

**PUBLIC SAFETY COUNCIL COMMITTEE
MEETING MINUTES**

WEDNESDAY, APRIL 27, 2011

1:30 PM

MUNICIPAL PLAZA ROOM B

Members Present: Councilmember John G. Clamp, *Chair, District 10*
Councilmember Ivy R. Taylor, *District 2*
Councilmember Ray Lopez, *District 6*

Members Absent: Councilmember David Medina, Jr., *District 5*

Staff Present: Erik Walsh, *Assistant City Manager*; William McManus, *Police Chief*; Charles Hood, *Fire Chief*; Earl Crayton, *Assistant Fire Chief*; Fred Garcia, *Municipal Court Clerk*; Gloria Hurtado, *Community Initiatives Director*; Melody Woosley, *Community Initiatives Assistant Director*; Rumaldo Abonce, *City Marshal*; Robert Reyna, *Assistant City Attorney*; Leslie Haby, *Assistant City Attorney*; Brandon Smith, *Office of the City Clerk*

Others Present: Councilmember Reed Williams, *District 8*; Mitsuko Ramos, *MRGRM*; Melton Green, *SA Tourism Council*; Howard Dalros, *LPCI*; Fran Dalros, *LPCI*; Marco Barros, *SA Tourism Council*; Jason Bach, *Express News*; Bill Brendel, *Crockett Hotel*

Call to Order

Chairman Clamp called the meeting to order.

1. Citizens to be Heard

There were no Citizens to be Heard.

2. Approval of Minutes of the March 23, 2011 Public Safety Council Committee Meeting

Councilmember Lopez moved to approve the Minutes of the March 23, 2011 Public Safety Council Committee Meeting. Councilmember Taylor seconded the motion. Motion carried unanimously.

3. CCR (D10) – Consideration of a Review of the Alarm Permit Fees Management and Fiscal Requirements

Presented by William McManus, Chief of Police

Dennis Rosenberry reported that a Request for Proposals (RFP) soliciting the privatization of alarm permits and service fee operations was released on April 19, 2011. He stated that a cost analysis would be performed to determine whether the proposed course of action was cost effective. He noted that staff recommended proceeding with the RFP process and that the cost analysis be reported to the Public Safety Council Committee prior to final action. He added that staff would continue to pursue and

implement collection efficiencies offered by the retail lockbox solution and online payment options.

Chairman Clamp asked of the composition of the Alarm Division and Budget. Mr. Rosenberry responded that the Alarm Division consisted of six staff members and operated with an annual budget of \$500,000.

Discussion ensued regarding direct and indirect alarm costs. Chairman Clamp asked of the purpose of the Alarm Permit Fee. Mr. Rosenberry responded that the Alarm Permit Fee was charged to citizens to register their alarm system and for response to those alarms. He explained that the recovery cost for false alarms was not included in the permit fee. He stated that false alarm costs were recovered from the service fee for false alarms and noted a recovery rate of 58-64%. Chairman Clamp expressed concern with the cost recovery system and spoke of the public response to the cost of the alarm permit fee.

Erik Walsh spoke of revising the alarm response model and stated that other communities had reviewed options to address false alarm calls.

Councilmember Taylor expressed interest in additional information regarding the process of other cities to address alarm permit and recovery fees, indirect costs, and procedures.

Councilmember Williams asked of the status of the Alarm Permit Fee Audit. Mr. Rosenberry responded that the audit had been completed but was not ready for release. Councilmember Williams encouraged staff to continue to work with alarm companies to control false alarm calls to SAPD. He concurred with Chairman Clamp that the Alarm Permit Fee exceeded covering the cost of registering an alarm system and that increasing the fee would not be advised. He stated that the recovery of false alarm costs needed additional work and that the public should be informed of the cost.

Chairman Clamp requested that staff segregate permit registration and false alarm recovery costs on the financial statement. He stated that increasing the Alarm Permit Fee was not a solution to the extensive cost of false alarm recovery and that staff should return to the Committee with alternatives.

