

Appendix 2: Election to Cloverdale City Council

Dave Davini was elected to the Cloverdale City Council on April 16, 1946. As a Council Member he worked hard to promote the city and get new businesses to locate there. He only served one year due to a conflict of interest related to development of Cloverdale's first subdivision, the Haehl Addition. In one year on the Council Davini worked on attracting lumber mills to the area in order to create jobs and grow the economy. He also helped develop brochures and advertising campaigns.

- A. "New Group Wins City Election," April 11, 1946 & "Schlueter Takes Office," April 18, 1946 - *Cloverdale Reveille*
- B. Official Appointment to Office – April 16, 1946. This form includes the official Oath of Office and Commitment to follow the Laws of the Land. The official seal of the City of Cloverdale is embossed over the signature of the City Clerk.
- C. Letter from Governor Earl Warren – March 5, 1946. Bertha and Dave Davini arranged for the visit of Governor Earl Warren to the Cloverdale Citrus Fair in 1946. The Davinis knew the importance of state funding if the Citrus Fair was to grow and help attract tourists to Cloverdale. Dave Davini knew Governor Warren when he was a young man in the San Francisco Bay area. Governor Warren went on to become Chief Justice of the United States Supreme Court.
- D. Letter from Greyhound Bus Lines – November 22, 1946. Dave Davini worked hard to promote Cloverdale. He realized that growth was essential to expand retail trade. The letter from Greyhound Bus Lines is only one example of work he did to promote Cloverdale.
- E. Greyhound Advertisement Featuring Cloverdale – November 22, 1946. This Greyhound ad ran in many newspapers and magazines promoting travel and commerce in northern California.
- F. Letter from Geary and Tauzer Suggesting Resignation – April 10, 1947. This letter clearly spells out the conflict of interest between the City of Cloverdale and Davini/Schlueter, owners of the Haehl Addition. The issue was to keep the cost of lots down by obtaining the city's help with infrastructure or pay for the infrastructure and stay on the Council. It was clear that the subdivision was much more affordable to the prospective home and lot purchasers with the city doing the sewer and water system.

INCUMBENTS DEFEATED

NEW GROUP WINS CITY ELECTION

Incumbents were unseated and three new candidates, running as a group from a stated policy standpoint, were elected to the city council at Tuesday's municipal election.

The new council members, David Davini, Allen Henderson and O. W. Schlueter, will take office on May 7 and will serve for a full four-year term. Completing the five-member council will be George Gorden and Harry Martinelli, who have two more years in office. Henry Muegge did not run for re-election.

From a roster of 490 qualified voters, a total of 283 residents cast their ballots at the election. Results were made known about 8:30 p. m. Tuesday, following the closing of the poll at 7 o'clock, and the election returns were posted by the Reveille in the business district shortly thereafter.

The five candidates received the following votes:

O. W. Schlueter	212
David Davini	206
Allen Henderson	158
Frank Phelps	119
Mrs. O. Fleckner	94

While there no major campaign issues involved, the newly elected members were generally described as the "progressive" group and announced an eight-point policy previous to the election.

One of the first matters facing the new council will be the development of a plan for needed improvements which are provided in the \$14,400 fund now available from state and municipal treasuries. Such projects must be approved by the state, which has set May 1 as the opening date for consideration of civic improvement programs.

Under discussion by the council and residents for many months have been the matters of water supply and sewer systems, construction of sidewalks in the residential areas and development of the park next to the city hall.

NEW MAYOR OF TOWN

SCHLUETER TAKES OFFICE

O. W. Schlueter, long-time resident of Cloverdale and vicinity and who received the greatest number of votes in the recent election, will be the mayor of Cloverdale for the next four years. This was the decision reached at the first meeting of the new city council after the three new members were sworn into office Tuesday night.

Immediately upon assuming the position, Schlueter complimented the retiring members for their work during the difficult war years.

"It's going to be easier for the new council," said the new mayor. "We will not long be handicapped by wartime conditions that made it virtually impossible to secure labor and materials to carry on necessary civic improvements and developments in the past. And we wish to seek the advice of the old members in those matters in which their experience will be very helpful to us."

In his informal remarks, Schlueter also stated that suggestions and criticisms from the public would be welcomed by the council and invited the public to attend any and all council meetings.

"There are many things that need attention," Schlueter added, "It will take time to get them all done, but the most important and pressing problems will be undertaken at once."

Major projects needing attention, as pointed out by Schlueter, were sewage disposal, water supply line and equipment, street and sewer drainage, street cleaning, street repair, sidewalks and city mail delivery.

