

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
September 25, 2018
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. BOARD DISCUSSIONS

1. Davenport Financial Update
2. Workforce Housing Task Force Update
3. Eastern Virginia Regional Industrial Facility Authority

D. CLOSED SESSION

1. Appointment of Clean County Commissioners
2. Appointment to Williamsburg Area Arts Commission
3. Appointment to Social Services Advisory Board
4. Appointment to Peninsula Agency on Aging Board
5. Appointments to the Chesapeake Bay Board and Wetlands Board
6. Appointments to the Board of Adjustments and Appeals

E. ADJOURNMENT

1. Adjourn until 5 p.m. on October 9, 2018 for the Regular Meeting

ITEM SUMMARY

DATE: 9/25/2018

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Director of Financial and Management Services

SUBJECT: Davenport Financial Update

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 1:33 PM |

ITEM SUMMARY

DATE: 9/25/2018

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services and Paul Holt, Director of Community Development

SUBJECT: Workforce Housing Task Force Update

Ms. Jeanne Zeidler and Ms. Christina Hartless, co-chairs of the Workforce Housing Task Force, will provide the Board of Supervisors with an update on the work that has been completed to date.

ATTACHMENTS:

| | Description | Type |
|---|--------------|-----------------|
| □ | Presentation | Backup Material |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|-----------------|----------|----------------------|
| Development Management | Holt, Paul | Approved | 9/7/2018 - 4:50 PM |
| Publication Management | Burcham, Nan | Approved | 9/7/2018 - 4:53 PM |
| Legal Review | Kinsman, Adam | Approved | 9/10/2018 - 4:31 PM |
| Board Secretary | Fellows, Teresa | Approved | 9/13/2018 - 10:33 AM |
| Board Secretary | Purse, Jason | Approved | 9/18/2018 - 9:34 AM |
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 9:35 AM |



Workforce Housing Task Force

September 25, 2018

Department of Community Development
Department of Social Services

Workforce Housing Task Force



- 2035 Strategic Plan includes the following goal:
 - “Expanding and Diversifying the Local Economy”
 - “...supporting strategies to facilitate the development of affordable and workforce housing

Expanding and Diversifying
the Local Economy by
Supporting Housing

September 25, 2018

Department of Community Development
Department of Social Services

Task Force Members



- Christina Hartless, Co-Chair, Citizen Rep
- Jeanne Zeidler, Co-Chair, Greater Williamsburg Chamber & Tourism Alliance Rep
 - Kim Orthner, Vice Chair, Citizen Rep
 - Roger Guernsey, Citizen Rep
 - Virginia Wertman, Citizen Rep
 - Jennifer Andrews-Weckerly, Citizen Rep
 - Stephen Anderson, HHHunt Homes, Market Rate Developer
 - Neil Mureja, TM Associates, Workforce/Affordable Developer
 - Janet Green, Habitat for Humanity, Local Housing Organization
 - Greg Storer, Williamsburg Landing, Large Local Business
 - Susan Gaston, WAAR, Realtor Community
 - Thresa Joyce, Virginia Community Capital, Lender/Finance
 - Ruth Larson, BOS Rep
 - Robin Bledsoe, EDA Rep
 - Jack Haldeman, PC Rep
 - Shernita Bethea, HRPDC
 - Dr. Lisa Sturtevant
Lisa Sturtevant & Associates, LLC
 - Mel Jones
Virginia Center for Housing Research

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Workforce Housing Task Force



- Monthly meetings
 - 3rd Tuesday of each month 10:00 a.m. to 12:00 noon
 - Public is encouraged to attend and participate
- Goals
 - Produce a plan to encourage adequate housing options
 - Strategy recommendations
 - Implementation steps
 - Seek public consensus through outreach and education

September 25, 2018

Department of Community Development
Department of Social Services



What is “Workforce Housing”

- Housing that is affordable to anyone with a job
- Another way to think about it ...

The right types, right locations and right price points to support the County’s economic base

September 25, 2018

Department of Community Development
Department of Social Services

Workforce Housing Task Force



- Adopted Vision Statement

- James City County will be a diverse community offering a high quality of life and quality affordable housing options in safe, well-maintained, and inclusive neighborhoods

- Adopted Principles

- Workers in James City County should be able to afford to live in the County if they choose to do so

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Department of Social Services

Workforce Housing Task Force



- Adopted Principles, cont'd
 - James City County should promote strategies that create and sustain mixed-income neighborhoods
 - Creating a range of affordable housing options in James City County requires partnerships among the public, private and non-profit sectors
 - James City County's solutions for workforce housing should be designed to respect the County's unique natural, historic and cultural resources

September 25, 2018

Department of Community Development
Department of Social Services

Summary of Housing Needs

- 8,400 households do not have a home they can afford comfortably, without sacrificing other needs like home maintenance, medical care, even food & clothing

Cost Burdened:
8,000+
households spend
more than 30% on
housing

Severely
Cost Burdened:
3,300+
households spend
more than 50% on
housing

Source: U.S. Census Bureau, American Community Survey

Summary of Housing Needs



- JCC has 7,432 workers making \$15,000 or less annually
 - 2,153 residents
 - 5,279 in-commuters
 - A household with an annual income of \$15,000 can afford no more than \$375 per month for housing; there are next to no available units affordable at this level
 - A household with two workers earning \$15,000 can afford no more than \$750 per month for housing; there are about 900 units in the county with rents less than \$750; very few available for rent

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Department of Community Development
Department of Social Services

Summary of Housing Needs



- JCC has:
 - 1,915 households earning \$15,350-24,600 annually (extremely low-income); 71.5% cost burdened
 - childcare workers, housekeeping, home health aids, bus drivers, substitute drivers, amusement/recreation attendants
 - 2,140 households earning \$25,550-36,500 annually (very low-income); 71% cost burdened
 - construction laborers, bankers, security guards, legal secretaries, court clerks, tax preparers, dental assistants

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Department of Community Development
Department of Social Services

Summary of Housing Needs



- JCC has 9,926 workers earning between \$15,000-\$39,996
 - 2,948 residents
 - 6,980 in-commuters
 - A household earning \$40,000 a year can afford no more than \$1,000 per month for housing; there are around 2,000 rental units in this price range
 - A household in this income range can afford to buy a home with a price up to \$168,000; there are around 3,200 owner-occupied units in the county valued below \$175,000

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Department of Community Development
Department of Social Services

Summary of Housing Needs

- Workers earning less than \$40,000 annually will have difficulty finding an affordable home in the County.

