

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 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.

(Amended Election 11/4/86 effective 12/9/86; Amended Election 10/12/71 effective 12/6/71)

ARTICLE IV THE CITY COUNCIL

SECTION 400. Powers.

The City Council shall be the governing body of the municipality. All powers of the City shall be vested in the Council subject to the provisions of this Charter, the Constitution of the State of California and the Constitution of the United States. The Council may establish the method or methods by which any of such powers may be exercised.

SECTION 401. Membership.

The Council shall consist of seven (7) members, six (6) Councilmembers and the Mayor, each of whom shall have the right to vote on all matters coming before the Council.

ARTICLE VI ELECTIVE OFFICERS

SECTION 600. Nomination and Election of the Mayor and Councilmembers.

The six Councilmembers and the Mayor shall be nominated and elected as herein provided.

(Amended Election 03/07/2000 effective 01/01/2001; Amended Election 11/8/94 effective 5/22/95; Amended Election 11/4/86 effective 12/9/86; Amended Election 10/12/71 effective 12/6/71; Amended Election 4/12/55 effective 5/12/55;. Amended Election 10/13/53 effective 3/16/54)

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.

(Amended Election 03/07/2000 effective 01/01/2001; Amended Election 11/8/94 effective 5/22/95; Amended Election 11/4/86 effective 12/9/86; Amended Election 10/9/79 effective 10/24/79; Amended Election 10/11/77 effective 11/2/77; Amended Election 10/9/73 effective 1/17/74; Amended Election 6/6/72 effective 7/26/72; Amended Election 6/2/70 effective 8/17/70; Amended Election 10/14/47 effective 3/3/48; Amended Election 10/12/26)

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.

(Repealed and added Election 03/07/2000 effective 01/01/2001; Amended Election 6/2/92 effective 12/2/92; Amended Election 4/12/55 effective 5/12/55; Amended Election 10/13/53 effective 3/16/54)

SECTION 603. Surety Bond.

The Mayor and each Councilmember shall, before entering upon the duties of office, give and execute to the City a bond for an amount not less than five thousand (\$5,000.00) dollars. The City Council may by resolution increase the amount of the bond requirement. The City of Stockton will pay the costs of acceptable surety bonds. Every bond shall contain the conditions that the principal will well, truly, honestly, and faithfully perform the duties of office. The bonds of the Mayor and the several Councilmembers must be approved by the City Attorney, and the approval of the official bonds must be endorsed thereon. All bonds when approved shall be filed with the City Clerk. State law requirements which are not inconsistent with this Charter shall apply to bonds issued under the provisions of this Section.

(Repealed and added Election 03/07/2000 effective 01/01/2001)

SECTION 604. Oath of Office.

Every officer of the City, before entering upon the duties of his office, shall take the oath of office as provided for in the constitution of this State and shall file the same with the City Clerk.

(Repealed and added Election 03/07/2000 effective 01/01/2001; Amended Election 11/8/94 effective 5/22/95; Amended Election 11/4/86 effective 12/9/86)

SECTION 605. Holding Other Office.

No member of the Council shall hold any other City office or City employment during the term for which he or she was elected to the Council; provided and excepting, however, that a member of the Council may become a member of any advisory, administrative or governing body of any special district, entity, organization or committee when such is authorized by State law or where the offices are not incompatible.

(Repealed and added Election 03/07/2000 effective 01/01/2001.)

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.

(Added Election 03/07/2000 effective 01/01/2001)

ARTICLE VII NOMINATION AND ELECTIONS

SECTION 700. Elections.

A primary municipal election, for the nomination and election of persons to the elective offices of the City, shall be consolidated with the statewide direct primary in each even-numbered year or, in the event no such statewide direct primary is held, shall be held on the first Tuesday after the first Monday in June in each even-numbered year. A general municipal election, for the election of persons to the elective offices of the City, shall be consolidated with the statewide general election in each even-numbered year or, in the event no such statewide general election is held, shall be held on the first Tuesday after the first Monday of November in each even-numbered year.

(Amended Election 11/8/94 effective 5/22/95; Amended Election 11/4/86 effective 12/9/86; Amended Election 10/9/79 effective 10/24/79; Amended Election 10/12/71 effective 12/6/71)

SECTION 701. Special Municipal Elections.

All other municipal elections that may be held in the City of Stockton by the authority of this Charter, of general law, or by ordinance of the City shall be known as special municipal elections.

(Amended Election 10/12/71 effective 12/6/71; Amended Election 10/12/26)

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

Except as otherwise provided in this Charter, all elections, including mail ballot elections, shall be held in accordance with the provisions of the [Elections Code](#) of the State of California, as the same may now exist or may hereafter be amended, for the holding of municipal elections. Any election that does not occur on the same date as a statewide primary election or statewide general election may be conducted by mail. The City Council shall have the power to submit to the electors of the City at any election any question required to be submitted by the California Constitution, this Charter, general law, or ordinance of the City; provided that if the California Constitution, this Charter, general law, or ordinance of the City requires the question to be submitted at a particular kind of election or within or at a specified time, it shall be so submitted.

(Amended Election 11/8/94 effective 5/22/95; Amended Election 10/12/71 effective 12/6/71)

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.

(Amended Election 11/8/94 effective 5/22/95; Amended Election 10/12/71 effective 12/6/71)

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.

(Amended Election 11/8/94 effective 5/22/95; Amended Election 11/4/86 effective 12/9/86; Amended Election 10/12/71 effective 12/6/71)

ARTICLE XI THE MAYOR

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.

(Repealed and added election 03/07/2000 effective 001/01/2001; Amended Election 11/8/94 effective 5/22/95; Amended Election 11/4/86 effective 12/9/86; Amended Election 11/4/80 effective 12/3/80)