

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, May 20, 2013, in the offices of the City of Roanoke Redevelopment and Housing Authority, 2624 Salem Turnpike, NW, in the City of Roanoke, Virginia.

I. CALL TO ORDER – ROLL CALL

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

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

Commissioner Karnes arrived at 3:08 p.m.

OFFICER PRESENT: Glenda Edwards, Secretary-Treasurer

ALSO PRESENT: Cathy Wells, VP of Administration; Jackie Austin, VP of Finance/CFO; Joel Shank, VP of Operations; David Bustamante, Director of Housing; Helen Shampine, HCV Director; Desi Wynter, Director of Redevelopment and Modernization; Crystal Hall, Resident Services Manager; Angie Lamprinakos, Site Manager; Crystal Colston, Site Manager; Lisa Reynolds, Site Manager; Christina Back, Human Resources Coordinator; Gloria Charlton, FSS Coordinator; Katie Meyer, Executive Assistant; Nick Conte, Legal Counsel; Victor Cardwell, Legal Counsel; interested citizens

Chair Boitnott welcomed everyone to today's meeting.

## **PUBLIC HEARING**

To receive comments on the proposed 2013 Annual Plan update to the 2010-2014 Agency Plan.

Chair Boitnott asked if there were any community members or other stakeholders wishing to make comments. There were none.

Chair Boitnott asked if any Commissioners had questions or comments. There were none.

Chair Boitnott declared the Public Hearing closed at 3:02 p.m.

## II. REPORTS

### 1. Financial Report

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

### 2. Executive Director's Report

Chair Boitnott asked for the Executive Director's report.

Ms. Edwards referred to her written report in the Monthly Operations Report and invited the Board of Commissioners to a retirement celebration for Ms. Bernice Robinson and Mr. Jacob Mack on Tuesday, June 4, 2013 from 3:00 p.m. to 5:00 p.m. The reception will be held in the community room at Melrose Towers, and light refreshments will be served. Ms. Robinson was employed with RRHA for 41 years and Mr. Mack for 17 years. Ms. Edwards commended Ms. Robinson and Mr. Mack for their years of service to RRHA.

Ms. Edwards stated that a Domestic Violence Task Force has been formed at the

initiative of Councilman Sherman Lea on behalf of the Roanoke City Council. Ms. Edwards has been asked to serve on the task force as a representative of RRHA.

Ms. Edwards stated that RRHA's legal counsel drafted a Data Breach Plan to ensure compliance with all legal requirements should RRHA experience a breach involving identifying information of either employees or persons served by RRHA. The Plan details guidelines for RRHA's response should a breach occur involving either electronic or paper records.

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

3. Staff Reports

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

4. Committee Reports

Chair Boitnott asked for committee reports.

Commissioner Butler stated that the Affiliates Committee met and the transfer of management of Eight Jefferson Place (8JP) is anticipated to occur soon.

Commissioner Garner stated that the Personnel Committee met today. The committee had reviewed the Temporary Service Credit Policy which is on the agenda for consideration at today's meeting, and the committee continues to review additional policies for consideration by the Board at a later date.

5. Commissioner Comments

Chair Boitnott asked if there were any 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, April 22, 2013.

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

C-2 Monthly Operations Report for the month of April 2013.

RECOMMENDED ACTION: File as submitted

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

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

NAYS: None

Chair Boitnott thereupon declared said motion carried as introduced.

### IV. REGULAR AGENDA

1. South Jefferson Redevelopment Area – development planning update

Mr. Shank introduced Mr. Burrell Saunders with Lyall Design Architects; Mr. Rife with Rife & Wood Architects; Mr. Worth Boone with Worth, Inc.; and Mr. Aaron Ewert. Mr. Saunders gave an overview of the Roanoke Riverfront project located on Jefferson Street directly across from the Virginia Tech-Carilion School of Medicine & Research Institute.

Mr. Saunders stated that plans include spaces for restaurants, a coffee shop, retail, offices, parking, and a 157-unit apartment complex among the buildings that are part of the Master Plan. Building design and materials to be used will pay tribute to past industrial occupants that were located in that portion of the Redevelopment Area.

Commissioner Butler asked if there were development constraints with the construction of the buildings being located in the flood plain. Mr. Saunders stated some buildings will be constructed to be flood resistant and others will be built above the flood plain.

