

ARTICLE II THE POLITICAL (ELECTION) DISTRICTS

SECTION 200. Districts.

The City of Stockton is divided into six (6) political divisions, which shall be known as districts. Following adoption of this Section and thereafter following each decennial Federal census, and using the census as a basis, the City Clerk shall adjust the boundaries of any or all of the districts of the City so that the districts shall be as nearly equal in population as may be according to the latest Federal decennial census. The City Clerk shall adjust the boundary lines of the districts in conformance with the following standards:

(a) Every district shall be contiguous.

(b) District boundaries should not cross census tract lines, except to the extent necessary to ensure comply with laws applicable to the election processes of charter cities and to ensure that the districts are as nearly equal in population as may be according to the latest Federal decennial census.

(c) Districts shall be numbered consecutively commencing at the northern boundary of the City and ending at the southern boundary.

(d) District number one shall be generally composed of the northern-most census tracts in the City that contain one-sixth (1/6) of the population of the City. For purposes of this Section a census tract shall be considered to be to the north of other census tracts if it contains any area that is farther to the north than all areas contained within the other census tracts. In the event that two (2) or more census tracts are equally northern by this definition, the City Clerk shall select the western-most census tract.

(e) District number two shall be generally composed of the northern-most census tracts in the City, excluding district number one, that contain one-sixth (1/6) of the population of the City. Districts number three through six shall be determined in the same manner, so that the entire City is divided into six (6) districts.

(f) Notwithstanding any other provision of this Charter, to the extent necessary to comply with laws applicable to the election processes of charter cities the City Clerk may deviate from the geographical standards stated in this section when adjusting district boundaries.

(gf) If at any time between each Federal decennial census the City annexes territory, the City Clerk shall adjust the boundaries of any or all of the districts of the City so that the districts shall be as nearly equal in population as may be according to the latest Federal decennial census.

SECTION 601. Councilmembers.

The six (6) Councilmembers shall be nominated and elected from districts, and shall be elected by the qualified electors of their district ~~City at large~~.

(a) As provided in SECTION 704 of this Charter, the ~~The~~ voters of each district shall elect one candidate or nominate two (2) candidates for Councilmember at the primary municipal election. ~~The two (2) candidates must be residents of the districts from which they are nominated.~~

(b) Should no candidate receive a majority of the votes cast for all candidates in a particular district, the ~~The~~ voters of that the district entire City shall then elect at the general municipal election the Councilmember for their each district from the two (2) candidates nominated at the primary municipal election. ~~at the general municipal election. The Councilmember from each district must be one (1) of the two (2) candidates nominated from the district at the primary municipal election.~~

(c) All Councilmembers shall be elected to a term of four (4) years beginning on January 1 of the year following their election.

(d) Each candidate for Council and member of the Council must reside in and be a qualified elector of the district from which said member he or she is nominated, ~~and~~ elected or appointed for a period of not less than thirty (30) days prior to the filing of his or her nomination papers or his or her appointment. The term of office of any Councilmember who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which he or she was elected.

(e) Any member of the Council moving from his or her district during his or term her term shall automatically forfeit the his office, the same to be refilled by the Council from the electors of the district as provided in subsection (g), below.

(f) Absence from five (5) consecutive regular meetings, unless excused by resolution of the Council, shall operate to vacate the seat of any member so absent.

(gf) If a vacancy shall occur in the office of any Councilmember, the Council shall appoint a person to fill such a vacancy. The vacancy in the Council shall be filled by the Council from the electors of the district in which the vacancy occurs. Such person shall hold office until December 31st next following the next general election, and at such election a person shall be elected to hold office for the remainder of any unexpired term. If at any municipal election held under the provisions of this Charter, a Councilmember is not nominated or elected from a district by reason of a tie vote among any of the candidates therefor, then the Council shall select by lot one (1) of the persons receiving such tie vote to fill such nomination or office.

(hg) Notwithstanding the provisions of this Section, if the City Clerk fails to adjust the boundaries ~~in the year following the adoption of this Section or thereafter~~ in the year following the year in which the decennial Federal census is taken, or if the boundaries adjusted by the City Clerk are held invalid, each Councilmember to be elected at the next election and at any succeeding election shall be elected by and from the City at large. Councilmembers shall continue to be so elected until the Clerk makes a valid adjustment of the boundaries of the districts.

SECTION 704. Primary and General Election Candidates.

In the primary municipal election, the electors in each district from which a Councilmember is to be elected shall be entitled to vote for one (1) candidate from their district; and should a candidate within a district receive at the primary municipal election a majority of the votes cast for all candidates in that district that candidate shall be elected. In each district where no candidate has received a majority of the votes cast for all candidates in that district, the two (2) candidates ~~for Councilmember~~ in ~~each such~~ district receiving the highest number of votes cast by the electors of their district shall be ~~the~~ candidates in the general municipal election. In the general municipal election, the electors in each district from which a Councilmember remains to be elected ~~the City~~ shall be entitled to vote for one (1) candidate in theireach ~~district from which a Councilmember is to be elected~~, and the candidate ~~for Councilmember~~ in each district receiving the highest number of votes cast ~~by the electors of the City~~ shall be declared elected ~~to such office~~.

If any provisions of this article or the application thereof to any persons or circumstances ~~isare~~ held invalid, the invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provisions or applications, and to this end the provisions of this article are severable.