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## HOUSE BILL NO. 1215

House Amendments in [ ] - February 11, 2008

A BILL to amend and reenact § 9, as amended, of Chapter 78 of the Acts of Assembly of 1968, which provided a charter for the City of Emporia, relating to appointments to housing and redevelopment authority.

Patron Prior to Engrossment—Delegate Tyler

Referred to Committee on Counties, Cities and Towns

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

**1. That § 9, as amended, of Chapter 78 of the Acts of Assembly of 1968 is amended and reenacted as follows:**

§ (9) Powers of council. All powers of the city of Emporia as a body politic and corporate shall be vested in the city council.

The council shall be the policy determining and lawmaking body of the city and shall be vested with all the rights and powers conferred on councils in cities, not inconsistent with this charter. In addition to the foregoing, the council shall have the following powers:

(a) To have full power to inquire into the official conduct of any office or officer under its control and to investigate the accounts, receipts, disbursements, and expenses of any city employee; for these purposes it may subpoena witnesses, administer oaths and require the production of books, papers, and other evidence; and in case any witness fails or refuses to obey any such lawful order of the council, he shall be deemed guilty of a misdemeanor.

(b) To provide for the performance of all the governmental functions of the city; and to that end to provide for and set up all departments and agencies of government that shall be necessary. Whenever it is not designated in this charter what officer or employee of the city shall exercise any power or perform any duty conferred upon or required of the city or any officer thereof, by general law, then any such power shall be exercised or duty performed by that officer or employee of the city so designated by ordinance or resolution of the council. Any activity which is not assigned by the provisions of this charter to specific departments or agencies of the city government shall be assigned by the council to the appropriate department or agency. The council may further create, abolish, reassign, transfer or combine any city functions, activities, or departments.

(c) ~~The council shall~~ To fix a schedule of compensation for all city officers and employees. The council may by ordinance define certain classes of city employees whose salaries shall be set by the city manager, except that this provision shall not apply to the constitutional officers, the heads of city departments, and judges.

(d) To prescribe the amount and condition of surety bonds to be required of such officers and employees of the city as the council may designate.

(e) To set the membership of the Emporia Redevelopment and Housing Authority. Commissioners of the Emporia Redevelopment and Housing Authority shall be not less than five nor more than nine in number and shall hold their offices at the pleasure of the council for terms not to exceed four years; however, the council may at any time, and from time to time, adopt an ordinance adding one ~~or more~~ ~~council members as commissioners~~ council member as a commissioner ] of the Emporia Redevelopment and Housing Authority. [ ~~The number of council members serving on the Authority shall not comprise a majority.~~ ] The remaining members of the Authority shall be appointed by council from the citizenry of the city. The Authority shall possess all powers and duties granted to or imposed upon redevelopment and housing authorities by general law. Notwithstanding any other provisions of law to the contrary, a city council member shall receive no compensation for service as a commissioner of such authority; nor shall a council member continue to serve as a commissioner after ceasing to be a member of council.

ENGROSSED

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