ORDINANCE O2022-03

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, AMENDING MANTECA MUNICIPAL CODE CHAPTER 1.08 – ELECTIONS TO ADD SECTIONS 1.08.060 – GENERAL ELECTION – DISTRICT ELECTIONS AND 1.08.070 – GENERAL ELECTION – ELECTION SCHEDULE

WHEREAS, Over the last several years, cities, school districts, and community college districts throughout the State of California have been changing from at-large to by district elections to comply with the California Voting Rights Act of 2001 (CVRA) and/or to avoid litigation. On September 21, 2021, the City Council adopted Resolution R2021-125 authorizing the City Clerk to comment the process of transition from at-large to by district elections for City Councilmembers. Pursuant to Elections Code Section 10010 et. Seq., four public hearings were held on October 5, 2021, October 19, 2021, November 23, 2021 and December 7, 2021, the resolution of intent and criteria were adopted. Finally, proposed maps were drawn and published in between the second and third public hearings as required by law; and

WHEREAS, The City Council received public commented through the above-referenced process and the next step in the transition to effectuate the changes from at-large to by district elections is to introduce the attached ordinance. The proposed Council district maps submitted to the City Council were prepared in accordance with all applicable law, including the provisions of the California Voting Rights Act, the Federal Voting Rights Act and City Council Resolution R2021-125 providing criteria for the establishment of City Council Districts; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

SECTION 1: Amendment. Manteca Municipal Code chapter 1.08 – Elections to add Sections 1.08.060 – General Election – District Elections and Section 1.08.070 – General Election – Election Schedule is hereby amended to read as follows:

1.08.060 – GENERAL ELECTION – DISTRICT ELECTIONS:

A. City council members will be elected on a by-district basis from the council districts described in subsection B below and depicted on the map attached to the ordinance codified in this section as Exhibit "A" and incorporated by this reference. To the extent there is a conflict between

the map incorporated herein and the descriptions contained in subsection B below, the description will prevail.

B. The districts are as follows:

1. District 1: That portions of the City of Manteca starting at the intersection of State Route 120 and Union Road, north to Wawona Avenue, east on Wawona Avenue, to El Portal Avenue, north to El Capitan Avenue, and continuing north to Nevada street, east to south Walnut Avenue, north to Alameda street, east to Tidewater Bike Path, north to Louise Avenue, then Louise Avenue west to city boundaries, following the boundaries south and east to Union Road, and following Union Road North to State Route 120.

2. District 2: That portions of the City of Manteca starting at the intersection of Union road and 120 bypass south to city boundaries, city boundary all the way east to city boundary, going north to city boundary, taking city boundary in a northerly direction to the intersection of State Route 99 Frontage Road and Austin Road, going north to the city boundary east of the State Route 99 and State Route 120 interchange, then north on Austin Road following city boundaries to Yosemite Avenue, west on Yosemite Avenue to city boundaries, north on city boundary to Louise Avenue, west on Louise Avenue to the city boundary, then again west on Louise Avenue to State Route 99, south on State Route 99 to State Route 120, west on State Route 120 to Union Road.

3. District 3: That portions of the City of Manteca starting at State Route 120 and Union Road, north to Wawona Street to El Portal, north to El Capitan, north to Nevada Street, east to North Walnut Avenue, north to Alameda Street, east to Tidewater Bike Path, north on Tidewater to Louise Avenue, east on Louise Avenue to State Route 99, south on State Route 99 to State Route 120, west on State Route120 to Union Road.

4. District 4: That portions of the City of Manteca starting at the western city boundary and Louise Avenue, east on Louise Avenue to the city boundary between State Route 99 and Cottage Avenue, following city boundaries north to Southland Road, west on Southland Road and north, west, and south around all city boundaries back to Louise Avenue.

C. The council districts specified in subsections A and B of this section will continue in effect until they are amended or repealed in accordance with law.

1.08.070 – GENERAL ELECTION – ELECTION SCHEDULE

A. Sequence of Elections:

1. Except as otherwise required by California Government Code Section 36512, council members will be elected in council districts 1 and 2 beginning at the general municipal election in November 2024, and every four years thereafter. Council members will be elected in council districts 3 and 4 beginning at the general municipal election in November 2022, and every four years thereafter.

2. The Mayor is elected by the voters of the entire city (at-large) every four years.

SECTION 2: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3: Effective Date. This Ordinance shall become effective immediately following adoption of the second reading.