Can't Afford
Median Rent or
Median Owner
Costs



Can Afford
Median Rent,
but not
Median Owner
Costs



Source: U.S. Census Bureau, American Community Survey and EMSI data, tabulated by the VCHR

- Median Owner Costs: \$1,724/month
- Median Gross Rent: \$1,214/month
- Average wage: \$30,720
- Wage needed to secure decent housing in the county: \$35,000

September 25, 2018

Department of Community Development
Department of Social Services

Summary of Housing Needs



| Occupation | Resident Workers* | Median Hourly Wage | Affordable Monthly Housing Cost | | | |
|--|-------------------|--------------------|---------------------------------|---------------------------|--|--|
| | | | Single-earner at the median | Two earners at the median | Single-earner in the 90 th percentile | |
| Military occupations | 1,524 | \$15.62 | \$812 | \$1,625 | \$1,673 | Can't Afford Median Gross Rent or Median Owner Costs |
| Retail Salespersons | 1,488 | \$10.08 | \$524 | \$1,048 | \$931 | Can Afford Median Gross Rent, but not Median Owner Costs |
| Cashiers | 1,275 | \$9.19 | \$478 | \$956 | \$661 | |
| Waiters and Waitresses | 1,258 | \$10.83 | \$563 | \$1,126 | \$937 | Can afford Median Gross Rent or Median Owner Costs |
| Combined Food Preparation and Serving Workers, Including Fast Food | 1,238 | \$8.94 | \$465 | \$930 | \$667 | |
| Office Clerks, General | 875 | \$14.23 | \$740 | \$1,480 | \$1,204 | James City County VIRGINIA Jamestown 1607 |
| Janitors and Cleaners | 675 | \$12.01 | \$624 | \$1,249 | \$908 | |
| Postsecondary Teachers | 647 | \$26.35 | \$1,370 | \$2,740 | \$2,850 | |
| Cooks, Restaurant | 586 | \$10.87 | \$565 | \$1,131 | \$799 | |
| Registered Nurses | 561 | \$30.86 | \$1,605 | \$3,209 | \$2,216 | |

Source: VCHR Tabulation of 2017 EMSI Earnings data by occupation for James City County, Upper York and Williamsburg and 2016 ACS Median Gross Rent and Median Selected Owners Costs for owner occupants with a mortgage in James City County.

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Department of Community Development
Department of Social Services

Summary of Housing Needs



- JCC has:
 - 3,485 households earning \$40,900-58,400 annually (low-income); 61% cost burdened
 - lab technicians, electricians, real estate agents, librarians, middle school teachers
 - 2,585 households earning \$51,100-73,000 annually (moderate-income); 11-49% cost burdened
 - construction laborers, bankers, security guards, legal secretaries, court clerks, tax preparers, dental assistants

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Department of Community Development
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Summary of Housing Needs



- There are little to no vacant, for-sale or for-rent, units affordable to households with low and moderate incomes.
 - These units are in high demand and those with the lowest incomes may have to accept cost burdens or substandard housing (poor or overcrowded conditions) in order to live in the County.

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Department of Community Development
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Importance to local economy

- James City County must compete for talented workers and new businesses
- Workers need housing they can afford
- Young workers have a particularly hard time finding housing they can afford
- Housing options near employment and transit can reduce traffic congestion for everyone
 - Every day thousands of workers commute into JCC

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Department of Community Development
Department of Social Services

Next steps

- Communications and Outreach Plan
 - #afford_JCCVA
 - Tweets & Facebook posts
 - Neighborhood Forum
 - Task Force member outreach (Kiwanis, Forums, etc.)
 - Posters & other advertisements
 - <https://www.jamescitycountyva.gov/whtf>
 - Podcasts: new & innovative series

Next Steps

- August - November
 - Discussions of Best Practices
 - Refining Policy Options
 - Preliminary Strategy and Implementation Options
 - Strategy subcommittees
 - Preservation & Rehabilitation; Financial Tools
 - Affordable Homeownership; Land Use and Zoning
- December – January 2019
 - Development of Final Reports

September 25, 2018

Department of Community Development
Department of Social Services



September 25, 2018

Department of Community Development
Department of Social Services

ITEM SUMMARY

DATE: 9/25/2018

TO: The Board of Supervisors

FROM: Amy B. Jordan, Director of Economic Development

SUBJECT: Presentation on the proposed Eastern Virginia Regional Industrial Facility Authority

Pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400. et seq., Code of Virginia, 1950, as amended the governing bodies of the County of Gloucester, the City of Hampton, the County of James City, the City of Newport News, the City of Poquoson, the City of Williamsburg and the County of York are seeking to create, by adoption of concurrent ordinances, the Eastern Virginia Regional Industrial Facility Authority for the purpose of enhancing the economic base in the region by collectively developing, owning, and operating one or more facilities on a cooperative basis.

ATTACHMENTS:

| Description | Type |
|-----------------------------------|--------------|
| ☐ RIFA Work Session Power Point | Presentation |
| ☐ EVRIFA Summary | Exhibit |
| ☐ DRAFT Agreement Creating RIFA | Exhibit |
| ☐ DRAFT Ordinance Creating EVRIFA | Ordinance |
| ☐ DRAFT RIFA By-laws | Exhibit |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|-----------------|----------|---------------------|
| Economic Development | Jordan, Amy | Approved | 9/17/2018 - 4:22 PM |
| Publication Management | Daniel, Martha | Approved | 9/17/2018 - 5:06 PM |
| Legal Review | Kinsman, Adam | Approved | 9/18/2018 - 9:22 AM |
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 9:22 AM |
| Board Secretary | Purse, Jason | Approved | 9/18/2018 - 9:33 AM |
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 9:35 AM |



Regional Industrial Facility Authority

September 25, 2018

Economic Development

Regional Industrial Facility Authority (RIFA)



Act – Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400. et seq., Code of Virginia authority mechanism for member localities to cooperate in developing, owning and operating one or more facilities that may overcome a lack of resources facing an individual locality through combined action.

Economic Development

RIFA Purpose



Respective individual Member Localities may lack the financial resources acting alone to assist in the development of economic development projects, and the creation of regional authority provides a mechanism for the Member Localities to cooperate in the development of facilities, which will assist the region in overcoming this barrier to economic growth.

