

RESOLUTION

PENINSULA PUBLIC SPORTS FACILITY AUTHORITY

WHEREAS, it is the intention of the Cities of Hampton, Newport News, Poquoson, and Williamsburg and the Counties of James City and York to form the Peninsula Public Sports Facility Authority.

NOW, THEREFORE, BE IT RESOLVED by the Councils of the Cities of Hampton, Newport News, Poquoson, and Williamsburg, and the Boards of Supervisors of the Counties of James City and York:

1. That the County of James City, Virginia, has found and determined and does hereby declare that the County together with the Cities of Hampton, Newport News, Poquoson, and Williamsburg, and the County of York desire to establish a public recreational facility authority pursuant to the provisions of the Virginia Public Recreational Facilities Authorities Act, being Chapter 29, Title 15.1, Code of Virginia, as amended, in the manner and for the purposes set forth therein.
2. That the articles of incorporation for the Peninsula Public Sports Facility Authority shall be as follows:

ARTICLES OF INCORPORATION OF PENINSULA PUBLIC SPORTS FACILITY AUTHORITY

The Councils of the Cities of Hampton, Newport News, Poquoson, and Williamsburg, and the Boards of Supervisors of the Counties of James City and York, having signified their intention to create an authority pursuant to the Virginia Public Recreational Facilities Authorities Act, Chapter 29, Title 15.1, Code of Virginia, as amended (the Act), which shall be a public body politic incorporate, hereby certify:

- (a) The name of the authority shall be "Peninsula Public Sports Facility Authority" and the address of its principal office shall be c/o County Administrator, Post Office Box 532, 224 Ballard Street, Yorktown, Virginia 23690.
- (b) The names of the incorporating political subdivisions are the Cities of Hampton, Newport News, Poquoson, and Williamsburg and the Counties of James City and York.
- (c) The powers of the authority shall be exercised by a board consisting of six (6) members, one from each of the incorporating political subdivisions. The names and addresses of the first members, the alternates, the names of the appointing political subdivisions, and the year of expiration of the terms of the first members are as follows:

<u>Name and Address</u>	<u>Appointing Political Subdivision</u>	<u>Expiration of Term</u>
Robert J. O'Neill, Jr. Alternate: Joseph H. Spencer, II 22 Lincoln Street Hampton, Virginia 23669	City of Hampton	2000
Edgar E. Maroney Alternate: Aubrey H. Fitzgerald 2400 Washington avenue Newport News, Virginia 23607	City of Newport News	2000
Judy Wiggins 830 Poquoson Avenue Poquoson, Virginia 23662	City of Poquoson	2000
Jackson C. Tuttle 401 Lafayette Street Williamsburg, Virginia 23185	City of Williamsburg	2000
Sanford B. Wanner Alternate: Robert A. Magoon, Jr. County Government Center 101-C Mounts Bay Road Williamsburg, Virginia 23187	James City County	2000
Daniel M. Stuck Alternate: Jere M. Mills 224 Ballard Street Yorktown, Virginia 23690	County of York	2000

The governing body of each member political subdivision may appoint an alternate who may attend meetings of the Authority but who shall be entitled to vote only in the absence of the designated member for which such alternate is serving.

The terms of the first members shall begin on the date of the issuance to the Authority of a certificate of incorporation by the State Corporation Commission, and shall expire on December 31 in the year set forth above. The successor of each member shall be appointed for a term of four years by the governing body of the political subdivision by which he or she was appointed, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Members shall hold office until their successors shall have been appointed and qualify, and any member shall be eligible for reappointment to succeed himself. The members may receive as compensation for each meeting attended such amount as may be determined from time to time by resolution of the governing bodies of their member political subdivision, and shall be reimbursed for any actual expenses necessarily incurred in the performance of their duties.

- (d) The purposes for which the Authority are to be formed are to acquire, purchase, lease, construct, reconstruct, improve, extend, finance, operate and maintain projects, as the term is defined in the Act, and to exercise those powers given such an Authority by the Act.
- (e) Specific projects will be identified by the Authority and implemented through agreements with and among the member jurisdictions. Each member jurisdiction shall have the option of participating in a particular project of the Authority, as defined by § 15.1-1272(g) of the Code of Virginia, as amended, and only the jurisdictions participating in such project shall be obligated to fund it, and the non-participating jurisdictions shall not incur any financial obligation therefrom.
- (f) The Authority shall cause an annual audit of its books and records to be made by an independent certified public accountant at the end of each fiscal year and a certified copy thereof to be filed promptly with the governing body of each of the incorporating political subdivisions.
- (g) Unless the member jurisdictions agree otherwise, the general administrative costs of the Authority that are not allocated to specific projects shall be shared on a per capita basis; an annual minimum of \$0.05 per capita shall be contributed by each member jurisdiction. General administrative costs shall include general operating costs such as salaries, rent, automobiles, supplies, attorney's fees, audit and accounting costs and the cost of any general studies undertaken by the Authority.
- (h) This Authority is created under the Public Recreational Facilities Authorities Act, Chapter 29, Title 15.1, of the Code of Virginia.

IN WITNESS WHEREOF, the Councils of the Cities of Hampton, Newport News, Poquoson, and Williamsburg and the Boards of Supervisors of the Counties of James City and York have caused these articles of incorporation to be executed on their behalf by their presiding officers and their seals to be affixed and attested by their Clerks, this ____ day of _____, 1997.

- 3. That in accordance with the requirements of § 15.1-1273 of the Code of Virginia, 1950, as amended, this resolution has been published in a newspaper of general circulation in the incorporating political subdivisions, and a duly constituted public hearing has been held thereon.
- 4. That this resolution shall take effect from the date of its adoption.

Public hearings on the adoption of the proposed resolution will be held by each of the respective jurisdictions at the times, dates and the locations stated below:

City of Hampton
Time: 7:30 p.m.
Date: March 12, 1997
Location: City Council Chambers
Hampton City Hall

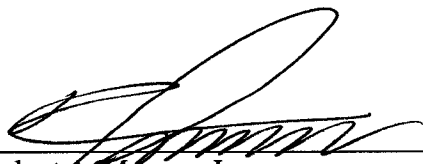
City of Newport News
Time: 7:30 p.m.
Date: March 11, 1997
Location: City Council Chambers,
Newport News City Hall

City of Poquoson
Time: 7:00 p.m.
Date: March 10, 1997
Location: Auditorium, Poquoson High School
51 Odd Street
Poquoson, Virginia


City of Williamsburg
Time: 2:00 p.m.
Date: March 13, 1997
Location: Council Chambers
Williamsburg/James City County Courthouse

County of James City
Time: 7:00 p.m.
Date: March 11, 1997
Location: James City County Supervisors Board Room
101-C Mounts Bay Road

County of York
Time: 7:00 p.m.
Date: March 5, 1997
Location: Courts and Board Room
District Courts Building
120 Alexander Hamilton Boulevard
Yorktown


Robert A. Magoon, Jr.
Chairman, Board of Supervisors

ATTEST:


Sanford B. Wanner
Clerk to the Board

SUPERVISOR	VOTE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	AYE
MAGOON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 1997.