

# CITY OF GLENDALE INTERDEPARTMENTAL COMMUNICATION

DATE: December 30, 2024

TO: Charter Review Committee

FROM: Office of the City Attorney

RE: District-Based Elections; Models for, and Duties of, Directly Elected Mayor

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At its regular meeting of December 12, 2024, the Charter Review Committee requested background information regarding the topics selected for discussion at its January meeting, namely, at-large versus district-based elections, including the number of seats on the City Council, as well as potential models for, and duties of, a directly elected mayor. In particular, the Committee requested points of comparison in similarly situated cities both geographically and by population. In This memorandum provides the requested information.

## 1. At-Large Versus District-Based Elections

### a. *At-Large and District-Based Elections Defined*

California law defines an “at-large method of election” to include any one of three methods of electing members to the governing body of a political subdivision, including a charter city:

- (1) One in which the voters of the entire jurisdiction elect the members to the governing body.
- (2) One in which the candidates are required to reside within given areas of the jurisdiction and the voters of the entire jurisdiction elect the members to the governing body. (This method is sometimes referred to as the “ward” model).
- (3) One that combines at-large with district-based elections.

(Cal. Elec. Code, § 14026, subd. (a).) The City of Glendale currently utilizes an at-large method of election, specifically, the first method enumerated above. As discussed further below, the Committee’s charge includes consideration of alternative methods of election, particularly one in which the mayor is elected at-large, while councilmembers are elected in district-based elections.

In turn, California law defines “district-based elections” to mean a method of electing members to the governing body of a political subdivision in which the candidate must reside within an election district that is a divisible part of the political subdivision and is elected only by voters residing within that election district. (Cal. Elec. Code, § 14026, subd. (b).)

### b. *Pros and Cons of Transitioning from At-Large to District-Based Elections*

Although not exhaustive, the following are potential “pros” and “cons” of transitioning from at-large to district-based elections:

### Pros

- Each geographic area of the City is represented by a councilmember that lives in, and can represent the interests of, that area. (Assertedly, in Glendale, residents south of State Route 134 are seldom elected to the Council).
- The cost to run for City Council will likely decrease, since a candidate may need to contact fewer voters and campaigning citywide is not required.
- Each resident will have a designed councilmember to contact for assistance.
- Voters' choice may be simplified with fewer candidates in each race and only one decision to make, as compared to two or three councilmembers in each election.
- Minority candidates may have a better opportunity to be elected.

### Cons

- Councilmembers representing only a limited geographic area may be more parochial in their viewpoints, and less concerned with citywide impacts, when considering matters that come before the Council.
- Districts may engender conflict among councilmembers as they seek to maximize resources for their own districts.
- Residents may have fewer opportunities to run for a City Council seat, as each seat will be up for election every four years, whereas the City's at-large method of election with staggered terms provides residents opportunities to run for City Council every two years.
- District lines must be reviewed and redrawn with each United States census to ensure substantially equal populations in each district.

## **2. Directly Elected Mayor**

Context regarding the City's form of government is necessary before discussing the models for, and duties of, a directly elected mayor within that form of government. Municipal government in California commonly takes one of two forms: the council-manager form of government, or the mayor-council form of government. Attached as **Exhibit 1** is a comparison between the two forms of municipal government prepared by the International City/County Management Association (ICMA) and disseminated by the Institute for Local Government (ILG).

In sum, under the council-manager form of government, the elected council serves as city's governing body, which adopts ordinances and establishes policy for the city. The council appoints a professional manager to serve as the city's chief executive officer. The city manager executes law and policy, prepares the city's budget, and directs daily operations. The city manager also appoints department heads, except those which are elected or directly appointed by the council.

Under the mayor-council form of government, which is found in many of the state's largest cities, the mayor serves as the city's executive arm, while the separately elected council serves as

the city's legislative arm. While the mayor's authority varies among cities operating under a mayor-council form of government, the mayor may retain significant administrative authority, prepare the budget, and appoint department heads. Though a city operating under a mayor-council form of government may nevertheless appoint a city manager, the authority vested in that official is less than in a council-manager form of government. The mayor-council form of government is also known as the "strong mayor" form of government.

The City of Glendale operates under a council-manager form of government. In fact, the City of Glendale and the City of Inglewood became the first cities in California to operate under a council-manager form of government in 1914. Consideration of a mayor-council or "strong mayor" form of government is not within the Committee's charge.

*a. Models for a Directly Elected Mayor in a Council-Manager Form of Government*

The office of mayor in California charter cities that operate under a council-manager form of government follows one of four models. Pursuant to the Committee's request for comparative references, attached as **Exhibit 2** is a list of California cities with a population greater than 96,000 that indicates its (1) primary source of authority (i.e., city charter or state general law), (2) form of government, (3) method of election, and (4) mayoral election model.

- (1) The mayor is elected at-large, serves as presiding officer of the council, and has an equal voice and vote on all matters before the council, but not veto power. (Most common)
- (2) The mayor is elected at-large, serves as presiding officer of the council, and has an equal voice, but not a vote, on matters before the council. The mayor has veto power, but a supermajority of the council may override a mayoral veto. (e.g., Long Beach)
- (3) The mayor is elected at-large, serves as presiding officer of the council, and has an equal voice, but not a vote, or veto power, on matters before the council, except in the event of a tie, in which case the mayor may cast the tiebreaking vote. (e.g., Bakersfield)
- (4) The mayor is elected at-large, serves as presiding officer of the council, and has an equal voice, but not a vote, except in the event of a tie, in which case the mayor may cast the tiebreaking vote. The mayor has veto power, but a supermajority of the council may override a mayoral veto. (e.g., Riverside, San Bernardino)

*b. Duties of a Directly Elected Mayor in a Council-Manager Form of Government*

The City Attorney's Office has surveyed twenty-six (26) California charter cities that operate under a council-manager form of government. Attached as **Exhibit 3** is a compilation of their charter provisions prescribing the duties of the mayor. In summary, the surveyed cities' charter provisions assign some or all of the following duties to the mayor:

- The mayor is recognized as the official head of the city for all political, representative and ceremonial purposes and by the Governor for military purposes.
- The mayor is charged with the performance of all duties lawfully delegated to it by the charter, the council, or other laws.

- The mayor has the primary, but not the exclusive, responsibility for interpreting the policies, programs and needs of the city government, and as occasion requires, the mayor may inform the people of any major change in policy or program.
- The mayor signs all legal instruments and documents to which the city is a party except where otherwise provided or by applicable law, ordinance, or resolution, minute action, or order of the council, unless delegated to others such as the city manager.
- The mayor is authorized to take command of the police, maintain order, and enforce the law during a time of extreme public danger or emergency, with the consent of the council, and for such period as the council may fix, with the advice and support of the city manager and city attorney.
- The mayor represents the city in all regional public agencies which require an elected city official, unless otherwise determined by the city council.
- Some charters authorize the mayor to make policy, program and budget recommendations to the council.
- Some charters expressly authorize the mayor to coordinate the agenda with the city manager and staff.
- Some charters authorize the mayor to appoint and remove members of the boards and commissions, subject to approval of the council.

