

**CITY OF STOCKTON, CALIFORNIA  
CIVIL SERVICE COMMISSION POLICY**

<b>Subject:</b>  <b>Appointment of City Council Salary Setting Commission</b>	<b>CSC Policy No.</b>  <b>00-001</b>	<b>Page Number</b>
	<b>Effective Date:</b>  <b>9/7/2000</b>	<b>Page 1 of 5</b>

Adopted: Resolution No. CSC 00-072

**I. PURPOSE**

To provide for the appointment of members to the Council Salary Setting Commission in accordance with Stockton City Charter article XIX, section 1912, as enacted on March 7, 2000.

**II. POLICY**

- A. It is the policy of the Civil Service Commission in each even-numbered year to make appointments to fill the offices of the members of the City Council Salary Setting Commission whose terms are expiring at the end of such even-numbered year. Each appointed member shall serve a term of four years.
- B. It is the policy of the Civil Service Commission to remove any member from the City Council Salary Setting Commission at any time for misconduct, inefficiency, or willful neglect in the performance of the duties of office, after first providing such member an opportunity for a public hearing.
- C. It is the policy of the Civil Service Commission to provide the citizens of Stockton with an equal opportunity to be informed of vacancies which, from time to time, shall occur in the City Council Salary Setting Commission, and to provide for open sessions in the interview and confirmation of such Commission.

**III. PROCEDURE**

Commencing in December 2002, the City Clerk shall prepare and file with the Commission a list of the members of the City Council Salary Setting Commission. The list shall contain all terms that will expire during the next calendar year with the name of the incumbent appointee, the date of appointment, and the date the term expires. The appointment list shall be made available to members of the general public.

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**A. Announcement of Vacancies and Application Process**

1. Vacancies on the City Council Salary Setting Commission shall be announced through the news media and notice thereof posted in the Office of the City Clerk within 20 days after the vacancy occurs. The announcement shall contain:
  - (a) The title of the position;
  - (b) The minimum qualifications;
  - (c) Special residency requirements, if any;
  - (d) Frequency of meetings and remuneration;
  - (e) Where to submit application;
  - (f) The final date for submission of application; and
  - (g) The term of office.
2. All applicants for the City Council Salary Setting Commission shall complete and submit an official application to the Civil Service Commission prior to the final date for submission of applications. A minimum of two weeks will be allowed to submit applications. No application will be accepted after the final filing date as established by the Civil Service Commission.
  - (a) The application shall identify the applicant's background and qualification and may include any additional material deemed relevant by the applicant. Additional material will not be accepted after the final filing date.
  - (b) If the number of applications received by the Civil Service Commission is equal to or less than the number of vacancies for the City Council Salary Setting Commission, then the Civil Service Commission shall commence with readvertising for the position within two weeks from the previous final filing date. This provision shall not require more than one readvertisement for any vacancy regardless of the number of applications received on the second advertisement.

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	<b>Effective Date:</b>  <b>9/7/2000</b>	<b>Page 3 of 5</b>

Adopted: Resolution No. CSC 00-072

- (c) All applicants and appointees to the City Council Salary Setting Commission shall be residents and qualified electors of the City of Stockton. All appointees shall remain residents and electors at all times during their term of office.
  - (d) Prior to appointment, the Personnel Services Department shall forward to the Civil Service Commission a copy of all applications received and shall place an agenda item on the next most convenient Civil Service Commission agenda setting forth information on the interview process. This process shall not preclude a Civil Service Commissioner from requesting that the interviews be held at a subsequent meeting for reason of absence.
3. Each time there is a vacancy to be filled, new interview questions shall be prepared by the Civil Service Commission. To the extent feasible, questions should be open-ended and limited to no more than five key queries.
  4. During the interview, all candidates will be allowed to make a two-minute opening statement and then will be asked the same list of questions by the City Clerk prior to being questioned by the Civil Service Commissioners.
  5. All applications shall be deemed to be public documents and shall be available for public inspection. Nothing herein shall preclude individual Civil Service Commissioners from requesting additional or clarifying information on an applicant after the final date for submission of applications.
  6. Applicants who desire to withdraw from consideration shall so notify the Civil Service Commission in writing.
  7. A form letter shall be sent to all applicants notifying them when and where the interviews shall take place, the amount of time allowed for the interview and the method by which the appointment shall be made. The list of interview questions shall be attached to the form letter.
  8. Applicants shall be sequestered in a room in City Hall during the actual interview of other candidates and will be interviewed one at a time with the remaining candidates sequestered in another room.

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9. All discussions and deliberations by the Civil Service Commission regarding appointment or confirmation of appointments shall take place in public at regular or special meetings of the Civil Service Commission.
10. Appointments to the City Council Salary Setting Commission shall not be made for at least ten working days after the posting of the notice in the City Clerk's Office. EXCEPT, if an emergency exists, the 10-day waiting period may be waived and the unscheduled vacancy filled immediately. Persons to fill such a vacancy shall only serve on an acting basis until the final appointment is made.
11. The appointing process shall not require a public hearing; however, persons wishing to comment upon the applicants or position may do so at the meeting announcing the appointments or in writing.

**B. Time of Appointment**

Two members of the City Council Salary Setting Commission will serve from the time of appointment until December 31, 2002; and three members of the City Council Salary Commission will serve from time of appointment until December 31, 2004. Starting December 31, 2002, the Civil Service Commission is required to make 4-year appointments to the City Council Salary Commission in December of each even-numbered year to fill those vacancies created by the expiration of terms in that year. For example:

<u>Appoint by:</u>	<u>For Term Commencing/Expiring:</u>
December 2002	January 1, 2003 - December 31, 2006
December 2006	January 1, 2007 - December 31, 2010
December 2010	January 1, 2011 - December 31, 2014
December 2014	January 1, 2015 - December 31, 2018
December 2018	January 1, 2019 - December 31, 2022
December 2022	January 1, 2023 - December 31, 2026

**C. Method of Appointment**

The name of each applicant shall be read alphabetically by the City Clerk and each Civil Service Commissioner shall vote for only one applicant.

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1. If an applicant receives three or more votes, that applicant is appointed.
  2. If no applicant receives the minimum three votes, then those two applicants receiving the highest number of votes shall continue to be considered. In the event of a tie, then those applicants so tied shall continue to be considered.
  3. This process shall continue until one applicant receives three or more votes.
- D. When there is more than one vacant position to be filled, the above-voting method shall be used for each such position until all have been filled sequentially, beginning with the position with the longest term to be filled and continuing in order through positions with shorter terms to be filled.
- E. Removal
1. The Civil Service Commission may remove a member from office at any time for misconduct, inefficiency, or willful neglect in the performance of the duties of the office, providing it gives written notice to the member ten (10) days prior to the scheduled meeting at which the member is to be removed.
  2. The affected member shall be given an opportunity to be heard before the Civil Service Commission in his or her own defense.
  3. If a vacancy occurs before the expiration of a member's term, the Civil Service Commission shall appoint a qualified person to fill such vacancy for the remainder of the unexpired term of such member.