

**State of Texas
County of Bexar
City of San Antonio**



DRAFT

Meeting Minutes

City Council B Session

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Wednesday, January 27, 2016

2:00 PM

Municipal Plaza Building

The City Council of San Antonio convened in the “B” Room of the Municipal Plaza Building. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

PRESENT: 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier, and Gallagher

ABSENT: 1 - Medina

City Clerk Vacek announced that Councilmember Medina was out on personal leave.

1. A Briefing on the San Antonio Police Department’s police reform initiatives regarding use of force and the protection of citizens’ civil rights. [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

Chief McManus stated that the events that sparked the national dialogue on police reform resulted in creation of a Task Force on 21st Century Policing Reform. He noted that the Task Force identified the following six areas or pillars for change:

1. Trust and Legitimacy
2. Policy and Oversight

3. Technology and Social Media
4. Community Policing and Crime Reduction
5. Training and Education
6. Officer Wellness and Safety

Chief McManus stated that seven, 11 or 12 Member Committees comprised of police and citizens were formed to review the recommendations made in the report. He noted that the committee review would be accomplished this week with a report to follow which would be shared with Mayor Taylor and the City Council. He stated that one of the recommendations called for Police Departments to improve their transparency by placing data collected online. He noted that SAPD Data could be accessed via a portal which was available to the public. He reported that SAPD participates in a weekly call to the White House on the Open Data Initiative. He stated that nationwide; 22 departments participated in the Open Data Initiative and reviewed the SAPD Data which could be accessed. He stated that in 2008, the Police Executive Research Forum (PERF) reviewed SAPD's use of force, use of force investigations, use of force training, the citizen complaint process and the disciplinary process; all high risk, high profile type categories. He reported that in 2010, another review was performed of the entire department. He stated that the review included Technology and Intelligence Led Policing, Business Processes and Organization and Management. He noted that in 2013, SAPD's Pursuit Policy was reviewed. He stated that in order to make it safer for citizens and Police Officers; the policy was revised. He noted that prior to the revision, there were an average of 111 pursuits per year and after the revision, there were an average of 33 pursuits per year. He stated that currently, only suspects of violent crimes were pursued and those could be called off by a Supervisor if conditions were too dangerous.

Chief McManus stated that the City of Las Vegas requested that the Department of Justice (DOJ) perform a Collaborative Reform Study based on best practices and recommendations by the DOJ. He stated that said recommendations were made by the DOJ to the Las Vegas Municipal Police Department (LVMPD) in a report. He noted that SAPD made a comparison to see if they were in conformance with the recommendations in the report. He stated that the report focused on Administration and Organizational Reforms, Training, Use of Force Policies and Procedures, and Community Perspectives and Outreach. He reported that SAPD was found to be in conformance with the majority of recommendations in the report. He noted that for the recommendations which SAPD was not in conformance with; efforts were made to come into conformance.

Chief McManus reported that in 2011, SAPD formed a committee comprised of Sworn and Non-Sworn Personnel, and Citizens. He stated that the Committee was asked them to create guiding principles which match the tenants to procedural justice, and a new vision

statement. He stated that beginning in 2015, SAPD trained all Officers in the guiding principles and this training was extended to every Cadet which goes through the Police Academy. He noted that currently, SAPD Officers and Cadets were trained in the ATM (Ask, Tell, Make) Philosophy but would switch to the LEED Model (Listen, Explain with Equity or fairness, and Dignity). He played a video on Police Reform and noted that SAPD's Mission was to change its approach to interactions with the Mentally Ill. He reported that according to a survey by the PERF, new recruits typically spend 60 hours learning to handle a gun compared to eight hours learning strategies for handling the Mentally Ill. He added that only 15% to 20% of Law Enforcement Agencies in the country had Mental Health Training Programs. He stated that SAPD created the San Antonio Mental Health Unit which was a specialized team working to revolutionize Policing from within comprised of eight Officers and one Sergeant. He stated that it was mandatory for every Officer to complete Crisis Intervention Training (CIT). He noted that he and Councilmember Treviño had traveled to Washington, D.C. in January 2016 to meet with the Department of Justice (DOJ) to gather input regarding revising the Police Academy Curriculum to balance Tactical and De-Escalation Training. He stated that a follow-up meeting was scheduled the next day in which they would be meeting with the PERF in an all day conference with Police Chiefs from across the country. Lastly, he provided facts on the Marquise Jones Case.