Economic Development

RIFA Creation



Creation – Governing bodies of the localities create, by adoption of concurrent ordinances, the Eastern Virginia Regional Industrial Facility Authority (“EVRIFA”), which concurrent ordinances will be filed with the Secretary of the Commonwealth causing the creation of the Authority.

1. Creation of EVRIFA by concurrent ordinances and filing with the Commonwealth; and
2. Agreement on individual projects for participation - first project will be the Unmanned Systems Project using GoVirginia initial funding.

RIFA Members



The initial Member Localities of the Eastern Virginia Regional Industrial Facility Authority are:

- County of Gloucester
- City of Hampton
- County of James City
- City of Newport News
- City of Poquoson
- City of Williamsburg
- County of York

Economic Development

RIFA – Future Expansion



Later, the membership of the EVRIFA may be expanded to include any locality within the region that would have been eligible to be an initial member.

Economic Development

RIFA Governing Board



EVRIFA shall be governed by a Board of Directors. Each Member Locality appoints two board members:

- (i) one an elected member of the locality's governing body, and
- (ii) the other a member of the locality's Economic Development Authority.

Each locality may appoint up to two alternate Board members. One of the alternate Board members will be the Economic Development Director (or equivalent) for each Member Locality. An alternate shall have all the voting rights of the Board member not present.

The Board shall elect from its membership a chair, vice chair, treasurer and secretary for each calendar year.

Economic Development

RIFA Annual Report



The Board shall submit an annual report of the EVRIFA's activities of the preceding year to the governing bodies of the Member Localities promptly following the close of the fiscal year including a complete operating and financial statement covering the operation of the Authority during such reporting year.

RIFA Projects Participation



Each Member Locality may consider the participation in participation agreements for individual facilities or projects. The cost for such projects and any remuneration from a project shall only be shared by those that participate in the Participation Agreement for that project.

RIFA Revenue Sharing



The governing body of the Member Locality in which a facility owned by the Authority is located may direct, by resolution or ordinance that all tax revenues collected with respect to the facility shall be remitted to the Authority. The Member Localities may agree to a revenue and economic growth sharing arrangement with respect to tax revenues and other income and revenues generated by any facility owned by the Authority. Any such agreement shall be approved by a majority vote of the governing bodies of the Member Localities reaching such an agreement, but shall not require any other approval.

Economic Development

RIFA Termination

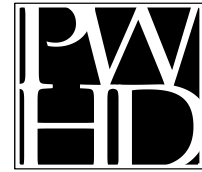


Any Member Locality may withdraw:

- (i) upon dissolution of the Authority, or
- (ii) with majority approval of all other Member Localities, after making contractual provisions for the repayment of its portion of any debt incurred and any general dues for operation of the Authority for the current and succeeding fiscal year.

Questions?

Economic Development



**SUMMARY PRESENTATION
EASTERN VIRGINIA
REGIONAL INDUSTRIAL FACILITY AUTHORITY**

- 1) Act - Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400. et seq., Code of Virginia authority mechanism for member localities to cooperate in developing, owning, and operating one or more facilities that may overcome a lack of resources facing an individual locality through combined action.
- 2) Purpose - Respective individual Member Localities may lack the financial resources acting alone to assist in the development of economic development projects, and the creation of regional authority provides a mechanism for the Member Localities to cooperate in the development of facilities which will assist the region in overcoming this barrier to economic growth.
- 3) Creation - Governing bodies of the localities create, by adoption of concurrent ordinances, the Eastern Virginia Regional Industrial Facility Authority (“EVRIFA”), which concurrent ordinances will be filed with the Secretary of the Commonwealth causing the creation of the Authority.
- 4) Two Steps: (1) Creation of EVRIFA by concurrent ordinances and filing with the Commonwealth; and (2) Agreement on individual projects for participation - first project will be the Unmanned Systems Project using GoVirginia initial funding.
- 5) Members - The initial Member Localities of the Eastern Virginia Regional Industrial Facility Authority are:
 - County of Gloucester
 - City of Hampton
 - County of James City
 - City of Newport News
 - City of Poquoson
 - City of Williamsburg
 - County of York
- 6) Expansion - Later, the membership of the EVRIFA may be expanded to include any locality within the region that would have been eligible to be an initial member.

- 7) Board - EVRIFA shall be governed by a Board of Directors. Each Member Locality appoints two board members: (i) one an elected member of the locality's governing body, and (ii) the other a member of the locality's economic development authority.
- 8) Alternates - May appoint up to two alternate Board members. One of the alternate Board members will be the Economic Development Director (or equivalent) for each Member Locality. An alternate shall have all the voting rights of the Board member not present.
- 9) Officers - The Board shall elect from its membership a chair, vice chair, treasurer, and secretary for each calendar year.
- 10) Annual Report - The Board shall submit an annual report of the EVRIFA's activities of the preceding year to the governing bodies of the Member Localities promptly following the close of the fiscal year including a complete operating and financial statement covering the operation of the Authority during such reporting year.
- 11) Specific Projects – Separate Participation - Each Member Locality may consider the participation in participation agreements for individual facilities or projects. The cost for such projects and any remuneration from a project shall only be shared by those that participate in the Participation Agreement for that project.
- 12) Revenue Sharing - The governing body of the Member Locality in which a facility owned by the Authority is located may direct, by resolution or ordinance that all tax revenues collected with respect to the facility shall be remitted to the Authority. The Member Localities may agree to a revenue and economic growth sharing arrangement with respect to tax revenues and other income and revenues generated by any facility owned by the Authority. Any such agreement shall be approved by a majority vote of the governing bodies of the Member Localities reaching such an agreement, but shall not require any other approval.
- 13) Termination - Any Member Locality may withdraw (i) upon dissolution of the Authority, or (ii) with majority approval of all other Member Localities, after making contractual provisions for the repayment of its portion of any debt incurred and any general dues for operation of the Authority for the current and succeeding fiscal year.

