

Current Charter Language:

ARTICLE II, 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 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 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 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) 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.*

Article VI, Section 601. Councilmembers.

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

- (a) The voters of each district shall 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) *The voters of the entire City shall elect the Councilmember for each district 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 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. 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 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 meetings, unless excused by resolution of the Council, shall operate to vacate the seat of any member so absent.*

(f) *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.*

(g) *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.*

Article VI, SECTION 602. Mayor.

The Mayor shall be elected by the qualified electors of the City at large and shall hold such office for a term of four (4) years beginning on January 1 of the year following the Mayor's election and until a successor is elected and qualified.

(a) *The voters of the entire City shall elect the Mayor at the primary municipal election; provided, however, that should no candidate for the office of Mayor receive at*

the primary municipal election a majority of the votes cast for all candidates for said office, the two (2) candidates receiving the highest number of votes cast for any such candidates shall thereby qualify as candidates for the office of Mayor at the runoff election to be held at the general municipal election.

(b) The Mayor must reside in and be a qualified elector of the City for a period of not less than thirty (30) days prior to the filing of nomination papers or appointment.

(c) Moving from the City during the term shall automatically forfeit the office. Absence from five (5) consecutive regular meetings, unless excused by resolution of the Council, shall operate to vacate the office.

(d) Any vacancy shall be refilled by the Council from the electors of the City. Any person so appointed shall hold office until December 31 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

Article VI, SECTION 606. Term Limits.

No person elected as either Mayor or Councilmember shall be eligible to serve, or serve, as either Mayor or Councilmember for more than two (2) terms; but such service prior to January 1, 1989 shall not disqualify any person for further service as either Mayor or Councilmember.

Article VII, SECTION 703. Nominating Papers.

Notwithstanding any provision of the Elections Code of the State of California to the contrary, nominating papers for candidates for the City Council and Mayor shall be signed by not less than ten (10) nor more than twenty-five (25) persons. Each signer and each person who circulates a nominating paper for a candidate for the City Council shall be a resident and qualified elector of the same City Council district as that of the candidate. Each signer and each person who circulates a nominating paper for a candidate for Mayor shall be a resident of the City and a qualified elector of the City.

Article VII, 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 the two (2) candidates for Councilmember in each 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 the City

shall be entitled to vote for one (1) candidate in each 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 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 XI, SECTION 1100. Mayor.

There shall be a Mayor of the City of Stockton, elected pursuant to SECTION 602 of this Charter, who shall be the seventh member of the Council. The Mayor shall devote his or her full time to the Office of Mayor.

ARTICLE XI, SECTION 1102. Powers and Duties.

The Mayor shall have the following powers and duties:

(a) To review with the City Manager, City Attorney and City Clerk prior to each Council meeting the items on the Council's agenda and to add matters thereto;

(b) To make recommendations to the Council on matters of policy and programs which require Council decision;

(c) To make recommendations to the City Manager on matters of policy and programs;

(d) To direct those officials appointed by the Council to prepare and provide information to the Council on matters of policy and programs which require Council decision;

(e) To request budgetary and any other information from those officials appointed by the Council that the Mayor determines is necessary for the conduct of the Mayor's duties;

(f) To appoint, with the advice and consent of the Council, a Chairman, a Vice-Chairman, one regular member and one alternate member to each standing, special and ad hoc committee of the Council;

(g) To appoint, with the advice and consent of the Council, such advisory boards, commissions and ad hoc committees as may be necessary or desirable to advise and assist in the work of the City Council;

(h) *To appoint such other advisory boards and ad hoc committees as may be necessary or desirable to advise and assist in the work of the Mayor; provided, however, that the members of such advisory boards or ad hoc committees shall not receive any compensation;*

(i) *To address, not less than annually, the citizens of the City concerning the current status of City affairs and articulating the policy plans which the Mayor proposes for the City during the ensuing year;*

(j) *To inform the citizens, at other times during the year, of any matters of policy or programs which the Mayor believes are for the welfare of the community;*

(k) *To recommend adjustments to the City Budget and to propose the modification or curtailment of any city service. If the Mayor recommends any increases in the City budget, the Mayor shall recommend the method of financing such expenditures. If the Mayor proposes the modification or curtailment of any city service, the Mayor shall provide specific recommendations and the reasons for such proposal;*

(l) *To preside at meetings of the Council and to vote as a member of the Council without power of veto;*

(m) *To preserve order at all Council meetings, to remove or cause the removal of any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council and to determine the order of business under the rules of the Council;*

(n) *To select and appoint such professional, technical and clerical employees to the office of Mayor as may be necessary or desirable to advise and assist in the work of the Mayor; provided, however, that the Mayor shall not appoint to any position any business associate or any person related to him or her or to the City Manager or to any member of the Council by blood or marriage within the third degree, except that the foregoing prohibition against nepotism may be waived by a vote of at least two-thirds (2/3) of the members of the Council if the Council finds that the proposed appointment is in the interest of the City. All such appointees shall serve at the pleasure of the Mayor in the unclassified service; and shall serve under such terms and conditions, salaries and benefits as are similar to other unclassified employees;*

(o) *To exercise such other powers and perform such other duties as may be prescribed by the Council, provided the same are not inconsistent with this Charter.*

Nothing in this Section shall be construed in any way as an infringement or limitation on the powers and duties of the City Manager as Chief Administrative Officer and head of the administrative branch of the City government as prescribed in other sections of this Charter. Except as otherwise provided in this Charter, the Mayor shall possess only such authority over the City Manager and the administrative branch as he or she possesses as one member of the Council.

ARTICLE XI, SECTION 1103. Vice Mayor.

The Mayor shall nominate one (1) of the Councilmembers to serve as Vice Mayor.

(a) The term of the Vice Mayor shall commence upon ratification of the nomination by the Council and shall continue until the December 31 following the next general municipal election.

(b) During the temporary absence or disability of the Mayor, the Vice Mayor shall act as Mayor. In case of the temporary absence or disability of both the Mayor and the Vice Mayor, the Council shall elect one (1) of its members to be Mayor pro tempore. In case of vacancy in the office of the Mayor, the Vice Mayor shall act as Mayor until such vacancy can be filled as provided in this Charter.