton, FSS Coordinator; Lydia Fuller, Resident Relations Coordinator; Katie Meyer, Executive Assistant; Mark Loftis, Legal Counsel

Chairperson Garner welcomed everyone to today's meeting and wished everyone a wonderful holiday season.

## II. REPORTS

### 1. Financial Report

Chairperson Garner asked for the Financial Report.

Ms. Austin, RRHA VP of Finance/CFO, stated she would like to start her presentation with positive news RRHA has received from the U.S. Department of Housing and Urban Development (HUD). The RRHA Housing Choice Voucher (HCV) program will receive Housing Assistance Payments (HAP) funding of \$790,457 per month from January through March 2012, as compared to \$670,686 per month from July through December 2011.

Commissioner Karnes asked if the funding amount that is being received from HUD means that there will be no cuts in the HCV program. Ms. Edwards, RRHA Executive Director, stated that there would be no cuts for January, February, and March 2012. Ms. Austin stated that she believes HUD is reviewing 2011 and current HCV expenses as opposed to expenses two or three years ago and will be allocating funding three months at a time.

Ms. Edwards stated that the bill that was recently passed for the 2012 budget identified the 2011 calendar year as the baseline for calculating HAP funding, meaning that funding should be allocated in amounts closer to current costs in 2012.

Ms. Austin referred to page 2 of the Monthly Operations Report Finance Section consolidated balance sheet and stated that another investment was called in the month of November, which resulted in a decrease in investments and an increase in cash. Ms. Austin stated that, relative to the reduced funding to be provided by HUD for the 2012 calendar year, having investments called may benefit RRHA by eliminating the need to

liquidate investments and pay associated penalties.

Ms. Austin referred to page 23 of the Monthly Operations Report Finance Section and stated that Public Housing is reporting net income of approximately \$401,000. Total expenses are showing a favorable variance of \$169,000 primarily attributable to expenses that have not been incurred to date. Extraordinary maintenance is over budget \$49,000 due to unanticipated siding replacement at Indian Rock Village, bathtub refinishing that needed to be completed in order to prepare for Real Estate Assessment Center (REAC) inspections, and playground equipment that was purchased for Lansdowne Park. During the month of October one lease-purchase house was sold, resulting in the transfer of approximately \$85,000 in assets to the Public Housing Program. The assets are being held in the HOPE VI Grant which has not been closed out.

The Central Office Cost Center (COCC) is reporting net income of approximately \$45,000 as shown on page 32. Total expenses are showing a favorable variance of \$38,000, and administrative expenses are showing a positive variance of almost \$31,000 due to expenses that have not been incurred to date.

The Section 8 program is reporting a difference in revenues over expenses of approximately \$47,000 as shown on page 33. Total expenses are showing a favorable variance of approximately \$35,000. Administrative expenses are under budget \$25,000 due to vacant positions and expenses that have not been incurred to date.

Ms. Austin asked if there were any questions.

Chairperson Garner referred to page 2 of the Monthly Operations Report Finance Section and referred to the call on RRHA's investments and the knowledge that RRHA

will have to use reserves for operations. Chairperson Garner asked if the amount of called investments is equal to the amount anticipated to be drawn down for operating expenses. Ms. Austin stated that the amount of investments that will need to be drawn down depends on spending patterns and HUD funding and, at this time, RRHA is in a good cash position for three or four months.

Commissioner Burruss asked if RRHA had funds in any interest bearing accounts. Ms. Austin stated that at this time RRHA does not have any interest bearing accounts; however, RRHA is realizing a savings due to not paying bank service fee charges. Ms. Austin stated that for the past 18 months RRHA has paid very little in bank service fee charges, which has resulted in saving more money than the accounts would generate in interest at current rates.

Chairperson Garner referred to the extraordinary maintenance expenses that were incurred in anticipation of the REAC inspections and asked if additional expenses are anticipated for the upcoming January 2012 inspections. Mr. Shank, VP of Operations, stated that RRHA has learned from the previous REAC inspections and is addressing items at other sites to correct issues before the upcoming REAC inspections. There will be some expenses incurred to make the necessary corrections.

Chairperson Garner thanked Ms. Austin for her report and asked if there were any other questions. There were none.

## 2. Executive Director's Report

Chairperson Garner asked for the Executive Director's report.

Ms. Glenda Edwards referred to her written report in the Monthly Operations Report and highlighted the information regarding the REAC inspection scores and the

revisions to the South Jefferson Redevelopment Plan Design Guidelines which have been requested by developers. Ms. Edwards stated that Mr. Vest, RRHA VP of Real Estate Development, Mr. Wynter, RRHA Director of Redevelopment and Modernization, and Mr. Shank will be reviewing the requested revisions along with staff from the City of Roanoke. Based on that review, it is likely that a proposed amendment to the Design Guidelines will be brought to the Board of Commissioners for discussion or action at the January 2012 meeting.

Commissioner Butler asked if RRHA staff would make recommendations regarding the proposed amendment to the Design Guidelines. Ms. Edwards stated that the RRHA staff will be prepared to make recommendations upon completion of review of the Design Guidelines with City of Roanoke staff. Review and agreement by both RRHA and City staff on recommendations regarding proposed revisions is important because, following action on an amendment by the RRHA Board of Commissioners, the amendment would go before Roanoke City Council for consideration.

Commissioner Butler asked if there is a deadline for the developers to submit their request in order for RRHA staff to review and if the developers understand that they cannot come before the Board in January expecting action on an amendment without prior review by RRHA staff. Ms. Edwards stated that the developers have been given the timeframes for submission in order for staff review to occur in advance of the Board meeting and that the developers have been informed that staff review is required before an amendment is brought for Board consideration.

Commissioner Witten asked if the Design Guidelines are part of the City's Comprehensive Plan or a separate document. Ms. Edwards stated that the Design

Guidelines are incorporated into the South Jefferson Redevelopment Plan which has been approved by the RRHA Board of Commissioners and Roanoke City Council.

Chairperson Garner asked about the Public Housing Assessment System (PHAS) scoring system and inquired about the significant difference in turnaround times for the various Public Housing sites. Mr. Saunders, RRHA VP of Real Estate Management, stated that differences in turnaround time are often related to unit size. Efficiency units are small in size and can be turned quickly while 4- or 5-bedroom units take longer to turn. The condition of the unit is also a factor in turnaround time.

Ms. Edwards stated that RRHA is continuing to work on unit turnaround time. With the new PHAS scoring system, there is no direct score for turnaround time. However, occupancy, which is affected by turnaround time, is scored twice, once as a point in time measure at year end on September 30<sup>th</sup>, and the other as a full year measure.

Ms. Edwards introduced Ms. Saunders who has worked with RRHA for over 17 years and is currently serving as Interim Director of Housing. Ms. Edwards stated that Ms. Saunders has provided some additional insight into the challenges of unit turnaround during the interview process for the Director of Housing position. One of the questions posed to candidates relates to their approach to improving unit turnaround time. Ms. Edwards stated that, during this process, she has learned from Ms. Saunders that one of the major challenges comes from HUD requirements regarding allowing prospective tenants several days to decide whether they want a unit that is offered. This is further complicated by the fact that a property manager may contact a prospective tenant early in the month to offer a unit, but the prospective tenant may not

have funds available to move in until the first of the following month. Both holding the unit while the prospective tenant decides and the time until move-in impact negatively on turnaround time because a unit is in turnaround status until it is leased.

Ms. Edwards also noted that, if the prospective tenant declines the unit, the Property Manager must go to the next person on the waiting list and offer the unit, and that person also must be given several days to decide whether to accept the unit.

Chairperson Garner stated that he had several other questions but, in the interest of time, he would email them to Ms. Edwards.

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

3. Staff Reports

Chairperson Garner asked if there were any staff reports. There were none.

4. Committee Reports

Chairperson Garner asked for committee reports.

Commissioner Karnes stated that the Personnel Committee has reviewed and revised RRHA's Grievance Policy, and it is being presented for Board consideration today in Resolution No. 3682.

Chairperson Garner stated that the Grievance Policy has been thoroughly vetted by the Personnel Committee. RRHA attorneys were consulted, and the Committee is very satisfied with the changes in the policy.

5. Commissioner Comments

Chairperson Garner asked if there were any Commissioner comments.

Chairperson Garner stated that this is Mr. Earl Saunders' last Board Meeting

because of his retirement. Chairperson Garner thanked Mr. Saunders for his service to RRHA and stated that he will be greatly missed.

Mr. Saunders stated that he has thoroughly enjoyed his 34 years working for RRHA.

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

6. Residents or other community members to address the Board

Chairperson Garner 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, November 28, 2011.

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

C-2 Monthly Operations Report for the month of November 2011

RECOMMENDED ACTION: File as submitted

Commissioner Burruss introduced a motion to approve the Consent Agenda.

