

ARTICLE II ~~THE POLITICAL (ELECTION) COUNCIL~~ DISTRICTS
SECTION 200. Council Districts.

The City of Stockton is divided into six (6) ~~political divisions, which shall be known as Council districts. Following the 2020 decennial census, the City Council shall, by ordinance, increase the number of Council districts to eight in conjunction with its adjustment of Council district boundaries in accordance with the procedures set forth in this Article. 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)~~

SECTION 201 – Advisory Commission – Role in Redistricting

- (a) On or before February 1, in the year following the decennial census, an Advisory Commission shall be established in the City. The Mayor shall appoint one member of the Commission who shall be a registered voter of the City. Each Councilmember shall appoint to the Commission one voter registered to vote in the Council District from which the appointing Councilmember was elected.
- (b) The Commission shall use data from the decennial census and such further data as may illuminate the census data, to develop recommendations to the City Council as to the boundaries of Council districts.
- (c) The Commission shall conduct public outreach and hearings throughout the City prior to making its recommendation. The Commission's recommendations to the Council shall be based on the factors set forth in section 202.
- (d) The Commission shall forward its recommendation to the City Council within 120 days of the Commission's receipt of decennial census data.

SECTION 202 – Redistricting Standards

- (a) The districts shall continue to be as nearly equal in population as may be according to the latest federal decennial census.
- (b) The districts shall comply with the applicable provisions of the United States Voting Rights Act of 1965, Section 1973 of Title 42 of the United States Code, as amended and any other applicable provisions of federal or state law.
- (c) In establishing the boundaries of the districts, the City may give consideration to the following factors: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity, and compactness of territory, and (4) community of interest of the districts.
- (d) Council districts shall be numbered sequentially with the Council District in the northeastern most section of the City numbered District 1.

SECTION 203 – Council Determination of Boundaries of Council Districts

The Council shall determine the boundaries of the council districts. Before adjusting the boundaries of a district or adopting the ordinance expanding the number of districts to eight the Council shall hold at least one public hearing on the proposal to adjust the boundaries of the districts prior to the public hearing at which the Council votes to approve, modify or reject the proposed boundaries.

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. Following the 2020 decennial census, in accordance with Section 200, the Council shall consist of nine (9) members, eight (8) Council members and the Mayor.

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 in this Article.

SECTION 601. Councilmembers Nominated and Elected by District.

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

(b) The voters of each Council 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.

(c) If a candidate for Councilmember nominated from a Council district receives the majority of the votes cast by the voters of that district at the primary municipal election, that candidate shall be deemed elected as Councilmember from that district at the primary municipal election.

(d) If no candidate for Councilmember from a district receives a majority of the votes cast at the primary municipal election, the two candidates receiving the highest number of votes cast shall thereby qualify as candidates for the runoff election for Councilmember from that district. The runoff election for that Council district shall be held at the general municipal election.

~~(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.~~

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

(f 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.

(g e) Any member of the Council moving from his or her district during his or her 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.

(h 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.~~

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.

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.

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.

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.

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

ARTICLE VII NOMINATION AND ELECTIONS

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, except as provided in Section 601, subsection (c), 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 shall be entitled to vote for one (1) candidate from their district~~ 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 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~~ a member of the Council. The Mayor shall devote his or her full time to the Office of Mayor.