

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



**Meeting Minutes
City Council B Session**

No in-person access to this meeting

Wednesday, May 5, 2021

2:00 PM

Videoconference

ROLL CALL

The City Council convened in a Regular Meeting. 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. Update on Police Services Review. [Maria Villagomez, Deputy City Manager]

Deputy City Manager Maria Villagomez reported that the City Manager laid out the following framework to review and analyze police service:

| <u>Foundational Issues</u> | <u>Expectations</u> | <u>Input</u> | <u>Response Alternatives and Funding</u> |
|---|---|--|--|
| Accountability Discipline process Hiring and training Transparency and data Community Engagement | Role of Police Encounters with Police Calls for service | City Council Public Safety Committee Neighborhood associations Stakeholder groups | Key areas: Violence prevention Homeless Mental health Alternatives: City departments Other providers |

Ms. Villagomez reported that foundational issues such as accountability, discipline and hiring would be handled through the legislative process and during the collective bargaining agreement process. She stated that Chief McManus had increased the frequency of training, with short videos played during roll call. She indicated that the San Antonio Police Department (SAPD) partnered with Metro Health and the South Texas Trauma Informed Care Consortium to complete an assessment of department readiness to obtain a Trauma Informed Certification. She noted that staff focused on the website and providing information to the community that was user friendly.

Ms. Villagomez stated that the community was asked what type of encounters would require police involvement. She indicated that the Public Safety Committee had been instrumental in following the developments of the project in more detail and 20 community meetings were held in all Council Districts. She noted that staff were in the process of scheduling meetings with stakeholder groups which would take place in May 2021. She added that staff would consider having a different response than the current model focusing on three specific areas: 1) Domestic Violence; 2) Homelessness; and 3) Mental Health.

Ms. Villagomez stated that the City had met with the San Antonio Police Officer's Association (SAPOA) approximately 10 times from February to April 19, 2021 and negotiations were extended to May 12, 2021. She noted that staff were in communications with SAPOA to set a date for continued negotiations.

Ms. Villagomez reported that the City had reached a consensus with SAPOA on the 180 Day Rule whereby the Police Chief could impose discipline for up to 180 days from when the Chief knew or should have known about the incident. She noted that the City had reached a consensus with SAPOA to respond to interrogatories at Internal Affairs and provided for a 24 hour notice to be given to the Officer prior to the interview at Internal Affairs.

Ms. Villagomez stated that negotiations would continue regarding the Arbitrator's authority, considering all past conduct for disciplinary actions and limiting the review of evidence prior to the interview with Internal Affairs to exclude witness statements. She added that a consensus was reached to:

- Increase hours of training from 80 up to 120 per year not including in-service
- Increase the residency points for Cadet applicants from 1 to 5
- Give the Police Chief discretion to approve/deny leave based on operational necessity and would allow employees to take up to 240 hours of consecutive leave upon separation

Ms. Villagomez reported that negotiations would continue to:

- Make performance evaluations part of the eligibility criteria for promotions
- Review the number of personnel assigned to the off duty office in the Police Department and to reassign them to other operations
- Replace vehicles at 100,000 miles rather than at 70,000 miles
- Maintain the Police Chief's discretion to adjust working hours and reallocation of Officers among shifts based upon operational needs

Ms. Villagomez stated that the City proposed an 8% wage increase over five years, changes to Healthcare, in the pharmacy formulary and to maintain the current annual increase to employee contributions. She indicated that SAPOA proposed a 12+% wage increase over five years, healthcare being maintained as it was today and to decrease the annual employee contributions to 2% per year.

Ms. Villagomez reported that a survey was conducted by the ETC Institute on behalf of the City from February 15, 2021 through March 19, 2021. She stated that an address-based random sample was selected from each Council District and the survey was administered by mail, phone and online in English and Spanish. She indicated that a total of 1,150 surveys were completed with at least 100 completed in each Council District. She noted that the overall results had a precision of at least +/- 2.8% at the 95% level of confidence. She added that at the same time, the ETC Institute administered the survey to a random sample of at least 100 residents in Dallas, Austin, Fort Worth, El Paso and Houston.