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

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

NAYS: None

Chairperson Garner thereupon declared said motion carried as introduced.

IV. **REGULAR AGENDA**

1. Resolution No. 3681

Chairperson Garner introduced Resolution No. 3681 changing the date for the December 2012 regular meeting of the Board of Commissioners from December 26, 2012 to December 17, 2012.

Vice-Chair Boitnott introduced Resolution No. 3681 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY PURSUANT TO ARTICLE III, SECTION 2 OF THE BYLAWS DESIGNATING A DIFFERENT DATE FOR THE DECEMBER 2012 REGULAR MEETING OF THE BOARD OF COMMISSIONERS

WHEREAS, Article III, Section 2 of the Bylaws of the City of Roanoke Redevelopment and Housing Authority (RRHA) provides that the regular meeting of the Board of Commissioners shall be held the fourth Monday of each month at 3:00 p.m. at the RRHA office, 2624 Salem Turnpike, NW, Roanoke, Virginia; and

WHEREAS, Article III, Section 2 of the Bylaws of the RRHA provides that the Board of Commissioners may by resolution designate a different place, date, and/or time for any meeting; and

WHEREAS, it is in the best interest of RRHA to hold the December 2012 regular meeting of the Board of Commissioners on Monday, December 17, 2012 at 3:00 p.m. at the RRHA office, 2624 Salem Turnpike, NW, Roanoke, Virginia.

NOW, THEREFORE, BE IT RESOLVED that the regular meeting of the Board of Commissioners for the month of December 2012 shall be held on Monday, December 17, 2012 at 3:00 p.m. at the RRHA office, 2624 Salem Turnpike, NW, Roanoke, Virginia.

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

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

NAYS: None

Chairperson Garner thereupon declared said motion carried and Resolution No. 3681 adopted as introduced.

2. Resolution No. 3682

Ms. Cathy Wells, RRHA VP of Resident Services and Administration, asked for approval of Resolution No. 3682 approving a revised Employee Grievance Procedure.

Chairperson Garner thanked Ms. Wells and asked if there were any questions.

There were none.

Commissioner Burruss introduced Resolution No. 3682 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY APPROVING A REVISED EMPLOYEE GRIEVANCE PROCEDURE

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) has an Employee Grievance Procedure which was last revised effective January 23, 1996; and

WHEREAS, RRHA has undertaken a comprehensive review of the Employee Grievance Procedure relative to current legal requirements and employment practices; and

WHEREAS, RRHA has determined that it is prudent and in the best interest of RRHA to implement a revised Employee Grievance Procedure; and

WHEREAS, the proposed revised Employee Grievance Procedure 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 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. 1000, Employee Grievance Procedure, is approved effective January 1, 2012.

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

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

NAYS: None

Chairperson Garner thereupon declared said motion carried and Resolution No. 3682 adopted as introduced.

3. Resolution No. 3683

Mr. Shank asked for approval of Resolution No. 3683 approving modification of contract number 551-1102-1-7 under the FY 2009 Capital Fund Program (CFP) Grant Number VA36P01150109 for the replacement of entrance and screen doors at Hunt Manor. Mr. Shank stated that this is the third contract modification. This modification is in the amount of \$7,473.70 and would result in a cumulative dollar value for contract modifications of \$20,966.94, which is 13% of the original contract value. When the cumulative dollar value of all modifications exceeds 10% of the original contract value, RRHA's Procurement Policy requires submission to the Board of Commissioners for review and approval prior to executing the contract modification.

Mr. Shank stated that installation of a continuous shim is needed behind new brick mold for proper installation and operation of new screen doors, and a third entrance door at the rear of a Section 504 accessible unit needs replacement but was overlooked at the time of bid solicitation.

Commissioner Butler asked if Mr. Shank believes the contractor was thorough in adequately pricing the project at Hunt Manor. Mr. Shank stated that RRHA did not remove one of the doors at Hunt Manor in advance of developing the scope of work for the project, thus resulting in this additional need being identified once the work began.

Vice-Chair Boitnott asked if RRHA has enough information to ensure this would be the last contract modification to complete the job at Hunt Manor. Mr. Shank stated

that the project will be completed with this last contract modification.

Chairperson Garner asked if there were any other questions. There were none.

Commissioner Butler introduced Resolution No. 3683 and moved its adoption as introduced:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY APPROVING MODIFICATION OF CONTRACT NUMBER 551-1102-1-7 UNDER THE FY 2009 CAPITAL FUND PROGRAM (CFP) GRANT NUMBER VA36P01150109**

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) has been awarded a grant from the Department of Housing and Urban Development (HUD) Capital Fund Program (CFP), which is grant number VA36P01150109 in the amount of \$2,359,489; and

WHEREAS, Replacement of Entrance and Screen Doors for Hunt Manor, AMP 259, was included on the Annual Statement detailing the planned use of CFP grant number VA36P01150109, which was approved by the RRHA Board of Commissioners by Resolution No. 3544 - Revised on June 22, 2009; and

WHEREAS, the Executive Director was authorized and directed to execute a standard contract for replacement of entrance and screen doors for Hunt Manor, AMP 259 between Price Buildings, Inc. and RRHA in the fixed amount of \$159,000, by the RRHA Board of Commissioners by Resolution No. 3621 on November 22, 2010; and

WHEREAS, a contract modification for Contract Number 551-1102-1-7 was executed on January 7, 2011 to add an E-Verify indemnification clause, with no effect on the original contract value; and

WHEREAS, a contract modification for Contract Number 551-1102-1-7 in the amount of \$13,493.24, which was 8% of the original contract value, was executed on May 24, 2011, because the need for additional framing support due to the width of door jambs was identified once removal of existing doors was underway; and

WHEREAS, RRHA staff have subsequently determined that the installation of a continuous shim behind new brick mold to be installed on the exterior of 168 entrance doors is required for the proper installation and operation of new screen doors, and a third entrance door at the rear of a Section 504 accessible apartment unit needs replacement, which replacement was overlooked at the time of solicitation of bids; and

WHEREAS, Price Builders, Inc. was requested to provide a proposal for furnishing and installation of a continuous shim behind new brick mold for 168 entrance

doors and replacement of a third entrance door at the rear of a Section 504 accessible apartment unit; and

WHEREAS, the amount of the change proposal submitted Price Building, Inc. was \$7,473.70 and a contract extension of 24 calendar days; and

WHEREAS, the amount and contract time extension of the change proposal submitted by Price Buildings, Inc. was determined to be fair and reasonable for the work specified when compared to the amount of the independent cost estimate, based on R S Means Cost Data, for the change proposal; and

WHEREAS, review, evaluation, and confirmation of change proposal documentation has been completed, and has been found to be in all respects acceptable to RRHA; and

WHEREAS, the Vice President of Operations recommends the acceptance of Price Buildings, Inc.'s change proposal; and

WHEREAS, the Executive Director has determined that this contract modification complies with RRHA's Procurement Policy and that it is in the best interests of RRHA to accept such change proposal and execute an appropriate contract modification; and

WHEREAS, the additional contract modification in the amount of \$7,473.70 would result in a cumulative dollar value of contract modifications in the amount of \$20,966.94, which is 13% of the original contract value; and

WHEREAS, RRHA's Procurement Policy states, "For all contracts of \$100,000 or more, any and all change orders, contract modifications, and/or amendments that result in a cumulative dollar value that exceeds 10% of the original contract value, must be submitted to the Board of Commissioners for review and approval prior to executing the contract modification."

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

- (1) The change proposal submitted by Price Builders, Inc. in the amount of \$7,473.70 with a contract period extension of 24 calendar days be and hereby is accepted.
- (2) The Executive Director be and hereby is authorized and directed to execute a contract modification, which by reference, is inclusive of all of Price Buildings, Inc.'s change proposal for installation of a continuous shim behind new brick mold to be installed on the exterior of 168 entrance doors and replacement of third entrance door for a Section 504 accessible apartment unit, dated November 7, 2011.

- (3) The Executive Director be and hereby is authorized to take such other actions as may be necessary to fulfill the intent of this Resolution.

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

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

NAYS: None

Chairperson Garner thereupon declared said motion carried and Resolution No. 3683 adopted as introduced.

4. Resolution No. 3684

Mr. Shank asked for approval of Resolution No. 3684 awarding a contract for replacement of range ventilation at Hunt Manor under the FY 2010 Capital Fund Program (CFP) grant number VA36P01150110. Mr. Shank stated that the project includes adding a cabinet above the ranges that requires duct and electric work and GHT General Contracting is the low bidder and a qualifying Section 3 business concern.

Chairperson Garner asked if GHT General Contracting was the low bidder without any Section 3 preference. Mr. Shank confirmed that it was.

