



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Ordinance No. 1851 Entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 2.44 – Personnel System – by Repealing and Reenacting Section 2.44.090, 'Qualifications of Members,' Relating to an Applicant's Voter Registration"

**MEETING DATE:** September 7, 2011

**PREPARED BY:** City Clerk

**RECOMMENDED ACTION:** Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1851.

**BACKGROUND INFORMATION:** Ordinance No. 1851 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 2.44 – ,Personnel System – by Repealing and Reenacting Section 2.44.090, 'Qualifications of Members,' Relating to an Applicant's Voter Registration," was introduced at the regular City Council meeting of August 17, 2011.

**ADOPTION:** With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov't Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov't Code § 36937.**

This ordinance has been approved as to form by the City Attorney.

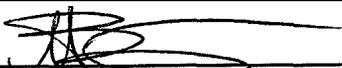
**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** None required.

  
Randi Johl  
City Clerk

RJ/JMR

Attachments

**APPROVED:**   
Konradt Bartlam, City Manager

ORDINANCE NO. 1851

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AMENDING LODI MUNICIPAL CODE CHAPTER 2.44 – PERSONNEL  
SYSTEM – BY REPEALING AND REENACTING SECTION 2.44.090,  
“QUALIFICATIONS 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 2.44.090, “Qualifications of Members,” 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 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 7<sup>th</sup> day of September, 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. 1851 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 September 7, 2011, by the following vote:

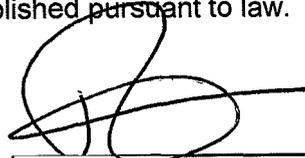
AYES: COUNCIL MEMBERS – Hansen, Katzakian, Mounce, Nakanishi,  
and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1851 was approved and signed by the Mayor of the date of its passage and the same has been published pursuant to law.



RANDI JOHL  
City Clerk

Approved as to Form:



D. STEPHEN SCHWABAUER  
City Attorney