# Forms of Local Government

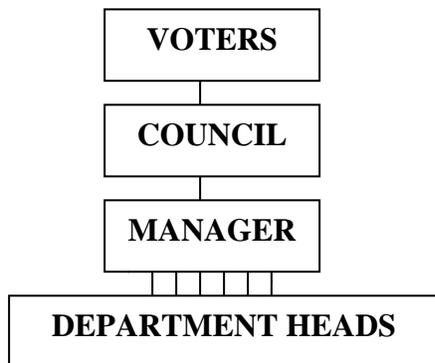
## Council-Manager

In the council-manager form of government, the council is the governing body of the city, elected by the public, and the manager is hired by the council to carry out the policies it establishes. The council usually consists of five to nine members including a mayor (or council president) who is either selected by the council or elected by the people as defined in the city charter. The size of the council is generally smaller than that of a mayor-council municipality and council elections are usually nonpartisan.

The council provides legislative direction while the manager is responsible for day-to-day administrative operations of the city based on the council's recommendations. The mayor and council, as a collegial body, are responsible for setting policy, approving the budget, and determining the tax rate. The manager serves as the council's chief advisor. Managers also serve at the pleasure of the council and are responsible for preparing the budget, directing day-to-day operations, and hiring and firing personnel.

Typically, the mayor is recognized as the political head of the municipality but is a member of the legislative body and does not have the power to veto legislative actions.

## Council-Manager Organizational Structure



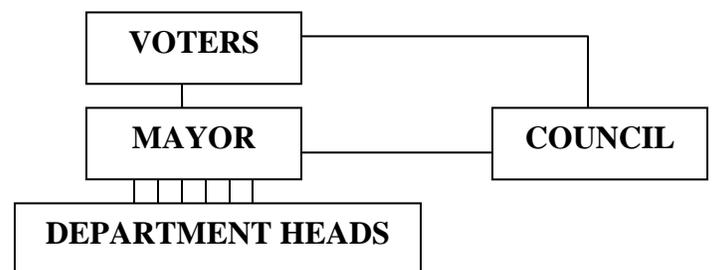
## Mayor-Council

The mayor-council (council-elected executive counties) form of government is the form that most closely parallels the American federal government with an elected legislature and a separately elected executive.

The mayor or elected executive is designated as the head of the city or county government. The extent of his or her authority can range from purely ceremonial functions to full scale responsibility for day-to-day operations. But the mayor's or elected executive's duties and powers generally include the following: hiring and firing department heads, preparation and administration of the budget, and veto power (which may be overridden) over acts of legislature. The legislature has the following responsibilities: adoption of the budget, passage of resolutions with legislation, auditing the performance of the government, and adoption of general policy positions.

In some communities, the mayor or executive may assume a larger policy-making role, and responsibility for day-to-day operations is delegated to an administrator appointed by and responsible to the chief executive.

## Mayor-Council Organizational Structure



**Exhibit 2**  
 Cities with Populations Greater than 96,000

City	Population	Authority	Form of Government	Method of Election	Mayor	Mayoral Model
Los Angeles	3,966,936	Charter	Mayor-Council	Council Districts	Elected Mayor	N/A
San Diego	1,409,573	Charter	Mayor-Council	Council Districts	Elected Mayor	N/A
San Jose	1,027,690	Charter	Council-Manager	Council Districts	Elected Mayor	1
San Francisco	874,961	Charter	Mayor-Board of Sups.	Supervisor Districts	Elected Mayor	N/A
Fresno	525,010	Charter	Mayor-Council	Council Districts	Elected Mayor	N/A
Sacramento	500,930	Charter	Council-Manager	Council Districts	Elected Mayor	1
Long Beach	466,776	Charter	Council-Manager	Council Districts	Elected Mayor	2
Oakland	425,097	Charter	Mayor-Council	Council Districts	Elected Mayor	N/A
Bakersfield	377,917	Charter	Council-Manager	Council Districts	Elected Mayor	3
Anaheim	349,964	Charter	Council-Manager	Council Districts	Elected Mayor	1
Santa Ana	332,794	Charter	Council-Manager	Council Wards	Elected Mayor	1
Riverside	326,414	Charter	Council-Manager	Council Districts	Elected Mayor	4
Stockton	309,228	Charter	Council-Manager	Council Districts	Elected Mayor	1
Irvine	273,157	Charter	Council-Manager	At-Large*	Elected Mayor	1
Chula Vista	268,920	Charter	Council-Manager	Council Districts	Elected Mayor	1
Fremont	235,740	General Law	Council-Manager	Council Districts	Elected Mayor	1
San Bernardino	216,089	Charter	Council-Manager	Council Districts	Elected Mayor	4
Santa Clarita	213,411	General Law	Council-Manager	At-Large*	Appointed Mayor	N/A
Modesto	212,616	Charter	Council-Manager	Council Districts	Elected Mayor	1
Fontana	210,759	General Law	Council-Manager	Council Districts	Elected Mayor	1
Oxnard	208,154	General Law	Council-Manager	Council Districts	Elected Mayor	1
Moreno Valley	207,289	General Law	Council-Manager	Council Districts	Elected Mayor	1
Huntington Beach	200,259	Charter	Council-Manager	At-Large	Appointed Mayor	N/A
Santa Rosa	179,701	Charter	Council-Manager	Council Districts	Appointed Mayor	N/A
Ontario	176,760	General Law	Council-Manager	At-Large**	Elected Mayor	1
Rancho Cucamonga	176,379	General Law	Council-Manager	Council Districts	Elected Mayor	1
Oceanside	175,622	Charter	Council-Manager	Council Districts	Elected Mayor	1
Garden Grove	173,258	General Law	Council-Manager	Council Districts	Elected Mayor	1
Elk Grove	170,825	General Law	Council-Manager	Council Districts	Elected Mayor	1
Corona	166,972	General Law	Council-Manager	Council Districts	Appointed Mayor	N/A
Hayward	159,293	Charter	Council-Manager	At-Large	Elected Mayor	1
Lancaster	159,028	Charter	Council-Manager	At-Large	Elected Mayor	1
Palmdale	156,293	Charter	Council-Manager	Council Districts	Appointed Mayor	N/A
Salinas	156,143	Charter	Council-Manager	Council Districts	Elected Mayor	1
Sunnyvale	152,770	Charter	Council-Manager	Council Districts	Elected Mayor	1
Pomona	152,209	Charter	Council-Manager	Council Districts	Elected Mayor	1
Escondido	151,300	General Law	Council-Manager	Council Districts	Elected Mayor	1
Torrance	145,492	Charter	Council-Manager	Council Districts	Elected Mayor	1
Pasadena	141,258	Charter	Council-Manager	Council Districts	Elected Mayor	1
Orange	139,887	General Law	Council-Manager	Council Districts	Elected Mayor	1
Fullerton	139,611	General Law	Council-Manager	Council Districts	Appointed Mayor	N/A
Roseville	135,637	Charter	Council-Manager	Council Districts	Appointed Mayor	N/A
Visalia	132,104	Charter	Council-Manager	Council Districts	Appointed Mayor	N/A
Concord	129,183	General Law	Council-Manager	Council Districts	Appointed Mayor	N/A
Thousand Oaks	127,873	General Law	Council-Manager	At-Large*	Appointed Mayor	N/A
Santa Clara	127,721	Charter	Council-Manager	Council Districts	Elected Mayor	1
Simi Valley	125,842	General Law	Council-Manager	Council Districts	Elected Mayor	1
Victorville	121,902	Charter	Council-Manager	Council Districts	Appointed Mayor	N/A
Berkeley	121,485	Charter	Council-Manager	Council Districts	Elected Mayor	1
Vallejo	121,267	Charter	Council-Manager	Council Districts	Elected Mayor	1
El Monte	115,517	General Law	Council-Manager	Council Districts	Elected Mayor	1
Fairfield	115,282	General Law	Council-Manager	Council Districts	Elected Mayor	1
Carlsbad	114,253	Charter	Council-Manager	Council Districts	Elected Mayor	1
Temecula	113,381	General Law	Council-Manager	Council Districts	Appointed Mayor	N/A
Costa Mesa	113,159	Charter	Council-Manager	Council Districts	Elected Mayor	1
Murrieta	112,941	General Law	Council-Manager	Council Districts	Appointed Mayor	N/A
Downey	112,322	Charter	Council-Manager	Council Districts	Appointed Mayor	N/A
Antioch	111,200	General Law	Council-Manager	Council Districts	Elected Mayor	1
Ventura	109,910	Charter	Council-Manager	Council Districts	Appointed Mayor	N/A
Richmond	109,884	Charter	Council-Manager	Council Districts	Elected Mayor	1
Inglewood	109,613	Charter	Council-Manager	Council Districts	Elected Mayor	1
Clovis	109,160	General Law	Council-Manager	At-Large	Appointed Mayor	N/A
Daly City	106,677	General Law	Council-Manager	At-Large	Appointed Mayor	N/A