Mayor Taylor thanked Chief McManus and stated that she appreciated all of the San Antonio Police Officers for their work. She spoke of the need to leverage resources with the "My Brother's Keeper" Initiative and asked how citizen complaints on Police Officers were tracked and responded to. Chief McManus replied that they either come in as Informal or Formal Complaints and Informal Complaints are addressed by the Supervisor. Formal Complaints are directed to Internal Affairs and an investigation is conducted. The investigation is forwarded to the Citizen Administrative Review Board; they are tasked with determining a finding and recommending discipline. He noted that as the Police Chief, he would make a final decision on the discipline. He added that an incident involving a shooting was always sent to the District Attorney's Office. Mayor Taylor asked of the changes occurring at the Police Academy. Chief McManus replied that their goal was to provide a more balanced approach to integrate De-escalation Training throughout the entire Police Academy; not just once at the middle or end of the training.

Councilmember Viagran spoke of the importance of safety and accountability and noted that she was pleased with the innovation and enhancements occurring at SAPD. She asked of the training regarding victims of sexual assault. Chief McManus replied that the Cadets receive a 22-hour Course in Family Violence, an 18-hour Course in dealing with Victims of Crime in General, and a 10-hour Course in Juvenile Issues. Councilmember Viagran requested Best Practices of other cities and highlighted the work on same in New York

City. She asked of having an All-Citizen Review Committee. Chief McManus replied that it was subject to the Collective Bargaining Agreement and currently; there were 7 Officers and 7 Citizens on the Review Committee.

Councilmember Saldaña commended Chief McManus for being open to reform and referenced a Police Chase in his District in which the Police Officer did not use excessive force. He asked how they would measure success in 21st Century Police Training. Chief McManus replied that it would be easy to judge through observation and body language of the Instructors. He stated that he had met with all of the Trainers at the Academy and felt they were all on board. Councilmember Saldaña asked of the 48-hour response time for Officers involved in a shooting. Chief McManus replied that it was negotiated through the Collective Bargaining Agreement and that Officers had 48-hours to respond to a complaint. Councilmember Saldaña asked how someone could obtain video footage from a Body Worn Camera. Chief McManus stated that they would have to request it through an Open Records Request. Mrs. Sculley added that they were reviewing a policy on who reviews the information and when it is released to the public.

Councilmember Nirenberg commended SAPD for their improvements to Community Policing and asked of the Review Board. Chief McManus stated that the Board reviews serious incidents that occur and are investigated by Internal Affairs. He noted that they reviewed complaints as well as incidents involving the use of deadly force. Councilmember Nirenberg asked that the findings of the Review Board be placed online for public access and spoke to the importance of diversity among SAPD Officers.

Councilmember Gonzales asked if Open Carry Legislation had changed SAPD Policing Efforts. Chief McManus replied that they had not changed anything and had not received any calls or incidents related to Open Carry. Councilmember Gonzales asked of outreach regarding the Coffee with the Cops Program. Chief McManus stated that they publish the information and promote it through the SAFFE Officers. Councilmember Gonzales stated that she was pleased with the collaboration with Animal Care Services and the Department of Human Services and commended SAPD Officers for their work in the community.

Councilmember Warrick asked of partnerships with the surrounding municipalities in regard to Police Reform. Chief McManus replied that they were not ahead of San Antonio but would be meeting with them at the Bexar County Chief's Association Meeting and would share information. Councilmember Warrick asked of the policies for de-escalation. Chief McManus replied that he would have more information upon returning from Washington, D.C. after getting a perspective from the Department of Justice.

Councilmember Gallagher stated that he was pleased to hear about all of the progress

occurring in San Antonio and the increase in Community Policing. Councilmember Krier commended the SAPD for their work and asked of the number of arrests made per year. Chief McManus replied that it was between 45,000 to 50,000.