Commissioner Butler asked about buildings in the flood plain and whether parking is on the ground floor and the occupied levels are above the flood plain. Mr. Saunders stated that the portion of the buildings having storefronts will be facing Jefferson Street at street level due to the elevation change near where the bridge crosses the railroad tracks. Other buildings will have parking on the lower levels.

Commissioner Butler asked whether the site had to be filled due to the flood plain. Mr. Saunders stated that the elevation of the first occupied floor is 12 feet above the existing ground elevation, which brings the occupied space of the buildings out of the flood plain. Otherwise, the site would have to be filled to 15 feet to get above flood level.

Chair Boitnott asked if construction would begin after the Roanoke River Associates event on May 24, 2013. Mr. Saunders stated construction is scheduled to begin by mid to late summer 2013.

Chair Boitnott thanked Mr. Saunders for his presentation and asked if there were any other comments or questions. There were none.

2. Resolution No. 3741

Ms. Austin asked for approval of Resolution No. 3741 accepting the Audited Financial Statements for the year ended September 30, 2012 and associated reports provided by Jump, Scutellaro and Company, LLP. Ms. Austin stated Mr. Donald Jump of Jump, Scutellaro and Company, LLP presented the draft audit to the Board of Commissioners at the April 22, 2013 Board meeting. Required supplementary information was added to the final audit starting on page 50, and minor grammatical errors were corrected.

Commissioner Garner stated that pages 46 and 47 of the Audited Financial Statement Report is the summary information that states the audit is an unqualified, clean opinion with no audit findings and RRHA qualifies as low-risk because the agency has had two consecutive years of audits with no findings.

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

Vice-Chair Smith introduced Resolution No. 3741 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY ACCEPTING THE AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED SEPTEMBER 30, 2012 AND ASSOCIATED REPORTS PROVIDED BY JUMP, SCUTELLARO AND COMPANY, LLP

WHEREAS, The City of Roanoke Redevelopment and Housing Authority has received documents from Jump, Scutellaro and Company, LLP entitled ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY FINANCIAL STATEMENTS, FOR THE YEAR ENDED SEPTEMBER 30, 2012 (with Independent Auditor's Report thereon); and

WHEREAS, JUMP, SCUTELLARO AND COMPANY, LLP auditors provided a presentation of the reports to the Roanoke Redevelopment and Housing Authority Board of Commissioners at the April 22, 2013 meeting; and

WHEREAS, the Roanoke Redevelopment and Housing Authority Board of Commissioners having reviewed these reports has determined that they include the necessary components of an independent audit of the Agency's financial statements for the year ended September 30, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that the Jump, Scutellaro and Company, LLP report identified above is hereby accepted.

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

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

NAYS: None

Chair Boitnott thereupon declared said motion carried and Resolution No. 3741 adopted as introduced.

3. Resolution No. 3742

Ms. Wells asked for approval of Resolution No. 3742 approving a revised Personnel Policy regarding Temporary Service Credit. Ms. Wells stated that changes to the policy include removal of the grandfather clause and adding the statement that establishing or modifying procedures for implementation of the policy are the responsibility of the Executive Director.

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

Commissioner Garner introduced Resolution No. 3742 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY APPROVING A REVISED PERSONNEL POLICY REGARDING TEMPORARY SERVICE CREDIT

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) has a Temporary Service Credit Policy, which was last revised November 23, 2004; 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. 032, Temporary Service Credit, in order to better reflect current practices; 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. 032, Temporary Service Credit, is approved effective June 1, 2013.

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

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

NAYS: None

Chair Boitnott thereupon declared said motion carried and Resolution No. 3742 adopted as introduced.

4. Resolution No. 3743

Ms. Edwards asked for approval of Resolution No. 3743 authorizing notification to the U.S. Department of Housing and Urban Development (HUD) of acceptance of voluntary transfer of budget authority and corresponding baseline units for the Housing Choice Voucher (HCV) program from Total Action for Progress (TAP). Ms. Edwards stated that RRHA does not know the budget for 2013 and, therefore, RRHA's

willingness to accept the transfer must be contingent upon HUD providing for any financial shortfall associated with the vouchers in 2013.

HUD requires resolutions by both the RRHA Board of Commissioners and the Board of TAP regarding the transfer. The RRHA resolution authorizes RRHA to decline the transfer if the funding shortfall is not covered by HUD.