**AGREEMENT CREATING THE EASTERN VIRGINIA
REGIONAL INDUSTRIAL FACILITY AUTHORITY**

WHEREAS, the Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400. et seq., Code of Virginia, 1950, as amended (the “**Act**”) was enacted by the General Assembly of the Commonwealth of Virginia to provide a regional authority mechanism for member localities of such an authority to cooperate in developing, owning, and operating one or more facilities that may overcome a lack of resources facing an individual locality through combined action; and

WHEREAS, the exercise of the power granted by the Act is to be in all aspects for the benefit of the inhabitants of the geographic region included within the Member Localities, as defined below (the “**Region**”) for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity; and

WHEREAS, the governing bodies of the Member Localities (as defined below) have determined that joint action through a regional industrial facility authority will facilitate the development of needed and desired facilities in the Region; and

WHEREAS, pursuant to the Act, the governing bodies of the County of Gloucester, the City of Hampton, the County of James City, the City of Newport News, the City of Poquoson, the City of Williamsburg and the County of York (each, a “**Member Locality**” and collectively, the “**Member Localities**”) will create, by adoption of concurrent ordinances, the Eastern Virginia Regional Industrial Facility Authority (the “**Authority**”) for the purpose of enhancing the economic base for the Member Localities by developing, owning, and operating one or more facilities on a cooperative basis involving its Member Localities, which concurrent ordinances will be filed with the Secretary of the Commonwealth causing the creation of the Authority; and

WHEREAS, the Member Localities have agreed to enter into this Agreement Creating the Eastern Virginia Regional Industrial Facility Authority establishing and describing the respective rights and obligations of the Member Localities with respect to the Authority.

NOW THEREFORE, in consideration of the mutual promises of the parties and other good and valuable consideration the Member Localities hereto as set forth in this agreement (this “**Agreement**”).

ARTICLE 1
NAME AND OFFICE

The name of the authority shall be the “**Eastern Virginia Regional Industrial Facility Authority**” (the “**Authority**”), and the address of its initial office is c/o York County Economic Development Authority, P.O. Box 532, Yorktown, Virginia 23690.

ARTICLE 2
PARTIES TO THE EASTERN VIRGINIA
REGIONAL INDUSTRIAL FACILITY AUTHORITY AGREEMENT

1. The initial Member Localities of the Authority are:

County of Gloucester
City of Hampton
County of James City
City of Newport News
City of Poquoson
City of Williamsburg
County of York

2. At any time subsequent to the creation of this Authority, the membership of the Authority may, with the approval of the Authority Board, be expanded to include any locality within the region that would have been eligible to be an initial member. The governing body of a locality seeking to become a member shall evidence its intent to become a member by adopting an ordinance proposing to join the Authority that conforms to the requirements established by Section 15.2-6402 of the Code of Virginia. The admission of such additional member shall be completed upon the Authority Board approving the admission, after presented with the requisite ordinance adopted by such locality, which then shall be a Member Locality for all purposes, and with all rights, under this Agreement and the Bylaws (as defined below).

ARTICLE 3
FINDINGS AND PURPOSE OF THE AUTHORITY

The Member Localities agree that this Authority has been established for the following purpose and function.

1. The Member Localities agree that the economy of the Region has not kept pace with the rest of the Commonwealth. The respective individual Member Localities may lack the financial resources acting alone to assist in the development of economic development projects, and the creation of the Authority provides a mechanism for the Member Localities to cooperate in the development of facilities which will assist the Region in overcoming this barrier to economic growth.

2. The exercise of the powers granted by the Act shall be in all aspects for the benefit of the inhabitants of the Region for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity.

3. The Authority shall be nonprofit and no part of its earnings remaining after payment of its expenses and fulfillment of commitments in furtherance of the Authority's purposes shall inure to the benefit of any individual, firm or corporation, and if the Authority is dissolved in accordance with the provisions of the Act the title to all funds

and other property owned by the Authority shall vest in the Member Localities which have contributed to the Authority in proportion to their respective contributions as provided by the Act.

4. The Act provides the Member Localities with powers by which the Member Localities may interact as one body or as individual participating groups consisting of one or more Member Localities of the Authority which the members believe will give each local government an opportunity to establish successful partnerships for the development of economic projects which will serve the region.

5. The governing bodies of each Member Locality have found that the economic growth and development of the localities, and the comfort, convenience and welfare of the citizens of the Member Localities require the development of facilities and that joint action through the Authority will facilitate the development of such facilities.

ARTICLE 4 BOARD OF THE AUTHORITY

1. All powers, right and duties conferred by the Act, or other provisions of law, upon the Authority shall be exercised by a Board of Directors (the “**Board**”). The Board shall consist of two board members from each Member Locality pursuant to Section 15.2-6403 (A) of the Act appointed by the governing body of each Member Locality. One Board member shall be an elected member of the locality’s governing body, and the other Board member shall be a member of the locality’s economic development authority (or its equivalent). Each Board member of the Board shall serve for a term of four years and may be reappointed for as many terms as the Member Locality’s governing body desires. If a vacancy occurs by reason of death, disqualification or resignation, the governing body of the Member Locality that appointed the Authority Board member shall appoint a successor to fill the unexpired term.

2. The governing body of each Member Locality may appoint up to two alternate Board members. One of the alternate Board members will be the Economic Development Director (or equivalent) for each Member Locality. An alternate may serve as an alternate for either Board member from the Member Locality that appoints the alternate. Alternates shall be appointed for terms that coincide with one or more of the Board members from the Member Locality that appoints the alternate. If either 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 and all other purposes at that meeting.

3. The Board shall elect from its membership, for each calendar year, a chair, vice chair, treasurer, and secretary.

4. Appointments, officers, Board meetings and procedures shall be held and conducted in accordance with the Act, this Agreement, and with the Bylaws of this Authority, attached hereto as Exhibit A and fully incorporated into this Agreement (the “**Bylaws**”).

5. The Board shall submit an annual report of the Authority's activities of the preceding year to the governing bodies of the Member Localities, including a complete operating and financial statement.

6. The Board may establish dues or other annual financial fees for the operation of the Authority and its approved purposes (“**Operational Dues**”). Such Operational Dues shall be approved by all Member Localities by appropriate resolutions or ordinances. Such Operational Dues shall be separate from amounts due in accordance with Participation Agreements (as defined in Article 5 below). No Board member shall receive compensation.

7. The Authority is vested with the powers of a body corporate, including the powers to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient.

ARTICLE 5 PARTICIPATION AGREEMENTS FOR FACILITIES

1. The Authority may enter into participation agreements with one or more Member Localities by which any facilities allowed by the Act may be constructed, developed and operated in the Region (“**Participation Agreement(s)**”). Such Participation Agreements may include participation by public and private entities who are not Member Localities of the Authority (“**Other Participants**”).

