

RESOLUTION NO. 588

Minutes Excerpt

BE IT RESOLVED, that Resolution No. 587 heretofore passed and adopted by the City Council of the City of Lodi at a regular meeting of said Council duly and regularly held on July 1st., 1929, be and the same is hereby amended to read as follows :-

WHEREAS, the City of Lodi has commenced suit in the Superior Court of the State of California in and for the County of Calaveras, against East Bay Municipal Utility District and others for the purpose of restraining the defendants in said suit from diverting water out of the Mokelumne River;

AND WHEREAS, it will be necessary at the trial of said suit to introduce into evidence certain expert testimony as to the feasibility of the City of Lodi's proposed power plant on the Mokelumne River, and as to run-off conditions, flow and general character of the Mokelumne River;

NOW THEREFORE, BE IT RESOLVED, that the City of Lodi does hereby employ N.A.Eckart, Civil Engineer of San Francisco, California, for the purpose of studying all natural conditions of said river, and the feasibility of said proposed power project and for the purpose of giving his testimony upon such subjects at the trial of said suit;

BE IT FURTHER RESOLVED, that said N.A.Eckart shall be paid for his services in studying the conditions of the said river and the feasibility of said proposed power project for the purpose of preparing his testimony, and for his services in giving testimony in open court upon the trial of said suit, at the rate of \$50.00 per day for each day spent in the preparation of his testimony and for each day which he shall actually attend upon the trial of said action, and in addition thereto he shall be allowed all reasonable expenses actually incurred in preparing said testimony and attending said trial, said moneys to be paid upon claims properly presented and allowed out of any moneys in the treasury of said City available for that purpose.

The foregoing Resolution No. 588 was thereupon passed and adopted by the following vote :-

AYES: Councilmen, Shattuck, Roach, Weihe and Spooner.
NOES: None. ABSENT: Hale.

Mayor W.A.Spooner applied for permission to leave the State of California for a period of not to exceed three weeks and the permission was granted on motion of Councilman Shattuck, Roach second.

No further business appearing, the City Council adjourned at 9.35 o'clock P.M. to meet again at the day and hour of their next regular meeting.

Attest:-

J. B. Bailey
CITY CLERK.

The foregoing minutes read and approved without correction at a regular meeting of the City Council held August 5th., 1929.

W. A. Spooner
Mayor of the City of Lodi pro tem.

August 5, 1929.