

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 1, as amended, § 2, and § 3, as amended, of Chapter XXV (A.1) of Chapter*
 3 *431 of the Acts of Assembly of 1950, which provided a charter for the City of Hopewell, relating to the*
 4 *Hopewell Water Renewal Commission.*

5 [S 289]
 6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That § 1, as amended, § 2, and § 3, as amended, of Chapter XXV (A.1) of Chapter 431 of the Acts of**
 9 **Assembly of 1950 are amended and reenacted as follows:**

10 § 1. Created; general function; composition; appointment and terms of members.

11 There shall be a regional wastewater treatment facility commission which shall be known as the Hopewell
 12 Water Renewal Commission (hereinafter in this chapter referred to as the "Commission"), which shall act on
 13 behalf of the City of Hopewell as hereinafter provided, with respect to a regional wastewater treatment
 14 facility owned by the City of Hopewell to provide treatment for disposal of sanitary and industrial waste from
 15 the City of Hopewell and vicinity. The Commission shall consist of up to nine members, who need not be
 16 residents of the city, and who shall be appointed by a majority of city council. Up to ~~six~~ *seven* members shall
 17 be from nominees submitted by ~~manufacturers users~~ (each ~~nominating with respect to user~~ *may nominate one*
 18 ~~membership member~~) which provide assistance in the planning and financing for the regional wastewater
 19 treatment facility or which are or will be users of said facility. Each new nominating ~~manufacturer user~~,
 20 meaning ~~manufacturers users~~ or their predecessors having not previously submitted nominations to the
 21 Commission, shall provide a *reasonable, market-based* capital contribution ~~in an amount determined, based~~
 22 ~~on expected facility usage and consistent with the net present value of the existing users' prior capital~~
 23 ~~contributions, agreed to~~ by the city council upon recommendation by the Commission. ~~Three~~ *Two* additional
 24 members shall be a city councilor; ~~and the city manager, and the city attorney.~~ Any vacancy in the appointive
 25 membership of the Commission, however occurring, shall be promptly filled by the city council for the
 26 unexpired term in the same manner and from the same source as the original appointment to the vacated
 27 position.

28 § 2. *Governance.*

29 The City of Hopewell may contract with manufacturers as provided in § 1 above for appointment of
 30 members of the Commission from the nominees of such manufacturers and for maintenance of their majority
 31 representation. Any such contract within the scope of this chapter shall be valid and enforceable.

32 *Every action taken or decision made by the Commission, in addition to requiring agreement by a majority*
 33 *of its members, shall require agreement by either the city manager or the member of city council to be*
 34 *effective.*

35 § 3. Powers and duties.

36 The Commission shall ~~help be authorized and assist in~~ *empowered to review and direct* the *financing,*
 37 *design, construction, improvement, repair, maintenance, operation* and expansion of the facility. ~~The~~
 38 ~~Commission shall exercise full authority and responsibility in the operation, maintenance, improvement and~~
 39 ~~repair of the facility, subject, however, to overrule of any of its actions by the city council. The Commission~~
 40 ~~shall have such further duties as the city council may from time to time direct.~~

ENROLLED

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