Ms. Villagomez stated that the survey sample was geographically and demographically representative of the City:

| Attribute | Sample | Census | Difference |
|--------------------------------------|---------------|---------------|-------------------|
| Hispanic | 63.1% | 64.2% | -1.1% |
| White/Caucasian (Non-Hispanic) | 26.7% | 24.7% | 2.0% |
| Black/African American | 6.6% | 7.0% | -0.4% |
| Asian/Asian American | 2.4% | 2.8% | -0.4% |
| Native American/Alaskan Native | 1.1% | 0.8% | 0.3% |
| Female | 49.0% | 50.6% | -1.6% |
| Male | 49.8% | 50.6% | -0.8% |
| Over 65 (among those age 18+ | 18.6% | 16.0% | 2.6% |

Ms. Villagomez reported that according to the survey results, satisfaction with SAPD was high and most San Antonio residents felt safe in their neighborhoods. She stated that although residents felt safe, there were some areas in the City where residents did not feel as safe. She indicated that the majority of San Antonio residents thought that the visibility of the Police in neighborhoods should be increased and the majority of residents were willing to have SAPD share some of its current responsibilities with other City agencies. She indicated that 57% of the respondents thought that the visibility of Police in neighborhoods should be increased or greatly increased.

Ms. Villagomez stated that perceptions of safety and the desire for more Police visibility in neighborhoods were strongly correlated. She reported that in Council District 9, where the ratings for neighborhood safety were highest, residents were less likely to think the visibility of

Police should be increased (38.9%) and in Council District 3, where the ratings for neighborhood safety were lowest, residents were the most likely to think the visibility of Police should be increased (75.7%).

Ms. Villagomez reported that the type of calls that the community felt that Police Officers should not have final responsibility for included:

- Fireworks
- Parking violations
- Graffiti
- Enforcement of Public Health Orders
- Mental health issues not involving a weapon
- Animals (barking dog, aggressive dog)

Ms. Villagomez indicated that the survey asked how the Police Department could build better relationships with residents. She noted that a majority of those surveyed liked all four options tested for building better relationships with residents:

- 73.3% selected involvement with schools and youth
- 72.8% selected Community Based Policing Program
- 63.9% selected partnerships with non-profits
- 57.0% selected SAFFE (San Antonio Fear Free Environment)

Ms. Villagomez stated that the City partnered with UTSA to perform a review of calls to the Police Department. She noted that the data represented calls for service incidents received by SAPD between January 2018 – October 2020 and the total number of unique incidents analyzed was 3,090,823.

Ms. Villagomez reported that the number of calls for service per year were approximately the same every year. She stated that the lowest number of calls for service were received on Saturdays and Sundays and the highest number of calls for service were received on Thursdays and Fridays.

Ms. Villagomez stated that in order to respond to the 1 million plus incidents per year, SAPD prioritized the response according to seven priority codes. She reported that a rape in progress was a priority code 1; an assault in progress and a theft in progress were both categorized as 1, 2 or 3 priority codes and typically involved a weapon. She noted that priority codes 4, 5, 6 and 7 may not involve a weapon and included animal-related calls, calls for loud music, fireworks, disturbances, ID theft, etc.

Ms. Villagomez reported that Council Districts 1, 2 and 5 represented the majority of calls for service with relative equal distribution across SAPD organizational units. She stated that priority code 4 and 7 incidents were the most common with priority code 1 incidents representing less than 0.5%. She indicated that slightly more than 50% of all incidents received a single unit response with Officers spending 40 minutes on the scene, on average. She added that 80% of all incidents were resolved without an official written report.

Ms. Villagomez stated that special focus was placed on priority codes 4-7 incidents to evaluate Police resources applied to those situations. She noted that they were prioritized due to the possibility that some may be good candidates for a non-Police response. She indicated that using that lens, a sub-set of call types were identified by the City Manager's Office, SAPD and the research team.

