

ORDINANCE NO. ____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING
LODI MUNICIPAL CODE TITLE 2 "ADMINISTRATION AND
PERSONNEL" CHAPTER 2.12 "CITY MANAGER" SECTION
2.12.050 "REMOVAL".

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

Section 1. Section 2.12.050 "Removal" of the Lodi Municipal Code is hereby amended to read as follows:

2.12.050 Removal.

The City Council shall appoint the City Manager ~~for an indefinite term~~ and may remove him or her by a majority vote of its members in accordance with this Section, as follows:

A. At least ~~thirty ten~~ calendar days before ~~such~~ removal shall become effective, ~~the City Manager shall be furnished with a written notice stating the Council's intention to remove. the council shall by a majority vote of its members adopt a preliminary resolution stating the reason for his removal. The manager may reply in writing within ten days after receipt of notice of such preliminary resolution, and may request a public hearing which shall be held not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if one is requested, and after full consideration, the council by a majority vote of its members may adopt a final resolution of removal. By the preliminary resolution the council may suspend the manager from duty, but shall in any case cause to be paid him forthwith any unpaid balance of his salary and his monthly salary shall continue to be paid following adoption of the preliminary resolution until he is reinstated or removed.~~

B. For a period of ninety (90) calendar days following a general municipal election which a new member of the City Council is elected, the City Manager may only be removed for misconduct in office by a majority vote of Council, or a 4/5 vote of Council shall be required to remove the City Manager for all other reasons within that ninety-day period.

C. After the expiration of such ninety-day period described in Subsection(B) above, the City Manager may be removed for any or no reason because the City Manager serves at the pleasure of the City Council as an at-will employee.

A.D. In event of removal, the City Council shall appoint a new City Manager within a reasonable time thereafter and must exercise due diligence in naming a successor.

Section 2. No Mandatory Duty of Care. 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. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or

applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. No Conflicts. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. Effective Date and Publication. This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the Ordinance within fifteen (15) days after its passage, a summary of the Ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council, and a certified copy shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1).

Approved this ____ day of _____, 2026

RAMON YEPEZ
MAYOR

ATTEST:

OLIVIA NASHED
City Clerk

State of California
County of San Joaquin, ss.

I, Olivia Nashed, 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 _____, 2025, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2026, 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 on the date of its passage and the same has been published pursuant to law.

OLIVIA NASHED
City Clerk

Approved to Form:

KATIE O. LUCCHESI
City Attorney
KL

Signature: 
Katie Lucchesi (Dec 30, 2025 12:42:57 CST)

Email: klucchesi@lodi.gov

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Final Audit Report

2025-12-30

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