2. Each Member Locality may consider its terms in the participation in each proposed project. The cost for such Participation Agreements and any remuneration from the creation of a Participation Agreement shall only be shared by the Member Localities and Other Participants that participate in the Participation Agreement in accordance with the participation agreements for that project. The Authority may from time to time finance an economic development project (a “**Project**”) pursuant to a Participation Agreement through the issuance of notes and bonds by the Authority (“**Bonds**”). Such Bonds shall be limited obligations of the Authority to be paid solely from revenues and receipts of that particular economic development Project and from revenues that may be received pursuant to any Participation Agreement or other agreement related to the Project being financed, and may be secured by collateral encumbered or pledged in support of the financing (“**Project Based Financing**”). Project Based Financing is approved and consented to by the Member Localities. Any individual Member Locality may, at its discretion and as allowed by law, choose to enter into, or not enter into, a specific Project Based Financing arrangement in support of any particular Project. Any Member Locality not entering into an agreement in support of a Project (i) shall have no monetary obligation or other duty or responsibility in relation to that Project, and (ii) its Member Locality status and participation in other Projects shall not be modified by any decision not to participate in any particular Project.

ARTICLE 6
DONATIONS; REMITTANCE OF TAX REVENUE;
REVENUE SHARING AGREEMENTS

1. Member Localities are hereby authorized to lend, or donate money or other property to the Authority for any of its purposes. The Member Locality making the grant or loan may restrict the use of such grants or loans to a specific facility owned by the Authority within or without that Member Locality.

2. The governing body of the Member Locality in which a facility owned by the Authority is located may direct, by resolution or ordinance that all tax revenues collected with respect to the facility shall be remitted to the Authority. Such revenues may be used for the payment of debt service on bonds of the Authority and other obligations of the Authority incurred with respect to such facility. The action of such governing body shall not constitute a pledge of the credit or taxing power of such Member Locality.

3. Notwithstanding the requirements of Chapter 34 of Title 15.2 of the Code of Virginia (Section 15.2-3400 et seq.), the Member Localities may agree to a revenue and economic growth sharing arrangement with respect to tax revenues and other income and revenues generated by any facility owned by the Authority. The obligations of the parties to any such agreement shall not be construed to be debt within the meaning of Articles VII, Section 10, of the Constitution of Virginia. Any such agreement shall be approved by a majority vote of the governing bodies of the Member Localities reaching such an agreement, but shall not require any other approval.

ARTICLE 7
BOND ISSUES

The Authority may at any time and from time issue bonds for any valid purpose, including the establishment of reserves and the payment of interest. Any such bonds issued pursuant to the Act shall comply with all terms and conditions identified in Sections 15.2-6409, 15.2-6410, 15.2-6411 and 15.2-6412 of the Code of Virginia, as amended.

ARTICLE 8
ACCOUNTS AND RECORDS

The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in such form as the Auditor of Public Accounts prescribes, provided that such accounts correspond as nearly as possible to the accounts and records for such matters maintained by corporate enterprises. The accounts and records of the Authority shall be subject to audit pursuant to Section 30-140 of the Code of Virginia and the costs of such audit services shall be borne by the Authority. The Authority's fiscal year shall be the same as the Commonwealth's.

ARTICLE 9
MEMBER LOCALITIES APPROVALS

The Authority may request action by the governing bodies of the Member Localities for any appropriate matters or actions in accordance with the Act. The Authority shall not act without approvals of the governing bodies of the Member Localities for the following:

- (i) Participation Agreements for individual Projects in accordance with Article 5 of this Agreement;
- (ii) tax revenue remittances in accordance with Section 15.2-6406.B of the Act;
- (iii) revenue sharing agreements in accordance with Section 15.2-6407 of the Act and Article 6 of this Agreement;
- (iv) Operational Dues in accordance with Article 4, Section 6 of this Agreement; and
- (v) Any other requirement or limitation as may be imposed by the Act, as may be amended.

ARTICLE 10
DISSOLUTION OF AUTHORITY

1. Any Member Locality of the Authority may withdraw from the Authority (i) upon dissolution of the Authority as set forth herein or (ii) with majority approval of all other Member Localities of the Authority, upon a resolution adopted by the governing body of such Member Locality and after satisfaction of such Member Locality's legal obligations, including repayment of its portion of any debt incurred with regard to the Authority, or after making contractual provisions for the repayment of its portion of any debt incurred with regard to the Authority, as well as pledging to pay any general dues for operation of the Authority for the current and succeeding fiscal year following the effective date of withdrawal.

No Member Locality seeking withdrawal shall retain, without the consent of a majority of the remaining Member Localities, any rights to contributions made by such Member Locality, to any property held by the Authority or to any revenue sharing as allowed by the Act.

Upon withdrawal, the withdrawing Member Locality also shall return to the Authority any dues or other contributions refunded to such Member Locality during its membership in the Authority.

2. Whenever the Board determines that the purpose for which the Authority was created has been substantially fulfilled or is impractical or impossible to accomplish and

that all obligations incurred by the Authority have been paid or that cash or sufficient amount of approved securities has been deposited for their repayment, or provisions satisfactory for the timely payment of all its outstanding obligations have been arranged, the Board may adopt resolutions declaring and finding that the Authority shall be dissolved.

Appropriate attested copies of such resolutions shall be delivered to the Governor so that legislation dissolving the Authority may be introduced in the General Assembly. The dissolution of the Authority shall become effective according to the terms of such legislation. The title to all funds and other property owned by the Authority at the time of such dissolution shall vest in the Member Localities which have contributed to the Authority in proportion to their respective contributions.

ARTICLE 11 MISCELLANEOUS

The Authority shall have the right to amend from time to time any of this Agreement's terms and conditions, in any manner not inconsistent with the provisions of the Act and other applicable law. Amendment of this Agreement shall require an affirmative vote of a Supermajority (as defined in the Bylaws) of the Board. No such amendment shall reduce the rights, or modify the obligations of a Member Locality, for any previously approved Participation Agreement. All amendments shall be in writing and shall be signed by the Authority Chairman and Secretary after approval in accordance with this Agreement and the Bylaws.

The title of and article headings in this Agreement are solely for convenience of reference and shall not constitute a part of this Agreement nor shall they affect its meaning, construction or effect.

