

AN ORDINANCE NO. 22-17

Approving the City's Membership in the Virginia's Gateway Region Industrial Facilities Authority.

WHEREAS, providing a mechanism for localities in the local region to cooperate in the development of economic development projects and facilities is needed; and

WHEREAS, the purpose of a regional industrial facility authority established pursuant to the Virginia Regional Industrial Facilities Act is to enhance the economic base for its member localities by developing, owning, and operating one or more facilities on a cooperative basis involving its member localities; and

WHEREAS, a regional industrial facility authority consisting of the City of Colonial Heights, the County of Dinwiddie, the City of Hopewell, the City of Petersburg, the County of Prince George, the County of Surry, and the County of Sussex (the "Member Localities") will facilitate the development of the needed facilities within the localities' geographic boundaries (the "Region"), which will have the potential to enhance the economic growth of Colonial Heights; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. The Council approves the City's membership in the Virginia's Gateway Region Industrial Facilities Authority (the "Authority").
2. Each Member Locality's participation shall become effective on the date its governing body enacts an ordinance substantially similar to this ordinance approving the Member Locality's membership in the Authority. At any time subsequent to the creation of the Authority, the membership of the Authority may, with the approval of the Authority Board (as hereinafter defined and as more fully described in the Bylaws of the Authority), be expanded to include any locality within the Region that would have been eligible to be an initial member.
3. The Authority shall be governed by an initial board (the "Authority Board") consisting of two board members from each Member Locality. Authority Board members shall be appointed by the

respective Member Localities' governing bodies. Each member of the Authority Board shall serve for an initial term of four years and may be reappointed for as many terms as the governing body appointing such member desires.

4. The governing body of each Member Locality may appoint up to two alternate Authority Board members. Alternates shall be appointed for terms that coincide with the term of at least one of the members appointed by the Member Locality. If either Authority Board member for a Member Locality is not present at a meeting of the Authority, an alternate shall have all the voting and other rights of the Board member not present and shall be counted for purpose of determining a quorum.

5. The Authority Board shall have such authority and exercise such powers as are permitted by the Code of Virginia, the Agreement Creating Authority (as defined below), and the Bylaws of the Authority Board.

6. The Council authorizes the City Manager to approve, subject to the City Attorney's consent, an agreement (the "Agreement Creating Authority") among the Member Localities whereby the Authority shall be established and the respective rights and obligations of the Member Localities shall be specified.

7. The Agreement Creating Authority shall (i) establish the terms for participation in the Authority by Member Localities and (ii) describe the participation agreements that the Authority may enter into with one or more Member Localities by which any facilities allowed by the Act may be constructed and developed.

8. Any locality not approving an ordinance substantially similar to this ordinance shall not be an Authority member.

9. This ordinance shall be in full force and effect upon its approval on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Kenneth B. Frenier, Councilmember: _____

The Honorable John E. Piotrowski, Councilmember: _____

The Honorable Dr. Laura F. Poe, Councilmember: _____

The Honorable Robert W. Wade, Councilmember: _____

The Honorable John T. Wood, Councilmember: _____

The Honorable Elizabeth G. Luck, Vice-Mayor: _____

The Honorable T. Gregory Kochuba, Mayor: _____

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Kenneth B. Frenier, Councilmember: _____

The Honorable John E. Piotrowski, Councilmember: _____

The Honorable Dr. Laura F. Poe, Councilmember: _____

The Honorable Robert W. Wade, Councilmember: _____

The Honorable John T. Wood, Councilmember: _____

The Honorable Elizabeth G. Luck, Vice-Mayor:

The Honorable T. Gregory Kochuba, Mayor:

City Clerk

Approved as to form:

City Attorney