4. CCR (D10) – Update on Review and Assessment to Strengthen the City’s Panhandling Ordinance

Presented by William McManus, Chief of Police

Deputy Chief Janae Florence reported that a Committee had been comprised of representatives from the Police Department, Municipal Court, City Attorney’s Office, and the Department of Community Initiatives to review the existing Panhandling Ordinances for improvement. She noted that the Committee also sought input from the San Antonio Tourism Council and the Downtown Alliance. She stated that the City’s ordinances were in line with other major cities across the nation. She explained that passive panhandling was considered free speech and that the City Attorney’s Office recommended against revisions regarding that aspect. She provided the following recommendations by the Committee:

- ✚ Strengthen enforcement while leaving the current ordinance language in place
- ✚ Municipal Court continue to liaison with Haven for Hope
- ✚ Public Awareness Campaign promoting responsible giving and allow donations to reach agencies providing assistance to those in need

Marco Barrios informed the Committee that the majority of panhandlers utilize their proceeds for alcohol, drugs, and food. He proposed that a permit be required just as any other vendor.

Chairman Clamp asked if the Alamo dome was a panhandle-free zone. Robert Reyna responded that the courts had recognized certain zones designated as free-speech areas; usually in public places. He noted that they had considered the creation of a solicitation-free zone from downtown hotels to Market Square and allow for a free-speech area within that zone. He stated that if implemented; it would have caused all panhandlers to solicit in one place. It was decided not to proceed with that effort. Chairman Clamp asked if there were other cities utilizing a similar concept. Mr. Reyna replied that the City of Dallas has four tourist zones where solicitation is not permitted and that solicitation city-wide is not permitted after dark.

Chairman Clamp requested that staff return to the Committee with a strategy for the Solicitation Public Awareness Campaign.

Bill Brendel reported that the Downtown Alliance was working on adopting old parking meters for donations and working with Downtown Operations to have them placed throughout downtown. Mr. Barrios stated the prototype was almost completed and included donation information with the Haven for Hope location and web address. He noted that the program required an ordinance and requested the Committee's assistance with that effort.

5. Briefing on Competitive Bid Process for Horse Drawn Carriage Permits Presented by William McManus, Chief of Police

Mr. Rosenberry reported that staff had considered the following three alternatives to increase competition for horse-drawn carriage operations: 1) Request for Proposals (RFP) process; 2) Issue one contract similar to the river barges contract to operate all downtown horse carriages; and 3) Continue with the current permit holders while implementing a lottery process that would reduce the number of carriages operating at the Alamo and spreading the carriages to other available stands in the Downtown Area. He stated that staff recommended solution #3 and that necessary changes to Chapter 33 be reviewed by the Transportation Advisory Board (TAB) and the Public Safety Council Committee at the respective May meetings followed by City Council action in June.

In response to Councilmember Taylor, Mr. Rosenberry explained that should a current permit holder go out of business; the permit would be returned to the City. He stated that at that point, the permit would be reissued through the competitive process or be determined whether to reissue at all. Chairman Clamp expressed concern with that option and noted that it was not an effective solution. Councilmember Taylor spoke in support of the RFP option.

Howard Dalros spoke of the RFP process and stated that a major concern was safety with the horses and noted the amount of time required to train a horse for use Downtown.

Chairman Clamp acknowledged Mr. Dalros' concern and stated that effective RFP process would solicit the appropriate vendors. He concurred with Councilmember Taylor and spoke in support of the RFP process.

Councilmember Williams spoke of determining a reasonable number of vendors and proceeding with a fair and transparent process. He spoke in opposition to granting monopolies within the city and the associated consequences.

Chairman Clamp requested that staff return to the Committee next month with recommendation to include a fair and equitable competitive option.