New members taking office with Schlueter on the council were David Davini and Allen Henderson. Completing the council of five are George Gorden and Harry Martinelli, who have two years more to serve.

Before adjourning the new council reappointed J. A. Ratchford, city attorney; J. Grant Carnegie, chief of police, and E. E. Gibbins, city judge.

UNITED STATES OF AMERICA.

STATE OF CALIFORNIA

County of Sonoma

SS.

I, E. E. GIBBINS of the City of Cloverdale, State of California, do hereby certify,

that at a General Municipal election held in said City on the 9th day of April 1946, David A. Davini was elected to the office of City Councilman (full term) as appears by the official returns of said election, and the statement of votes cast now on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my

Hand and the seal of the
City of Cloverdale

this 16th day of April 1946

City Clerk,
City of Cloverdale

STATE OF CALIFORNIA

County of Sonoma

SS.

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of City Councilman according to the best of my ability.

Subscribed and sworn to before me,)
this 16th day of April 1946 .)

E. E. Gibbins
City Clerk, City of Cloverdale.



EARL WARREN
GOVERNOR

State of California

GOVERNOR'S OFFICE
SACRAMENTO 14

March 5, 1946

Mr. David A. Davini
Cloverdale, California

Dear Mr. Davini:

I wanted you to know that I appreciate the many courtesies you showed Mrs. Warren and me during our recent visit in Cloverdale for the Cloverdale Citrus Fair. Your community is certainly to be commended for putting on such a fine show.

If you get to Sacramento, I hope you will come in to see me.

With best wishes, I am

Sincerely,

Governor

EW:dt

PACIFIC GREYHOUND LINES

221 PINE STREET
SAN FRANCISCO, CALIFORNIA

F. W. ACKERMAN
PRESIDENT

November 22, 1946

Mr. David A. Davini
Cloverdale, Calif.

Dear Mr. Davini:

"Come to Cloverdale" -- Pacific Greyhound Lines takes pleasure in paying tribute to your city in a forthcoming advertisement, proof of which is attached.

This ad will appear in the Cloverdale REVEILLE within the next few days and it will also run in other newspapers in other cities along the Redwood Highway.

Your confidence in the continuing growth and prosperity of Cloverdale is shared by Greyhound. We are alert to the future progress of Cloverdale, just as we are aware of our essential role and civic responsibility in providing convenient local transportation service. The two are inter-dependent.

You may look to Greyhound for the very best in bus transportation in the days ahead.

That's why we are happy to say "Come to Cloverdale."