Highlighting: charter city, council-manager form of government, and elected mayor.

\* Commenced process to transition from at-large to council districts by 2024.

\*\* Completed process to transition from at-large to council districts by 2024.

**Exhibit 2**

## Cities with Populations Greater than 96,000

West Covina	106,589	General Law	Council-Manager	Council Districts	Appointed Mayor	N/A
Santa Maria	106,224	Charter	Council-Manager	Council Districts	Elected Mayor	1
Jurupa Valley	105,653	General Law	Council-Manager	Council Districts	Appointed Mayor	N/A
Norwalk	105,304	General Law	Council-Manager	At-Large	Appointed Mayor	N/A
San Mateo	104,333	Charter	Council-Manager	Districts	Appointed Mayor	N/A
Burbank	103,703	Charter	Council-Manager	At-Large*	Appointed Mayor	N/A
El Cajon	103,186	Charter	Council-Manager	Council Districts	Elected Mayor	1
Rialto	103,045	General Law	Council-Manager	At-Large	Elected Mayor	1
Vista	100,686	Charter	Council-Manager	Council Districts	Elected Mayor	1
Vacaville	98,875	General Law	Council-Manager	Council Districts	Elected Mayor	1
Compton	96,803	Charter	Council-Manager	Council Districts	Elected Mayor	1

Highlighting: charter city, council-manager form of government, and elected mayor.

\* Commenced process to transition from at-large to council districts by 2024.

\*\* Completed process to transition from at-large to council districts by 2024.

## **Exhibit 3 – Charter Provisions Prescribing Mayoral Duties**

### **Alameda: Article VI. Mayor**

Sec. 6-1. The Mayor shall be the official and ceremonial head of the City and shall preside at all meetings of the Council. They may take command of the Police and Fire Departments and govern the City by proclamation whenever the Council determines that public danger or emergency requires such action.

Sec. 6-2. During the absence or disability of the Mayor, the Vice Mayor of the Council shall perform the official duties of the Mayor, and during the absence or disability of both Sec. 6-3. Vacancies of the office of Mayor shall be filled by the Council.

Sec. 6-4. There is hereby appropriated to the use of the Mayor in the discharge of their office the sum of fifty dollars each month for which they need furnish no vouchers.

### **Anaheim: Section 504. Mayor**

The Mayor shall have the same rights, privileges, powers and duties as are held by members of the City Council and shall be regarded as a member of the City Council for all purposes except to the extent expressly inconsistent with any other provision of this Charter or other applicable law.

The Mayor may make and second motions and shall have a voice and vote in all proceedings of the City Council. The Mayor shall be the official head of the City for ceremonial purposes. The Mayor shall have the primary, but not the exclusive, responsibility for communicating the policies, programs and needs of the City government to the people, and as occasion requires, he or she may inform the people of any major change in policy or program. The Mayor shall perform such other duties consistent with his or her office as may be prescribed by this Charter or as may be imposed by the City Council.

The Mayor shall serve for a term of four years and until his or her successor is elected and qualified.

The City Council shall designate one of its members as Mayor Pro Tempore, who shall serve in such capacity at the pleasure of the City Council. The Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence or disability.

Notwithstanding any other provision of this Charter to the contrary, no person shall file nominating papers, or other equivalent declaration of candidacy as may be required or authorized by law, for election to both the office of Mayor and member of the City Council at the same election. The City Clerk shall reject, refuse to accept for filing, and otherwise refuse to process any such nominating papers or other declaration of candidacy for the office of Mayor or City Council member where such person has previously filed

nominating papers or a declaration of candidacy for election to the office of Mayor or City Council member at the same election. In the event a person seeks to simultaneously file nominating papers or declarations of candidacy for election to both the offices of Mayor and member of the City Council at the same election, the City Clerk shall reject, refuse to accept for filing, and otherwise refuse to process all such nominating papers or declarations of candidacy simultaneously tendered.