Councilmember Treviño also commended SAPD for their great work and asked of the Cultural Competency Training that Officers receive. Chief McManus replied that they receive Sensitivity and Awareness Training at the Police Academy and it is provided by various organizations. Councilmember Treviño recommended Cultural Competency Training for Police Officers.

Councilmember Lopez spoke of the incidents in which a Sergeant is forced to call of a police chase. Chief McManus replied that they understand the importance of calling off a pursuit or allowing it to continue. He stated that they weigh risk against the need to apprehend and would err on the side of calling it off before they let something more serious occur.

Mayor Taylor thanked staff for the presentation.

2. A Briefing on the Ordinance approved by City Council in November 2014 relating to the use of Hand-Held Mobile Communication Devices while driving. [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

Chief Anthony Treviño presented an update on the Distracted Driving Ordinance. He stated that the Ordinance was approved on November 6, 2014 and became effective on January 1, 2015 with a 30-day grace period. He noted that there was a \$200 fine assessed for each violation and was enforceable by any Peace Officer. He outlined the Ordinance Offenses that include: 1) Engaging a call; 2) Sending, reading, or writing a text message; 3) Viewing pictures or written text; 4) Engaging in gaming; and 5) Engaging in any other use of the device. He indicated that the Ordinance did not apply to a person on private property, legally parked, using a hands-free device, operating an emergency vehicle, or was preventing injury to a person or property.

Chief Treviño reported that over 50 Cities in Texas had enacted Ordinances prohibiting texting while operating a motor vehicle. He stated that in San Antonio for 2015; the Texas Department of Transportation (TxDOT) reported that cell phone distracted driving contributed to 270 crashes. He highlighted Public Information and Education in which SAPD produced a series of Public Service Announcements and encouraged Media Ride-Alongs. He mentioned that they utilize TxDOT Transguide Signage, Social Media, and State Displays to promote the message to College, High School, and Military Groups.

With regard to Enforcement, Chief Treviño reported that they issued 1,006 warning citations in January 2015. Additionally, they issued 12,149 citations and 4,053 warnings between February 1, 2015 and December 31, 2015. He stated that the FY 2016 Budget included a total of \$150,000 for cell prohibition signs at points of entry into the City of San Antonio. He noted that a total of 187 signs will be installed in three phases with the first phase completed in December 2015; the second phase in January 2016; and the last phase in February 2016. He recognized Ms. Melinda Cox, Parent Sponsor of the Johnson High School PTSA Smart Driving Club. Ms. Cox thanked the City Council for the opportunity to speak and stated that she had started the club three years ago out of concern for her daughter. She spoke of their efforts to get the Safe Driving Message out to drivers and passengers and stated that they work with SAPD, SAFFE Officers, and TxDOT on same. She introduced Club President Dillon Gonzalez. Mr. Gonzalez stated that it was their mission to educate and remind drivers and passengers of the responsibility of not driving distracted. He noted that they reach out to the entire community and groups of all ages to educate them and thanked the City Council for the opportunity to speak.

Mayor Taylor thanked everyone for their work and noted the great amount of crashes in San Antonio. She asked that SAPD look for creative ways to change behaviors that result in crashes.

Councilmember Gallagher spoke of the importance of educating the community and commended Johnson High School for their efforts. He recommended that SAPD look at the possibility of increasing the fine for repeat violations.

Councilmember Viagran thanked everyone for their work and asked of the change in the number of distracted driving contributing factors from 2 to 5. Chief Treviño replied that it was changed last year and that prior to that; TxDOT only had two categories.

Councilmember Warrick asked if San Antonio was safer now. Chief Treviño stated that he felt the city was safer but were seeing a transition now that fines were in place. Councilmember Warrick asked of other options to decrease distracted driving. Chief Treviño stated that they were working on Statewide Legislation and hoped to continue educating the community regarding safe driving. Councilmember Warrick requested the demographics of individuals that have been cited.