This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

If any clause, provision or section of this Agreement shall be held illegal or invalid by any court, the illegality or invalidity of such clause, provision or section shall not affect the remainder of this Agreement which shall be construed and enforced as if such illegal or invalid clause, provision or section had not been contained in this Agreement. If any agreement or obligation contained in this Agreement is held to be in violation of law, then such agreement or obligation shall be deemed to be the agreement or obligation of the parties hereto only to the extent permitted by law. In the event that the General Assembly amends the Act in a manner that conflicts herewith, the provisions of this Agreement are hereby amended in conformity with such amendment of the Act.

[Signatures on following pages]

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing effective on the date when fully executed.

COUNTY OF GLOUCESTER

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

Approved as to form:

By: _____
Theodore Wilmont, County Attorney

[Signatures continue on next page]

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing effective on the date when fully executed.

CITY OF HAMPTON

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

Approved as to form:

By: _____
Cheran Cordell Ivery, City Attorney

[Signatures continue on next page]

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing effective on the date when fully executed.

COUNTY OF JAMES CITY

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

Approved as to form:

By: _____
Adam Kinsman, County Attorney

[Signatures continue on next page]

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing effective on the date when fully executed.

CITY OF NEWPORT NEWS

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

Approved as to form:

By: _____
Collins Owens, City Attorney

[Signatures continue on next page]

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing effective on the date when fully executed.

CITY OF POQUOSON

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

Approved as to form:

By: _____
Wayne Moore, City Attorney

[Signatures continue on next page]

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing effective on the date when fully executed.

CITY OF WILLIAMSBURG

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

Approved as to form:

By: _____
Christina Shelton, City Attorney

[Signatures continue on next page]

IN WITNESS WHEREOF, the governing bodies identified, by authorized action, have caused this Agreement to be executed and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing effective on the date when fully executed.

COUNTY OF YORK

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

Approved as to form:

By: _____
James Barnett, County Attorney

EXHIBIT A

BYLAWS

ORDINANCE NO. _____

AN ORDINANCE TO CREATE A REGIONAL INDUSTRIAL FACILITY AUTHORITY PURSUANT TO SECTION 15.2-6400 ET SEQ. OF THE CODE OF VIRGINIA (the "Act")

WHEREAS, this Board of Supervisors recognizes that providing a mechanism for localities in the local region to cooperate in the development of economic development projects and facilities will assist the region in overcoming barriers to economic growth; and

WHEREAS, this Board of Supervisors acknowledges that the purpose of a regional industrial facility authority 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, this Board of Supervisors finds that economic growth and development of the County of James City, Virginia (the "County"), and the comfort, convenience and welfare of the citizens of the County require the development of facilities, and that the collaborative and collective action through a regional industrial facility authority by the County of Gloucester, the City of Hampton, the County of James City, the City of Newport News, the City of Poquoson, the City of Williamsburg and the County of York will facilitate the development of the needed facilities within the region that comprises said geographic areas (the "Region").

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia (the "Board of Supervisors"), that

1. The name of the Regional Industrial Facility Authority shall be the "Eastern Virginia Regional Industrial Facility Authority" (the "Authority").

2. The initial member localities shall be the County of Gloucester, the City of Hampton, the County of James City, the City of Newport News, the City of Poquoson, the City of Williamsburg and the County of York (each, a "Member Locality" and collectively, the "Member Localities"). Each Member Locality's participation shall become effective on the date their respective governing body enacts an ordinance substantially similar to this ordinance authorizing the creation of 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. The governing body of a locality seeking to become a member shall evidence its intent to become a member by adopting an ordinance substantially similar to this ordinance (and otherwise in conformance with Section 15.2-6402 of the Act). The admission of such member shall be completed upon the Authority Board approving the admission, after being presented with the requisite ordinance adopted by such locality.

3. The Authority shall be governed by an initial board (the "Authority Board") consisting of two (2) board members from each Member Locality. Authority Board members shall be appointed by their respective Member Locality's governing body.

Each governing body of each Member Locality may appoint up to two (2) alternate Authority Board members. Alternates shall be appointed for terms that coincide with one or more of the Authority Board members from the Member Locality that appoints the alternate. 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 and all other purposes of that meeting.

In the event that additional Member Localities shall enact an ordinance to join the Authority and are

admitted upon the Authority Board approving the admission, the number of members of the Authority Board shall be increased by two (2) members for each additional Member Locality, with Authority Board members to be appointed in accordance with the criteria set forth above for initial Authority Board Members and alternates.

Each member of the Authority Board shall serve for a term of four (4) years and may be reappointed for as many terms as the governing body from said Authority Board member's Member Locality desires.

4. 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 in the Bylaws of the Authority Board (a draft copy of which is attached hereto and which shall be approved by the Authority in substantially the same form as said draft).

5. The Authority Board shall elect from its membership a Chair, Vice Chair, Treasurer and Secretary for each calendar year. The Authority Board may also appoint an Executive Director and staff who shall discharge such functions as may be directed by the Authority Board. The Executive Director and staff may be paid from funds received by the Authority.

6. This Board of Supervisors authorizes approval, by appropriate execution by the designated representative of the County and/or by the Chair of this Board of Supervisors, of an agreement (the "Agreement Creating Authority") among the Member Localities whereby the Authority shall be established and further whereby the respective rights and obligations of the Member Localities with respect to the Authority, in accordance with the provisions of the Act, shall be set forth (a draft copy of which is attached hereto and which shall be approved by the Authority in substantially the same form as said draft). The Agreement Creating Authority shall (i) establish the terms for participation in the Authority by Member Localities and (ii) further describe the participation agreements (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. This authorization includes, but is not limited to, authority for this Board of Supervisors to approve, by ordinance, Participation Agreements by which Authority projects shall be constructed and developed and which may be funded from this Board of Supervisors' commitment of loans or grants and in the event that a facility will be located within the County, future tax revenue derived from the Authority's project facilities located within the County, pursuant to Section 15.2-6406 of the Act.

7. If and to the extent one or more of the Member Localities named herein does not pass an ordinance substantially similar to this ordinance, this ordinance shall be deemed to automatically remove said Member Locality without further action or vote of this Board of Supervisors; it being the intent of this ordinance that it shall be adopted with any number and composition of the Member Localities named herein so long as said ordinance, and the Authority created herein, shall be in compliance with all applicable statutes.