Ms. Villagomez reported that certain call types (e.g., barking dog, loud music) rarely resulted in an official report being taken, were often dispatched to a single Officer and were handled relatively quickly. She noted that those call types may be amenable to a response by non-sworn personnel and current categorization of call types and priority categories should be reviewed to ensure accuracy and logical consistency. She indicated that the current data were based on what occurred when an Officer was dispatched and it was not clear what would have happened if the incident received a different response. She added that the transfer of response to another City unit/department would require resources, training and oversight to maintain responsiveness to resident needs.

Ms. Villagomez stated that 20 Council District meetings, five community-wide conversations and two telephone town hall meetings would be held which would provide 27 opportunities for residents to participate. She presented the three pillars established by the City Manager and how the City would obtain input for those:

Police Encounters

- Scientific Survey
- Neighborhood meetings
- Community conversations
- Telephone town halls
- Stakeholder groups
- SAPD Police Officers

Transparency and Data

- Focus groups
- Survey

Response Alternatives

- Engage non-profit providers
- Three key areas:
 - Homelessness
 - Mental health
 - Domestic violence

Ms. Villagomez stated that in response to the three key areas the Police would be evaluated as a secondary or backup response or a team-based approach with professionals responding to calls. She reported that in January 2021, an Interlocal Agreement between the City and Southwest

Texas Regional Advisory Council (STRAC) was made to support a Mental Health Coordination Study from the Meadows Mental Health Policy Institute. She noted that the study would serve as a foundation to inform alternative ways to respond to calls that involved individuals with mental health and substance abuse issues who might be facing homelessness. She added that a draft report would be presented to the Community Health and Equity Council Committee in June 2021 and the final report, and a framework for recommendations to be included in the proposed Budget would be presented to the Public Safety Council Committee in early August 2021.

Ms. Villagomez reported that staff were currently gathering input from the community and would provide the City Council an update on the study and a framework for recommendations for the proposed FY 2022 Budget. She stated that Budget Work Sessions would be held to discuss the recommendations for input by the City Council in August 2021.

Mayor Nirenberg asked of similar benchmarks of other cities. Ms. Villagomez stated that a random sample of 100 responses per city were utilized. Mayor Nirenberg stated that the survey data would provide a lot more for the community to discuss regarding alternative forms of policing and response. He asked who the staff would be seeking expertise from in order to make the recommendations. Ms. Villagomez stated that Dr. Bridger was part of the task force which would consider recommendations regarding mental health. Dr. Bridger stated that for domestic violence, staff were working with the Metro Health team to research evidence-based practice and for homelessness, staff were waiting on the results of the Mental Health Coordination Study.

Mayor Nirenberg asked if staff planned to engage UTSA over a longer period of time. City Manager Erik Walsh stated that staff would look at establishing a partnership with UTSA for a longer period of time. Mayor Nirenberg asked if staff were developing a set of metrics or strategic outcomes. City Manager Erik Walsh stated that they would be developed once the recommendations were finalized and public engagement and stakeholder meetings were held. He added that the strategic outcomes could encompass issues beyond the Police Department. Mayor Nirenberg recommended that the Office of Equity be engaged in the effort.

Councilmember Sandoval suggested that staff look at the number of calls for service made for the same individuals as a metric and stated that she would like to track racial equity and the use of force. She asked if it would be possible to evaluate the types of calls for service or circumstances which might result in the use of force. City Manager Erik Walsh stated that he would report back to the City Council on the possibility of doing that. Councilmember Sandoval suggested that Police Officer input be obtained throughout the process. She spoke of the effects of infrastructure on perceived safety.

Councilmember Andrews-Sullivan asked how youth engagement would be handled by the Police Department. Chief McManus stated that the Police Department was engaging with youth in the schools and would begin Midnight Basketball in June 2021 and engage with youth on playgrounds. Ms. Villagomez stated that the goal was to start programs with youth by June 1, 2021 which would give staff time to place them on social media and to let the community know.

