

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	June 6, 2022
Action Required:	Public hearing, adoption of resolution
Presenter:	Michael Rogers, City Manager
Staff Contact:	Michael Rogers, City Manager Lisa Robertson, City Attorney
Title:	<b>Concurrent Resolution to Extend the Existence of the Rivanna Water and Sewer Authority</b>

**Background:**

The Rivanna Water and Sewer Authority (RWSA) is an independent legal authority (public corporation) created pursuant to state law. RWSA was originally created in June 1972 and, by statute, this type of authority must be re-authorized every 50 years.

RWSA's primary mission in relation to the City of Charlottesville and Albemarle County is to provide a safe and adequate supply of drinking water to the City's water utility. The City's water utility then supplies that water to individual households, businesses, or other customers through metered service connections. Like any corporation, RWSA has a governing board and decisions made by RWSA in support of its mission, and projects undertaken to further its mission, are determined [voted on] by RWSA's Board of Directors. Three officials of the City of Charlottesville hold seats on RWSA's board: one City Councilor, the City Manager, and the City's Director of Utilities. Separately, RWSA also provides services to the City Council for state-mandated water supply planning. Following a severe statewide drought in 2001-2002, the Commonwealth of Virginia enacted a law that required each and every locality to produce a Water Supply Plan, either individually or as part of a regional planning unit. In this undertaking, RWSA is analogous to a consultant, in that City Council (not RWSA) vote as to whether or not to approve the state-mandated Community Water Supply Plan.

**Discussion:**

As noted above RWSA plays an important role in relation to the City's current and future water supply. The purpose of this agenda item is to bring forth a resolution that will re-authorize RWSA's corporate existence for an additional 50-year period.

**Budgetary Impact:** None.

**Alternatives:** None

**Recommendation:** Approval.

***Suggestion: "I move the CONCURRENT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA AND THE BOARD OF SUPERVISORS OF THE COUNTY OF ALBEMARLE, VIRGINIA TO EXTEND THE EXISTENCE OF THE RIVANNA WATER AND SEWER AUTHORITY"***

**Community Engagement:** a public hearing is required.

**Attachment (1):** Proposed Resolution

**CONCURRENT RESOLUTION OF  
THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA AND  
THE BOARD OF SUPERVISORS OF THE COUNTY OF ALBEMARLE, VIRGINIA  
TO EXTEND THE EXISTENCE OF THE RIVANNA WATER AND SEWER  
AUTHORITY**

WHEREAS, by concurrent resolution of the City Council of the City of Charlottesville, Virginia (the “City”) and the Board of Supervisors of the County of Albemarle, Virginia (the “County”) and a certificate of incorporation issued by the Virginia State Corporation Commission pursuant to the Virginia Water and Sewer Authorities Act (currently enacted as the Virginia Water and Waste Authorities Act, Virginia Code Section 15.2-5100 et seq.), the Rivanna Water and Sewer Authority (the “Authority”) was incorporated as a public body politic and corporate on June 7, 1972; and,

WHEREAS, pursuant to Virginia Code Section 15.2-5114, the Authority can only be authorized to exist for a period of up to 50 years as a corporation, and for such further period or periods as may from time to time be provided by resolution of the political subdivisions which are members of the Authority; and

WHEREAS, the City and the County, as the political subdivisions which are members of the Authority, now wish to extend the existence of the Authority for an additional 50 years; and

WHEREAS, pursuant to Virginia Code Section 15.2-5104, the City and the County caused to be advertised in a newspaper of general circulation in the City and the County a descriptive summary of this Concurrent Resolution with a reference to the location in the City and the County where a copy of the Resolution could be obtained, and giving notice of the date on which public hearings would be held on the proposed Concurrent Resolution; and,

WHEREAS, public hearings on the proposed Concurrent Resolution were held by the Charlottesville City Council and by the Albemarle County Board of Supervisors, prior to consideration of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

Charlottesville, Virginia and the Board of Supervisors of Albemarle County, Virginia that:

(1) The existence of the Authority is hereby extended for an additional fifty (50) years from the date of approval and adoption of this Concurrent Resolution.

**IN WITNESS WHEREOF**, the City Council of the City of Charlottesville and the Board of Supervisors of the County of Albemarle have extended the existence of the Authority pursuant to Virginia Code Section 15.2-5114 in the name of the City of Charlottesville and the County of Albemarle, respectively, by their presiding officers and attested by their Clerks as set forth below.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: \_\_\_\_\_  
Lloyd Snook, Mayor

Attest:

\_\_\_\_\_  
Kyna Thomas, Clerk, City Council

COUNTY OF ALBEMARLE, VIRGINIA

By: \_\_\_\_\_  
Donna P. Price, Chair

Attest:

\_\_\_\_\_  
Claudette K. Borgersen, Clerk, Board of Supervisors