

**PUBLIC SAFETY COUNCIL COMMITTEE
MINUTES**

**WEDNESDAY, MARCH 28, 2012
12:00 PM
MUNICIPAL PLAZA ROOM B**

Members Present: Councilmember David Medina, Jr., *Chair, District 5*
Councilmember Leticia Ozuna, *District 3*
Councilmember Elisa Chan, *District 9*
Councilmember Carlton Soules, *District 10*

Members Absent: *None*

Staff Present: Erik Walsh, *Deputy City Manager*; William McManus, *Police Chief*; Carl Wedige, *Deputy Fire Chief*; Anthony Trevino, *Deputy Police Chief*; Vance Meade, *Assistant Fire Chief*; Dennis Rosenberry, *Police Department*; Ray Rodriguez, *Assistant City Attorney*; Lisa A. Lopez, *Office of the City Clerk*

Others Present: *none*

1. Call to Order

Chairman Medina called the meeting to order.

2. Approval of minutes of the February 22, 2012 Public Safety Council Committee Meeting

Councilmember Chan moved to approve the minutes of the February 22, 2012 Public Safety Council Committee Meeting. Councilmember Soules seconded the motion. Motion carried unanimously.

3. Briefing and Update on Wrecker Services Agreement
Presented by William McManus, Chief of Police

Dennis Rosenberry, Contract Manager, provided background information on the wrecker services provided to the City of San Antonio. He stated that Texas Towing was the primary contractor for said services for 15 years until 2008; at which point SAPD sent out a Request for Proposal (RFP) for wrecker services and received nine responses. He explained that they assigned zones within the City, and outlined the contractors' requirements. He confirmed that in June, 2011 Associated Towing's agreement was suspended, and ultimately, they were terminated in August 2011. Mr. Rosenberry noted that they convened a committee similar to a RFP Committee consisting of five individuals who reviewed the proposals for the Prue Zone Area. He confirmed the recommendation of noted Committee was to assign Assured Towing the Prue Zone Area. Mr. Rosenberry provided an update on the ratings of the other contractors.

Chief McManus clarified that it was an actual selection, not a recommendation, to assign the Prue Zone Area to Assured Towing.

Citizens to be heard

Robert W. Loree, Attorney representing Allied Towing, informed the Committee that Allied Towing does not believe the selection process has been objective. He stated that they had been advising them the past year because of the problems they have had with the Wrecker Services Division of the City of San Antonio. He acknowledged that they advised Allied Towing to work within the system, and bring their complaints forward to noted division. He stated that they believe that Allied Towing had been discriminated against and that Allied Towing had a better performance rating than Assured Towing.

Christopher Below, Attorney representing Allied Towing, stated that Allied Towing had a higher performance rating and was more reliable. He stated that they had more trucks than Assured Towing, whom he stated does not have a heavy-duty truck. He expressed his belief that Allied Towing has been discriminated against. He provided details related to an affidavit submitted by Pasha Kermani with Allied Towing, which outlined incidents involving an Inspector with the City of San Antonio. He delineated other incidents which he alleges proves that Allied Towing had been discriminated. He cited the internal audit given to Allied Towing in December 2011, in which they received a score of 100. He expressed his belief that Allied Towing was better prepared to handle the high volume of calls received for the Prue Zone Area and requested that a full investigation be conducted.

Pasha Kermani, Allied Towing, stated that Assured Towing had previously been suspended, while Allied Towing did not have any suspensions. He encouraged the Committee to look further into this matter.

Liz Johnson, President of San Antonio Towing Association stated that since she became involved in the towing industry in 2001, State Law has evolved, and the towing industry is now regulated by the Texas Department of Licensing and Regulation. She informed the Committee that she had heard about the City's desire to implement local towing ordinance, and she requested that they be included on any discussions involving a potential ordinance.

Councilmember Chan expressed her concern regarding the allegations of alleged improper conduct. In response to Councilmember Chan, Chief McManus discussed the latest allegation involving the Inspector mentioned in the discussion, and confirmed that the incident was forwarded to the Office of Municipal Integrity who is now investigating the incident. He acknowledged that all other allegations referenced had been addressed, and the City of San Antonio has taken action.