### **Berkeley: Section 21. The Mayor's Powers**

The Mayor shall be the chairperson of the Council, and shall preside at the meetings of the Council and perform such other duties consistent with their office as may be imposed by the Council. They shall be entitled to a vote on all matters coming before the Council, but shall possess no veto power. They shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purposes of serving civil processes, and by the Governor for military purpose. They may use the title of Mayor in any case in which the execution of contracts or other legal instruments in writing, or other necessity arising from the general laws of this State, may so require; but this shall not be construed as conferring upon them administrative or judicial functions or other powers or functions of a Mayor, under the general laws of the State. The powers and duties of the Mayor shall be such as are conferred upon them by this amendment, together with such others as may be conferred by the Council in the pursuance of the provisions of this amendment, and no others.

### **Chula Vista: Section 304 Presiding Officer, Mayor - (A) Duties**

(A) Duties. The Mayor shall be a member of the City Council and shall perform all the functions and have all the powers and rights of a duly elected Councilmember. In addition to said powers and duties, the Mayor shall have the power and duty:

- (1) to report to the City Council annually on the affairs of the City and to recommend for its consideration such matters as the Mayor deems appropriate;
- (2) to be the official head of the City for all political and ceremonial purposes and, in the name and on behalf of the City, to sign all legal instruments and documents to which the City is a party except where otherwise provided herein or by applicable law, ordinance, or resolution, minute action, or order of the Council;
- (3) to take command of the police, maintain order, and enforce the law during a time of extreme public danger or emergency, with the consent of the Council, and for such period as the council may fix, with the advice and support of the City Manager and City Attorney;
- (4) to assume the primary, but not the exclusive responsibility, for describing to the people the policies, programs and needs of the City government and for informing the

people of any major change in policy or program. The Mayor may represent the City in any and all matters involving other governmental agencies, provided that no act, promise, commitment or agreement entered into or committed by the Mayor shall be binding upon the City unless duly authorized or ratified by the City Council;

(5) to represent the City in all regional public agencies which require an elected City official, unless otherwise determined by the City Council;

(6) to supervise the operation of the mayor/council office and personnel assigned thereto;

(7) to perform such other duties consistent with the office as may be prescribed by this Charter or delegated to the Mayor or imposed on the Mayor by the City Council if not inconsistent with the provisions of this Charter; and

(8) to exercise the full-time function as Mayor of the City during the usual business hours that the offices of the City are open, and such other hours and times as shall be necessary to discharge in full the duties imposed upon the Mayor.

### **Compton: Section 600. Presiding Officer. Mayor.**

The member of the City Council to be nominated from the City at large and to be known as the Mayor shall be the presiding officer of the City Council. The Mayor shall have a voice and vote in all its proceedings. He shall be the official head of the City for all ceremonial purposes and he shall perform such other duties as may be prescribed by this Charter or as may be imposed by the City Council consistent with his office.

### **Hayward: Section 604. Mayor (Powers and Duties)**

Until the General Municipal Election next following the effective date of this section, the Council's presiding officer shall be selected and hold office as provided theretofore. Thereafter, the elected Mayor shall be recognized as the official head of the City for all ceremonial purposes, and by the Courts for the purpose of serving civil processes. The Mayor shall be the presiding officer of the Council, shall preside at the meetings of the Council and shall sign the official documents of the Council. The Mayor shall be included as a member of the Council at all meetings of the Council for the purpose of determining the presence of a quorum. The Mayor shall be entitled to a vote on all matters coming before the Council, but shall possess no veto power. The Mayor may use the title of Mayor in all cases, but the same shall not be construed as conferring upon the Mayor's administrative or judicial functions or other powers or functions of a Mayor under the general laws of the State.

### **Irvine: Section 400 - Mayor and City Council**

The City Council, hereinafter termed "Council," shall consist of a Mayor and four (4) Council members elected to office from the City at large in the manner provided in this Charter.

The Mayor shall serve a term of two (2) years. Any person who serves two (2) full terms as Mayor shall not be eligible to serve again as Mayor. If a Mayor serves a partial term in excess of one (1) year, it shall be considered a full term for the purpose of this provision. Other than as set forth

herein, eligibility for office, compensation, vacancies and the filling of vacancies shall be the same for the office of Mayor as provided for the office of Council member by this Charter. **The Mayor, in addition to serving as the presiding officer of the Council, shall have all of the rights, powers and duties of a Council member and shall be a member of the Council.**

The term of office for a Council member shall be four (4) years. Alternatively, and successively, two (2) four-year terms shall be filled at one general municipal election and two (2) four-year terms at the next such election, consistent with the sequence of terms of Council members existing on the effective date hereof. Any person who serves two (2) full terms as a member of the City Council shall not be eligible to serve again as a member of the City Council. If a Council member serves a partial term in excess of two (2) years, it shall be considered a full term for the purpose of this provision.

If at any general municipal election, one (1) or more Council member, whose term of office will not expire as of the election, and who would be required to vacate the office of Council member if elected to the office of Mayor, files as a candidate for the office of Mayor, the following procedure will be used to fill the contingent vacancy in the office of Council member that would arise if the sitting Council member were elected Mayor: To the extent legally possible, the ballot for the office of Council member, the official election materials and voter information pamphlet shall notify the voters that they may cast ballots for not more than three (3) candidates for the office of Council member; that at least two (2) Council offices shall be filled by election; and that if a Council member whose term of office will not expire as of the election is elected to the office of Mayor, the vacancy in the office of that Council member shall be filled by the candidate for Council member receiving the third highest number of votes at the same municipal election.

The term of the Mayor and a Council member shall commence at the next regularly scheduled meeting of the Council following certification of the election results by the election official or such earlier other date as may be established by ordinance of the City Council, and he or she shall serve until his or her successor qualifies. Any ties in voting and any determination with respect to which Council member is to fill which office shall be settled by the casting of lots. No person shall hold both the office of Mayor and Council member.

The term limits established by this section shall be applicable prospectively only. The term limits shall not apply to any term that began before November 4, 2014.

As used herein the term "qualifies" shall mean, in addition to the provisions of the general law, having taken the oath of office following the election and his or her term of office shall have commenced.

## **Lancaster: Section 202. The Mayor**

In addition to any other authority granted to the Mayor by this Charter, the ordinances and regulations of the City or laws of the State, but not by way of limitation, as provided in Government Code Section 40605, the Mayor, with the consent of the City Council, shall have the authority to make all appointments to, or removals from all boards, commissions and committees.