Commissioner Witten asked if it was unusual that another agency has Housing Choice Vouchers within RRHA's service area. Ms. Edwards stated that the vouchers administered by TAP were originally vouchers for Roanoke County.

Commissioner Butler asked if RRHA can decline the administration of the TAP vouchers from year to year and whether there would be pressure to continue administering the 83 vouchers. Ms. Edwards stated the vouchers from TAP would be merged with RRHA's HCV program and included in the annual renewal. There would be pressure to continue the administration of the voucher program and, once transferred, the 83 vouchers from TAP could not be separated and given back to TAP or returned to HUD.

Commissioner Butler asked if there was another entity that could administer TAP's vouchers. Ms. Edwards stated that if TAP terminated administration of the program and RRHA did not accept transfer, it would be up to HUD to identify another agency for administration of the vouchers. Ms. Edwards noted that HUD reported last year that 13 agencies had turned their HCV programs back over to HUD.

Commissioner Garner asked if the effective date of October 1, 2013 is realistic. Ms. Edwards stated that, according to the HUD Notice applicable to transfer of vouchers, unless HUD approves an exception the effective date will be either July 1 or

January 1.

Commissioner Butler asked why the transfer could not take place January 1, 2014 and whether HUD could possibly deny the October 1, 2013 transfer date. Ms. Edwards stated TAP had already submitted the transfer request to HUD with a transfer date of October 1, 2013, and it is possible HUD may deny that date of transfer.

Commissioner Garner asked if the October 1, 2013 date is a better transfer date from a fiscal year standpoint. Ms. Edwards stated the HCV program is funded on a calendar year basis, and the funding amount is not generally known until mid-year.

Commissioner Butler asked what would be the most logical time for the transfer to take place. Ms. Edwards stated January 1, 2014 would be most logical since that is when the funding year begins; however, October 1, 2013 would be acceptable if HUD funds any financial shortfall related to the vouchers for 2013.

Commissioner Burruss asked if RRHA had submitted a transfer request to HUD. Ms. Edwards stated that TAP submitted the transfer request to HUD.

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

Vice-Chair Smith introduced Resolution No. 3743 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING NOTIFICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF ACCEPTANCE OF VOLUNTARY TRANSFER OF BUDGET AUTHORITY AND CORRESPONDING BASELINE UNITS FOR THE HOUSING CHOICE VOUCHER PROGRAM FROM TOTAL ACTION FOR PROGRESS

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) currently administers one thousand eight-hundred ninety-six (1,896) Housing Choice

Vouchers (HCV) under a Consolidated Annual Contributions Contract (CACC) with the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, Total Action for Progress (TAP) currently administers eighty-three (83) Housing Choice Vouchers under a CACC with HUD; and

WHEREAS, TAP has expressed a desire to voluntarily transfer budget authority, including net restricted assets (NRA), unrestricted net assets (UNA) and other capital assets, and corresponding baseline units for the HCV program from TAP's CACC to RRHA's CACC; and

WHEREAS, RRHA is willing to accept the voluntary transfer of budget authority, including net restricted assets (NRA), unrestricted net assets (UNA) and other capital assets, and corresponding baseline units for the HCV program from TAP's CACC to RRHA's CACC, if certain contingencies are met; and

WHEREAS, the process for Public Housing Agency (PHA) Voluntary Transfers of Housing Choice Vouchers described in Notice PIH 2012-11, requires letters and board resolutions from both TAP, the divesting PHA, and RRHA, the receiving PHA; and

WHEREAS, TAP intends to request HUD to approve the transfer effective October 1, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Roanoke Redevelopment and Housing Authority that RRHA is willing to accept the voluntary transfer of budget authority, including net restricted assets (NRA), unrestricted net assets (UNA) and other capital assets, and corresponding baseline units for the HCV program from TAP's CACC to RRHA's CACC, with the following contingencies:

1. If cash transferred to RRHA under TAP's budget authority, including net restricted assets (NRA), unrestricted net assets (UNA) and other capital assets, is insufficient to cover the full amount of Housing Assistance Payments needed for the transfer vouchers for calendar year 2013, HUD agrees to provide funding to cover the amount of shortfall; and
2. HUD agrees to fund Administrative Fees for the transferred vouchers at the per unit rate applicable to RRHA for all leased vouchers; and
3. The Executive Director is authorized to decline to accept the voucher transfer if funding for Housing Assistance Payments is insufficient for calendar year 2013 and shortfall funding is not provided by HUD or Administrative Fees will not be paid at the per unit rate applicable to RRHA for all leased vouchers.

