

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

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING  
LODI MUNICIPAL CODE CHAPTER 15.44 – OFF-SITE  
IMPROVEMENTS AND DEDICATIONS, SECTION 15.44.040  
(A) – EXEMPTION OR DEFERMENT

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

Section 1. Chapter 15.44 “Off-Site Improvements and Dedications,” Section 15.44.040 “Exemption or deferment” of the Lodi Municipal Code is hereby amended to read as follows:

15.44.040 - Exemption or deferment.

- A. The requirements of Section 15.44.030 do not apply if the cost of development within any twelve-month period is determined by the ~~public works director~~Public Works Director to be less than ~~twenty-five~~one hundred fifty thousand dollars. This amount shall be adjusted by the ~~public works director~~Public Works Director on July 1st of each year, beginning on July 1, ~~1994~~2026, based upon the change of the U.S. Average Engineering News-Record ~~Building~~Construction Cost Index, using the following formula:

$$\text{Amount} = \$\del{25,000-150,000} \times \frac{\text{ENR Index for June } \del{2838} \text{ (ENR Index for June 1992)} \text{ (compared to the Index from December 2025)}}{\text{ENR Index for June 1992}}$$

and that the amount shall be rounded to the nearest one hundred dollars.

- B. The ~~C~~eity may defer compliance with the requirements of Section 15.44.030 if the ~~P~~public ~~W~~works ~~D~~director determines that it would be in the best interest of the ~~C~~eity to cause all or a portion of the work to be done on an area-wide basis, provided that the property owner enters into an agreement with the city agreeing that the property owner will undertake and start the construction of the required improvements within ninety days after notice is given by the city. The agreement shall further provide that in the event of default in undertaking and completing the required improvements within the time specified, the city may cause such work to be done and the cost thereof to be assessed as a lien against the property. Such agreement shall also be considered as a covenant running with the land and shall be recorded in order to constitute notice to any prospective buyer of such property. The city manager is authorized to execute such an agreement for and on behalf of the city.

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

Signature:   
Katie Lucchesi (Dec 29, 2025 16:38:45 PST)

Email: klucchesi@lodi.gov

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

# Sidewalk Off-site Improvements Ord. - redline

Final Audit Report

2025-12-30

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By:	Vanessa Serna (vserna@lodi.gov)
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