

ORDINANCE NO. _____

AN ORDINANCE FOR A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LODI AND
ROGERS MEDIA COMPANY, INC. FOR THREE PROGRAMMABLE ELECTRONIC SIGNS

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

SECTION 1. FINDINGS AND INTENT

The City Council of the City Lodi hereby finds, pursuant to Lodi Municipal Code ("LMC") Chapter 17.44.040, that:

- A. The City of Lodi ("Landowner") holds a legal or equitable interest in certain real properties located at the median strip on South Hutchins Street, approximately 285 feet north of South Hutchins Street/East Harney Lane (No APN), 1345 West Kettleman Lane (APN: 031-040-50), and West Kettleman Lane, approximately 40 feet southwest of West Kettleman Lane/Westgate Drive (APN: 058-030-10) in the City of Lodi ("Properties").
- B. The Landowner and Rogers Media Company, Inc. ("Contractor") have taken all actions mandated by, and fulfilled all requirements set forth in Lodi Municipal Code ("LMC") Chapter 17.44 "Development Agreements" and Section 17.34.070(H) "Electronic Message Signs on City Property" for the consideration and approval of the Development Agreement. Contractor has or will have a leasehold (or other legal or equitable) interest in the Properties on the Effective Date of the Agreement.
- C. On _____ 2026, the City's Planning Commission, after considering the factors set forth in Lodi Municipal Code Section 17.44.040, recommended approval of the Development Agreement (attached hereto as Exhibit "A" and incorporated herein by reference).
- D. The City's Planning Commission will review and approve the Contractor's proposed use consisting of the Programmable Electronic Signs with a Use Permit. The Programmable Electronic Signs shall be installed in compliance with the conditions listed in the Use Permit Resolution.
- E. The City's Site Plan and Architectural Review Committee ("SPARC") will review and approve Contractor's proposed Programmable Electronic Signs on the Properties. The Project Design Standards include maximum height and size standards for the Programmable Electronic Signs. The Programmable Electronic Signs shall be installed on the Properties in accordance with the SPARC approved Project Design Standards.
- F. The provisions of the Development Agreement are consistent with the City of Lodi General Plan.
- G. The Programmable Signs will provide revenue for the City, as well as provide an opportunity for the City to display its own community service and emergency messages on the signs interspersed between commercial messages.
- H. The Contractor shall maintain the Programmable Electronic Signs in good condition without damage, graffiti, or distracting electronic errors or other malfunctions. Further, the Landowner shall keep the Properties free of noxious weeds, grasses, debris, and rodents.
- I. If the Landowner chooses to discontinue the use of the Programmable Electronic Signs, the Contractor shall remove all sign components and return the Properties to a clean and tidy condition. Completion of the Programmable Electronic Signs removal shall occur within sixty

(60) days of the date of which the Landowner decides to discontinue use of the programmable signs.

- J. Should the Landowner develop nearby or adjacent property, vacant or otherwise, and Landowner at its sole discretion determines the Programmable Electronic Sign(s) will interfere with future development, including but not limited to design, construction, safety, reliability, operation, maintenance and/or access, Contractor shall remove the Programmable Electronic Signs(s) in its/their entirety with 60 days written notice from Landowner and restore applicable Property or Properties to its original condition or better. Should Contractor fail to remove the Programmable Electronic Sign(s), Landowner will remove and dispose of the Programmable Electronic Sign(s) and Contractor will be billed for all costs associated with removal of the Programmable Electronic Sign(s).

SECTION 2. RECORDING.

Upon the effective date of this Ordinance, the City Clerk is hereby authorized and directed to record a copy of the Development Agreement with the San Joaquin County Recorder's Office in accordance with Government Code section 65868.5 and Lodi Municipal Code section 17.44.070.

SECTION 3. SEVERABILITY

If any part of this Ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion thereof had been deleted.

SECTION 4. 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 5. NO CONFLICT.

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

SECTION 6. PUBLICATION.

This Ordinance shall not be effective until (i) the Contractor and City have executed one or more lease agreement(s) conveying to Contractor a leasehold (or other legal or equitable) interest in the Properties subject to the Agreement; and (ii) in no event sooner than 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 _____, 2026, 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 as to Form:

Katie Lucchesi
Katie Lucchesi (Mar 19, 2026 12:13:19 PDT)
KATIE O. LUCCHESI
City Attorney

4b-6. Attachment C Draft Ordinance - Development Agreement DA2024-001(438620.1)

Final Audit Report

2026-03-19

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"4b-6. Attachment C Draft Ordinance - Development Agreement DA2024-001(438620.1)" History

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