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

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

NAYS: None

Chair Boitnott thereupon declared said motion carried and Resolution No. 3743 adopted as introduced.

5. Resolution No. 3744

Mr. Shank asked for approval of Resolution No. 3744 approving modification of contract number 207-1202-1-7 under the Capital Fund Program (CFP) grant number VA36PO1150111 for \$44,359.10 and a contract extension of 73 calendar days.

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

Commissioner Butler introduced Resolution No. 3744 and moved its adoption as introduced:

RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND  
HOUSING AUTHORITY APPROVING MODIFICATION OF CONTRACT  
NUMBER 207-1202-1-7 UNDER THE CAPITAL FUND PROGRAM (CFP)  
GRANT NUMBER VA36PO1150111

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 VA36PO1150111 in the amount of \$1,868,485; and

WHEREAS, Site Accessibility for Jamestown Place, which includes improvements to concrete sidewalks, was included on the 2011 Annual Plan update to the 2010 – 2014 Annual Plan, which was approved by the City of Roanoke Redevelopment and Housing Authority (RRHA) Board of Commissioners by Resolution No. 3648 on June 27, 2011; and

WHEREAS, Upgrades for Electrical Infrastructure for Jamestown Place – Phase 1, was included on the 2011 Annual Plan update to the 2010 – 2014 Annual Plan, which was approved by the City of Roanoke Redevelopment and Housing Authority (RRHA) Board of Commissioners by Resolution No. 3648 on June 27, 2011; and

WHEREAS, the Executive Director was authorized and directed to execute a standard contract for improvements to concrete sidewalks and rear porches for Jamestown Place between Russell's Remodeling, LLC and RRHA with a fixed amount of \$173,100, by the RRHA Board of Commissioners approval of Resolution No. 3712 on August 27, 2012; and

WHEREAS, RRHA staff have subsequently determined that the installation of ten (10) additional 400-ampere electrical disconnects are required for increased maintenance safety, changes to wall thickness of specified electrical conduit and changes to installation locations for electrical disconnects as required by inspector from the City of Roanoke Building Inspections Department, and replacement of additional 384 square feet of deteriorated concrete sidewalk, which were unknown at the time of receipt of bids; and

WHEREAS, Russell's Remodeling, LLC was requested to provide a proposal for furnishing and installing ten (10) additional 400-ampere electrical disconnects, making changes to wall thickness of electrical conduit and installation locations for electrical disconnects as required by inspector from the City of Roanoke Building Inspections Department, and replacement of additional 384 square feet of deteriorated concrete sidewalk; and

WHEREAS, the amount of the change proposal submitted Russell's Remodeling, LLC was \$44,359.10 and a contract extension of 73 calendar days; and

WHEREAS, the amount and contract time extension of the change proposal submitted by Russell's Remodeling, LLC was determined to be fair and reasonable for the work specified when compared to the amount of the independent cost estimate, based on RS 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 Russell's Remodeling, LLC'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, a contract modification for Contract Number 207-1202-1-7, for time extension only, was executed on March 29, 2013; 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 having a

dollar value of \$25,000 or more 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 Russell’s Remodeling, LLC in the amount of \$44,359.10 with a contract period extension of 73 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 Russell’s Remodeling, LLC’s change proposal for furnishing and installing ten (10) additional 400-ampere electrical disconnects, making changes to wall thickness of specified electrical conduit and installation locations for electrical disconnects as required by the inspector from the City of Roanoke Building Inspections Department, and replacement of additional 384 square feet of deteriorated concrete sidewalk, dated May 1, 2013.
- (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 Smith and upon roll call the following vote was recorded:

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

NAYS: None

Chair Boitnott thereupon declared said motion carried and Resolution No. 3744 adopted as introduced.

#### 6. Resolution No. 3745

Mr. Shank asked for approval of Resolution No. 3745 awarding a contract for the replacement of 155 domestic hot water heaters for Villages at Lincoln under the Capital Fund Program (CFP) grant number VA36PO1150112. Mr. Shank stated that the current water heater units have been in place for 11 to 12 years, and several have

already needed to be replaced.