In response to Councilmember Chan, Mr. Erik Walsh, Deputy City Manager, clarified that there were complaints about personnel, as well as operational complaints. He stated there was one personnel complaint with dealt with last year, and the most recent complaint was received the day prior to this particular Committee meeting.

In response to Councilmember Chan, Mr. Below, Attorney for Allied Towing, explained that they advised their client to work with the city and not go public. When the issue came up that they were going to lose the Prue Zone Area, they felt it was important to bring all the complaints forward. Councilmember Chan stated that it was important to

bring forward inappropriate conduct immediately so that those behaviors could be corrected immediately.

Councilmember Chan acknowledged that the City recognizes that Allied Towing is doing a good job, but cited the differences in the points included in the scoring matrix. She pointed out that Assured Towing scored higher in their proposed plan. Mr. Rosenberry confirmed that the Inspector referenced in the complaints was not part of the Selection Committee. He discussed the type of information that was requested in the proposed plan. Janette Torres-Gloria, Contract Manager with SAPD, referenced other details of what was discussed at the Committee Meeting. She also confirmed that sub-contractors are allowed as part of the contract.

Mr. Rosenberry delineated the timeline of the wrecker services, and explained the sequence of events that began with the suspension of Associated Towing. Once the contract with Associated Towing was terminated, Mr. Rosenberry confirmed that the contract was allotted to Assured Towing, but noted the importance of allowing both Assured Towing and Allied Towing the opportunity to cover the Prue Zone Area. He then discussed specific details of the contract and stated that the contract will end in 2014, with the option for two one-year extensions.

In response to Councilmember Soules, Mr. Rosenberry explained the contractual obligations the City had with regard to the selection of the wrecker company for the Prue Zone Area. He cited the differences in the review process and how the proposal differed between Assured Towing and Allied Towing. He further confirmed that there had been no complaints on the selection criteria.

Chairman Medina commented that having served on this particular Committee in the past, he is familiar with the discussion in terms of the towing contract. He noted that SAPD and the City Council were doing what was best for the community.

Chief McManus confirmed that a decision has already been made as far as the Prue Zone Area being assigned to Assured Towing, but noted Allied Towing would serve as the back-up if Assured Towing cannot handle the zone for any reason.

Chairman Medina commented that SAPD is doing the right thing in investigating any concerns brought forward. He stated that OMI is currently looking into the complaint submitted on March 27, 2012, and is not being taken lightly by SAPD.

Mr. Walsh confirmed that he reported the complaint they received to the City Manager and will report if there is any action taken. Mr. Rosenberry added that in 2009, they terminated two employees over improprieties with this contract. He provided information on the make-up of the Contract Division of SAPD, who was not involved in the evaluation of this particular contract for the Prue Zone Area.

Chairman Medina confirmed that they are moving forward with the selection and no further action is necessary. He requested that SAPD communicate with the Public Safety Council Committee with regard to the proposed local towing ordinance, and ensure a public process on the issue. Chief McManus confirmed that they are looking into towing practice and will come back to the Public Safety Council Committee to discuss.

4. Briefing on Park Police

Presented by William McManus, Chief of Police

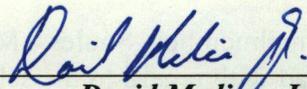
Councilmember Chan made a motion to postpone said item. Councilmember Soules seconded the motion. Motion carried unanimously.

5. Consideration of items for future meetings

Mr. Walsh reported that they had the 9-1-1 call process data management; briefing of elements on redistricting; and discussion and possible public hearing on the curfew Ordinance scheduled for upcoming meetings. He confirmed that they would also move the briefing on Park Police to a future meeting.

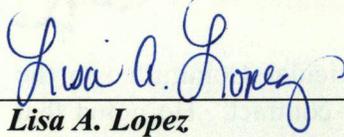
6. Adjournment

There being no further discussion, the meeting was adjourned at 1:14 p.m.



David Medina, Jr., Chairman

Respectfully Submitted,



Lisa A. Lopez
Office of the City Clerk