## **Long Beach: Section 202. Mayor and Vice-Mayor**

### **(a) DUTIES OF MAYOR.**

The Mayor shall be the chief legislative officer of the City and as such shall have the power to veto actions of the City Council pursuant to and in accordance with the provisions of Section 213 of this Charter. The performance of the duties of the office of Mayor shall be considered as the full-time employment of the person occupying that office. The Mayor shall preside at meetings of

the City Council. The Mayor shall have no vote, but may participate fully in the deliberations and proceedings of the City Council. The Mayor shall be recognized as head of the City government for all ceremonial purposes and by the governor for purposes of military law, but shall have no administrative duties other than those provided for in Section 207. The Mayor shall represent the City at large and utilize the office of Mayor to provide community leadership and as a focal point for the articulation of city-wide perspectives on municipal issues.

On or before the 15th day of January of each year, the Mayor shall communicate by message to the City Council a statement of the conditions and affairs of the City, and make recommendations on such matters as the Mayor may deem expedient and proper.

(b) NOMINATION AND ELECTION OF MAYOR.

Candidates for the office of Mayor shall be nominated by the City at large at the primary nominating election. In the event that no candidate for nomination to the office of Mayor receives a majority of the votes cast for all candidates for the office of Mayor at the primary nominating election, the two candidates receiving the highest number of votes for the office of Mayor at the primary nominating election shall be the candidates and the only candidates for such office whose names shall be printed upon the ballots to be used at the general municipal election.

(c) TERM OF MAYOR.

In 1988, a Mayor shall first be nominated and elected by the City at large in the manner provided in Subsection 202(b) of this Charter for a term of two (2) years, and, commencing in 1990 and thereafter, for a term of four (4) years, from the date he or she shall take office after being duly elected Mayor, or until a successor shall be elected and take office. The term of the Mayor shall commence on the third Tuesday of July following his or her election, and he or she shall serve until his or her successor qualifies.

(d) NO PERSON CAN BE CANDIDATE FOR TWO ELECTED CITY OFFICES AT THE SAME TIME.

A person cannot be a candidate at the same election for two or more of the elected City offices.

(e) VACANCY IN OFFICE OF MAYOR.

In the event of a vacancy occurring in the office of the Mayor, existing by reason of any cause, the Council shall immediately cause an election to be held to fill such vacancy, which election shall be called within sixty (60) days after such vacancy occurs and shall be held within one hundred and twenty (120) days after such vacancy occurs, provided that if such vacancy occurs within one hundred and twenty (120) days, but not less than eighty-eight (88) days, from the date of a municipal primary nominating election at which the office of Mayor would regularly be filled, the City Council shall not cause a special election to be held to fill the vacancy but said vacancy shall be filled as a part of the regular election process. If elected by a specially called election pursuant to this Subsection 202(e), the Mayor so elected shall serve for the remainder of the unexpired term of the Mayor whose vacation of the office has caused the special election to be held.

(f) VICE-MAYOR.

The Council shall biennially, at the same time that Councilmembers regularly take office for new terms, select one of its members who shall be the Vice-Mayor. The Vice-Mayor shall perform all duties and, except for the power to veto actions of the City Council, may exercise all powers of the Mayor as prescribed by this Charter or by ordinance when the Mayor is absent, unable to perform his or her duties or has vacated the office by reason of any cause and until a successor has been elected and taken office.

## **Modesto: Section 601. Powers and Duties of Mayor**

The Mayor shall have the following powers and duties:

- (a) The Mayor shall be recognized as the official head of the City for all political, representative and ceremonial purposes and by the Governor for military purposes;
- (b) The Mayor may review with the City Manager, City Attorney and City Clerk prior to each Council meeting the items on the Council's agenda and to add matters thereto;
- (c) The Mayor may make recommendations to the City Manager on matters of policy and programs;
- (d) The Mayor may direct the Charter Officers to prepare and provide information to the Council on matters of policy and programs which require Council decision;
- (e) The Mayor may request budgetary and any other information from the Charter Officers that the Mayor determines is necessary for the conduct of the Mayor's duties;
- (f) The Mayor, together with the Council, annually shall conduct a written performance evaluation of each Charter Officer which shall include, without limitation, an evaluation of the Charter Officer's performance in implementing the Council's Statement of Policy for that Charter Officer developed pursuant to Section 725 of this Charter.
- (g) The Mayor may appoint, with the advice and consent of the Council, a Chairman, a Vice-Chairman, one regular member and one alternate member to each standing, special and ad hoc committee of the Council;
- (h) The Mayor may appoint, with the advice and consent of the Council, such advisory boards, commissions and ad hoc committees as may be necessary or desirable to advise and assist in the work of the Council;
- (i) The Mayor may appoint such other advisory boards and ad hoc committees as may be necessary or desirable to advise and assist in the work of the Mayor; provided, however, that the members of such advisory boards or ad hoc committees shall not receive any compensation;
- (j) The Mayor may recommend adjustments to the City budget and to propose the modification or curtailment of any city service. If the Mayor recommends any increases in the City budget, the Mayor shall recommend the method of financing such expenditures. If the Mayor proposes the modification or curtailment of any city service, the Mayor shall provide specific recommendations and the reasons for such proposal;
- (k) The Mayor shall prepare and deliver the Mayor's Proposed Budget Priorities and Direction and the Mayor's Budget Message pursuant to Section 1302A of the Charter and the Mayor's Final Budget Modifications pursuant to Section 1303 of the Charter;
- (l) The Mayor may select and hire staff to the office of Mayor and the City Council as may be necessary or desirable to advise and assist in the work of the Mayor and City Council; provided, however, that the Mayor shall not appoint to any position any business associate or any person related to him or her or to the City Manager or to any member of the Council by blood or marriage within the second degree. If staff is provided to the Council under this section, such staff shall be provided on an equal basis to each member of the Council. All such appointees shall serve at the pleasure of the Mayor in the Unclassified Service; and shall serve under such terms and conditions, salaries and benefits as are similar to other employees in Modesto's service. In the

event an employee of the City who holds a Classified Service position is appointed to a position in the Unclassified Service under this Section, he or she may return to a position in the Classified Service. Such return to the Classified Service shall be without loss of any rights or privileges that currently pertain to the Classified Service;

(m) When a vacancy occurs, the Mayor shall nominate at least two candidates for Council consideration for appointment to the position of City Manager. The Mayor may express to the Council a preference among final candidates;

(n) After consultation with the Council, the Mayor may comment in writing upon the independent, written performance evaluation conducted annually by the City Manager of each head of a city department which is under the administration of the City Manager;

(o) The Mayor may attend and participate in executive meetings of the City Manager and heads of City departments which are under the administration of the City Manager;

(p) In time of public danger or emergency, the Mayor may, with the consent of the Council, or pending a meeting of the Council, direct the administration of the City Government through the City Manager;

(q) The Mayor shall be charged with the duty of making recommendations to the Council on all major matters of policy and program which require Council decision. The Mayor shall have the primary, but not exclusive, responsibility for interpreting the policies, programs and needs of the City government to the community;

(r) The Mayor may also, on the Mayor's own account, as may each individual Councilmember, inform the community on any matters of policy or program which the Mayor believes the welfare of the community makes necessary;

(s) It shall be the duty of the Mayor to represent the Council in its relationships with civic groups within the City, and by direction of the Council, the Mayor shall represent the City in its relationships with other governmental agencies on matters of policy and program.

