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HOUSE BILL NO. 2189**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Counties, Cities and Towns
on February 2, 2007)

(Patron Prior to Substitute—Delegate Oder)

A BILL to amend and reenact §§ 4.05 and 5.05, as amended, of Chapter 576 of the Acts of Assembly of 1978, which provided a charter for the City of Newport News, relating to council meetings and duties of city manager.

Be it enacted by the General Assembly of Virginia:**1. That §§ 4.05 and 5.05, as amended, of Chapter 576 of the Acts of Assembly of 1978 are amended and reenacted as follows:**

§ 4.05. Inaugural meetings; induction of members and election of vice-mayor.

The first meeting of a newly elected council shall take place ~~in the council chambers at ten o'clock a.m. on the first day of July following their election or if such day shall fall on Sunday, then on the following Monday.~~ It shall be called to order by the mayor. ~~The on the date of the first regularly scheduled meeting of the city council in the month of July following their election at 10:00 a.m. at a place specified for same in the notice sent to the council members in accord with the manner set forth in § 4.06 of this charter for special meetings.~~ At or before this first meeting, the oath of office shall be administered to the duly elected members as provided by law. In the absence of the mayor, the meeting may be called to order by the city clerk. The first business of the council shall be the election of a vice-mayor and the adoption of rules of procedure. Until this business has been completed, the council shall not adjourn for a period longer than forty-eight hours.

§ 5.05. Duties.

It shall be the duty of the city manager to:

A. Attend all meetings of the council with the right to speak but not to vote;

B. Keep the council advised of the financial condition and the future needs of the city and of all matters pertaining to its proper administration, and make such recommendations as may seem to him desirable;

C. Prepare and submit the annual budget to the council as provided in Chapter 6 of this charter and be responsible for its administration after its adoption;

D. Prepare in suitable form for publication and submit to the council not later than ~~its first meeting in November~~ the thirty-first day of December of each year, a concise, comprehensive report of the financial transactions and administrative activities of the city government during the fiscal year ending on the preceding thirtieth day of June, and cause to be printed such number of copies thereof as the council shall direct;

E. Prepare and submit to council quarterly statements of all revenues, expenditures and encumbrances of funds in sufficient detail to show the exact financial condition of the city; council may by ordinance prescribe more frequent financial reporting;

F. Perform such other duties as may be prescribed by the council or which may be required of the chief executive officer of a city by the general laws of the Commonwealth other than the duties conferred on the mayor by this charter;

G. Execute, under the direction of the council, all contracts, deeds and other papers, and the seal of the corporation shall be affixed, and attested by the city clerk; and

H. Have direction of and control over all departments of the city except as otherwise provided by this charter.