

MINUTES OF AN ADJOURNED MEETING OF THE SAN ANSELMO CITY COUNCIL HELD
AUGUST 20th 1957

PRESENT COUNCILMEN - Ball, Martin, Cullen, Denning, Smith
MAYOR SMITH, presiding

CHERNE SUBDIVISION - Mr. Kane representing Mr. Cherne present at meeting - Mayor Smith stated the council at their last meeting had asked Mr. Kane to present map showing connecting roads between Cherne & Laster property and Mr. Kane was to contact City Engineer to find out just what was needed. City Attorney stated Mr. Cherne phoned him during the week and he told him council wanted some form of dedication, deed or grant of easement from Cherne and Laster to be put on record to preserve that particular piece of land for roadway and Mr. Fyfe, Attorney for Cherne is working on same. Mr. Cherne stated Mr. Fyfe, had tried to contact Mr. Buresh today but was unable to do so. Mayor Smith stated all City Engineer is interested in is getting this map drawn up and recorded.

Mr. Cherne told council he would like to put up a \$1,000 bond for sidewalks and have subdivision bond released.

Councilman Martin asked Mr. Cherne if bond on subdivision at present was issued on the basis of the map that was approved by the city council. Mr. Cherne stated yes.

Also if the map submitted to city council did have on it the width and length of the sidewalks (Cherne stated yes) Councilman Martin stated the original map that was submitted and the bond submitted was covering the work that was to be done according to specifications outlined on map - this bond as issued has to run for one year - and one year for maintenance period following the original issue of that bond - bond for faithful performance, labor and material runs for two years - that is the law - Mr. Cherne stated he didn't know that.

Mayor Smith suggested Mr. Cherne get together with City Engineer and Engineer will put into writing just what he wants and same will be brought up at meeting of September 10th.

RESOLUTION "Calling examination for Departmental-promotional-limited Examination to create an eligible list for the rank of Sergeant of Police in the Classified service of the City of San Anselmo as provided for in Ordinance No. 244 of the City of San Anselmo. Councilman Martin moves resolution as read be accepted. Councilman Cullen seconds same. Passed unanimously

RESOLUTION "Calling examination for Departmental-promotional-limited examination to create an eligible list for the rank of Lieutenant of Police in the classified service of the City of San Anselmo as provided for in Ordinance No. 244 of the City of San Anselmo. Councilman Martin moves Resolution as read be accepted. Councilman Cullen seconds same. Passed unanimously

"RESOLUTION 721 "Calling examination for eligible list in the Department of Police in the classified service of the City of San Anselmo as provided for in Ordinance No 244 of the City of San Anselmo, creating an eligible list for the position of Chief of Police. Councilman Martin stated there were people in the audience to speak on this matter and before they were called on he would like to say a few words - he feels what he has done in the past week and one half he had tried to do for the good of the department. There are two men in the department who are eligible to take this examination, whether one or both takes same he has no way of knowing. He would like to say since there are some officers from the police department present at this meeting, he has passed out to all the councilmen a suggestive list of things to be covered. Seniority and experience will benefit one man more than other, but I have talked to this other man and he feels same is fair. Certain questions will arise in the discussion and I would like to place myself on record, what I have done I thought best for city as well as department. The way the examinations have been set-up the Chief of Police will have to recommend to the State Personnel Board as to what will be given on the examination and how it will be graded, various weights, etc., I went to Sacramento took officer from department and talked to Personnel Board, discussed problems and things confronted with in this department at this particular time. We were given the opportunity to see some examinations for Chief's of Police from cities of our size. I did at that time write down various aspects on law enforcement that is covered by Examinations for Chief of Police for City's of our size thru-out the state. I then asked Chief Wood to try to establish what he would consider an equitable examination for Chief of Police considering men in his department. State Personnel Board told us seniority and experience are not usually included in such examination - I felt in behalf of officer with me and one not present it is only fair the officer with the years experience be granted these additional points -

Clerk then read list giving grades for this city and grades of city with 15,000 population.

Mayor Smith stated personally he is opposed to passing this Resol. he is opposed to certain sections of Civil Service Ordinance, he believes heads of any department in this city should not be under civil service - they should hold civil service rating, one step down and then be appointed by council. Since he has been on council he has been opposed to that section of ordinance, several years ago it was going to be put up for vote but there was a disagreement on some of the provisions, some felt the Chief of Police should have no civil service rating, but Mayor felt he was entitled to the next rank down, corporal or lieutenant and feels council at this time rather than pass this resolution they should amend civil service ordinance. It was stated in the paper the civil service ordinance was passed by the people - that is not true it was passed by a council that is one ordinance which the state protects, once adopted any section council wants to remove would have to be by vote of people, 2/3 vote - therefore feels this resolution should not be adopted.