Commissioner Burruss asked whether the actual life span of a water heater unit is 10 to 12 years. Ms. Shank stated water heater units may be purchased with longer or shorter life cycles, but a 10 year life cycle is consistent with budgeting for RRHA's Capital Fund.

Commissioner Karnes asked why the units are not replaced as they fail. Mr. Shank stated there is a significant savings when the water heater units are purchased in a large volume.

Commissioner Burruss asked if any of the water heater units are starting to fail. Mr. Shank stated that some of the water heater units have begun to fail, and the replacement units will have an additional safety feature of an expansion tank which is required in the Building Code.

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

Commissioner Garner introduced Resolution No. 3745 and moved its adoption as introduced:

**RESOLUTION OF THE CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY AWARDDING A CONTRACT FOR THE REPLACEMENT OF DOMESTIC HOT WATER HEATERS FOR VILLAGES AT LINCOLN UNDER THE CAPITAL FUND PROGRAM (CFP) GRANT NUMBER VA36PO1150112**

WHEREAS, the City of Roanoke Redevelopment and Housing Authority (RRHA) has been awarded a grant from the U.S. Department of Housing and Urban Development (HUD) Capital Fund Program (CFP), grant number VA36PO1150112 in the amount of \$1,779,968; and

WHEREAS, replacement of domestic hot water heaters for Villages at Lincoln, was included on the Annual Statement detailing the planned use of CFP grant number

VA36PO1150112, which was approved by the RRHA Board of Commissioners by Resolution No. 3701 on June 25, 2012; and

WHEREAS, RRHA needs a qualified contractor to replace hot water heaters for Villages at Lincoln, AMP 202; and

WHEREAS, RRHA issued an Invitation for Bid on April 7, 2013, with bids being due on April 30, 2013; 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>Bid Amount</u>
R.L. Price	\$131,025
Russell's Remodeling, LLC (Self-certified as Section 3 Business Concern)	\$160,200
Valley Boiler & Mechanical Inc.	\$126,110

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, one of the bids received by RRHA in this procurement was submitted by a self-certified section 3 business concern; and

WHEREAS, RRHA has adopted the method for providing preference in the award of section 3 covered contracts under a sealed bid process defined in section III(2)(i) of the Appendix to Part 135 of Section 24 of the Code of Federal Regulations, which defines the preference to be provided to section 3 business concerns when the lowest responsible bid is at least \$100,000 but less than \$200,000 as the lesser of 9% of that bid or \$16,000; and

WHEREAS, the amount of the preference provided for section 3 business concerns in this procurement is \$11,349.90; and

WHEREAS, the lowest bid submitted by a section 3 business concern is \$160,200, submitted by Russell's Remodeling LLC which is not within \$11,349.90 of the lowest responsive bid of \$126,110; and

WHEREAS, section III(2)(ii) of the Appendix to Part 135 of Section 24 of the Code of Federal Regulations states, "If no responsive bid by a section 3 business concern meets (2)(i) of this section, the contract shall be awarded to a responsible bidder with the lowest responsive bid"; and

WHEREAS, the lowest responsive bid in this procurement was submitted by Valley Boiler & Mechanical Inc., with a bid amount of \$126,110; and

WHEREAS, the amount of the bid submitted by Valley Boiler & Mechanical Inc., was determined to be fair and reasonable for the work specified when compared to the amount of the independent cost estimate, based on RS Means Cost Data, for the project; and

WHEREAS, the Director of Redevelopment and Modernization recommends an award to Valley Boiler & Mechanical Inc.; 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 Valley Boiler & Mechanical Inc., 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 Valley Boiler & Mechanical Inc., and RRHA for the fixed price of \$126,110.
- (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 Butler and upon roll call the following vote was recorded:

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

NAYS: None

Chair Boitnott thereupon declared said motion carried and Resolution No. 3745 adopted as introduced.

## 7. Executive Session

Vice-Chair Smith moved that the Commissioners enter into Executive Session for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the RRHA in accordance with Virginia Code Section 2.2-3711(A)(7).

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

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

NAYS: None

The Board of Commissioners entered into Executive Session at 3:37 p.m.

Commissioner Burruss left the meeting at 4:00 p.m.

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

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

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

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

NAYS: None

3.

V. **ADJOURNMENT**

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

The motion was seconded by Commissioner Butler 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 4:06 p.m.

