

RESOLUTION NO. 601

This Resolution was adopted October 7, 1929

Authorizing employment of Paul Bailey as consulting  
engineer

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**Minutes Excerpt**

AND, WHEREAS, it appears that the pollution of said stream is causing great damage to alfalfa and other crops irrigated by the waters of said stream; and whereas the continuation of said practice may seal the percolating channels of said river and thereby cause great and irreparable damage and materially affect the underground water table in the City of Lodi and vicinity;

RESOLVED, that the City of Lodi hereby protests against the continuance of said practices, pollution of said river and against the dumping of any debris, silt or refuse of any kind in any stream;

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the California Fish & Game Commission, California Board of Public Works, The Debris Commission and to California State Reclamation Service with request that the proper steps be taken to stop said practice of polluting the waters of said stream;

BE IT FURTHER RESOLVED, that the Lodi District Chamber of Commerce be commended for the stand it has taken in the above matter; that said Lodi District Chamber of Commerce be urged to continue its activities to the end that the pollution of said stream be stopped and that a copy of this Resolution be sent to Lodi District Chamber of Commerce.

Adopted by the assenting votes of Councilmen Roach, Shattuck, Hal, Weihe and Spooner.

An ordinance proposing the licensing of dealers in ice, feeds and fuels was discussed but not introduced, the same being laid over for further investigation.

The City Attorney reported the receipt, through Mr Robert M. Searls, of a letter from Mr Paul Bailey, Civil Engineer, lately with the California State Division of Water Rights, offering his expert services in the determining of the effect of waters of the Mokelumne River on percolating waters supplying this City. Mr Bailey was retained as consulting engineer by the passage of

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WHEREAS, the City of Lodi has commenced an action in the Superior Court of the State of California in and for the County of San Joaquin against East Bay Municipal Utility District and others for the purpose of restraining defendants therein named from diverting waters from the Mokelumne River and for the purpose of protecting the underground water supply of said City;

AND WHEREAS, the City Council of the City of Lodi has received a letter from Paul Bailey, Civil Engineer, a copy of which letter is hereunto affixed, marked EXHIBIT A and made part hereof;

AND WHEREAS, it is the desire of said City Council to employ said Paul Bailey as one of its engineers for the purpose of making a study of the underground water conditions in said City of Lodi and vicinity and for the purpose of furnishing the necessary report or reports and evidence as referred to in said letter;

NOW THEREFORE, BE IT RESOLVED, that said City of Lodi does hereby employ said Paul Bailey, pursuant to the terms and conditions set out in said letter as one of its engineers for the purpose of studying underground water conditions and all available data and for the purpose of making report or reports and furnishing the evidence set out and contemplated in said letter;

BE IT FURTHER RESOLVED, that the said Paul Bailey is hereby authorized on behalf of said City to collect and analyze the information which has heretofore been collected, and determine the extent of new field work which will be required as mentioned and contemplated in items "1" and "2" on page one of said letter.

BE IT FURTHER RESOLVED, that said City pay said Paul Bailey for making such study of existing data and preliminary report the sum of \$ 500.00 and that the same be paid out of any moneys in the Treasury of the City which may be available for that purpose, the sum of \$ 250.00 thereof to be paid forthwith as a retainer and the balance, to-wit, the sum of \$ 250.00 upon the presentation of said preliminary report.

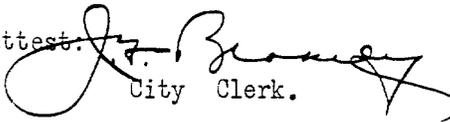
BE IT FURTHER RESOLVED, that the Mayor of this City is hereby ordered to draw a warrant upon the Treasury of said City for the first payment of \$250.00 and that the same be paid out of any moneys available for that purpose;

BE IT FURTHER RESOLVED, that any further or additional work after said preliminary report shall have been completed and presented as contemplated in and by said letter, shall be done by said Paul Bailey, working with other engineers employed by said City for which the said Paul Bailey shall be paid at the rate of \$75.00 per day and expenses based upon the time employed in performing such additional work, no additional work to be done unless the same be authorized and approved by City Attorney Glenn West and Robert M. Searls, Attorneys representing said City in said suit.

The foregoing Resolution No. 601 was thereupon passed and adopted by the following vote:-

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

No further business appearing, the City Council adjourned at 12.10 o'clock A.M. of Tuesday, October 8th., 1929 to meet again at the date and hour of their next regular meeting.

Attest:   
City Clerk.

The foregoing minutes of a regular meeting of the City Council of the City of Lodi were read and approved without correction or alteration at a subsequent meeting of the said City Council held Monday, October 21st., 1929.

  
Mayor of the City of Lodi.

Oct. 21, 1929.