Councilmember Nirenberg expressed support for making the offense a moving violation and thanked SAPD for their work. Councilmember Gonzales commended everyone for their work on educating the community and their efforts to address distracted driving. Councilmember Saldaña recognized Councilmember Gallagher for his leadership on the

issue and thanked the representatives from Johnson High School.

Mayor Taylor thanked everyone for the presentation and information.

EXECUTIVE SESSION

Mayor Taylor recessed the meeting into Executive Session at 4:49 pm to discuss the following:

- A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
- B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- C. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues relating to litigation styled *Quinn v. City of San Antonio* pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E. Discuss legal issues relating to the City's vehicle storage facility pursuant to Texas Government Code Section 551.071 (consultation with attorney).

RECONVENED

Mayor Taylor reconvened the meeting at 5:25 pm and announced that no action was taken in Executive Session. She addressed the Ceremonial Items.

CEREMONIALS

Mayor Taylor presented a Proclamation in recognition of the 67th Annual San Antonio Stock Show and Rodeo that will be held at the AT&T Center/Freeman Coliseum. It was noted that the San Antonio Livestock Exhibition (SALE), Inc. sponsors the event and provides scholarships, grants, endowments, and other financial assistance to Texas Youth in Agriculture Programs. It was also noted that other exciting activities were offered such as

the nightly Carnival, Animal Exhibits, Livestock and Horse Shows, Mutton Bustin', Calf Scramble and Xtreme Bulls.

Mayor Taylor presented a Proclamation in recognition of the observance of National Court Reporting and Captioning Week February 14-20, 2016. It was noted that Court Reporters and Captioners translate the spoken word into text and preserve history. They are also responsible for the closed captioning seen scrolling across television screens at sporting stadiums and in other community and educational settings.

Mayor Taylor presented a Proclamation to the American Heart Association for creating awareness of cardiovascular disease in women during the month of February. It was noted that their signature event is "Go Red for Women Day" to be held on February 5th to encourage citizens to learn the warning signs of heart attack and stroke.

CITIZENS TO BE HEARD

Mayor Taylor called upon the citizens registered to speak.

Mark Perez expressed concern with the AGE Refinery Building noting that they did not have the proper permits to operate. He also expressed concern with various City Staff.

Mike Knuffke thanked the City Council for their vote on the UDC Amendment related to Ambulatory Surgical Centers. He asked why C. Junda Woo was still listed on the City's Website as the Medical Director.

Danny Petri thanked the City Council for their vote on the UDC Amendment related to Ambulatory Surgical Centers but requested that the zoning case for 2140 Babcock Road be reviewed by the City Council.

David Klar stated that he was a concerned SAWS Ratepayer and requested that the City of San Antonio opt out of the Vista Ridge Project.

Nazirite Ruben Flores Perez expressed concern with the use of Synthetic Marijuana and referenced Babylon the Great from The Bible.

Patrick Von Dohlen addressed the City Council and thanked them for their vote on the UDC Amendment related to Ambulatory Surgical Centers. He requested that the City Council move forward with a zoning review of the Planned Parenthood Facility at 2140 Babcock Road.

Victoria Valdez expressed concern with the Judicial System in San Antonio noting that her two children were taken from her and were now with their father. She stated that she had been requesting assistance but nothing had been done.

Betty Eckert thanked the City Council for their vote on the UDC Amendment related to Ambulatory Surgical Centers. She stated that she would continue to advocate for more Senior Centers, especially in District 1 where she lives.

Jack M. Finger thanked the City Council for their vote on the UDC Amendment related to Ambulatory Surgical Centers.

John Bachman submitted written testimony noting concern with the misleading declaration that the City has achieved a "No Kill" Status. He stated that it placated the City into a false sense of security pertaining to the real state of the animal situation.

Faris Hodge, Jr. submitted written testimony noting that States with Handgun Background Checks have fewer mass shootings. He expressed concern that copies at City Libraries cost 25 cents. He referenced the 10,000 Refugees from Syria that come to the United States. He wrote that there should be a Regional Water District in Bexar County.

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 6:38 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/CMC/MMC
CITY CLERK