

**Article III  
POWERS OF THE CITY**

**Name and General Grant of Powers**

**SEC. 1.**

The municipal corporation now existing and known as the City of Stockton shall remain and continue to exist as a municipal corporation under its present name of "City of Stockton".

The City of Stockton shall have the power to make and enforce all ordinances and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in this Charter, the Constitution of the State of California, and the Constitution of the United States. It shall also have the power to exercise or act pursuant to any and all rights, privileges, powers, or procedures heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California and the Constitution of the United States.

The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, the generality of the foregoing provisions.

(Amended at Election 10/12/71 eff. 12/6/71; amended at Election 6/2/92 eff. 12/2/92)

**Succession**

**SEC. 2.**

The City of Stockton shall continue to own, possess, and control all rights and property of every kind and nature, owned, possessed or controlled by it at the time this Charter takes effect and shall be subject to all its debts, obligations and liabilities.

(Amended at Election 10/12/71 eff. 12/6/71; amended at Election 6/2/92 eff. 12/2/92)

**SECS. 3 through 24.**

(§8 amended at Election 5/31/32 eff. 1/24/33; §§3—24 repealed at Election 10/12/71 eff. 12/6/71)

**Article IIIA  
RESERVED**

(Article IIIA added at Election 10/8/57 eff. 3/18/58;  
repealed at Election 6/2/92 eff. 12/2/92)

**Article IV  
THE CITY COUNCIL\***

(Repealed and added at Election 11/3/92 eff. 1/13/93)

**SEC. 1.**

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.

**SEC. 2.**

The Council shall call and hold regular and special meetings in such manner and at such time and place within the City of Stockton as it may prescribe.

**SEC. 3.**

All legislative sessions of the Council, whether regular or special, shall be open to the public except for sessions closed to the public as permitted by law. The public shall have access to the minutes and records of sessions open to the public at all reasonable times in accordance with applicable law.

**SEC. 4.**

A majority of the members of the Council shall constitute a quorum for the transaction of business. Every member when present, must vote upon all propositions.

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**\*Editor's Note:** Article IV was repealed and added at Election 11/3/92 eff. 1/13/93. Prior history includes Election 10/12/26; Election 5/31/32 eff. 1/24/33; Election 10/14/47 eff. 3/3/48; Election 10/9/51 eff. 3/6/52; Election 10/13/53 eff. 3/16/54; Election 11/4/58 eff. 3/2/59; Election 10/12/71 eff. 12/6/71; Election 10/9/73 eff. 1/17/74; Election 6/5/84 eff. 6/26/84; Election 11/4/86 eff. 12/9/86.

**SEC. 5.**

The Council shall select the City Manager, City Attorney, City Clerk, and such other positions as may be provided for elsewhere in this Charter and such other employees to or for its own body as may be deemed necessary. All appointees chosen by the Council shall serve under such terms and conditions as may be designated by the Council.

**SEC. 6.**

The Council or any committee thereof duly authorized by the Council to do so, may investigate the financial transactions, and the official acts and conduct of any office or department of the City government. In conducting such investigations, the Council or any committee thereof shall have the authority to subpoena witnesses, administer oaths and require the production of evidence. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of any such subpoena or order shall be deemed contempt and shall be punishable as provided by the general laws of this state.

**SEC. 7.**

The Council shall be the judge of the election and qualifications of its members. Except as otherwise provided in this Charter, the Council shall determine its rules of procedure. It may punish or expel any member for violation of its rules.

**SEC. 8.**

Neither the Council nor any of its members or committees shall influence or attempt to influence either directly or indirectly the appointment of any person to office or employment by any of its direct appointees, or in any manner interfere with or prevent those appointees from exercising independent full judgment in the appointment of officers and employees in the administrative service. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through its own direct appointees, and neither the Council nor any member thereof shall give orders to any of the subordinates of those appointees, either publicly or privately.

**Article V\***

(Added at Election 11/3/92 eff. 1/13/93)

**SEC. 1.**

The Council shall act only by ordinance, by resolution, or by motion. The individual vote of each member of the Council shall be entered in the minutes of the Council, except that where a vote is unanimous, it may be so recorded. All ordinances and resolutions shall be signed by the Mayor and attested by the City Clerk.

**SEC. 2.**

Every proposed ordinance shall be in writing in the form required for adoption. Each ordinance shall contain a title which shall state in general terms the subject or subjects contained in the ordinance.

**SEC. 3.**

Any ordinance which repeals or amends an existing ordinance shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate matters to be omitted by inclusion in brackets or by strikeout type and shall indicate new matters by underlining or by italics.

**SEC. 4.**

No ordinance or resolution shall become effective without receiving the affirmative votes of a majority of the members of the Council, except as otherwise specifically provided in this Charter.

Commencing on January 1, 1989, every provision of this Charter that required, prior to adoption of this Section, a vote or approval of at least six (6) of the members of the Council shall after such date require a vote or approval of at least two-thirds (2/3) of the members of the Council.

**SEC. 5.**

In addition to other acts required by law or by specific provision of this Charter to be done by ordinance,

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**\*Editor's Note:** Prior history includes Election 5/31/32 eff. 1/24/33; Election 10/14/47 eff. 3/3/48; Election 10/11/49 eff. 12/19/49; Election 10/12/65 eff. 11/1/65; Election 10/12/71 eff. 12/6/71; Election 6/5/84 eff. 6/26/84; Election 6/2/92 eff. 12/2/92.