Ruth M. Larson
Chairman, Board of Supervisors

ATTEST:

William C. Porter
Clerk to the Board

| VOTES | <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> |
|-----------|------------|------------|----------------|
| MCGLENNON | ___ | ___ | ___ |
| ICENHOUR | ___ | ___ | ___ |
| SADLER | ___ | ___ | ___ |
| HIPPLE | ___ | ___ | ___ |
| LARSON | ___ | ___ | ___ |

Adopted by the Board of Supervisors of James City County, Virginia, this __ day of ____, 2018.

**EASTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
BYLAWS**

ARTICLE I

NAME; FORMATION; POWERS OF AUTHORITY; CERTAIN DEFINITIONS

Section 1

The name of the authority (the “**Authority**”) shall be “Eastern Virginia Regional Industrial Facility Authority.”

Section 2

The Authority was formed in accordance with the Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400. et seq., Code of Virginia, 1950, as amended (the “**Act**”). The initial Member Localities have entered into that certain Agreement Creating the Eastern Virginia Industrial Facility Authority as the same may be amended from time to time (the “**RIFA Agreement**”).

Section 3

The Authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient. In addition to additional powers set forth in the Act, the Authority may:

1. adopt bylaws, rules and regulations to carry out the provisions of the Act;
2. employ, either as regular employees or as independent contractors, consultants, engineers, architects, accountants, attorneys, financial experts, construction experts and personnel, superintendents, managers and other professional personnel, personnel, and agents as may be necessary in the judgment of the Authority, and fix their compensation;
3. determine the locations of, develop, establish, construct, erect, repair, remodel, add to, extend, improve, equip, operate, regulate, and maintain facilities to the extent necessary or convenient to accomplish the purposes of the Authority;
4. acquire, own, hold, lease, use, sell, encumber, transfer, or dispose of, in its own name, any real or personal property or interests therein;
5. invest and reinvest funds of the Authority;
6. enter into contracts of any kind, and execute all instruments necessary or convenient with respect to its carrying out the powers in the Act to accomplish the purposes of the Authority;

7. expend such funds as may be available to it for the purpose of developing facilities, including but not limited to (i) purchasing real estate; (ii) grading sites; (iii) improving, replacing, and extending water, sewer, natural gas, electrical, and other utility lines; (iv) constructing, rehabilitating, and expanding buildings; (v) constructing parking facilities; (vi) constructing access roads, streets, and rail lines; (vii) purchasing or leasing machinery and tools; and (viii) making any other improvements deemed necessary by the Authority to meet its objectives;
8. fix and revise from time to time and charge and collect rates, rents, fees, or other charges for the use of facilities or for services rendered in connection with the facilities;
9. borrow money from any source for any valid purpose, including working capital for its operations, reserve funds, or interest; mortgage, pledge, or otherwise encumber the property or funds of the Authority; and contract with or engage the services of any person in connection with any financing, including financial institutions, issuers of letters of credit, or insurers;
10. issue bonds under the Act;
11. accept funds and property from the Commonwealth of Virginia (the “**Commonwealth**”), persons, counties, cities, and towns and use the same for any of the purposes for which the Authority is created;
12. apply for and accept grants or loans of money or other property from any federal agency for any of the purposes authorized in the Act and expend or use the same in accordance with the directions and requirements attached thereto or imposed thereon by any such federal agency;
13. make loans or grants to, and enter into cooperative arrangements with, any person, partnership, association, corporation, business or governmental entity in furtherance of the purposes of the Act, for the purposes of promoting economic and workforce development, provided that such loans or grants shall be made only from revenues of the Authority that have not been pledged or assigned for the payment of any of the Authority's bonds, and to enter into such contracts, instruments, and agreements as may be expedient to provide for such loans, and any security therefor. The word "revenues" as used in this subsection includes grants, loans, funds and property, as set out in subsections 11 and 12;
14. enter into agreements with any other political subdivision of the Commonwealth for joint or cooperative action in accordance with Section 15.2-1300 of the Code of Virginia, 1950, as amended; and
15. do all things necessary or convenient to carry out the purposes of the Act

Section 4

Capitalized terms used in these Bylaws and not otherwise defined shall have the meanings prescribed in the Act.

ARTICLE II BOARD

Section 1

The Authority shall be governed by a board as prescribed in Section 15.2-6403 of the Act and provided in the RIFA Agreement (the “**Board**”). The Board shall consist of such number of Board members as provided in the RIFA Agreement. Board Members and alternate Board Members shall be appointed and shall serve for such terms as provided in the RIFA Agreement. The chair (the “**Chair**”), vice chair (“**Vice Chair**”), treasurer (“**Treasurer**”) and secretary (“**Secretary**”) of the Board shall be appointed as provided in the RIFA Agreement.

Section 2

A. The Chair of the Board shall conduct the meetings of the Board, execute documents on behalf of the Board, function as the chief executive officer of the Authority, and execute such duties as the Board may delegate to the Chair by resolution.

B. The Vice Chair of the Board shall serve in the place and stead of the Chair when he or she is unable or unwilling to serve in such capacity.

C. The Secretary shall have the responsibility for preparing and maintaining custody of minutes of the Board’s meetings, for maintaining the records, and for authenticating records of the Authority. The Secretary shall also perform such other duties as may be assigned from time to time by the Board.

D. The Treasurer shall keep or cause to be kept complete and accurate books of account. Whenever required by the Board, the Treasurer shall render a financial statement showing all transactions of the Authority and the financial condition of the Authority. The Treasurer shall also perform such other duties as may be assigned from time to time by the Board.

Section 3

The Board may appoint an executive director (“**Executive Director**”) and such other staff who shall discharge such functions as may be directed by the Board. The Executive Director and any staff members shall be paid from funds received by the Authority.

Section 4

Each member of the Board shall, before entering upon the discharge of the duties of his or her office, take and subscribe to the oath prescribed in Section 49-1 of the Code of Virginia, 1950, as amended.

Section 5

Members of the Board shall be reimbursed for actual expenses incurred in the performance of their duties from funds available to the Authority. No Board Member shall receive compensation.

Section 6

6.1 The regular meetings of the Board shall occur once every six months on such dates and at such places and hours as may be agreed upon by the members of the Board. Regular meetings of the Board may be adjourned or continued, without further public notice, from day to day or from time to time or from place to place, but not beyond the time fixed for the next regular meeting, until the business before the Board is completed. The Board may agree to modify the frequency, dates, schedule or other details for regular meetings by a regular vote of the Board in accordance with these Bylaws.