Commissioner Butler asked about the verbiage "submitted by self-certified Section 3 business concerns" contained within the Resolution. Mr. Shank stated that RRHA does not certify Section 3 business concerns. The business completes and submits a notarized information form self-certifying that the business meets Section 3 business concern criteria.

Commissioner Butler asked if the submissions are spot audited for accuracy. Ms. Edwards stated that RRHA moved to self-certification about four months ago. Mr. Nick Conte, RRHA Legal Counsel, reviewed the regulations and spoke to several other

housing authorities and HUD legal counsel. Through this review, Mr. Conte determined that self-certification is acceptable to HUD, and there is more potential liability if RRHA takes the responsibility to certify Section 3 businesses. There is, however, language on the Section 3 forms that allows RRHA to audit for verification of Section 3 information.

Commissioner Butler stated that there seems to be potential for abuse and there should be some type of penalty. Ms. Edwards said that Mr. Conte stated, after consultation with HUD legal counsel, that there is no penalty to RRHA because HUD allows self-certification. Any penalty would flow to the contractor who was not truthful.

Ms. Wells stated that there is language in the self-certification form that, if penalties are imposed due to fraudulent documentation, RRHA has the right to recoup any penalties and legal fees from the contractor.

Vice-Chair Boitnott asked for confirmation that the Section 3 preference was not a factor in the award of this contract. Ms. Edwards confirmed.

Chairperson Garner asked if RRHA had previously utilized the services of GHT General Contracting. Mr. Shank stated that GHT General Contracting previously replaced four range hood fans at Hunt Manor, and has done a significant amount of other prior work for RRHA. Ms. Edwards stated that GHT General Contracting is a relatively small contractor and bids on quite a few contracts with RRHA.

Chairperson Garner asked if there were any other questions. There were none.

Commissioner Butler introduced Resolution No. 3684 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AWARDDING A CONTRACT FOR REPLACEMENT OF RANGE VENTILATION FOR HUNT MANOR UNDER THE FY 2010 CAPITAL FUND PROGRAM (CFP) GRANT NUMBER VA36P01150110

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) has been awarded a grant from the Department of Housing and Urban Development (HUD) Capital Fund Program (CFP), grant number VA36P01150110 in the amount of \$2,171,100; and

WHEREAS, replacement of kitchen ventilation fans for Hunt Manor, was included on the Annual Statement detailing the planned use of CFP grant number VA36P001150110, which was approved by the RRHA Board of Commissioners by Resolution No. 3603 on July 26, 2010; and

WHEREAS, RRHA needs a qualified contractor to replace kitchen ventilation fans at Hunt Manor, AMP 259; and

WHEREAS, RRHA issued an Invitation for Bid on November 13, 2011, with bids being due on December 6, 2011; and

WHEREAS, RRHA received three (3) responsive bids to the invitation which were opened for consideration, such bids being as follows:

<u>Bidder</u>	<u>Total Bid Amount</u>
GHT General Contracting (Section 3 Business Concern)	\$150,000.00
Russell's Remodeling, LLC (Section 3 Business Concern)	\$156,800.00
Tune & Toler, Inc.	\$164,850.00

WHEREAS, HUD regulations at 24 CFR 135.1 state that "section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C 1701u) (section 3) directs that employment and other economic opportunities generated by certain HUD financial assistance shall to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to ... business concerns which provide economic opportunities to low- and very low-income persons."; and

WHEREAS, two of the bids received by RRHA in this procurement were submitted by self-certified Section 3 business concerns; and

WHEREAS, the bid submitted by GHT General Contracting was determined to be responsive; and

WHEREAS, because the lowest responsive bid received by RRHA was submitted by a self-certified Section 3 business concern, GHT General Contracting, the amount of the preference provided to Section 3 business concerns is not a determining factor in this procurement; and

WHEREAS, the amount of the bid submitted by GHT General Contracting was determined to be fair and reasonable for the work specified when compared to the

amount of the independent cost estimate, based on R S Means Cost Data, for the project; and

WHEREAS, review, evaluation, and confirmation of bid documentation has been completed, and GHT General Contracting has been found to be capable and in all other respects acceptable to RRHA; and

WHEREAS, the Vice President of Operations recommends an award to GHT General Contracting; and

WHEREAS, the Executive Director has determined that this procurement complies with RRHA's Procurement Policy and that it is in the best interests of RRHA to accept such bid and execute an appropriate contract.

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

- (1) The bid submitted by GHT General Contracting be and hereby is accepted;
- (2) The Executive Director be and hereby is authorized and directed to execute a standard contract for construction, which by reference is inclusive of all plans, specifications, addenda and related project documents, between GHT General Contracting and RRHA for the fixed price of \$150,000.
- (3) The Executive Director be and hereby is authorized to take such other actions as may be necessary to fulfill the intent of this Resolution.

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

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

NAYS: None

Chairperson Garner thereupon declared said motion carried and Resolution No. 3684 adopted as introduced.

5. Resolution No. 3685

Mr. Shank asked for approval of Resolution No. 3685 awarding a contract for Architectural and Engineering Services for multiple projects under the FY 2010 Capital

Fund Program Grant number VA36P01150110. Mr. Shank stated that he had checked references from three housing authorities, two in Kentucky and one in Ohio, that had used C R Architecture + Design, and they were very pleased with the work of the firm.

Commissioner Butler asked where C R Architecture + Design is located. Mr. Shank stated Cincinnati, Ohio.

Chairperson Garner asked for the total amount of the contract. Mr. Shank stated the total contract amount is \$100,000.

Chairperson Garner asked if there were any questions. There were none.

Commissioner Butler introduced Resolution No. 3685 and moved its adoption as introduced:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AWARDDING A CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR MULTIPLE PROJECTS UNDER THE FY 2010 CAPITAL FUND PROGRAM GRANT NUMBER VA36P01150110**

WHEREAS, the City of Roanoke of Roanoke Redevelopment and Housing Authority (RRHA) has been awarded a grant from the Department of Housing and Urban Development (HUD) Capital Fund Program (CFP), which is grant number VA36P01150110 in the amount of \$2,171,100; and

WHEREAS, Open-End Architectural and Engineering Services for RRHA was included on the Annual Statement detailing the planned use of CFP grant number VA36P01150110, which was approved by the Board of Commissioners under Resolution No. 3603 on July 26, 2010; and

WHEREAS, architectural and engineering services are essential to the overall maintenance and modernization of the public housing developments and provide a vehicle for the timely obligation of available funding; and

WHEREAS, RRHA issued a Request for Qualifications (RFQ) on May 29, 2011, with Statements of Qualifications being due on June 21, 2011; and

WHEREAS, RRHA received seven (7) Statements of Qualifications in response to the RFQ from the following companies:

- AE Collective, P. C.
- Commonwealth Architects
- C R Architecture + Design
- Hill Studio, P.C.
- Hughes Associates Architects
- L M W, P. C.; and
- Stogner Architecture, PA

WHEREAS, the Executive Director assigned an Evaluation Panel comprised of five (5) RRHA staff members; and

WHEREAS, the Evaluation Panel reviewed and evaluated Statements of Qualifications according to the following evaluation criteria, which were published in the RFQ:

- A & E Background Data:
  - A. Statement describing A/E firm including list of staff members and job titles. (4 points)
  - B. Status and nature of projects firm has currently, or soon to be, under contract. (3 points)
  - C. Description of firm's organization and project management methodology. (6 points)
  - D. Description of A&E's CAD capabilities, including equipment and staff experience. (2 points)
- Proposed Project Team:
  - A. Profiles of the professional and technical competence of the principal(s) and proposed design team. Provide profile information on consultants that shall be a part of design team. (10 points)
  - B. Indication of specific team members whose involvement is required concurrently on other projects and the percent of time involved on those projects. Indicate the percent of time that members of the design team will be able to dedicate to RRHA projects. (10 points)
- Project History:
  - A. Description of previous work completed within the past ten years related to the modernization, renovation, and/or repair of public housing or other types of multi-family housing. (10 points)
  - B. Previous experience with comprehensive planning for redevelopment work and providing surveying services. (4 points)
  - C. Previous experience with open-end type of work. (3 points)
  - D. Previous experience with City, State or Federal agencies. (3 points)
- Project Performance: Provide a spreadsheet with the following information from previously completed projects. Provide information for three (3) projects with construction cost less than \$250,000 and three (3) projects with construction costs greater than \$250,000.

