ADOPTION OF AN ORDINANCE AMENDING TITLE 16 REGARDING THE APPEAL AND RECONSIDERATION PROCESS REQUIRING A SUPERMAJORITY FOR THE CITY COUNCIL TO REVERSE OR RECONSIDER ANY DECISION OF THE PLANNING COMMISSION

Agenda Item 15.3
City Council Meeting
January, 23 2018
Ordinance Amending Title 16, Chapters 16.88, 16.100, 16.128, and 16.220

- On November 8th 1994, The Stockton City Charter Article V, Section 503, was amended by the voters as follows;

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

January 23, 2018-- City Council
Ordinance Amending Title 16, Chapters 16.88, 16.100, 16.128, and 16.220

The following code sections are not consistent with the City Charter.

Title 16,
Chapter 16.88, section 16.88.050.C.3(B)(II)(B)(2)
Chapter 16.100, sections 16.100.020.D. and 16.100.040.G.1,

These code sections require a Supermajority vote (5 Votes) for the City Council to reconsider or reverse a decision of the Planning Commission.
On January 11, 2018, The Planning Commission considered the proposed ordinance amendment.

The Planning Commission did not act on the proposed ordinance amendment.

The Planning Commission tabled the item and requested additional history on the specific code sections being amended and the original ballot for the 1994 City Charter Amendment.
Ordinance Amending Title 16, Chapters 16.88, 16.100, 16.128, and 16.220

CONCLUSION:

The City Charter is the “Constitution of the City” and all provisions of the Stockton Municipal Code (SMC) should align with the voter approved amendments to the City Charter.

This comprehensive code amendment will create consistency between the City Charter and Stockton Municipal Code.
Ordinance Amending Title 16, Chapters 16.88, 16.100, 16.128, and 16.220

RECOMMENDATION:

Staff recommends that the City Council adopt an ordinance amending the code sections as outlined in the proposed resolution.