(t) The Mayor shall preside at meetings of the Council and shall have a vote as a member of the Council. The Mayor shall have no power to veto any ordinance or resolution adopted by the Council;

(u) The Mayor shall have authority to preserve order at all Council meetings and to remove or cause the removal of any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council, and to determine the order of business under the rules of the Council;

(v) The Mayor shall exercise such other powers and perform such other duties as may be consistent with the Mayor's office or as may be granted to the Mayor by the Council not inconsistent with this Charter.

Nothing in this section shall be construed in any way as an infringement or limitation on the powers and duties of the City Manager as chief administrative officer and head of the administrative branch of the City government as prescribed in other sections of this Charter.

## **Pasadena: Section 406. The Mayor**

The Mayor shall be nominated and elected by the voters of the City at large for a term of four years, except as provided in Section 401 (B). The Mayor shall be a voting member of the City Council and shall preside at meetings of the City Council. The Mayor shall act as chief executive of the City in performing all acts required to be performed under the laws of the State of

California and this Charter. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the Courts for the purpose of serving civil process and by the Governor of the State for military purposes. The Mayor shall have a voice and vote in all proceedings of the City Council and shall perform such other duties as may be prescribed by this Charter or as may be imposed by the City Council consistent with his or her office.

### **Pomona: Section 406. Mayor**

The Mayor, in addition to the powers and duties prescribed elsewhere in this Charter, shall have the power and duty:

- (a) To report to the Council on the affairs of the City and to recommend for its consideration such matters as may be deemed of current and on-going concern.
- (b) To report to the citizens the policies, programs and needs of City government and inform the people of any major change in those policies or programs.
- (c) To be the official head of the City for all ceremonial purposes.
- (d) To exercise and perform such other powers and duties as may be delegated to or required by this Charter or by the Council if not inconsistent with the provisions of this Charter.

### **Richmond: Section 2. Powers and Duties of the Mayor**

The Mayor shall be a member of the City Council and shall have all of the powers and duties of a member of the Council unless otherwise specified herein. In addition, the Mayor shall have the following powers and duties:

- (a) Political Position. The Mayor shall be the chief elected officer and ceremonial head of the City, responsible for providing civic leadership and taking issues to the people, and marshalling public interest in and support for municipal activity. The Mayor shall be concerned with the general development of the community and the general level of City services and activity programs and may develop and inform City residents of policies and programs which he or she believes are necessary for the welfare of the City.
- (b) Policy, Program and Budget. The Mayor may make recommendations to the City Council on matters of policy and program which require Council decision and may propose ordinances and resolutions for Council consideration. The Mayor shall work with the City Manager in preparing an annual budget for submission to the City Council. The Mayor shall make an annual report to the City Council as to the conditions and affairs of the City.
- (c) (As amended at election November 6, 1984 and November 2, 2004) Appointments and Removals. The Mayor shall have the authority at any regularly scheduled meeting of the City Council to make appointments to or removals from all City boards, commissions and committees

with the concurrence of at least four (4) other members of the City Council. (Added at the election November 2, 2004) Effective with the November 2008 election, the Mayor shall have the authority at any regularly scheduled meeting of the City Council to make appointments to or removals from all City boards, commissions and committees with the concurrence of at least three (3) other members of the City Council.

(d) Relationship with City Council. The Mayor shall be a voting member of and preside over meetings of the City Council. The Mayor shall annually appoint standing committees of the City Council; provided that the Mayor shall not be a member of such committees. Reports of the standing committees shall be made at regular City Council meetings or whenever the Mayor shall so require.

(e) (As amended at election November 2, 2004) Continuance Authority. The Mayor shall have the authority to continue any item being considered by the City Council at a Council meeting for up to two weeks. The Council may override an action taken by the Mayor to continue an item by the affirmative vote of five (5) members of the Council. (Added at the election November 2, 2004) Effective with the November 2008 election, the Mayor shall have the authority to continue any item being considered by the City Council at a Council meeting for up to two weeks. The Council may override an action taken by the Mayor to continue an item by the affirmative vote of four members of the Council.

(f) Administrative Responsibility. The Mayor shall sign all contracts on behalf of the City which are acted upon and approved by the City Council unless otherwise delegated by the City Council to a City official or employee, and shall exercise such other.

## **Riverside: Section 405. Duties of Mayor**

The Mayor shall be the presiding officer at all meetings of the City Council and shall have a voice in all its proceedings but shall not vote except to break a City Council tie-vote which exists for any cause. The Mayor shall be the official head of the City for all ceremonial purposes. The Mayor shall have the primary but not exclusive responsibility for interpreting the policies, programs and needs of the City government to the people, and of informing the people of any major change in policy or program. The Mayor shall advise the City Council on all matters of policy and public relations and perform such other duties as may be prescribed by this Charter. During the months of January or February, the Mayor shall deliver a State of the City message at any location within the City that the Mayor deems appropriate at which the Mayor will present the Mayor's programs, objectives and priorities.

The City Council shall designate one of its members as Mayor Pro Tempore, who shall serve in such capacity at the pleasure of the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall assume the duties of the Mayor. The Mayor Pro Tempore shall conduct the Council meetings and shall vote only as a member of the Council, not as Mayor Pro Tempore. In the event of a tie vote, the Mayor Pro Tempore shall not have a tie-breaking vote and Council vote shall be recorded as a negative or "nay" vote. With regards to the veto power, the Mayor Pro Tempore shall not have the power to veto acts of the City Council.

Notwithstanding any other provisions of this Charter, when a tie-vote exists for any cause, in order to break that tie, the Mayor shall have the same voting right as a member of the City Council for or against the item before the City Council. The Mayor's vote shall be deemed a City Council

member's vote for all purposes, including the introduction or adoption of both ordinances and resolutions.

### **Salinas: Section 5.1. Mayor**

- (a) The Mayor shall preside at all meetings of the Council, and shall perform such other duties as are generally required of a presiding officer. S/he shall have a voice and vote in all its proceedings but shall have no veto power, and shall be recognized as the official head of the City.
- (b) The Mayor shall sign all conveyances made by Salinas and all contracts to which it is a party and shall acknowledge the execution of all instruments executed by the City that require acknowledgment.