- A. Provide one sentence description of each project. (5 points)
  - B. Provide client's pre-design budget amount for each project. (4 points)
  - C. Amount of time required from date given by client for notice to proceed with design work until date of completion of design work for each project. (5 points)
  - D. A&E estimated construction cost verses actual construction cost for each project. (5 points)
  - E. A&E estimated construction time schedule verses actual time required for completion of each project. (5 points)
  - F. Number and amount for approved non-owner requested change orders for each project. (5 points)
- Section 3:
    - A. Certified Section 3 Business Concern. (8 points)
    - B. Efforts to comply with Section 3 Hiring and Contracting Goals Narrative. (8 points); and

WHEREAS, the Evaluation Team's rating for each A & E firm's Statement of Qualifications based on the published evaluation criteria was as follows:

- AE Collective, P. C. 250 points
- Stogner Architecture, PA 285 points
- Hill Studio, P.C. 320 points
- Hughes Associates Architects 341 points
- Commonwealth Architects 350 points
- L M W, P. C. 370 points
- C R Architecture + Design 395 points; and

WHEREAS, based upon the Evaluation Team's determination that C R Architecture + Design was the most qualified competitor, RRHA entered into negotiations for fees for services; and

WHEREAS, the cost of fees for services negotiated with C R Architecture + Design was fair and reasonable, based on comparison to RRHA's independent cost estimate completed prior to the beginning of the procurement process; and

WHEREAS, C R Architecture + Design has been found to be capable and in all other respects acceptable to RRHA; and

WHEREAS, the Evaluation Panel has recommended to the Executive Director that a contract be awarded to C R Architecture + Design; and

WHEREAS, the Executive Director has determined that this procurement complies with RRHA's Procurement Policy and that it is in the best interest of RRHA to accept such qualification and execute an appropriate contract.

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

- (4) The Statement of Qualifications submitted by C R Architecture + Design be and hereby is accepted;
- (5) The Executive Director be and hereby is authorized and directed to execute form HUD-51915, Model Form of Agreement Between Owner and Design Professional, between C R Architecture + Design and RRHA for a term of two years in the not to exceed amount of \$100,000, including reimbursables, subject to availability of funds.
- (6) The Executive Director be and hereby is authorized to take such other actions as may be necessary to fulfill the intent of this Resolution.

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

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

NAYS: None

Chairperson Garner thereupon declared said motion carried and Resolution No. 3685 adopted as introduced.

6. Resolution No. 3686

Ms. Wells asked for approval of Resolution No. 3686 authorizing execution of a modification to contract 900-1105-1-5 with Virginia Municipal League (VML) Insurance Programs. Ms. Wells stated that quotes received from VML were favorable to RRHA, resulting in an annual savings of \$44,188, and RRHA moved its Automobile, Automobile Excess, Property, Crime, Boiler & Machinery and Miscellaneous from the Housing Authority Insurance Group (HAIG) to the VML Insurance Programs effective October 1, 2011.

Ms. Wells stated that RRHA procured each of these line items of coverage separately but, when the renewal was received on December 5, 2011, VML had

bundled the policies under one policy number and invoiced under one Contribution Summary, creating a total insurance policy package that exceeds the large purchase threshold and, therefore, requires approval of the RRHA Board of Commissioners.

Chairperson Garner asked for clarification of the total amount of savings. Ms. Wells stated that the savings is \$44,188.

Ms. Edwards stated that RRHA procured each coverage line separately with (HAIG) and each was billed separately. VML priced each line separately, and RRHA expected to receive separate policies for each coverage line. Ms. Wells stated that VML offered to send individual invoices; however, several years down the road, someone reviewing might question whether RRHA followed proper procurement procedures.

Chairperson Garner asked about General Liability and No-Fault coverage being noted as not applicable on the VML policy. Ms. Edwards stated that General Liability and No-Fault coverage will remain with (HAIG) due to better price. Ms. Wells stated that VML is not picking up General Liability at this time.

Chairperson Garner asked if there were any other questions. There were none.

Commissioner Butler introduced Resolution No. 3686 and moved its adoption as introduced:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING EXECUTION OF A MODIFICATION TO CONTRACT 900-1105-1-5 WITH VIRGINIA MUNICIPAL LEAGUE INSURANCE PROGRAMS**

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) entered into contract number 900-1105-1-5 with Virginia Municipal League (VML) Insurance Programs on July 1, 2011 for Workers' Compensation coverage; and

WHEREAS, RRHA requested quotes from VML Insurance Programs for additional lines of coverage; and

WHEREAS, the quotes received were favorable to RRHA, resulting in an annual savings of \$44,188, and RRHA moved its Automobile, Automobile Excess, Property, Crime, Boiler & Machinery and Miscellaneous from the Housing Authority Insurance Group (HAIG) to the VML Insurance Programs effective October 1, 2011; and

WHEREAS, the policy and billing documents for the additional lines of coverage acquired subsequent to renewal of the Workers' Compensation coverage were not received by RRHA from VML Insurance Programs until December 5, 2011, at which time it was noted that VML Insurance Programs bundled all of the RRHA lines of coverage, including Workers' Compensation coverage, into one policy under one policy number; and

WHEREAS, RRHA's procured each of these lines of coverage separately, with the expectation at the time of procurement that each of the coverage lines would constitute an individual policy, as had been HAIG's practice for these insurance coverage lines; and

WHEREAS, separately, none of these insurance coverage lines met the large purchase threshold defined in HUD regulations and RRHA's Procurement Policy; and

WHEREAS, bundling the policies under one policy number and invoicing under one Contribution Summary, creates a total insurance policy package that exceeds the large purchase threshold and, therefore, requires approval of the RRHA Board of Commissioners.

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 contract number 900-1105-1-5 with VML Insurance Programs to add Automobile, Automobile Excess, Property, Crime, Boiler & Machinery and Miscellaneous coverage with a resulting change in the total contribution from \$54,335 to \$182,298, a difference of \$127,963.

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

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

NAYS: None

Chairperson Garner thereupon declared said motion carried and Resolution No. 3686 adopted as introduced.

Chairperson Garner wished everyone a Merry Christmas and Happy New Year.

7. Executive Session

Commissioner Karnes moved that the Commissioners enter into Executive Session for the purpose of discussion of specific personnel matters of the RRHA in accordance with Virginia Code Section 2.2-3711 (A)(1).

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

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

NAYS: None

The Board of Commissioners entered into Executive Session at 3:45 p.m.

Commissioner Burruss left the meeting at 3:54 p.m.

The Board reconvened into open session at 4:05 p.m.

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

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

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

NAYS: None

V. ADJOURNMENT

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

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

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

NAYS: None

Chairperson Garner declared the meeting adjourned at 4:05 p.m.

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Edward Garner, Chairperson

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Glenda Edwards, Secretary-Treasurer

# PROPOSED POLICY

**ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY**

**1000. Employee Grievance Procedure**

## INTRODUCTION

Dear Fellow Employee:

During the course of your employment with the Roanoke Redevelopment and Housing Authority, you may have problems, complaints or concerns regarding a number of issues. You are encouraged to address issues directly with your immediate supervisor since the employee and the supervisor are the key individuals who understand the problem and generally possess the ways and means to a resolution.

To the extent that certain issues cannot be resolved, the Roanoke Redevelopment and Housing Authority has established a structured method to address such concerns. The process, known as the Employee Grievance Procedure, may be initiated by you. The Employee Grievance Procedure is a fair method of resolving certain employee disputes that may arise between RRHA and employees who have access to the procedure.

I encourage you to read the Employee Grievance Procedure in its entirety. If you have any questions, please contact your immediate Supervisor or the Human Resources Department.

Sincerely,

Catherine M. Wells  
V. P. Resident Services/Administration

**A. POLICY:**

It is the policy of the Roanoke Redevelopment and Housing Authority (RRHA) to encourage resolution of employee problems and complaints through open and free discussion of employee concerns with immediate supervisors and/or upper management levels. To the extent however, that such concerns cannot be resolved, the Employee Grievance Procedure affords a fair method for the resolution of employment disputes which may arise between the Roanoke Redevelopment and Housing Authority and covered employees. The provisions set forth within are promulgated pursuant to Section 2.2-3000 et seq. of the Code of Virginia.

Management retains the exclusive right to manage the affairs and operations of the Roanoke Redevelopment and Housing Authority. Management shall exercise its responsibilities with the highest degree of trust. In any employment matter that management precludes from proceeding to the Employee Grievance Procedure, RRHA's response, including any appropriate remedial actions, shall be prompt, complete and fair.

**B. ACCESS AND EXCLUSIONS:**

All active regular full time and part time RRHA employees who have successfully completed their Initial Employment period at the time the event forming the basis of the dispute occurred shall be covered by and have full access to the Employee Grievance Procedure with the exception of the Executive Director.

Temporary employees employed by RRHA and individuals assigned to RRHA via a temporary services contract are not covered by the Employee Grievance Procedure.

The employee must be in active status with RRHA at the time the grievance is initiated unless the action grieved is a termination or involuntary separation, in which case the grievant may initiate the grievance within thirty (30) days of the termination or separation.

A grievance initiated by the employee prior to notice of separation from service may, at the employee's option, continue to be processed through the Employee Grievance Procedure. However, such continuance shall not affect the notice of separation.

Employee's rights to pursue grievances shall not be used to harass or otherwise impede the efficient operations of the agency.