Mrs. Booth stated she is amazed a City such as San Anselmo would go out of it's way to take a good, loyal and faithful servant of 20 years and in direct contradiction of Rule 6, Promotional Exam of Rules & Regulations call for an open examination - wide open to State of California when you don't see fit to do same for your Sergeant's and Lieutenant's examinations. The only right you have to do this is when it is not practicable and you cannot find anyone to fill position from your own department. By throwing open this examination state wide you are not only hurting a man who has given 20 yrs in the department but you are going to bring about morale in this departmen the likes of which you have never seen. By throwing open this examination she believes more than 1/2 police force will leave.

John O'Connell present at meeting stated he feels the same as Mrs. Booth and recommends examination be dropped and Lt. Serio be promoted to Chief if and when Chief Wood retires.

Mayor Smith asked council how they felt about his proposal to change civil service ordinance.

Councilman Martin feels what Mayor said is true and will go along with same, his personal opinion as far as appearing on ballot same should be in November not April as more people would vote in Nove. but he will ask that this examination be given to create and eligible list.

Councilman Ball feels Mayor has good point in man having a civil service rating of Captain and then be appointed to Chief, however, in view of Chief retiring at some future date, we should have an eligible list.

Councilman Denning feels same should be put to vote of people, but not wait until Ncember same should be in April.

Councilman Cullen feels same as Mayor but also should be put to vote of people - but feels we are off on somewhat of a tangent - we are mking two issues (1) whether or not we should promote the Asst Chief we have now or establish an eligible list thru state wide examination. (2) Whether or not department heads should be removed from Civil Service - and he feels civil service matter should be put over for another discussion and get back to eligibility list.

Mayor Smith stated it would be far better to have people vote first- Chief has'nt resigned yet, when he does then call for eligible list-

Councilman Martin stated in order to bring this to a head moves resolution as read be accepted.

City Attorney stated motion should be changed to read council made a finding it is impracticable to hold a promotional examination.

Councilman Martin changed his motion to read that council made a finding it is impracticable to hold a promotional examination for the position of Chief of Police and moves resolution as read be adopted.

Councilman Ball seconds same. Passed on following vote:

AYES COUNCILMAN- BALL, MARTIN, CULLEN
NOES COUNCILMEN DENNING, SMITH

Mrs. Booth stated referendum be immediately brought forth as council is not living up to the Rules & Regulations of Civil Service Ordinance what council has done is slapped a 20 year man in the face with wet towel - this is all personality.

Mayor Smith stated he would like to have a discussion on heads of departments being removed from civil service list and this being put on ballot. Councilman Cullen stated he agrees with Mayor that this be put to vote of people but same should be on November ballot.

Mayor Smith and Councilman Denning think same should be put to people in April and feel people will get out and vote on same.

Councilman Martin stated this matter concerns people and he feels they will get out and vote but November would be better.

Councilman Ball stated he would like to go on record as far as he is concerned there was no personality or throwing of wet towels in anyones face. Facts show few employees have been discharged in cities in Marin County without just cause and he sincerely hopes we will get a man from our own ranks as next Chief of Police.

Mr. Harper present at meeting stated he can't see why council can't place a man like Sam Serio who has done a good job in position of Asst Chief of Police if and when Chief Wood should leave.

Mrs. Booth stated one thing this city needs and she has fought for same is police department open 24 hours - Councilman Martin advised this has been put into budget just prepared.

Councilman Martin stated on the commendation that Lt. Serio received at the FBI school, he feels if examination was given based on what Sam knows he would have no trouble with same and if Sam is in top 3 or 5 he would vote for him for Chief. Examination will be mailed direct to Sacramento and not handled by this office.

Councilman Denning stated he voted no because he feels matter of removing heads of departments from civil service should come before people in April, and then moved City Attorney be instructed to draw up necessary amendments removing heads of departments from civil service for April ballot - City Attorney stated council should specify exactly who should come under this amendment. Councilman Denning withdrew his motion.

Mrs. Booth thinks what council should do, draw up new civil service ordinance and provide a pension retroactive 10 years. Don't think council should do anything about it tonight - but maybe could get together by next meeting.

Councilman Cullen stated he don't think anything should be done tonight as there might be other changes to be made in ordinance, but if council so inclined for retirement system then should vote on same, but if split vote then same should go to vote of people -

Mayor Smith stated same will be brought up at next meeting.

MEETING ADJOURNED AT 10:40 P.M. until September 10, 1957.

Anita Gannon, City Clerk