

# City of San Antonio



## City Council Special Session

No in-person access for this meeting

**Wednesday, August 12, 2020**

**2:00 PM**

**Videoconference**

### **ROLL CALL**

The City Council convened in a Special Meeting. Acting City Clerk Tina J. Flores took the Roll Call noting a quorum with the following Councilmembers present:

**PRESENT:** 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

1. Staff presentation of the FY 2021 Proposed Budget focusing on, but not limited to, the following City Departments or Initiatives: [Erik Walsh, City Manager; Scott Huizenga, Director, Management and Budget]:

#### A. Police Collective Bargaining Agreement Resolution

First Assistant City Attorney Liz Provencio reported that in June 2020, the Mayor provided direction in terms of public safety priorities. She noted that a Resolution was presented to the City Council on June 25, 2020 and included topics of priorities. She reviewed the parameters of the rules which governed the City's relationship with Police Officers and noted that the ability to bargain would allow the City to override Chapter 143 of the Texas Local Government Code (civil service requirements), if agreed to by the respective associations.

Ms. Provencio stated that the community priorities for the Collective Bargaining Agreement (CBA) with Police Officers included: 1) Disciplinary procedures; 2) Transparency; and 3) Balance in managing the cost of the next CBA with the San Antonio Police Officers Association (SAPOA) compared to other city services.

Ms. Provencio reported that the City's disciplinary priorities included: 1) Eliminating the 180-day limitation on imposing discipline; 2) Including past discipline in current disciplinary considerations; 3) Enhancing the Citizens Advisory Review Board; and 4) Reforming the arbitration process.

Ms. Provencio stated that 143.089 (g) of the Texas Local Government Code inhibits the release of certain personnel records. She noted that the City would seek to allow either through the CBA or through legislative change to provide disclosure to the public, access to databases, and sharing of information across agencies. She indicated that other issues outside of the CBA included a balanced

approach to holistic public safety services and managing the cost of the SAPOA CBA. She added that the City would work with its State and Federal delegations to advance legislation which would improve public safety transparency and accountability.

#### B. Results of Public Safety Listening Sessions

Deputy City Manager Maria Villagómez stated that the death of George Floyd on May 25, 2020, generated a nationwide outcry over racial inequality and the need for police reform and policies which would promote equity and just discipline. She noted that in San Antonio, many people took to the streets to demand changes, reform, and to voice the need for policies to promote equity and just discipline in the community.

Deputy City Manager Maria Villagómez reported that the Public Safety Council Committee hosted three listening sessions. She indicated that 343 comments were received which provided 448 individual suggestions in 11 categories. She stated that out of the 11 categories 97 comments called for the reallocation of funds/defunding the police. She indicated that 94 comments called for not decreasing police/support police and 83 comments called for the repeal of Chapters 143 and 174 of the Texas Local Government Code. She added that the comments were posted online, and a report was provided to City Council.

#### C. Police Department

Police Chief William McManus provided an overview of the San Antonio Police Department (SAPD). He stated that SAPD had committed to:

1. Utilization of the equity atlas in determining engagement efforts
2. Inclusion of equity atlas in the review of crime statistics
3. Inclusion of equity criteria in scoring community crime prevention solicitation
4. Partnerships with trusted community leaders in outreach to low-income communities of color
5. Participation in the City's Equity Train the Trainer Program

Chief McManus reviewed the FY 2021 proposed Police Budget

<b>Fund</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>Change</b>
General Fund SAPD	\$479.1	\$ 487.2	\$ 8.1
General Fund Park Police	\$ 17.4	\$ 17.4	\$ 0.0
General Fund Detention Center	\$ 4.4	\$ 4.4	\$ 0.0
Airport Police	\$ 5.3	\$ 5.2	\$ - 0.1
Child Safety Fund	\$ 2.4	\$ 2.3	(\$0.1)
Confiscated Property	\$ 1.7	\$ 0.9	(\$ 0.8)
Grants	\$ 5.2	\$ 7.0	\$ 1.8
<b>Positions</b>	<b>3,697</b>	<b>3,711</b>	<b>14</b>

\*in millions

Chief McManus reported that the increase of \$8.1 million in the General Fund for SAPD were the result of mandates included in the CBA. He presented the following FY 2021 proposed Budget compared to the FY 2020 adopted Budget:

<b>FY 2020 Adopted Budget</b>	<b>\$479.09*</b>
Collective Bargaining increase	\$ 11.8
Increase in pre-fund contribution	\$ 1.1
Reduction in overtime	(\$ 3.4)
Transfer of CRT to Metro Health	(\$ 1.3)
Transfer of positions to Innovation	(\$ 0.26)
Other adjustments	\$ 0.21
<b>FY 2021 Proposed Budget</b>	<b>\$487.2</b>

\*in millions

Chief McManus reported that the non-CBA Budget components totaled \$100.1 million with \$44.1 million supporting personnel costs and \$56 million supporting non-personnel costs. He reviewed crime statistics from January to July 2020 compared with those of 2019 and noted that violent crime had increased by 11.6% and property crimes had decreased by -14.2%. He noted that the COVID-19 Pandemic had changed the way that Police Officers responded to calls for service in order to keep them and the public safe and this may have had an impact on the increase in crime.