**C. DENIAL OR ACCESS TO THE EMPLOYEE GRIEVANCE PROCEDURE OR HEARING:**

If a management step respondent denies an employee access to the Employee Grievance Procedure, the employee may request a determination from the Executive Director as to access and qualification by making a written request to the Executive Director within five (5) working days of the denial of access.

Decisions regarding whether an employee has been denied access to the Employee Grievance Procedure and whether a grievance qualifies for a hearing shall be made by the Executive Director or his/her designee, within five (5) working days of the request. A copy of the ruling shall be sent to the grievant and the Human Resources Department.

Decisions of the Executive Director or his/her designee, may be appealed to the Circuit Court for the City of Roanoke for a hearing on the issue of whether or not a grievance qualifies for a hearing and whether an employee has access to the Employee Grievance Procedure. Proceedings for the review of the decision of the Executive Director shall be instituted by the

grievant by filing a notice of appeal with the Executive Director within five (5) working days from the date of receipt of the decision.

Within five (5) working days thereafter, the Executive Director shall transmit to the Clerk of the Circuit Court for the City of Roanoke a copy of the decision of the Executive Director, a copy of the notice of appeal, and any exhibits. A list of the evidence furnished to the Court shall also be furnished to the grievant.

**D. QUALIFYING COMPLAINTS:**

A grievance shall be a complaint or dispute by an employee which alleges misinterpretation or misapplication of policy or an allegation of unfair treatment that denies some legal right as relates to the RRHA policies, procedures or actions. The grievance must pertain directly and personally to the employee's own employment. The grievance must not have been pursued through another formal process such as the Office of Equal Employment Services.

Qualifying complaints are specifically noted below:

- a. Formal disciplinary actions include termination, disciplinary demotion, suspension and written warning;
- b. Arbitrary or capricious formal performance evaluation;
- c. RRHA's application of written personnel policies, procedures, rules and regulations;
- d. Acts of alleged retaliation as the result of utilization of or participation in a grievance under the Employee Grievance Procedure;
- e. Alleged complaints of discrimination on the basis of race, color, creed, religion, national origin, sex, age, disability or political affiliation; and
- f. Alleged acts of retaliation because of the employee's: (i) compliance with RRHA's Ethics Policy or any local, state or federal law; (ii) reporting any violation of such law to a governmental authority, (iii) seeking any change in law before the Congress of the United States or the General Assembly; (iv) reporting an incidence of fraud, abuse, or gross mismanagement; or (v) exercising any right otherwise protected by law.

**E. NON-QUALIFYING COMPLAINTS:**

- a. Establishment and revision of wages or salaries, position classifications or general benefits;
- b. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- c. The contents of ordinances, statutes or established personnel policies, procedures, rules and regulations;
- d. The methods, means and personnel by which work activities are to be carried out
- e. The termination, layoff, demotion or suspension from duties because of lack of work, reduction in work force or job abolition;
- f. Termination due to exhaustion of paid leave;

- g. The hiring, promotion, failure to promote, transfer, failure to transfer, assignment, failure to assign, and retention of employees;
- h. The relief of employees from duties in emergencies;
- i. Informal supervisory instructions (such as counseling memorandum, oral reprimand, manner of providing supervisory directions); and
- j. The grievance cannot challenge the same management action challenged by another grievance.

**F. RIGHT TO PROCEDURE:**

Any employee to whom this Procedure is applicable who believes he or she has a grievance as defined in Section D and who desires to utilize this Procedure shall, within thirty (30) calendar days of the date the employee became knowledgeable or should have been knowledgeable of the event giving rise to the grievance, present a written grievance to the first-step respondent (Department Director).

**G. PROCEDURE:**

Prior to the initiation of a grievance, an employee should discuss the dispute with his or her supervisor in an attempt to resolve the problem informally. Even when such discussions are ongoing; however, the written grievance must be initiated within thirty (30) calendar days of the date that the employee knew of, or should have known of, the event that formed the basis of the dispute. This thirty (30) day requirement may be extended only by a determination of "good cause" by the Executive Director.

Grievance forms are available on the HR Index located on the "P" drive or in Human Resources for the initiation of a grievance. When a written response is required it must be placed on the form. If there is not enough space on the form for a complete statement, attachments may be added.

The Roanoke Redevelopment & Housing Authority is committed to providing reasonable accommodations to individuals with disabilities in accordance with the Americans with Disabilities Act of 1990. Requests for reasonable accommodations should be submitted to the office of the Vice-President of Resident Services and Administration.

After a grievance is initiated, a party may ask to review documents that pertain to the grievance. Absent just cause, all documents relating to the actions grieved shall be made available, upon request from either party to the grievance, by the opposing party. The documents requested and produced pursuant to this procedure shall be limited to one hundred (100) pages absent good cause shown.

Documents pertaining to non-parties that are relevant to the grievance shall be produced in such a manner as to preserve the privacy of the individuals not personally involved in the grievance. A party shall not be required to create a document if the document does not exist.

With the exception of the hearing and court proceedings, stated time limits in the Employee Grievance Procedure may be waived by mutual agreement in writing by the grievant and the Executive Director at the relevant Resolution Step in question.

The employee bears the burden of establishing that the grievance was timely initiated.

Upon the Executive Director's finding of "good cause," all pre-qualification time limits may be extended including, but not limited to, the thirty (30) calendar day grievance initiation requirement.

The use of recording devices or a Court Reporter is not permitted at Resolution Steps 1, 2, and 3 of the Employee Grievance Procedure.

During the Resolution Steps process, multiple grievances may be treated by the parties as a joint matter. For instance, the parties could agree to address two or more grievances at any given management step after which the Step-Respondent addresses the issues and relief raised in each of the grievances.

The Employee Grievance Procedure contains three elements:

- a. THE RESOLUTION STEPS:
  - i. First Resolution Step (Department Director)
  - ii. Second Resolution Step (Division Vice President or designee)
  - iii. Third Resolution Step (Executive Director)
- b. QUALIFICATION FOR A HEARING
- c. THE HEARING

#### **THE RESOLUTION STEPS**

Performance issues including written warnings, arbitrary or capricious evaluations, and application of written personnel policies and procedure: An employee must initiate this type of grievance with the First-Step Respondent, his/her Department Director.

Discrimination, retaliation, termination, demotion, suspension without pay, and other reasons resulting in loss of wages: An employee may initiate an expedited grievance for these types of issues. The First Resolution Step is by-passed with this type of filing. An expedited grievance is filed with the Second-Step Respondent, the Division Vice President.

#### **FIRST RESOLUTION STEP (DEPARTMENT DIRECTOR)**

A written grievance must be presented to the Human Resources Department or First-Step Respondent (Department Director) within thirty (30) calendar days of the date that the employee became knowledgeable or should have been knowledgeable of the event or action, giving rise to the grievance.

The written grievance should state the nature of the complaint, the facts in support of the claim, and the relief requested. Once the grievance is presented in writing, additional claims may not be added to the grievance. A meeting may be held to discuss the issues in dispute, although such a meeting is not required.

Within five (5) working days of RRHA's receipt of the written grievance, the first-step respondent must prepare and transmit a written response to the grievant. The response should address the issues, the relief requested and, if applicable, the next Resolution Step in the process.

The grievant must indicate within five (5) working days from the date of receipt\* of RRHA's response of his/her intention to proceed to the Second Resolution Step or to conclude the grievance. *\*If RRHA's response is sent to the grievant via certified mail or USPS, the date of receipt will be considered*

three (3) mail delivery days from the date mailed by RRHA. If RRHA's response is hand delivered or is sent to the grievant via express carrier, the date of receipt will be recorded by the entity making the delivery.

#### **SECOND RESOLUTION STEP OR EXPEDITED PROCESS (DIVISION VICE PRESIDENT\*\*)**

*\*\*1) If the employee's First Resolution Step (Department Director) is a Division Vice President, or 2) If the grievance qualifies for expedited process and the grievant's Division Vice President is named as a party in the grievance, then the Second Resolution Step will be directed to a Vice President of another RRHA division.*

The grievant and the Second-Step Respondent (Division Vice President) must agree on a meeting date within five (5) working days of RRHA's receipt of the grievant's Intent to Proceed to the Second Step. The meeting must be scheduled to occur within ten (10) working days of the receipt of Intent to Proceed.

Each party may be accompanied by an individual of choice.

The purpose of the second step meeting is fact finding. The meeting is not to be conducted as a hearing with arguments and cross-examination.

Witnesses with pertinent information directly relating to the grievance may be called to appear by either party. The grievant is required to give advance notice to RRHA of witnesses he or she intends to call. Questions may be asked to clarify points or to explore other avenues of inquiry. After providing the information, the witness must not remain in the meeting.