Mitsuko Ramos expressed concern with Chief McManus' recommendation not to issue additional horse-carriage permits and requested a traffic impact analysis supporting no additional permits.

Chairman Clamp requested that staff provide the following information: a) Amount of time current permit holders have been in business; b) Amount of time a permit lasts; and c) Status of permits - solid or temporary. Mr. Rosenberry stated that currently all horse carriage permits were in temporary status. Chairman Clamp instructed staff to provide the requested information and to prepare for an RFP.

6. Briefing on Non-Consent Towing Ordinance

Presented by William McManus, Chief of Police

Chairman Clamp requested that staff research State rules and fees regarding non-consent tows. Said item will be addressed at the next meeting.

7. Briefing on San Antonio Police Department SAFFE and POP

Presented by William McManus, Chief of Police

Chief McManus reported that the San Antonio Police Department created a new community policing initiative utilizing 50 new police officer positions awarded from the COPS Hiring Recovery Program (CHRP) Grant. He stated that the initiative helped compliment and support the current San Antonio Fear Free Environment (SAFFE) units throughout the Department. He noted that the COPS Grant required use of the 50 Police Officers for Community Policing efforts. He noted that the new initiative would allow the Department to dedicate the officers to specific community problems throughout the entire city as needed. He added that the Department will continue to use the Problem Oriented Policing philosophy as projects are planned for later this year.

8. Briefing on Charging and Booking Procedures Employed by the San Antonio Police Department and the City Marshal's Office

Presented by William McManus, Chief of Police and Rumaldo Abonce, City Marshal

Chief McManus reported that the San Antonio Police Department does not have a policy regarding the enforcement of Immigration Laws. He explained that SAPD was primarily concerned with individuals who have committed a crime. He stated that if the individual has been flagged in the Immigration and Customs Enforcement (ICE) Database; ICE would be notified. City Marshal Rumaldo Abonce informed the Committee that the City has a verbal agreement with ICE to check for illegal immigrants but noted that the Detention Center does not detain individuals for ICE.

Councilmember Lopez spoke of the Fusion Center concept regarding multiple enforcement agencies. Erik Walsh stated that the Fusion Center concept was developed primarily as an anti-terrorism control and not intended to address Immigration Issues. He noted that the concept focused on sharing databases to increase the intelligence flow.

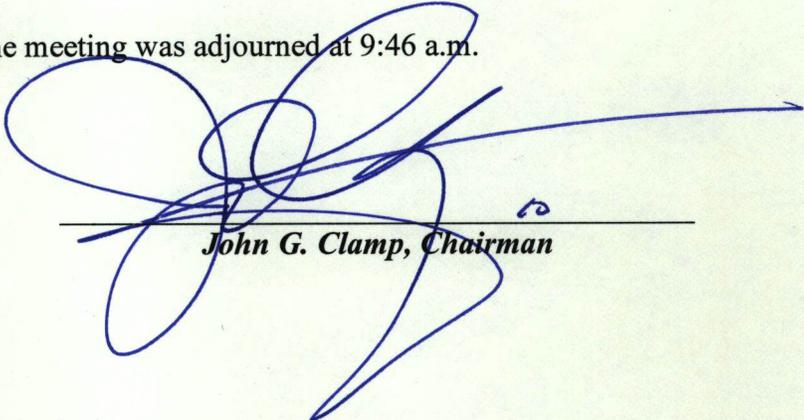
In response to Chairman Clamp, Mr. Abonce confirmed that ICE was allowed access to the Detention Center Database for possible illegal immigrants.

9. Consideration of items for future meetings

There were no items discussed.

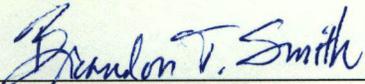
10. Adjournment

There being no further discussion, the meeting was adjourned at 9:46 a.m.



John G. Clamp, Chairman

Respectfully Submitted,



*Brandon T. Smith
Office of the City Clerk*