Chief McManus stated that current SAPD staffing included one position over the authorized strength. He noted that staffing would include 60 positions over the authorized strength once the Cadet class to begin in late August 2020 was hired. He added that the positions in the COPS Grant were included in that number.

Chief McManus reviewed Officer attrition and indicated that there were an average of 6 retirements per month and the total annual separations were between approximately 90 and 100. He reported that three Police Academy Cadet classes had been or were scheduled for FY 2020 and two Police Academy Cadet classes were scheduled for 2021.

Chief McManus reported that the hiring process and standards would be reviewed to include existing policies and requirements and State and National best practices. He stated that he was working with the Information and Technology Services Department (ITSD) to develop a virtual learning program to provide additional training on a monthly basis focused on social justice, and equity.

Chief McManus stated that accountability and discipline were critical to the department and community trust. He noted that the Record Management System (RMS) upgrade would go live in November 2020 and would increase Officer availability and promote reporting and investigative efficiency.

Chief McManus stated that public safety notification would provide updates, information, and status via text or email on investigations and community surveys could be conducted and neighborhood specific messages could be sent. He indicated that the Statistics and Reporting Detail would be transferred to the Office of Innovation and would provide in-depth analysis and assessment of crime data and trends.

Chief McManus reported that improvements to the website were made to include an updated open data portal, greater access to disciplinary information, and increased functionality. He stated that SAPD was committed to identifying opportunities to strengthen its communication and partnership with the community via:

- New Community Liaison Office
- Citizen Engagement Group
- Participation on Community/Advocacy Boards

- Community Engagement Team
- SAFFE Program
- Neighborhood surveys
- Neighborhood Crime Prevention Program

Chief McManus reported that currently there were 716,177 emergency calls for service of which 523 were calls for non-emergency services. He noted that over 2.2 million calls for service were received every year and the projected number of calls for service for FY 2020 were expected to be over 2.2 million. He stated that SAPD would review the number of calls for service which may not require a response from a Police Officer such as a call for an abandoned vehicle or for loud music.

Chief McManus stated that quality of life/civil calls for service had increased by 40% since 2011 and included calls for a disturbance, mental health, information, child visitation violation and those which were animal-related.

Chief McManus reported that the Collaborative Commission on Domestic Violence (CCDV) was focused on achieving the goals outlined in the Comprehensive Plan:

- Disrupt developmental pathway toward partner violence
- Teach safe and healthy relationship skills
- Increase cross-sector partnerships and transparency
- Coordinate/streamline access to services
- Support survivors to increase safety and lessen harm
- Reduce access to weapons
- Increase availability of rehabilitative programs
- Develop a Domestic Violence High Risk Team

Chief McManus stated that the 25 Detective positions from the COPS Grant would be assigned to Crisis Response Teams (CRT) and would provide 24/7 specialized victim services.

Chief McManus stated that the Mental Health Unit (MHU) was recognized for its innovative approach to assisting individuals in crisis and provided case management, a co-responder team, crisis intervention, and a mobile crisis team. He added that SAPD would: 1) Have in-depth conversations with the community to solicit input; 2) Focus on how to best serve our neighborhoods; and 3) Discuss the evolving role of law enforcement.

City Manager Walsh stated that \$500,000 was set aside in the proposed Budget for the Mobile Crisis Team.

Mayor Nirenberg asked of the process to fill vacancies on the Complaint and Administrative Review Board (CARB).

City Manager Walsh stated that vacancies were advertised through the Office of the City Clerk and the Police Chief's Office. He noted that applicants were interviewed by the City Attorney or the First Assistant City Attorney, the Police Chief, and the Deputy City Manager. He added that the Police Chief would make a recommendation to the City Manager and would be brought before the City Council.

Mayor Nirenberg asked how the City could ensure that there was more oversight in the citizen oversight

process regarding the arbitration process. City Manager Walsh reported that if arbitration was selected by the Officer, what was being arbitrated was the Police Chief's decision.

