

RESOLUTION R2021-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MANTECA, STATE OF CALIFORNIA, ESTABLISHING  
CRITERIA FOR SINGLE-MEMBER VOTING DISTRICTS  
FOR THE ELECTION OF COUNCILMEMBERS

WHEREAS, the City Council of the City of Manteca ("City") was elected under an "at-large" election system where Council Members were elected by voters of the entire City; and

WHEREAS, the City Council is considering a change to "by-district" elections, where each Councilmember must reside within the designated district boundary and is elected only by the voters in that District; and

WHEREAS, the Federal Voting Rights Act (42 U.S.C. section 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard practice or procedure, in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, federal law and the Equal Protection Clause require that each district be equal in population to ensure compliance with the "one person, one vote" rule; however, deviation of less than a total of ten percent (10%) are presumptively valid under the Equal Protection Clause where required to meet an official criteria; and

WHEREAS, the Council has instructed its City Clerk to hire a demographer to begin the formation of districting process; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. Each council district shall contain a nearly equal population as required by law.
3. No council district shall be drawn with race as the predominate factor in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.

## ATTACHMENT 1

4. Each council district shall consist of contiguous territory, in as compact form as possible.
5. Each council district shall respect communities of interest, as much as possible.
6. Each council district border shall follow visible natural and man-made geographical and topographical features, as much as possible.
7. Each council district shall attempt to avoid head-to-head contests between incumbent Councilmembers, insofar, as this does not conflict with federal or state law.
8. Council district known to be areas of higher-than-average population growth, in the two to five years following this boundary line adjustment, may be under populated within the population deviation amounts allowed by law.
9. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: \_\_\_\_\_  
BENJAMIN J. CANTU  
Mayor

ATTEST: \_\_\_\_\_  
CASSANDRA CANDINI-TILTON  
City Clerk