

Compromise recommendation

In the spirit of attempting to reach a compromise on the following discussion items:

Article II – Political (Election) Districts

Article VI – Elective Officers: specifically Section 601 –

Article VII – Nominations and Elections; specifically Section 704 – Primary and General Election Candidates

Article VIII – Recall of Officers

Article XI - Mayor

Align articles for consistency

Here are the recommendations:

Article II

The Political (Election) Districts (note: the division of the 8 districts will be completed by the City Clerk in time for 2018 election using 2010 Census and any additional relevant data and information to draw the new lines) The use of the Advisory Committee shall start with the 2020 Census.

Section 200. Districts.

The City of Stockton is divided into political divisions, which shall be known as districts. Following adoption or amendment of this Section and thereafter, following each decennial Federal census, , the Council shall, by ordinance, redistrict the City into eight (8) numbered districts with the following standards.

- a. By no later than February 1 in the year following the decennial census, the Council shall appoint an Advisory Commission whose purpose shall be to study and make appropriate recommendations with respect to such redistricting. The Advisory Commission shall consist of one (1) member from each district, who shall be nominated by the Council member from that district, and a one chosen from the City at large, who shall be nominated by the Mayor. Each nominee shall become a member of the Commission upon ratification by a majority vote of the city council.
- b. The Advisory commission shall conduct public hearings, at various locations and districts in the City, concerning its recommendations regarding district boundaries, and shall submit its report and recommendations to the Council within one hundred twenty (120) days following its receipt of the decennial Federal census data.
- c. The Council shall duly consider the report and recommendations of the Advisory commission and in adopting any redistricting ordinance. However, the Council is required to adopt an ordinance by November 30th under this Section, even if the Advisory commission fails to provide recommendations or reports as specified in this Section.
- d. Any ordinance adopted by the Council and establishing, changing or altering the boundaries of any district shall describe the new boundaries by reference to a map on file in the office of the City Clerk and/or by a metes-and-bounds description.

- e. All districts shall be drawn in conformance with the requirements of state and federal law. In any redistricting, the Council shall make the districts as nearly equal in population as may be practicable, and may, in establishing the boundaries of the districts, give consideration to
 - i. Natural boundaries, street lines, and/or City boundaries;
 - ii. Geography;
 - iii. Cohesiveness, contiguity, integrity and compactness of territory;
 - iv. Community of interests within each district.
- f. The Districts shall be numbered one through-eight and shall contain approximately one-eighth (1/8) of the population so that the entire City is divided into eight (8) districts.

Upon any redistricting pursuant to the provisions of this Charter, each incumbent member of the Council will continue, during the remainder of the member's term, to hold office and to represent the district by which the member was elected prior to redistricting, notwithstanding any provision of Section 601 of Article VI requiring a member to be a resident of the district represented by such member.

Any territory which is annexed to or consolidated with the City but not included within a district shall, prior to or concurrently with completion of proceedings shall be added to an adjacent district or districts by the Council by ordinance, which shall become effective after adoption and shall apply to all elections held on and after the effective dates.

Article VI Elective Officers

Section 601. Councilmembers)

Councilmembers shall be elected by the qualified electors of each district and shall hold such office for a term of four (4) years beginning on January 1 of the year following the Councilmember's election and until a successor is elected and qualified.

- a. The voters of each district shall elect a Councilmember for that district in the manner specified in Section 704 of Article VII.
- b. Each member of the Council must reside in and be a qualified elector of the district from which said member is nominated and elected or appointed for a period of not less than thirty (30) days prior to the filing of his nomination papers or his appointment. 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. **However, the terms of all council members shall expire on December 31, 2018 and council members from each district shall be elected or re-elected in 2018 in the manner specified in Section 704 of Article VII.**
- c. Any member of the Council moving from his district during his term shall automatically forfeit his office, the same to be refilled by the Council from the electors of the district. Absence from five (5) consecutive regular meeting, unless excused by resolution of the Council, shall operate to vacate the seat of the member so absent.
- d. 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 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 elected from a district by reason of a tie vote among any of candidates therefor, the Council shall select by lot one (1) of the persons receiving such tie vote to fill such office.

Section 602. Mayor

- a. No change to this Section

Article VII Nomination and Elections

Section 701. Special Municipal Elections.

No proposed changes

Section 702. Accordance with Elections Code of the State of California

No proposed changes

Section 703. Nominating Papers

No proposed Changes

Section 704. Primary and General Election Candidates Should the voters adopt district voting and increase the number of city districts to 8; here is the suggested implementation: In the Election of 2018, following the drawing of the new district boundaries; all council seats shall be subject to election. In council district seats 2, 4, 6 and 8 they shall be elected to a term of two (2) years and in subsequent elections, the terms would be 4 years. In council district seats 1,3,5,7 they shall be elected to a term of four (4) years. This is to establish the proper rotation of the newly formed districts and to ensure all councilmembers reside within their newly established districts.

In the primary municipal election, electors in each district shall be entitled to vote for one (1) candidate for Councilmember from their district.

- a. The voters of each Council District shall elect the Councilmember at the primary municipal election. However, should no candidate for the office of Councilmember receive a majority of votes cast at the primary municipal election, the two candidates receiving the most votes for that office shall thereby qualify as candidates for the office of Councilmember at the runoff election to be held at the general municipal election.
- b. In the run-off election in the general municipal election, the electors in each district shall be entitled to vote for one (1) candidate for Councilmember from their district, and the candidate for Councilmember in each district receiving the highest number of votes cast by the electors of the district shall be declared elected to such office.
- c. If any provisions of this article of the application thereof to any persons or circumstances are 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.

Article VIII Recall of Elective Officers

Section 801. Petition

No proposed changes

Article XI. The Mayor

Section 1100 Mayor:

There shall be a Mayor of the City of Stockton, election pursuant to SECTION 602 of this Charter, who shall be the ninth member of the Council. ~~The Mayor shall devote his or her full time to the office of Mayor.~~

For consistency of Charter Language

Article 410:

Between March 1st and April 30th of every odd-numbered year, the Council Salary Setting Commission shall recommend to the Council the amount of monthly salary and the benefits which it deems appropriate for the members of the Council, including the Mayor, for the two-year period commencing July 1st of that odd-numbered year. The amount recommended for each council member shall be the same. The amount recommended for the Mayor may exceed that of the other members of the council. The salaries and benefits shall be in an amount which takes into account the time devoted to the office. ~~of Councilmember, and the full time nature of the office of Mayor.~~