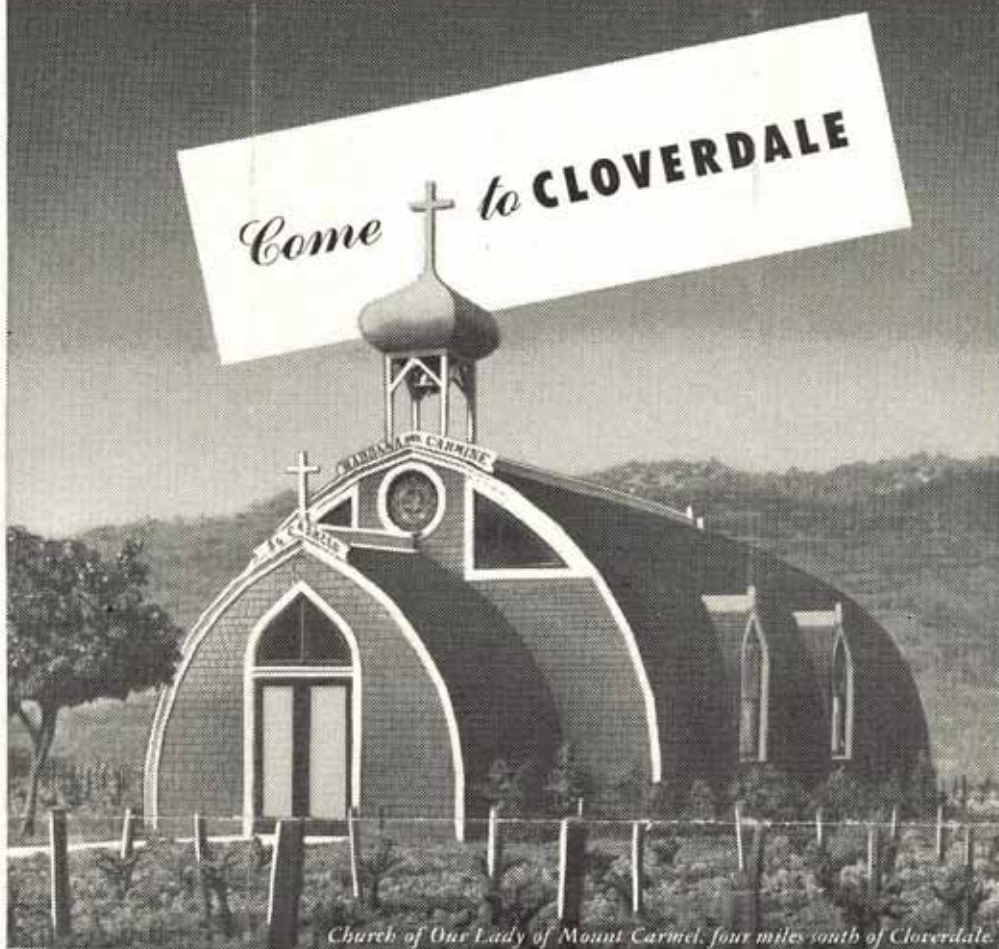
Yours truly,

F. W. Ackerman

Enclosure

Visit Cloverdale Citrus Fair Feb. 20-23

COURTESY REDWOOD EMPIRE ASSN.



Church of Our Lady of Mount Carmel, four miles south of Cloverdale.

Nestled among wooded hills and fern-strewn glens of northern Sonoma County is Cloverdale, charming city and a model of municipal efficiency.

The town is within easy reach of rich hunting and fishing preserves, not far from Clear Lake and the world-famous Big Geysers. Nearby are the giant California Redwoods. No wonder, then, that Cloverdale is favored as a vacation-

ists' haven in every season of the year.

A balmy, healthful climate, thriving citrus orchards and vineyards, and its location on the broad and magnificent Redwood Highway keep Cloverdale active and prosperous.

Greyhound does its part for Cloverdale's prosperity, linking her to other California communities with the best in modern motorized transportation.



GREYHOUND

One of a series of advertisements by Greyhound featuring communities which it serves

THOMAS J. GEARY 1878-1929
W. FINLAW GEARY
C.J. TAUZER
CARLTON SPRIDGEN
JOHN H. MOSKOWITZ

LAW OFFICES
OF
GEARY AND TAUZER
SANTA ROSA, CAL.

April 10, 1947

Mr. Dave Davini
Mr. O. W. Schlueter
Cloverdale, California

Dear Sir:

We would like to submit to you herewith our opinion and recommendations, with reference to the matters recently discussed with us.

The general principle of law which is involved throughout your transactions with the City of Cloverdale is codified in Section 1090 of the Government Code of the State of California. This section provides as follows:

"Members of the legislature, state, county, township and city officers shall not be interested in any contract made by them in their official capacity, or by any body or board of which they are members."

Section 1097 of the Government Code provides as follows:

"Every officer or person prohibited by the laws of this State from making or being interested in contracts..... or who violates any of the provisions of such laws, is punishable by a fine of not more than \$1000.00, or by imprisonment in the State Prison for not more than five years, and is forever disqualified from holding any office in this State."

You will observe that the provisions of Section 1090 are quite explicit and prohibit a member of the council from having any interest in any contract made by the council or anyone authorized by the council regardless of whether or not the interested members participated in the discussions or voted upon the proposition. The California cases have very rigidly and strictly interpreted this principle of law and have quite generally held all such contracts void. Examples of such cases are: County of Marin vs Messner, 44 Cal. App. (2d) 577 and City of Oakland vs California Construction Co., 15 Cal. (2d) 573.

We fully understand that everything done by you has been done with the interest of the City foremost and your own individual interests entirely secondary. We believe, however, that because

of the very strict inhibitions imposed by the law upon persons holding public office, the safest method of procedure would be for you to contract independently for the installation of all sewer and water lines, including both mains and laterals, and that the expense incurred by you be apportioned among the several lots which are to be sold by you.

We have cited above the penal provisions which may possibly be applicable. We do not mean to indicate, however, that there is any likelihood that an attempt will be made to prosecute a criminal action against you.

It would also probably be the wisest course for you to allow your resignations to remain on file with the City Clerk to be acted upon at the next council meeting. However, if you conclude to follow our advice with respect to the installation of the sewer and water systems in the subdivision, your resignation from the council is less important and you can use your own good judgment on this question.

We hope that this letter will serve to answer the problems which you presented to us. Please feel free, however, to call upon us if you have any further questions.

Very truly yours,

GEARY & TAUZER

By

W. Andrew Geary

WFG/md