Councilmember Viagran asked of the top calls that SAPD received. Ms. Villagomez reported

that the least number of calls were received for priorities 1, 2 and 3 and the greatest number of calls were received for priorities 4, 5, 6 and 7, specifically priority 4.

Councilmember Cabello Havrda stated that it would be helpful to continue to administer the survey. She noted that it was important to share this work and the actions taken with the public.

Councilmember Rocha Garcia asked what the additional 40 hours of training would be used for. City Manager Erik Walsh stated that some of the topics would include LGBTQ relations, race relations and culturally sensitive issues. Councilmember Rocha Garcia suggested the addition of women and children exposed to violence and violence intervention and prevention. She requested the number of responses to the survey submitted by Council District 4 residents. Ms. Villagomez stated that staff would ask ETC to provide that information.

Councilmember Perry requested a briefing on crime statistics and a comparative analysis of the number of Officers per capita with other cities at a future Public Safety Council Committee Meeting. He expressed concern for substituting other City offices to respond to mental health problems and spousal abuse. He noted that residents were pleased with the Police but wanted to see more of them. City Manager Erik Walsh stated that staff would not make any recommendations which would put either Officers, or other departments and agencies in danger.

Councilmember Courage stated that he hoped that staff were looking at ways to address the individual needs of residents that the Police have had to address which may provide the opportunity to reassign Police duties. He noted that residents were looking for more Police presence and visibility.

Councilmember Gonzales expressed concern that individuals were not given an option when asked the question of should this be assigned to other departments or agencies. Ms. Villagomez stated that staff intentionally did not provide options so that the community could tell us their thoughts.

Councilmember Treviño stated that public safety was about all departments working together to provide a safe environment.

Councilmember Pelaez stated that Police Officers were tasked with things for which they were not trained.

Councilmember Sandoval stated that an investment in SAFFE Officers was welcomed by all Council Districts because they assisted in addressing problems that took longer to resolve. She asked of the priority category for street racing. Chief McManus stated that the priority category would be lower because it was not a violent crime but if you talk to individuals in neighborhoods who were experiencing that on a regular basis, it was a very high priority.

Councilmember Viagran noted that if responsibility was shared with other departments and agencies, they would have to be available 24/7.

Councilmember Perry stated that he was looking forward to the briefing on crime statistics

versus growth in the City at a future Public Safety Council Committee Meeting.

Mayor Nirenberg asked if there was collaboration between the City, Bexar County or other law enforcement agencies regarding mental health. City Manager Erik Walsh stated that Bexar County Judge Nelson Wolff had established a group for mental health in the criminal justice system and Dr. Bridger represented the City on that group. He noted that there was a parallel effort through STRAC that involved Bexar County, the University Health System and the Center for Healthcare Services. Mayor Nirenberg stated that sharing our data with those groups and vice versa would be helpful. He noted that the collaboration and insight from education institutions in criminal justice was very helpful and should continue.

The Mayor and City Council sang happy birthday to Maria Villagomez.

Mayor Nirenberg stated that executive session would not be held and executive session items posted for today would be carried over to the City Council Meeting on May 6, 2021 and would be taken up at any time during the City Council Meeting.

EXECUTIVE SESSION

- A.** Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B.** The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C.** Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D.** Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E.** Legal issues relating to COVID-19 preparedness pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- F.** Legal update and analysis on CPS/SAWS litigation and investigations related to the Winter Storm pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- G.** Discuss legal options pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- H.** Legal advice regarding election laws and open meeting procedures pursuant to Texas Government Code Section 551.071.
- I.** Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers or employees and discuss related legal issue pursuant to

Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney).

ADJOURNMENT

There being no further discussion, Mayor Nirenberg recessed the meeting at 4:25 pm.

APPROVED

RON NIRENBERG
Mayor

Attest:

TINA J. FLORES
City Clerk