6.2 A quorum for the transaction of business at any meeting of the Board shall exist when a majority of the Member Localities are represented by at least one member of the Board. Except as otherwise provided in these Bylaws, the affirmative vote of a quorum of the Board shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all of the duties of the Board.

6.3 The affirmative vote of at least one Member of the Board from each Member Locality within any combination of Member Localities representing two-thirds of the total number of Member Localities (a “**Supermajority**”) shall be required for the following actions of the Board:

- (i) sale or transfer of all or substantially all of the Authority assets;
- (ii) causing or permitting the Authority to incur any indebtedness for borrowed money in excess of \$50,000 over the term of such borrowing (taking in to account any permitted renewals or extensions thereof), except pursuant to a budget that has been approved by a Supermajority;
- (iii) causing or permitting the Authority to make any loan, capital expenditure, call or other contribution with respect to any security, asset, venture or investment project or item held or engaged in by the Authority, or any series of related loans, expenditures, calls or other contributions, except pursuant to a budget that has been approved by a Supermajority;
- (iv) causing or permitting the Authority to enter into any contract or agreement with a term in excess of one year, other than in the ordinary course of business, or involving payments by or to the Authority in excess of \$50,000 over the term of such contract or agreement (taking in to account any permitted renewals or

extensions thereof), except pursuant to a budget that has been approved by a Supermajority;

- (v) making any distributions of Authority cash or other property, except as specifically provided in the RIFA Agreement, these Bylaws or any Participation Agreement; and
- (vi) issuance of any Bonds by the Authority.

6.4 Any two or more Board members representing two or more Member Localities may call a special meeting of the Board. Any such request for a special meeting shall be in writing, and the request shall specify the time and place of the meeting and the matters to be considered at the meeting. A reasonable effort shall be made to provide each member of the Board with notice of any special meeting. No matter not specified in the notice shall be considered at such special meeting unless all the members of the Board are present. Special meetings may be adjourned or continued, without further public notice, from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

Section 7

The Authority's fiscal year shall be the same as the fiscal year of the Commonwealth of Virginia. The Board, promptly following the close of the fiscal year, shall submit an annual report of the Authority's activities of the preceding year to the governing body of each Member Locality. Each such report shall set forth a complete operating and financial statement covering the operation of the Authority during such year. The Authority's books and records shall be kept in such form as the Auditor of Public Accounts prescribes, but otherwise shall correspond as nearly as possible to accounts and records maintained by corporate enterprises, all subject to and in accordance with Section 15.2-6413 of the Act.

ARTICLE III OFFICE OF AUTHORITY; TITLE TO PROPERTY

The Board shall maintain the principal office of the Authority within a Member Locality. All records shall be kept at such office. The title to all property of every kind belonging to the Authority shall be titled to the Authority, which shall hold it for the benefit of the Member Localities.

ARTICLE IV
AMENDMENT OF BYLAWS

These Bylaws may be altered, amended or repealed only by approval of a Supermajority of the Board. No such amendment shall be inconsistent with the Act, the RIFA Agreement, or other applicable law, nor shall any such amendment reduce the rights, or modify the obligations of a Member Locality, for any previously approved Participation Agreement (as defined in the RIFA Agreement).

Adopted as of _____, 2018
for the Authority

By: _____
Name: _____
Title: Chair

Attest:

, Secretary

ITEM SUMMARY

DATE: 9/11/2018
TO: The Board of Supervisors
FROM: Dawn Oleksy, Environmental Sustainability Coordinator
SUBJECT: Appointment of Clean County Commissioners

Carry-over from Sept. 11 meeting

ATTACHMENTS:

| Description | Type |
|-------------|------|
|-------------|------|

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|-----------------|----------|----------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/13/2018 - 10:34 AM |

ITEM SUMMARY

DATE: 9/11/2018
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Deputy Clerk
SUBJECT: Appointment to Williamsburg Area Arts Commission

Carry-over from Sept. 11 meeting

ATTACHMENTS:

| Description | Type |
|-------------|------|
|-------------|------|

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|-----------------|----------|----------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/13/2018 - 10:34 AM |

ITEM SUMMARY

DATE: 9/11/2018
TO: The Board of Supervisors
FROM: Rebecca Vinroot, Director of Social Services
SUBJECT: Social Services Advisory Board Reappointment

Carry-over from Sept. 11 meeting

ATTACHMENTS:

| Description | Type |
|-------------|------|
|-------------|------|

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|-----------------|----------|----------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/13/2018 - 10:34 AM |

ITEM SUMMARY

DATE: 9/11/2018
TO: The Board of Supervisors
FROM: Rebecca Vinroot, Director of Social Services
SUBJECT: Peninsula Agency on Aging Board Reappointment

Carry-over from Sept. 11 meeting

ATTACHMENTS:

| Description | Type |
|-------------|------|
|-------------|------|

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|-----------------|----------|----------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/13/2018 - 10:34 AM |

ITEM SUMMARY

DATE: 9/11/2018
TO: The Board of Supervisors
FROM: Michael Woolson, Secretary to the Chesapeake Bay and Wetlands Board
SUBJECT: Appointments to the Chesapeake Bay Board and Wetlands Board

Carry-over from Sept. 11 meeting

ATTACHMENTS:

| Description | Type |
|-------------|------|
|-------------|------|

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|-----------------|----------|----------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/13/2018 - 10:34 AM |

ITEM SUMMARY

DATE: 9/25/2018
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Deputy Clerk
SUBJECT: Appointments to the Board of Adjustments and Appeals

ATTACHMENTS:

Description Type

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|-----------------|----------|----------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/14/2018 - 2:08 PM |
| Board Secretary | Purse, Jason | Approved | 9/18/2018 - 9:27 AM |
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 9:34 AM |
| Publication Management | Burcham, Nan | Approved | 9/18/2018 - 9:42 AM |
| Legal Review | Kinsman, Adam | Approved | 9/18/2018 - 9:55 AM |
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 12:53 PM |
| Board Secretary | Purse, Jason | Approved | 9/18/2018 - 12:55 PM |
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 12:59 PM |

ITEM SUMMARY

DATE: 9/25/2018
TO: The Board of Supervisors
FROM: Teresa J. Fellows, Deputy Clerk
SUBJECT: Adjourn until 5 p.m. on October 9, 2018 for the Regular Meeting

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 9/18/2018 - 9:17 AM |