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HOUSE BILL NO. 1088

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Local Government
on January 17, 1995)

(Patron Prior to Substitute—Delegate Watkins)

A BILL providing for the Richmond Regional Authority for the City of Richmond, the County of Chesterfield and the County of Henrico, for the purpose of acquiring, constructing, maintaining and operating the water and sewer, waste disposal, and transportation facilities that serve the three jurisdictions; defining the Authority's powers and duties.

Be it enacted by the General Assembly of Virginia:

1.

Richmond Regional Authority.

§ 1. There is hereby created and constituted a political subdivision of the Commonwealth to be known as the "Richmond Regional Authority." The exercise by the Authority of the powers conferred by this act in the acquisition, construction, reconstruction, operation and maintenance of the functions authorized by this act shall be deemed and held to be the performance of essential governmental functions.

The Authority shall consist of nine members: three members shall be chosen by the Council of the City of Richmond for initial terms of two, three and four years; three members shall be chosen by the Board of Supervisors of Chesterfield County for initial terms of two, three and four years; and three members shall be chosen by the Board of Supervisors of Henrico County for initial terms of two, three and four years. Thereafter, each member shall be appointed for a term of four years. Each appointing governing body may appoint no more than one elected official to the Authority. A member shall continue to serve until his successor shall be duly appointed and qualified. The successor of each member shall be appointed to serve until his successor shall be duly appointed and qualified. The Authority shall annually elect one of its members as chairman and another as vice-chairman and shall also elect annually a secretary-treasurer, who may or may not be a member of the Authority.

The secretary-treasurer shall keep a record of the proceedings of the Authority and shall be custodian of all books, documents and papers filed with the Authority; the minute book or journal of the Authority; and its official seal. He shall have authority to cause copies to be made of all minutes and other records and documents of the Authority and certify under the official seal of the Authority that such copies are true copies, and that all persons dealing with the Authority may rely upon such certifications.

§ 2. The boundaries of the Authority shall coincide with the outer boundaries of the counties of Chesterfield and Henrico so as to include all of the territory comprising the City of Richmond, Chesterfield County and Henrico County as existing immediately preceding the effective date of this charter.

§ 3. It is the purpose of the Authority to assume the ownership of the assets, liabilities, and operational responsibilities of the City of Richmond, Chesterfield County and Henrico County for the following:

1. water and sewer;
2. waste disposal; and
3. transportation, including streets and roads, public transportation, and airports.

Until such time as the Authority delivers a resolution to each jurisdiction stating its readiness to assume operational responsibility for one or more of the listed services, each jurisdiction shall continue to operate and maintain the service.

When the resolution is delivered, the respective governing bodies shall promptly cooperate in delivering to the Authority the assets, books and records so that an uninterrupted delivery of services shall be maintained.

§ 4. To enable the Authority to carry out its duties, the provisions of the Virginia Water and Sewer Authorities Act, §§ 15.1-1239 through 15.1-1270 of Title 15.1 of the Code of Virginia, are incorporated by reference herein, subject only to the condition that the authorization in such Act to engage in activities other than water and sewer and waste disposal shall not be used by the Authority.

2. That, upon the petition of at least ten percent of the registered voters in each of the City of Richmond and Chesterfield and Henrico Counties, the circuit court in each locality shall order that a referendum be held in the locality at the general election in either 1995 or 1996 on the question of whether this act creating the Richmond Regional Authority shall take effect. No referendum shall be held unless ordered in each of the three localities, in which case the referenda shall be held simultaneously. The question in each referendum shall be:

60 "Shall [the locality] join [the remaining two localities] in forming the Richmond Regional
61 Authority for the provision of water, sewer, waste disposal and transportation services?"
62 The provisions of general law on petition for referenda and the conduct of special elections
63 (§§ 24.2-681 through 24.2-685) shall apply to referenda held pursuant to this clause.
64 3. That this act shall not become effective until approved by a majority of the qualified voters of
65 each jurisdiction voting separately in a referendum.