

RESOLUTION

CONCURRENT RESOLUTION FOR THE ESTABLISHMENT OF THE HISTORIC TRIANGLE

RECREATIONAL FACILITIES AUTHORITY

WHEREAS, the City of Williamsburg, Virginia, James City County, Virginia, and York County, Virginia **(together, the “Participating Localities” and individually each a “Participating Locality”)** desire to acquire, construct, and operate regional public recreational facilities in an area located in the City of Williamsburg, Virginia; and

WHEREAS, each Participating Locality finds it to be in the best interest of their respective localities to establish a public recreational facilities authority pursuant to the Public Recreational Facilities Authorities Act, Chapter 56 of Title 14.2 of the Code of Virginia § 15.2-5600, *et seq.* **(the “Act”)** to be known as Historic Triangle Recreational Facilities Authority **(the “Authority”)**; and

WHEREAS, the initial purpose of the Authority is to lease real property consisting of approximately 70 acres and known as the Colonial Williamsburg Visitors Center currently owned by Colonial Williamsburg Foundation and to design, construct, finance, and operate public recreational facilities on such real property **(the “Projects”)**; and

WHEREAS, each Participating Locality has held a public hearing before its governing body **(“Governing Body”)** on the adoption of this Resolution, the creation of the Authority and the Articles of Incorporation set forth in this Resolution pursuant to the Act.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Participating Locality as follows:

1. The Authority is hereby established as a political subdivision and a body politic and corporate of the Commonwealth of Virginia.
2. The members of the Authority shall be the Participating Localities.
3. The Authority shall be governed by a Board consisting of six (6) Board members to represent the Participating Localities **(the “Board”)**. The Governing Body of each Participating Locality shall appoint two (2) Board members of the Authority Board who shall serve terms of four (4) years. The City Manager shall appoint two Williamsburg Board members. The James City County Administrator shall appoint two James City County Board members. The County Administrator of York County shall appoint two York County Board members. If a Board member is no longer holding the position for the Participating Locality, the Board member shall be deemed to have vacated Board membership and the Governing Body of such Participating Locality shall replace such Board member with the individual then serving in such position for the Participating Locality to fill the remainder of such Board member’s term. A quorum shall consist of four Board members, as long as at least one member from each participating locality is present.
4. The following individuals are hereby appointed to serve as the first Board members to represent the Governing Bodies of each of the Participating Localities on the governing board of the Authority:

Williamsburg:

York County:

James City County:

5. The Articles of Incorporation of the Authority shall be and are hereby adopted as follows:

**ARTICLES OF INCORPORATION OF THE HISTORIC TRIANGLE RECREATIONAL
FACILITIES AUTHORITY**


- Article I The name of the Authority is the Historic Triangle Recreational Facilities Authority. The address of the Authority's principal office is _____.
- Article II The Authority is created as a political subdivision and a body politic and corporate of the Commonwealth of Virginia pursuant to the authority of Chapter 56 of Title 15.2 of the Code of Virginia of 1950, as amended § 15.2-5600, *et seq. (the "Act")*.
- Article III The participating localities of the Authority are the City of Williamsburg, Virginia, James City County, Virginia, and York County, Virginia.
- Article IV The names and addresses and terms of office of the first members of the Authority are as follows:

| Name | Address | Term |
|------|---------|------|
|------|---------|------|

The Authority shall be governed by a Board consisting of six (6) members to represent the Participating Localities (**the "Board"**). The Governing Body of each Participating Locality shall appoint two (2) members of the Authority Board who shall serve terms of four (4) years. The City Manager shall appoint two Williamsburg Board members. The James City County Administrator shall appoint two James City County Board members. The County Administrator of York County shall appoint two York County Board members. If a Board member is no longer holding the position for the Participating Locality, the member shall be deemed to have vacated membership and the Governing Body of such Participating Locality shall replace such member with the individual then serving in such position for the Participating Locality to fill the remainder of such term. A quorum shall consist of four Board members, as long as at least one member from each participating locality is present.

- Article V The Authority is created for the initial purpose of acquiring, constructing, and operating one or more public recreational facilities to not only serve the citizens of the Participating Localities, but also to promote and enhance recreation, sports, and tourism activities in the geographic area of the Participating Localities and shall have all powers of such an authority under the Act.

6. This Resolution will be effective immediately upon adoption by the Governing Body of each Participating Locality and the Authority's creation shall be effective immediately upon the date on which all Participating Localities have adopted this Concurrent Resolution.


Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:


Teresa J. Fellows
Deputy Clerk to the Board

SADLER
ICENHOUR
LARSON
MCGLENNON
HIPPLE

VOTES

| <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-------------------------------------|------------|----------------|---------------|
| <input checked="" type="checkbox"/> | ___ | ___ | ___ |
| <input checked="" type="checkbox"/> | ___ | ___ | ___ |
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Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of November, 2021.

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