



**CITY OF LODI  
COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Introduce Ordinance Amending Lodi Municipal Code Chapter 2.44 - Personnel System by Repealing and Reenacting Section 2.44.090 "Qualifications of Members"

**MEETING DATE:** August 17, 2011

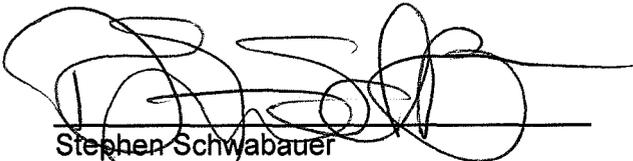
**PREPARED BY:** City Attorney's Office

**RECOMMENDED ACTION:** Introduce Ordinance Amending Lodi Municipal Code Chapter 2.44 - Personnel System by Repealing and Reenacting Section 2.44.090 "Qualifications of Members."

**BACKGROUND INFORMATION:** The Personnel System Ordinance establishes a Board to hear and determine employee appeals. Currently members of the board must be registered to vote in the City. The only other boards, committees, or commissions that have this requirement are the Planning Commission and SPARC. However, our commissions that serve the greater Lodi area, such as the Parks and Recreation Commission, allow residents outside the Lodi City limits. Because City employees come from outside City boundaries, including the unincorporated areas of the County, staff recommends that the voter registration requirement be changed to require voter registration within the County. The proposed recommendation will also allow for a greater pool of applicants.

**FISCAL IMPACT:** None.

**FUNDING:** None.

  
Stephen Schwabauer  
City Attorney

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**APPROVED:**

  
Konradt Bartlam, City Manager

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AMENDING LODI MUNICIPAL CODE CHAPTER 2.44 – PERSONNEL  
SYSTEM – BY REPEALING AND RE-ENACTING SECTION 2.44.090,  
"QUALIFICATION OF MEMBERS" RELATING TO AN APPLICANT'S  
VOTER REGISTRATION

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Section 2.44.070, "Composition of Board – Vacancies," is hereby repealed and reenacted and shall read as follows:

2.44.090 QUALIFICATIONS OF MEMBERS

The members of the personnel board shall be qualified electors of the city **within the County** and shall serve without compensation. No person shall be ~~appointed to the board~~ who holds any position with the city nor shall any member while a member of the board be eligible for appointment to any position with the city.

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 4. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect 30 days from and after its passage and approval.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
BOB JOHNSON  
Mayor

Attest:

\_\_\_\_\_  
RANDI JOHL  
City Clerk

State of California  
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. \_\_\_\_\_ was introduced at a regular meeting of the City Council of the City of Lodi held August 17, 2011, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 2011, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. \_\_\_\_\_ was approved and signed by the Mayor of the date of its passage and the same has been published pursuant to law.

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RANDI JOHL  
City Clerk

Approved as to Form:

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D. STEPHEN SCHWABAUER  
City Attorney