The parties are encouraged to present information relevant to the grievance at this meeting. While the parties may question one another regarding disputed facts and issues, the meeting should not be adversarial or treated as a hearing. The Second-Step Respondent is charged with presiding over the meeting.

The Second-Step Respondent must prepare and transmit a written response to the issues and the relief requested within five (5) working days of the meeting. The written comments should address the matters discussed in the meeting, the relief requested and, if applicable, the next step in the process.

The grievant must indicate within five (5) working days from the date of receipt\*\*\* of RRHA's response of his/her intention to proceed to the Third Resolution Step or to conclude the grievance. *\*\*\*If RRHA's response is sent to the grievant via certified mail or USPS, the date of receipt will be considered three (3) mail delivery days from the date mailed by RRHA. If RRHA's response is hand delivered or is sent to the grievant via express carrier, the date of receipt will be recorded by the entity making the delivery.*

#### **THIRD RESOLUTION STEP (EXECUTIVE DIRECTOR)**

The Third-Step Respondent (Executive Director) must review the grievance record and, within five (5) working days of receipt of the grievant's Intent to Proceed to the Third Resolution Step, prepare and transmit a written response to the issues, the relief requested and next-step options.

A meeting may be held to discuss the issues still in dispute, but such a meeting is not required.

The grievant must indicate within five (5) working days from the date of receipt\*\*\*\* of RRHA's response of his/her request that the grievance be qualified for a hearing or to conclude the grievance. *\*\*\*\*If RRHA's response is sent to the grievant via certified mail or USPS, the date of receipt will be considered three (3) mail delivery days from the date mailed by RRHA. If RRHA's response is hand delivered or is sent to the grievant via express carrier, the date of receipt will be recorded by the entity making the delivery.*

#### **QUALIFICATION FOR A HEARING**

To proceed to a hearing, a grievance must be qualified. The Executive Director, or his or her designee, must determine and provide a written response to the grievant within five (5) working

days from the date of RRHA's receipt of Notice of Hearing Request whether or not the grievance, in some or all of its parts, qualifies for a hearing and advise procedural options.

If the Executive Director determines the grievance is not qualified for a hearing, the employee may request that the Circuit Court qualify the grievance. The request must be made in writing to the Executive Director within five (5) working days of the receipt of notice that the request for a hearing was denied. Requests that the Circuit Court qualify the grievance shall be handled as set forth in Section C above.

Prior to the appointment of a Hearing Officer, the Vice President of Resident Services and Administration may consolidate qualified grievances for hearings with or without a request to do so. The Vice President of Resident Services and Administration favors consolidation unless there is a persuasive reason to process individually. After a Hearing Officer has been appointed, the Vice President of Resident Services and Administration will not accept requests for consolidation for hearings except in extraordinary circumstances.

#### **THE HEARING**

- a. Qualified grievances proceed to a hearing before a Hearing Officer. Within ten (10) working days of the ruling that the issue(s) in the grievance qualifies for a hearing, the Executive Director, or his or her designee, shall request that the Executive Secretary of the Supreme Court appoint a Hearing Officer from the list of administrative Hearing Officers maintained by the Executive Secretary pursuant to Section 2.2-4024 of the Code of Virginia.
- b. The hearing shall be held and a written decision issued within thirty (30) calendar days after appointment of the Hearing Officer. A hearing should last no more than one day unless the Hearing Officer determines that one day is not sufficient for a full and fair presentation of the evidence by both sides. The Hearing Officer may grant a postponement or extend the thirty (30) day period for good cause.

#### **H. AUTHORITY OF THE HEARING OFFICER:**

- a. Issue orders for witnesses;
- b. Administer oaths and affirmations;
- c. Receive and consider evidence; exclude irrelevant, immaterial, insubstantial, privileged, or repetitive proofs, rebuttals, or cross-examinations; rule upon offers of proof, and oversee a verbatim recording of the evidence;
- d. Hold a conference (in person or by telephonic means) to simplify the issues, dispose procedural matters, discuss settlement possibilities, and establish the date, time, and place of the hearing. This conference shall be limited to one (1) hour absent good cause shown;
- e. Order the parties to exchange a list of witnesses and documents; exclude irrelevant, immaterial, insubstantial, privileged, or repetitive documents. The documents requested and produced pursuant to this procedure shall be limited to one hundred (100) pages absent good cause shown;
- f. Take other actions as necessary or specified in the Employee Grievance Procedure;

- g. The Hearing Officer does not have the authority to formulate policies or procedures or to alter existing policies or procedures.

**I. RULES FOR THE HEARING:**

- a. The hearing must be held in the locality in which the employee is employed or in any other locality agreed to by the employee, RRHA and the Hearing Officer;
- b. A pre-hearing conference is required to be held to address procedural and evidentiary issues. The conference may be conducted in person or by telephone;
- c. The parties must appear at the hearing or request a postponement. Absent a request for a postponement, a party's failure to appear can result in an adverse decision against that party. Such adverse decision shall not be subject to appeal;
- d. RRHA shall make available for hearing any employee reasonably ordered by the Hearing Officer to appear as a witness;
- e. Opening and closing statements may be made by each party;
- f. Each party may be represented by legal counsel or a lay advocate;
- g. In grievances involving disciplinary actions, the agency must present its evidence first and must show by a preponderance of evidence that the disciplinary action is not arbitrary or capricious in its application;
- h. In grievances not involving disciplinary actions, the employee must present his or her evidence first and must show by a preponderance of the evidence that a proper claim is present;
- i. Formal rules of evidence do not apply;
- j. Non-party witnesses are not to be present in the hearing except to give testimony and be cross-examined;
- k. Exhibits offered may be received into evidence and made part of the record;
- l. The hearing must be recorded verbatim. RRHA has the responsibility of arranging for proper recording equipment and tapes. The Hearing Officer is responsible for the recording and is to preserve the recorded tapes as part of the grievance record. Either party may receive a copy of the recording, if requested, for the cost of reproduction. A Court Reporter is not required. If a party requests a Court Reporter, that party is responsible for the costs. If a transcript is made, the other party may obtain a copy for cost;
- m. The hearing should be closed to the public;
- n. All findings of the Hearing Officer shall be based upon a "preponderance of the evidence" standard.

**J. WITHDRAWAL OF THE GRIEVANCE:**

If/when an employee withdraws his/her grievance prior to the issuance of a hearing decision, or when the parties agree to a settlement of the grievance, the employee must submit to the Hearing

Officer a dated, signed statement clearly stating that he/she is withdrawing the grievance. Such a withdrawal statement terminates the grievance process. The Hearing Officer shall issue an Order of Dismissal.

**K. THE DECISION:**

- a. In hearings contesting formal discipline or discharge, if the Hearing Officer finds that the employee did engage in the behavior as described in the written notice, RRHA's discipline was consistent with law and policy, and is found not to have been arbitrary or capricious in nature, RRHA actions must be upheld and may not be mitigated, unless under the record of evidence, RRHA exceeded the limits of reasonableness.
- b. The decision of the Hearing Officer shall be supported by a preponderance of the evidence standard, and such decision shall be in writing, containing findings of fact as to the material issues in the case and the basis for those findings and be final and binding if consistent with law and policy.
- c. In granting relief the Hearing Officer should be guided, but not bound, by the relief requested in the written grievance. Appropriate relief can include reinstatement to the employee's former position or, if occupied, to an objectively similar position in terms of duties and salary, normally in the same work or organizational unit; an award of no, partial, or full back pay; and the restoration of full benefits, seniority, mitigation or reduction of the agency disciplinary action, or any combination of these remedies. Against an award of full or partial back pay, interim earnings are to be deducted.
- d. Other prospective relief cannot be ordered. Damages cannot be awarded. RRHA cannot be ordered to promote or transfer any employee or to hire an individual; however, the Hearing Officer may recommend such action.
- e. The Hearing Officer's final decision shall be effective from the latter of the date issued or the date of the conclusion of any administrative review and judicial appeal, and must be implemented immediately thereafter unless circumstances beyond the control of the RRHA delay such implementation.

# CURRENT POLICY

**1000. EMPLOYEE GRIEVANCE PROCEDURE**

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## INTRODUCTION

Dear Fellow Employee:

During the course of your employment with the Roanoke Redevelopment and Housing Authority, you may have problems, complaints or concerns regarding a number of issues. Normally, these issues are addressed and resolved between you and your supervisor. However, if such issues are not resolved, the Roanoke Redevelopment and Housing Authority has a structured method to address such concerns. The process, known as the grievance procedure, may be initiated by you in the form of a discussion between you and your supervisor in an attempt to resolve your concerns. It is at this step that we hope grievances can be resolved since the employee and the supervisor usually understand the problem and how to resolve it. Realizing that not all problems can be resolved informally between the employee and his or her supervisor, there are also more formal steps for resolution at the Supervisor level, Department/Division Director level, the Executive Director level and the final step before a hearing officer.