Mayor Nirenberg stated that he was encouraged that the CBA Resolution would move forward. He asked if the hiring, firing, and training processes would be reviewed, and if so, would it be reported back to the Public Safety Council Committee. Chief McManus replied that it would be reviewed and reported back to the Public Safety Council Committee.

Councilmember Cabello Havrda requested that the Police Budget be presented to the Public Safety Council Committee. She asked what kind of continuous training was currently offered to Police Officers by SAPD. Chief McManus reported that in-service and roll call training was currently being offered to Police Officers. Councilmember Cabello Havrda asked what percentage of 9-1-1 calls involved criminal activity. Chief McManus stated that he would provide that information.

Councilmember Sandoval asked if the CARB was required by law. Chief McManus stated that the CBA dictated the CARB's composition and role. She asked how performance was considered in the Budget process. Deputy City Manager Villagómez reported that metrics for the response time for SAPD was tracked and provided to the community. She noted that other metrics could be tracked and suggestions for those metrics could be submitted to the Public Safety Council Committee.

Councilmember Pelaez asked if domestic violence calls could be responded to by social workers unless 9-1-1 was called. Chief McManus indicated that you could not know which response was appropriate until someone arrived on the scene. Councilmember Pelaez suggested that the City work with the American Arbitration Association to increase the number of qualified arbitrators. City Attorney Segovia noted that staff had made efforts to increase the pool of arbitrators.

Councilmember Courage asked if some of police calls could be responded to by someone other than Police Officers. Chief McManus stated that police responded to every call received and call types were classified. Councilmember Courage asked if a member of SAPD supervised the 9-1-1 call center. Chief McManus replied that a non-sworn SAPD member supervised the 9-1-1 call center who reported to Deputy Chief Robert Blanton. Councilmember Courage asked if Deputy Chief Blanton could direct calls to someone other than police. Chief McManus stated that if someone was available they would. Councilmember Courage requested more detail on the overtime Budget.

Councilmember Perry requested a comparison of the number of Police Officers and crime levels with other cities. He expressed concern regarding the retirement rate of Police Officers and the number of authorized positions.

Councilmember Treviño asked if the City Attorney or City Manager could meet with petition leaders so that each side had a clear understanding of the process and timeline. City Attorney Segovia stated that City staff could not provide legal advices on the petition process. City Manager Walsh added that the City could provide data and information to petition leaders.

Councilmember Andrews-Sullivan asked for the amount of back pay provided to reinstated Police Officers. Deputy City Manager Villagómez stated that she would provide that information. Councilmember Andrews-Sullivan asked if personnel housed in leased office spaces could be moved into City office space. Deputy City Manager Villagómez replied that staff would study that issue and report back to the City Council. Councilmember Andrews-Sullivan asked what \$87,563, which was budgeted for the purchase of evidence information, was utilized for. Chief McManus stated that he would provide that information.

Councilmember Viagran asked for the percentage of salary increases mandated by the CBA. Deputy City Manager Villagómez reported that a 5% salary increase for Police Officers was mandated by the CBA. Councilmember Viagran asked if staff reached out to SAPOA and asked them if members would accept a salary increase of less than 5%. Deputy City Manager Villagómez replied that staff had not. Councilmember Viagran asked if that could be done. Deputy City Manager Villagómez replied that it was possible. Councilmember Viagran suggested that staff do so. She requested information regarding sexual harassment charges levied against Police Officers.

Councilmember Rocha Garcia requested information on the Program for Intensive Care Coordination (PICC) and asked when the 2020 reports on cite and release would be published. Deputy City Manager Villagómez reported that a presentation was made to the Public Safety Council Committee of the first quarter report on cite and release and an annual report would be presented to the Committee and the City Council. Councilmember Rocha Garcia asked how much was allocated to citizen education, the San Antonio Fear Free Environment (SAFFE) Program in Council District 4, and the Dangerous Assessment Response Team (DART) in the Budget. She asked for the cost for data entry and what type of public input would be utilized to establish the principles and goals for the CBA.

Mayor Nirenberg stated that there was no position taken on discipline reform in the last CBA negotiations.

Councilmember Gonzales asked if police had to report to a Police Chief and be under one department. City Manager Walsh stated that a Police Department had to be overseen by a licensed Police Chief certified by the State in Texas. He noted that some calls did not require a response from a police department or a Police Officer.

## **ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 4:32 pm.

**APPROVED**

**RON NIRENBERG**

Mayor

Attest:

**TINA J. FLORES**

Acting City Clerk