



City Council

Aug. 2, 2022



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City of San Angelo Charter Review

Agenda

- Introductions
- Charter Review Committee Purpose
- Charter Review Committee Research Process
- Charter Review Committee Research Findings
- Charter Review Committee Recommendation

Committee members

- Hon. Allen Gilbert
- Mark Lack
- David Howard
- Kandi Pool
- Billie DeWitt
- Jeff Curry
- Ronald “JJ” Graham

Committee purpose

The Charter Review Committee's charge from the City Council was to evaluate an *elected* Chief of Police vs an *appointed* Chief of Police and provide a recommendation to the City Council.

The commitment each member made to the group was, that even though we might have pre-conceived ideas on the topic, we would approach the research with an open mind.

The committee operated from the position of "What is the best solution for the City of San Angelo?"

Committee research process

The Charter Review Committee's research process consisted of:

- Meeting over a period of 5 weeks
 - Approximately 16 hours spent in official meetings and more than 20 hours in individual conversations and research
- Research conducted
 - Reviewed Sections 60 – 64 of the City Charter
 - Reviewed state and local statutes and regulations
 - Texas Local Government Code Chapter 143, Civil Service Statute
 - Texas Local Government Code Chapter 142, Meet and Confer Statute
 - San Angelo Civil Service Regulations
 - Interviewed elected and appointed officials
 - Informal conversations with personal contacts

San Angelo City Charter

Section 60 – Chief of Police

There is hereby created the elective office of Chief of Police for the City of San Angelo.

Section 61 – Qualifications

The Chief of Police shall have been a resident of the City of San Angelo for a period of at least two years immediately prior to his election and shall possess the qualifications of electors in said city.

Section 62 – Term of Office

The term of office of the Chief of Police for the City of San Angelo shall be four years.

San Angelo City Charter

Section 63 – Duties and Powers

It shall be the duty of the Chief of Police to preserve law and order within the City of San Angelo and especially to enforce the ordinances of said city.

Section 64 – Authority

The Chief of Police shall have exclusive control of the police department of the City of San Angelo and shall have the right to select, employ, discharge at will and to prescribe the salaries of (within the monetary limits fixed by the City budget) the employees in such department.

Texas Local Government Code

Chapter 143, Civil Service Statute

Governs:

- Appointed chief selection (appointed by city manager and confirmed by Council)
- Sets minimum qualifications for appointed police chiefs
- Sets qualifications and process for beginning positions
- Sets probationary period
- Sets eligibility and process for promotions
- Regulates how officers are paid
- Regulates accumulation and payouts of sick and vacation leave
- Prescribes causes for removal or suspension of officers
- Allows for appeals of disciplinary suspensions or removal
- Prescribes process for demotions

Texas Local Government Code

Chapter 142, Meet and Confer Statute

Provides that the designated police association and City administration can negotiate an agreement to supersede any state statute, local ordinance or civil service rule relating to the employment of a police officer.

Interviews with *elected* and *appointed* Officials



Frank Carter
current *elected* San Angelo police chief



Brian Dunn
former *appointed* San Angelo fire chief



Ed Kading
current *appointed* Brownwood police chief, former SAPD chief candidate and former SAPD lieutenant

Informal conversations with personal contacts

Common themes on the topic of electing vs appointing a police chief:

- NOT AGAIN!
- There is widespread distrust in City government.
- The City runs on a “buddy system” with self-interest of management taking priority over city needs.
- The City just wants to appoint someone who will do their bidding.
- An elected police chief is free to do what he wants, how he wants, whenever he wants and only answers to the voters.
- The City wants to control the police budget.

Common reactions from informal conversations

- Shock, and sometimes disbelief, at lack of qualifications to run for San Angelo chief of police
- The lack of knowledge about how the chief's duties are regulated by federal, state and local statutes

Committee research findings

The Charter Review Committee's findings include the following:

Elected chief of police

- The requirements to be elected chief of police of the SAPD do not include prior police experience.
- The SAPD chief, due to civil service statutes and meet and confer, does not have exclusive control over the department and its employees.
- Elected chiefs divide the department during the election period, which begins once officers announce their candidacy.
- An elected chief, who is also legally a City employee, is exempt from discipline when in violation of rules and policies.

Committee research findings

The Charter Review Committee's findings include the following:

Appointed chief of police

- Texas Civil Service Statute defines minimum requirements for an appointed chief of police.
- The SAPD chief, due to civil service statutes and meet and confer does not have exclusive control over the department and its employees.
- The Police Department is not divided in ranks during an election but may be united in its disdain for the selected, appointed chief if an outsider.

Committee research findings

Elected chief	Appointed chief
2 years San Angelo residency Eligible to vote (US citizen, 18 years old, not a felon, not mentally incapacitated)	5 years as licensed police officer TCOLE intermediate certificate
Governed by civil service	Governed by civil service
Department is divided during election process	Department may be united over disdain for the appointed chief (may be seen more as part of City Hall staff rather than a part of the department).

Committee recommendation

The Committee recommends:

- Return to City Council in early Jan. 2023 to bring final recommendation (allowing time for a potential May 2023 ballot item if directed by City Council)
 - Develop a public outreach and education plan to inform the citizens of San Angelo on this extremely important topic
 - Elicit feedback from the public to develop the committee's final recommendation

Potential public outreach & education plan

- Work with local media to distribute information
- Host town hall meeting(s)
- Work with Communications Department for:
 - social media outreach
 - content for SATV – Suddenlink Channel 17
- Provide bilingual content for greater distribution to voters



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