City of Manteca, a municipal corporation

MAYOR: _____
BENJAMIN J. CANTU

ATTEST: _____
OLIVIA NASHED
ACTING CITY CLERK

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN } SS:
CITY OF MANTECA

I, Olivia Nashed, Acting City Clerk of the City of Manteca, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of

the City Council on the 21st day of December, 2021, and had its second reading and was adopted and passed during the public meeting of the City Council on the 18th day of January, 2022, by the following vote:

AYES: Breitenbucher, Halford, Nuño, Singh, Cantu

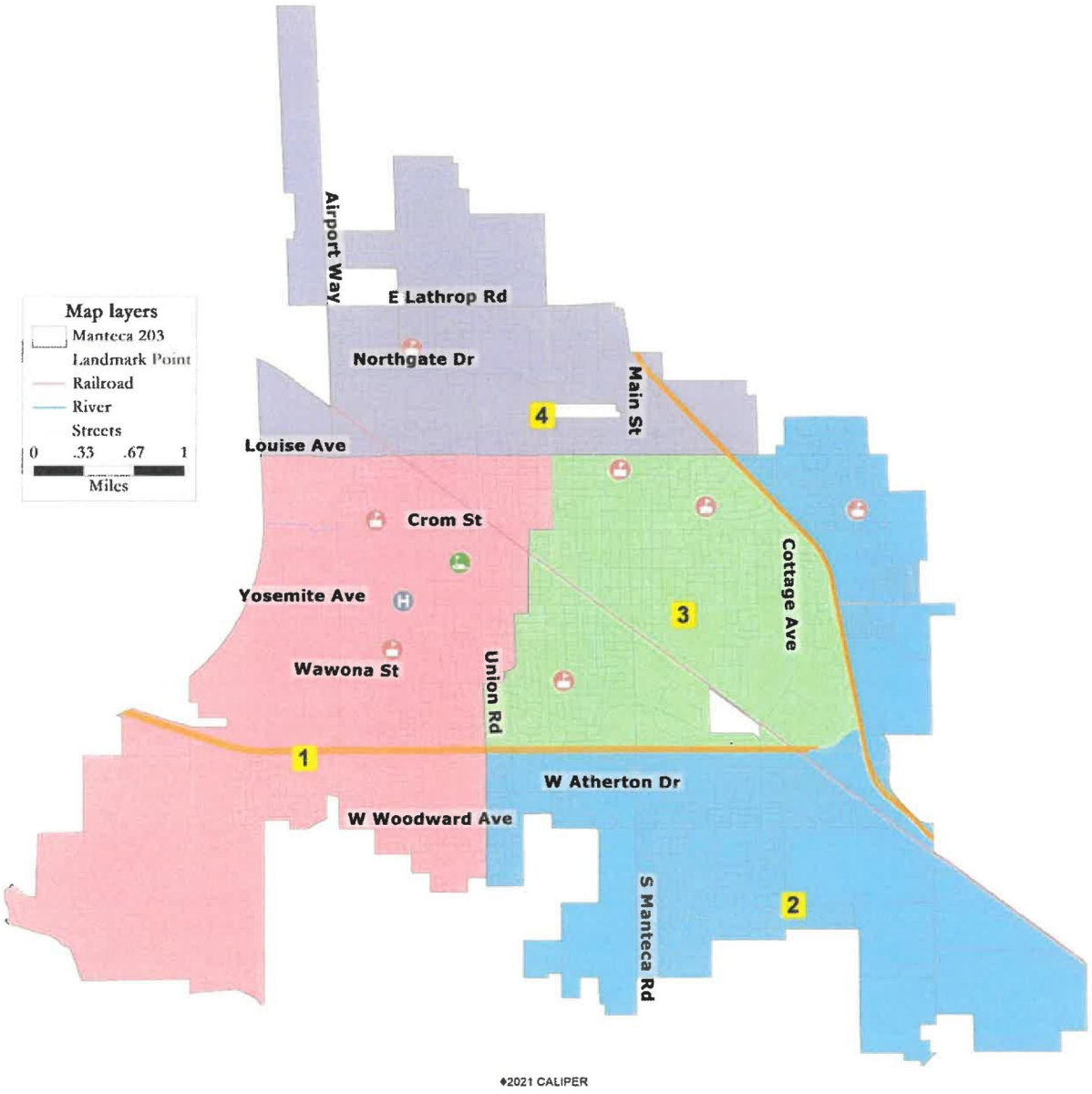
NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: Olivia Nashed

OLIVIA NASHED
ACTING CITY CLERK


Map layers
Manteca 203
Landmark Point
Railroad
River
Streets
0 .33 .67 1
Miles
Airport Way
E Lathrop Rd
Northgate Dr
Main St
4
Louise Ave
Crom St
Yosemite Ave
Wawona St
Union Rd
3
Cottage Ave
1
W Atherton Dr
W Woodward Ave
S Manteca Rd
2
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