### **Sacramento: Section 40. Mayor – Functions**

- (a) The presiding officer of the city shall be the mayor.
- (b) The mayor:
  - (1) Shall be recognized as the official head of the city for the performance of all duties lawfully delegated to the mayor by this Charter, by action of the council or by other laws.
  - (2) Shall provide leadership within the community in the sense that the mayor shall have the primary, but not exclusive, responsibility of interpreting the policies, programs and needs of city government to the people, and as the occasion requires, may inform the people of any change in policy or program;
  - (3) Shall have the right but not the exclusive power to make recommendations to the city council on matters of policy and program that require council decisions;
  - (4) Shall be a member of the city council and shall be entitled to make and second motions on matters before the city council and vote on city council actions, but shall possess no veto power over actions of the city council;
  - (5) Shall be included within the terms “council” and “city council” used in this Charter unless otherwise expressly provided;
  - (6) May propose ordinances and resolutions which shall be considered by the city council;
  - (7) Shall appoint and may remove members of the boards and commissions and advisory agencies in accordance with Article XV except as otherwise provided in this Charter;
  - (8) Shall have and exercise such other powers and duties as provided in this Charter, the laws of the state, and ordinances and resolutions of the city.

### **San Bernardino: Section 303. Powers and Duties of the Mayor**

The Mayor shall have the following powers and perform the following duties, in addition to others as specified in this Charter:

- (a) Attend and preside at meetings of the Council and may participate fully in all discussions, but shall not be entitled to vote except in the event of a tie, to veto a matter, and as otherwise provided in this Charter;

(b) Have the authority to veto any Council action approved by fewer than five (5) members of the Council;

(c) Shall participate in the vote (1) to appoint or remove the City Manager, City Attorney and City Clerk and fix their compensation and (2) to appoint or remove members of boards, commissions or committees, except committees made up wholly of less than a majority of City Council members;

(d) Appoint the members and officers of Council committees (committees made up wholly of less than a majority of City Council members), and perform other duties as specified by the Council;

(e) Be recognized as the head of the City government for all ceremonial purposes and by the governor for purposes of military law;

(f) Be the chief spokesperson for the City; and

(g) Represent the City in intergovernmental relations and establish and maintain partnerships and regional leadership roles to advance the City's interest; and may delegate such roles to other members of the Council; and

(h) Execute all ordinances, resolutions and contracts approved by the City Council except as otherwise authorized by the City Council.

The Mayor shall have no administrative, appointment or removal powers except as otherwise provided in this Charter.

The office of Mayor shall be a full-time position and the incumbent shall not engage in any business, professional or occupational activities that interfere with the discharge of the duties of the office.

## **San Luis Obispo: Section 407. Mayor - Powers and Duties**

The Mayor shall preside at all meetings of the City Council and perform such other duties consistent with the office as may be imposed by the Council or by vote of the people. The Mayor shall be entitled to, and must vote when present, but shall possess no veto power. As presiding officer of the Council, the Mayor will faithfully communicate the will of the Council majority to the City Manager in matters of policy. The Mayor shall be recognized as the official head of the City for all ceremonial purposes.

## **Santa Ana: Section 404 – Presiding Officer, Mayor**

The mayor shall be a member of the City Council and shall preside over the meetings of the City Council. The mayor shall have voice and vote in all of the City Council's proceedings and shall be recognized as head of the City government for all ceremonial purposes. The mayor shall have no administrative duties but shall perform such other duties as may be prescribed by this charter, or imposed by the City Council, consistent with their office.

The mayor shall be elected by the voters of the City at large at each general municipal election in November of even-numbered years for a two-year term commencing on the same date as the terms of other council members elected in such year. No person may be a candidate for mayor and a candidate for any other office on the City Council in the same election. In the event an incumbent City Council member other than the mayor is elected mayor such other office shall become vacant at the time they assume office as mayor and the City Council shall call a special

election to fill the vacancy.

To be eligible to be elected to the office of mayor a person must be a qualified voter as provided for in the Elections Code of the State of California. If the mayor is convicted of a crime involving moral turpitude, the office shall immediately become vacant and be so declared by the city council.

### **Santa Barbara: Section 504. The Mayor**

The Mayor shall be the presiding officer at all meetings of the City Council and shall be included as a member of the City Council for all purposes under this Charter unless otherwise expressly provided. He shall be counted in determining a quorum and shall be entitled to vote on all matters but shall possess no veto power. The mayor may make and second motions and shall have a voice and vote in all its proceedings. He shall be the official head of the City for all ceremonial purposes. He shall have the primary but not the exclusive responsibility for interpreting the policies, programs and needs of the City government to the people, and as occasion requires, he may inform the people of any change in policy or program. He shall perform such other duties consistent with his office as may be prescribed by this Charter or as may be imposed by the City Council.

### **Santa Clara: Section 704.3 Mayor - Powers and Duties**

The Mayor shall have the following powers and duties:

(a) The Mayor shall have the power to make recommendations to the City Council on matters of policy and programs which require City Council decision; provided, that if he/she recommends any increases in the City budget, he/she shall recommend the method of financing such expenditure; and provided, further, that if he/she proposes curtailment of service, such recommendations and his/her reason therefor shall be specific. He/she may also, on his/her own account, inform the community on matters of policy or program which he/she believes the welfare of the community make necessary.

(b) The Mayor shall preside at meetings of the City Council and shall have the vote as a member of the City Council. He/she shall have no veto power.

(c) The Mayor shall have authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any meeting of the City Council for disorderly conduct, to enforce the rules of the City Council and to determine the order of business under the rules of the City Council.

(d) The Mayor shall exercise such other powers and perform such other duties as may be prescribed by the City Council, provided that the same are not inconsistent with this Charter. Nothing in this section shall be construed in any way as an infringement or limitation on the powers and duties of the City Manager as Chief Administrative Officer and head of the administrative branch of the City government as prescribed in other sections of this Charter. Except as otherwise herein provided, the Mayor shall possess only such authority over the City Manager and the administrative branch as he/she possesses as one member of the City Council. (Added by electors at election held November 5, 1968, approved by Joint Resolution of Legislature filed with the Secretary of State January 15, 1969; Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State Statutes of 2000)

### **Santa Cruz: Section 604. Presiding Officer – Mayor**

(a) The Mayor shall be elected at-large, shall preside at the meetings of the Council, be a voting

member of the Council, shall have a voice and vote in all Council proceedings, and shall be recognized as the titular head of the City government for all ceremonial purposes and by the Governor for purposes of military law but shall have no regular administrative duties.

(b) The Mayor shall have the discretion to set City Council agendas and to change the order of business on the agendas provided, however, that an item may be added to a future City Council agenda at the direction of three members of the City Council.