I encourage you to read this procedure and to ask questions by contacting your Supervisor, Department/Division Director or the Human Resources Department.

Sincerely,

Catherine Wells, PHR  
VP Human Resources/Admin

**A. POLICY:**

It is the policy of the Roanoke Redevelopment and Housing Authority to encourage resolution of employee problems and complaints through open and free discussion of employee concerns with immediate supervisors and upper management levels. To the extent, however, that such concerns cannot be resolved, the Grievance Procedure affords an immediate and fair method for the resolution of employment disputes which may arise between the Roanoke Redevelopment and Housing Authority and employees covered by the Grievance Procedure.

**B. COVERAGE AND EXCLUSIONS:**

All Housing Authority employees shall be covered by and have full access to the Grievance Procedure except the Executive Director and probationary employees.

**C. DEFINITION OF GRIEVANCE:**

1. A grievance shall be a complaint or dispute by an employee which challenges the following:
  - a. Formal disciplinary actions, including dismissals (whether resulting from formal discipline or unsatisfactory job performance), disciplinary demotions and suspensions;
  - b. Arbitrary and capricious performance evaluations;
  - c. The application of all written personnel policies, procedures, rules and regulations where it can be shown that policy was misapplied or unfairly applied;
  - d. Acts of retaliation as the result of utilization of this Grievance Procedure or participation in the grievance under this Grievance Procedure of another RRHA employee;
  - e. Complaints of discrimination on the basis of race, color, creed, national origin, sex, age, disability or political affiliation; and
  - f. Acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States or the General Assembly, or for exercising any right otherwise protected by law.
2. The term "grievance" shall not be interpreted to mean negotiations of wages, salaries or fringe benefits.

**D. MANAGEMENT RESPONSIBILITIES - NON-QUALIFYING COMPLAINTS:**

1. Management retains the exclusive right to manage the affairs and operations of the Roanoke Redevelopment and Housing Authority. Accordingly, the following complaints are non-qualifiable:
  - a. Establishment and revision of wages or salaries, position classifications or general benefits;
  - b. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
  - c. The contents of ordinances, statutes or established personnel policies, procedures, rules and regulations;
  - d. The methods, means and personnel by which work activities are to be carried on;
  - e. Termination, layoff, demotion or suspension from duties because of lack of work, reduction in work force or job abolition;
  - f. The hiring, promotion, transfer, assignment and retention of employees;
  - g. The relief of employees from duties in emergencies; and
  - h. Informal supervisory instructions (such as counseling memorandum, oral reprimand, manner of providing supervisory directions).

**E. ACCESS AND QUALIFICATION:**

1. Decisions regarding whether an employee has been denied access to the Grievance Procedure and whether a grievance qualifies for a hearing shall be made by the Executive Director, or his or her designee, at the request of the grievant within five (5) working days of the request. A copy of the ruling shall be sent to the grievant and the VP Human Resources.

2. Decisions of the Executive Director, or his or her designee, may be appealed to the Circuit Court for the City of Roanoke for a hearing on the issue of whether or not a grievance qualifies for a hearing and whether an employee has access to the Grievance Procedure. Proceedings for the review of the decision of the Executive Director shall be instituted by the grievant by filing a notice of appeal with the Executive Director within five (5) working days from the date of receipt of the decision. Within five (5) working days thereafter, the Executive Director shall transmit to the Clerk of the Circuit Court for the City of Roanoke a copy of the decision of the Executive Director, a copy of the notice of appeal, and any exhibits. A list of the evidence furnished to the Court shall also be furnished to the grievant. The failure of the Executive Director to transmit the record shall not prejudice the rights of the grievant. The Court, on motion of the grievant, may issue a writ of certiorari requiring the Executive Director to transmit the record on or before a certain date.
3. Within thirty (30) calendar days of receipt of such records by the Clerk, the Court, sitting without a jury, shall hear the appeal on the record transmitted by the Executive Director and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The Court, in its discretion, may receive such other evidence as the ends of justice require. The Court may affirm the decision of the Executive Director or may reverse or modify the decision. The decision of the Court shall be rendered no later than the fifteenth day from the date of the conclusion of the hearing. The decision of the Court is final and is not appealable. The hearing shall be at no cost to the Commonwealth or the grievant. The employee and the Housing Authority may be represented by legal counsel or may represent themselves. Because the appearance of witnesses is within the discretion of the court, the parties must notify the court that they are requesting permission to have witnesses testify at the hearing. The parties also may have to request that the court schedule the hearing.
4. Access
  1. An employee who has voluntarily resigned may not have access to the grievance procedure after the effective date of the resignation.
  2. An employee who has been removed shall not have access to the grievance procedure except to grieve a termination resulting from formal discipline, unsatisfactory performance, or a covered disciplinary action which occurred within 30 calendar days before the initiation of the grievance.
  3. A grievance initiated by the employee prior to separation from service may, at the employee's option, continue to be processed through the grievance procedure.

4. Management may challenge, at any step in the process through to the agency head's qualification decision, that the employee is excluded from proceeding with the grievance.
5. If a management step respondent denies an employee access to the grievance procedure, the employee may request a determination from the Executive Director on access and qualification by making a written request in writing to the Executive Director within five (5) working days. The Executive Director's determination on access and qualification may be appealed to the Circuit Court in accordance with the procedure set forth above.

**F. RIGHT TO PROCEDURE:**

1. Any employee to whom this Procedure is applicable who believes he or she has a grievance as defined in Section C and who desires to utilize this Procedure shall, within thirty (30) calendar days after the event giving rise to the grievance, present a written grievance to the first-step respondent (immediate supervisor).

**G. STEPS IN THE PROCEDURE:**

The grievance procedure contains three phases:

- The resolution steps
  - First resolution step (immediate supervisor)
  - Second resolution step (Department/Division Director)
  - Third resolution step (Executive Director)
- Qualification for a hearing
- The hearing

Prior to the initiation of a grievance, the employee should consider discussing the issues with his supervisor in an attempt to resolve the problem informally. Even when discussions are ongoing, however, the written grievance must be initiated within 30 days, unless there is an agreement in writing to waive this requirement.

A grievance form is available in Human Resources for the initiation of a grievance. When a written response is required it must be placed on the form. If there is not enough space on the form for a complete statement, attachments may be added.

**1. THE RESOLUTION STEPS**

- a. FIRST RESOLUTION STEP (IMMEDIATE SUPERVISOR)
- (1) A written grievance must be presented to the first-step respondent (immediate supervisor) within thirty (30) calendar days of the event or action giving rise to the grievance. A grievance alleging discrimination or retaliation by the immediate supervisor may be initiated with the next level supervisor.
  - (2) The written grievance should state the nature of the complaint, the facts in support of the claim, and the relief requested. Once the grievance is presented in writing, additional claims may not be added to the grievance. A meeting may be held to discuss the issues in dispute, but such a meeting is not required.
  - (3) An expedited process is available for a grievance involving a termination, demotion or suspension without pay, or loss of wages. It may be initiated with the second-step respondent and immediately following the response from the second-step meeting, a request may be made to the Executive Director that the grievance be qualified for a hearing.
  - (4) Within five (5) working days of the presentation of the written grievance, the first-step respondent must provide a written response. The response should address the issues and the relief requested.
  - (5) The employee must indicate within five (5) working days the intention to continue to the second-step or to conclude the grievance.

- b. **SECOND RESOLUTION STEP (DEPARTMENT/DIVISION DIRECTOR)**
- (1) The employee and the second-step respondent (Department and Division Director) must meet within five (5) working days. Each may be accompanied by an individual of choice. The meeting is not to be conducted as a hearing with arguments and cross-examination; the purpose is for fact finding. The meeting shall not be recorded.
  - (2) Individuals with pertinent information directly relating to the grievance may appear. Questions may be asked to clarify points or to explore other avenues of inquiry. After providing the information, they should not remain in the meeting.
  - (3) The second-step respondent must provide a written response to the issues and the relief requested within five (5) working days of the meeting. The written comments should address the matters discussed in the meeting.
  - (4) Within five (5) working days, the employee must indicate in writing the intention to continue to the next step or to conclude the grievance.
- c. **THIRD RESOLUTION STEP (EXECUTIVE DIRECTOR)**
- (1) The third-step respondent (Executive Director) must review the grievance record and within five (5) working days provide a written response to the issues and the relief requested.
  - (2) A meeting may be held to discuss the issues still in dispute, but such a meeting is not required.
  - (3) The employee must indicate within five (5) working days the intention to request that the grievance be qualified for a hearing or to conclude the grievance.