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Adam Boitnott, Chair

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Glenda Edwards, Secretary-Treasurer

**REDLINED POLICY**  
**SHOWING PROPOSED CHANGES**

Policy No. 032  
 Date: November 23, 2004  
 Page 1 of 2  
 Revised: June 1, 2013

### TEMPORARY SERVICE CREDIT

#### I. PURPOSE

To credit employees with service time for temporary time worked when employee transfers from Temporary status to Regular status with no break in service.

#### II. SCOPE

This policy applies to all employees employed by RRHA.

#### III. POLICY

On occasion, Temporary employees are hired for a specific project for a specified period of time (generally not to exceed six (6) months). Temporary workers are employees of RRHA and are not to be confused with contract labor. They are paid strictly for time worked and are not entitled to any other benefits of employment.

Prior to an employee reaching six (6) months of continuous temporary employment, the Division Director will evaluate the project status and the employee's job performance and will submit a recommendation on future status to the Executive Director for review and approval. However, at no time ~~will~~should a Temporary employee remain in that status for a period to exceed nine (9) months of continuous service.

If a Temporary employee is subsequently hired by RRHA to fill a Regular position and there is no break in service, the employee will be granted service credit to their first date of continuous service.

The first date of continuous service will be used to determine:

- Anniversary Date
- Service Recognition
- Seniority: Years/Months
- ~~Sick Leave~~Paid Time Off Accrual (applicable part time or full time rate)
- ~~Annual Leave Accrual~~ (applicable part time or full time accrual rate)
- Educational Assistance Eligibility (full time only)
- Performance/Merit Review (~~if no change in position occurred when transferring from Temporary status to Regular status.~~)Date

The date the employee transferred to Regular status will be used to establish:

- Benefit Eligibility
- Retirement Vesting
- Performance/Merit Review (if a change in position occurred when transferring from Temporary status to Regular status.)

~~Grandfather Clause: Employees currently on the RRHA payroll as of (date), who worked a period of Temporary service prior to his/her transfer to Regular status and experienced no break in service, will be grandfathered his/her Temporary service time as relates to Service Recognition only. No other benefit will be attached, afforded, or grandfathered to his/her period of Temporary time worked.~~

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

A. Full Time or Part Time employees who are hired for a pre-established period usually during peak workloads or for vacation relief are classified under Temporary status. They are paid strictly for time worked and are not entitled to any other benefits of employment.

B. During month five (5) of ~~the any~~ temporary assignment, the ~~Division Director~~ immediate supervisor will evaluate ~~any Temporary assignments~~ the assignment(s) that ~~are expected to may~~ exceed six (6) months of continuous service. The anticipated duration of the assignment, the manpower cost, ~~as well as~~ and the performance of the Temporary employee are examples of factors to be evaluated. The ~~Division Director~~ immediate supervisor will subsequently submit his/her recommendation as to the future status of the assignment to the ~~Executive Division Director and Division VP~~ Executive Division Director and Division VP for review and approval no later than the first week of month six (6).

~~C. No employee should remain in Temporary status for a period of time to exceed nine (9) months of continuous service.~~

~~D. Temporary employees subsequently hired by RRHA to fill a Regular position with no break in service will be granted service credit to their first date of continuous service.~~

~~The first date of continuous service will be used to determine:~~

- ~~• Anniversary Date~~
- ~~• Service Recognition~~
- ~~• Seniority: Years/Months~~
- ~~• Sick Leave Accrual (applicable part time or full time rate)~~
- ~~• Annual Leave Accrual (applicable part time or full time rate)~~
- ~~• Educational Assistance Eligibility (full time only)~~
- ~~• Performance/Merit Review (if no change in position occurred when transferring from Temporary status to Regular status.)~~

~~The date the employee transferred to Regular status will be used to establish:~~

- ~~• Benefit Eligibility~~
- ~~• Retirement Vesting~~
- ~~• Paid Holidays~~
- ~~• Performance/Merit Review (if a change in position occurred when transferring from Temporary status to Regular status.)~~

~~E. Employees currently on the RRHA payroll as of November 23, 2004, who worked a period of Temporary service prior to his/her transfer to Regular status and experienced no break in service, will be grandfathered his/her Temporary service time as relates to Service Recognition only. No other benefit will be attached, afforded, or grandfathered to the period of Temporary time worked.~~

~~Executive Director~~