(c) The Mayor shall have the primary but not exclusive responsibility for interpreting the policies, programs, and needs of the City government to the people, and, as occasion requires, the Mayor may inform the people of any change in policy or program.

(d) The Mayor shall perform such other duties consistent with the office as may be prescribed by this Charter or as may be imposed by the City Council.

(e) The City shall maintain a "Council-Manager" form of government, and the Mayor possesses only such authority over the City Manager and the administrative branch as he or she possesses as one member of the Council.

(f) The Council shall elect a Vice-Mayor, who shall serve in such capacity at the pleasure of the City Council. The Vice-Mayor shall perform the duties of the Mayor during the Mayor's absence or disability. The Vice-Mayor shall be elected by the Council at the second meeting in November in each non-election year, and at the first regularly or specially scheduled evening Council meeting following the County election official's certification of the general municipal election results in each election year. The Mayor and Vice-Mayor so elected shall serve until their successors have been elected. Nothing herein shall prevent a Councilmember from serving consecutive terms as Vice-Mayor.

## **Stockton: Section 1102. Powers and Duties**

The Mayor shall have the following powers and duties:

(a) To review with the City Manager, City Attorney and City Clerk prior to each Council meeting the items on the Council's agenda and to add matters thereto;

(b) To make recommendations to the Council on matters of policy and programs which require Council decision;

(c) To make recommendations to the City Manager on matters of policy and programs;

(d) To direct those officials appointed by the Council to prepare and provide information to the Council on matters of policy and programs which require Council decision;

(e) To request budgetary and any other information from those officials appointed by the Council that the Mayor determines is necessary for the conduct of the Mayor's duties;

(f) To appoint, with the advice and consent of the Council, a Chairman, a Vice-Chairman, one regular member and one alternate member to each standing, special and ad hoc committee of the Council;

(g) To appoint, with the advice and consent of the Council, such advisory boards, commissions and ad hoc committees as may be necessary or desirable to advise and assist in the work of the City Council. All members of the Council, including the Mayor and Vice-Mayor, may be so appointed;

(h) To appoint such other advisory boards and ad hoc committees as may be necessary

or desirable to advise and assist in the work of the Mayor; provided, however, that the members of such advisory boards or ad hoc committees shall not receive any compensation;

(i) To address, not less than annually, the citizens of the City concerning the current status of City affairs and articulating the policy plans which the Mayor proposes for the City during the ensuing year;

(j) To inform the citizens, at other times during the year, of any matters of policy or programs which the Mayor believes are for the welfare of the community;

(k) To recommend adjustments to the City Budget and to propose the modification or curtailment of any city service. If the Mayor recommends any increases in the City budget, the Mayor shall recommend the method of financing such expenditures. If the Mayor proposes the modification or curtailment of any city service, the Mayor shall provide specific recommendations and the reasons for such proposal;

(l) To preside at meetings of the Council and to vote as a member of the Council without power of veto;

(m) To preserve order at all Council meetings, to remove or cause the removal of any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council and to determine the order of business under the rules of the Council;

(n) To select and appoint, with the advice and consent of the Council, such professional, technical and clerical employees to the office of Mayor as may be necessary or desirable to advise and assist in the work of the Mayor; provided, however, that the Mayor shall not appoint to any position any business associate or any person related to him or her or to the City Manager or to any member of the Council by blood and marriage within the third degree, except that the foregoing prohibition against nepotism may be waived by a vote of at least two-thirds (2/3) of the members of the Council if the Council finds that the proposed appointment is in the interest of the City. All such appointees shall serve at the pleasure of the Mayor in the unclassified service; and shall serve under such terms and conditions, salaries and benefits as are similar to other unclassified employees. The Council shall provide in the annual budget funding for no less than three positions in the office of the Mayor, including the Public Information Officer appointed by the Mayor pursuant to Section 1151 of Article XI;

(o) To exercise such other powers and perform such other duties as may be prescribed by the Council, provided the same are not inconsistent with this Charter.

Nothing in this Section shall be construed in any way as an infringement or limitation on the powers and duties of the City Manager as Chief Administrative Officer and head of the administrative branch of the City government as prescribed in other sections of this Charter.

Except as otherwise provided in this Charter, the Mayor shall possess only such authority over the City Manager and the administrative branch as he or she possesses as one member of the Council.

## **Sunnyvale: Section 607. Presiding Officer. Mayor**

The mayor shall be a member of the City Council and shall preside over the meetings of the City Council. The mayor shall have voice and vote in all of the City Council's proceedings and shall be recognized as head of the City government for all ceremonial purposes. The mayor shall have no administrative duties but shall perform such other duties as may be prescribed by this charter, or imposed by the City Council, consistent

with their office.

The mayor shall be elected by the voters of the City at large at each general municipal election in November of even-numbered years for a two-year term commencing on the same date as the terms of other council members elected in such year. No person may be a candidate for mayor and a candidate for any other office on the City Council in the same election. In the event an incumbent City Council member other than the mayor is elected mayor such other office shall become vacant at the time they assume office as mayor and the City Council shall call a special election to fill the vacancy.

To be eligible to be elected to the office of mayor a person must be a qualified voter as provided for in the Elections Code of the State of California. If the mayor is convicted of a crime involving moral turpitude, the office shall immediately become vacant and be so declared by the city council.

### **Torrance: 610 The Mayor**

The Mayor shall preside at the meetings of the City Council, and in case of his absence or inability to act, the City Council shall appoint a Mayor Pro Tempore, who shall serve only until such time as the Mayor returns and is able to act, and for such period shall have all the powers and duties of the Mayor. The Mayor shall be a member of the City Council for all purposes and shall have all the rights, powers and duties of a member of the City Council in addition to those powers and duties conferred upon him by virtue of his office as Mayor. Unless otherwise expressly provided to the contrary, any provision in this Charter which relates to the City Council or to members of the City Council shall be interpreted to include the Mayor as a member of the City Council. The Mayor shall sign all warrants drawn on the City Treasury, and shall sign all written contracts required by ordinance to be approved by the City Council and all conveyances made up or entered into by said City. The Mayor shall have the power to administer oaths and affirmations, to take affidavits and to testify the same under his hand. The Mayor is authorized to acknowledge the execution of all instruments executed by said City that are required to be acknowledged. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58). (Ratified Gen. Mun. Elec. 3/7/78, filed with Sec'y of State 3/27/78, Recorded with County Recorder, Los Angeles County 6/20/78).

### **Vallejo: Section 318. Powers and Duties of the Mayor**

The Mayor shall preside at meetings of the Council, shall have a vote in all matters before the Council, and shall be recognized as the head of the City government for all ceremonial purposes.