2. **QUALIFICATION FOR A HEARING**

- a. To proceed to a hearing, a grievance must be qualified. Not all grievances may proceed to a hearing. Only those which challenge actions set forth above in Section C (Definition of Grievance) may be qualified for a hearing.
- b. The Executive Director, or his or her designee, must determine within five (5) working days whether the grievance qualifies for a hearing.
- c. If the grievance is not qualified for a hearing, the employee may request that the Circuit Court qualify the grievance. The request must be made in writing to the Executive Director within five (5) working days. Requests that the Circuit Court qualify the grievance shall be handled as set forth in Section E above.

3. **THE HEARING**

- a. Qualified grievances proceed to a hearing before a hearing officer. Within ten (10) working days of the ruling that the issue(s) in a grievance qualifies for a hearing, the Executive Director, or his or her designee, shall request that the Executive Secretary of the Supreme Court appoint a hearing officer from the list of administrative hearing officers maintained by the Executive Secretary pursuant to Section 9.6.14:14.1 Of the Code of Virginia. The appointment of the hearing officer shall be made from the appropriate geographical region on a rotating basis.
- b. The hearing shall be held and a written decision issued within thirty (30) calendar days after appointment of the hearing officer. A hearing should last no more than one day unless the hearing officer determines that one day is not sufficient for a full and fair presentation of the evidence by both sides. The hearing officer may grant a postponement or extend the thirty (30) day period for good cause.

**H. RULES OF CONDUCT FOR HEARINGS AND AUTHORITY OF THE HEARING OFFICER:**

**1. Authority of the Hearing Officer**

- a. Hearing officers have the authority to:
- (1) Issue orders for witnesses or documents;
  - (2) Administer oaths;
  - (3) Receive documentary evidence and hear testimony, and exclude that which is irrelevant, immaterial, repetitive, or confidential by law;
  - (4) Decide on procedural requests;
  - (5) Hold a conference (in person or by telephonic means) to simplify the issues, decide procedural matters, discuss settlement possibilities, and establish the date, time, and place of the hearing;
  - (6) Order the parties to exchange a list of witnesses and documents; and
  - (7) Determine the grievance based on the evidence (not on procedural matters that had occurred in the processing of the grievance) and provide appropriate relief.

**2. Rules for the Hearing**

- a. Hearings are to proceed as follows:
- (1) Opening and closing statements may be made by each party;
  - (2) Each party may be represented by an individual of choice;
  - (3) In disciplinary actions, the agency must present its evidence first and must show by a preponderance of evidence that the disciplinary action was warranted and appropriate under the circumstances;
  - (4) With all other actions, the employee must present his or her evidence first and must show by a preponderance of the evidence that a proper claim is present;

- (5) Formal rules of evidence do not apply;
- (6) Non-party witnesses are not to be present in the hearing except to give testimony and be cross-examined;
- (7) Exhibits offered may be received into evidence and made part of the record;
- (8) The hearing must be recorded verbatim. The Housing Authority has the responsibility of arranging for proper recording equipment. The hearing officer is responsible for the recording and is to preserve the recorded tapes as part of the grievance record. Either party may receive a copy of the recording, if requested, for the cost of reproduction. A court reporter is not required. If a party requests a court reporter, that party is responsible for the costs. If a transcript is made, the other party may obtain a copy for cost;
- (9) The hearing officer has the authority to determine the propriety of the attendance of all persons not having a direct involvement in the hearing including witnesses and spectators; and
- (10) The hearing should be closed to the public.

3. **The Decision**

- a. The hearing officer's decision must be in writing and contain the findings of fact and basis for those findings. In granting relief the hearing officer should be guided, but not bound, by the relief requested in the written grievance. Appropriate relief can include reinstatement to the employee's former position or, if occupied, to an objectively similar position in terms of duties and salary, normally in the same work or organizational unit; an award of no, partial, or full back pay; and the restoration of full benefits, seniority, and other legal entitlements. Against an award of full or partial back pay, interim earnings are to be deducted. Damages and attorney's fees cannot be awarded.

- b. Appropriate relief may also include an order to create an environment free from discrimination or retaliation or to take corrective actions necessary to cure the violation and/or minimize its recurrence. Other prospective relief cannot be ordered. The Housing Authority cannot be ordered to promote, hire, or transfer any employee. However, the hearing officer can recommend such action and if the recommendation is acted upon by the Housing Authority, the action shall be given weight in any subsequent proceeding. If a policy was unfairly applied or misapplied, the hearing officer can direct the Housing Authority to redo the action from the point at which it became tainted.

**4. Implementation of the Decision**

The decision is final and binding if consistent with policy and law. The decision is effective from the date issued and must be implemented immediately unless circumstances beyond the control of the Housing Authority delay such implementation. Implementation may be stayed if a challenge is made to the decision.

**5. Circuit Court Order**

The circuit court has the authority to issue an order requiring implementation of the decision and to award attorney fees for seeking the order.

**6. Challenges to the Decision**

- a. There are two types of challenges which can be made to the decision of the hearing officer. Challenges must be made in writing within five (5) working days of receipt of the decision with a copy to the other party.
  - 1. Reconsideration or reopening requests are made to the hearing officer stating the basis for such request; generally, newly discovered evidence or evidence of incorrect legal conclusions are the basis for such requests.
  - 2. Consistency with policy challenges are made to the Executive Director unless the Executive Director has a direct personal involvement with the event or events giving rise to the grievance, in which case the decision shall be made by the Attorney for the Commonwealth of the jurisdiction in which the grievance is pending; to make such a request, the party must cite to a particular mandate in policy. The Executive Director's and the Attorney for

the Commonwealth's authority is limited to directing the hearing officer to revise the decision to conform it to a provision in written policy.

- b. Once the challenge has been decided, it may not be appealed. A decision once affirmed or conformed is final.

**I. TIME LIMITS - COMPUTATION OF TIME:**

1. Any time limit in the Grievance Procedure may be waived by mutual agreement in writing at the step in question.
2. Whenever this Procedure requires an act to be done within a certain time after any event, that time shall be allowed in addition to the day on which the event occurred.
3. Whenever the last day fixed by this Procedure falls on a Saturday, Sunday, Housing Authority holiday or any other day on which Housing Authority offices are closed, the act may be done on the next day that is not a Saturday, Sunday, Housing Authority holiday or any other day on which Housing Authority offices are closed.

**J. NONCOMPLIANCE WITH PROCEDURAL REQUIREMENTS:**

1. After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the Grievance Procedure, including the hearing officer hearing, without just cause, may result in a decision in favor of the other party on any qualifiable issue, provided the party not in compliance fails to correct the noncompliance within five (5) working days of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the Board of Commissioners.
2. The Board of Commissioners may require a clear written explanation of the basis for just cause extensions or exceptions. The Board of Commissioners or its designee shall determine compliance issues. Compliance determinations made by the Board of Commissioners shall be subject to judicial review by filing a petition with the Circuit Court for the City of Roanoke within thirty (30) calendar days of the compliance determination.

**K. RECORDING - COURT REPORTER:**

The use of recording devices or a court reporter is not permitted at Steps 1, 2, and 3 of the Grievance Procedure.

- L. This grievance procedure is promulgated pursuant to Section 2.1-116.011 of the Code of Virginia (1995). It is revised effective January 23, 1996, and supersedes all grievance procedures previously issued. This procedure may be revised, changed or rescinded as allowed by statute.

**CONTRIBUTION SUMMARY**

AT 12:01 A.M. STANDARD TIME AT YOUR ADDRESS SHOWN BELOW

**Named Member:** Roanoke Redevelopment and Housing Authority  
**Member Address:** P.O. Box 6359  
 Roanoke, VA 24017-0359

**Member Type:** Housing Authority**Policy Number:** P-2011-2012-VMGSIA-0685-1

IN RETURN FOR THE PAYMENT OF THE CONTRIBUTION SHOWN, AND SUBJECT TO ALL THE TERMS OF THE COVERAGE DOCUMENTS, WE AGREE WITH YOU TO PROVIDE THE COVERAGE DESCRIBED BELOW.

The coverage consists of the following parts for which a contribution is indicated. The contribution may be subject to adjustment	BASIC CONTRIBUTION
AUTOMOBILE COVERAGE PART	\$20,324
GENERAL LIABILITY (Occurrence)	N/A
NO FAULT COVERAGE PART	N/A
EXCESS LIABILITY COVERAGE PART	\$1,395
PROPERTY COVERAGE PART	\$95,519
MISCELLANEOUS PROPERTY ITEMS COVERAGE PART	\$78
BOILER AND MACHINERY COVERAGE PART	\$9,880
CRIME COVERAGE PART	\$767
WORKERS' COMPENSATION COVERAGE PART	\$54,335
LINE OF DUTY ACT COVERAGE PART	Not Applicable
<b>TOTAL</b>	<b>\$182,297</b>
CONTRIBUTION SHOWN IS PAYABLE:	\$182,297 at inception

*Ann J. Chandler*  
 \_\_\_\_\_  
 Authorized Signature

04/15/11  
 \_\_\_\_\_  
 Date