



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Work Session Meeting Minutes City Council

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Tuesday, October 19, 2021

3:00 PM

City Council Chambers

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**This meeting was held using conferencing software due to COVID-19 rules.**

### I. Call To Order

**With a quorum present, the work session of the San Marcos City Council was called to order by Mayor Hughson at 3:05 p.m. Tuesday, October 19, 2021. The meeting was held online and in person**

### II. Roll Call

**Present:** 7 - Mayor Pro Tem Melissa Derrick, Mayor Jane Hughson, Council Member Maxfield Baker, Council Member Saul Gonzales, Deputy Mayor Pro Tem Shane Scott, Council Member Alyssa Garza and Council Member Mark Gleason

### PRESENTATIONS

1. Hold discussion related to the Interlocal Agreement between City of San Marcos and the San Marcos Consolidated Independent School District (SMCISD) relating to the City's provision of Officers to serve as School Resource Officers, and provide direction to the City Manager.

**Bert Lumbreras, City Manager provided an introduction of the presentation regarding the School Resource Officer (SRO) program that was implemented to provide security by protecting lives and property on campus and to counsel students who are suspected of engaging in criminal conduct. In addition, to San Marcos Consolidated ISD, all surrounding school districts provide SRO's at their respective campuses. He stated the Interlocal Agreement (ILA) between the City of San Marcos and SMCISD has been in place for over 20 years, and the school board approved this ILA with a 7-0 vote in August. Mr. Lumbreras introduced Chief Stan Standridge to provide the presentation.**

**Chief Standridge provided the shared goals and objectives and provided a brief history on the School Resource Officer Program. He stated the partnership began during the 1999-2000 school year and has been governed by an ILA ever since. The last approved ILA was in August 4, 2020. We are currently operating outside of an ILA as the previous one has expired. He mentioned**

there are five officers assigned: two at high school, two at middle schools and one at the Lamar Campus. Chief Standridge stated investigations have historically involved theft, assault, sexual assault, bullying and threats of active violence. Many of these crimes occurred off campus but are reported to SROs due to trust. Chief Standridge stated there have been 16 fights at the high school since school started this year. He stated he visited the high school and spoke to the SRO and stated that fights at the school were due to the conduct of events occurring off campus. He stated staff confirmed that three staff members have been injured. Chief Standridge stated all SRO's wear body-worn cameras and document law enforcement related detentions and/or investigations. They are fully subject to San Marcos PD policies and Event Review Board oversight which reviews Use of Force, pursuits, crashes and significant injuries. He noted issues with SROs in the past and noted that policing has gotten more professional. He listed the nearby school districts that have SROs.

Chief Standridge stated to demonstrate that the proposed ILA has already contemplated many contemporary issues related to academic research, he used the article found in Oxford Academic: Blurred and Confused: The Paradox of Police in Schools. He reviewed excerpts from the article and compared those to the proposed ILA. Links to the article are in the packet.

**Excerpt:**

– “Some scholars, however, have raised the possibility that a police presence may be harmful. For example, research suggests that in some jurisdictions, it has contributed to the criminalization of behaviors, such as dress code violations and school disruptions.” (p. 1547)

– Interlocal Agreement (ILA) Response:

- “The DEPARTMENT is not responsible for complying with SMCISD’s personnel-related policies or the SMCISD Code of Conduct.”
  - “SMCISD will investigate school related issues...”
  - “SRO’s will not be allowed to ask students about their immigration status.”
- Plyler V. Doe (1982)

**Excerpt:**

– “It is also possible that some teachers will expect officers to use a law enforcement approach to handle classroom misconduct.” (p. 1547)

– ILA Response:

- Duties actually enumerated: Protect lives and property | Enforce laws and ordinances | Investigate criminal activity | Counsel students, such as students suspected of engaging in criminal conduct | Answer questions about Texas

**criminal or juvenile laws | Assist other officers with outside investigations | Provide security for events or functions | Provide traffic control | Serve as liaison between campus and department | Perform other duties that advance the SRO program**

**Excerpt:**

**– “Students may admit to the “counselor” [SRO] their participation in illegal behavior without fully realizing that they have shared incriminating evidence with someone who can use it against them...” (p. 1553)**

**– Response:**

- In 2013, the State Legislature prohibited issuance of Class C citations for persons 17 or younger (decriminalize minor behavior)**
- The school district uses a disciplinary matrix for violations of school rules and do not involve police**
- Juvenile Probation uses Probationary Supervisory Caution to divert prosecutions for nonserious behavior**
- From 2015-2020, only five offenders sent to Texas Juvenile Justice Department (4 were for murder). All were off-campus related.**

**Chief Standridge noted that police officers will always be on campus if there is a crime committed on campus, or if they need to talk to a student about a crime, which could be suspicion of a crime the student committed, if the student was a victim of a crime, or the student is a witness to a crime.**

**He stated our five officers have a combined 16,736 training hours and a combined 724 hours of school-based training. They are required to attend a 20-hour School Based Law Enforcement course with the following classes:**

- Child and Adolescent Development and Psychology**
- Mental Health Crisis Intervention and Cultural Competency**
- De-Escalation and Techniques for limiting use of force**
- Mental and Behavioral Health Needs of Children with Disabilities or Special Needs**
- Positive Behavioral Interventions and Supports, conflict resolution, and restorative justice techniques.**

**He mentioned SRO’s are certified by SMCISD as trainers in SAMA (Satori Alternatives to Managing Aggression) in compliance with Chapter 89.1053 (k) (1) of the Texas Education Code (Adaptations for Special Populations). Such training is done to recognize the restraints used by SMCISD personnel on special needs and behavioral students.**

**Chief Standridge spoke about the abuse of power. He stated SRO’s are**

governed by Texas Local Government Code chapter 143, City of San Marcos Meet and Confer Agreement, City of San Marcos and SMPD policies and procedures. He stated since 2020, the Department has implemented, Event Review Board, certified more Internal Affairs investigators, revised Use of Force policy, restricted authorized pursuits and adopted full use of Agency 360 with early warning indicator. He mentioned that Agency 360 is a full service personnel tracking software that allows full documentation on accommodations, awards and misconduct. He stated it is now mandated that all sworn and civilians are tracked through Agency 360.

Mayor Pro Tem Derrick inquired about the section of the ILA that addresses restraints. Chief Standridge noted this is when a student loses control of themselves and may be a danger to themselves or others.

Each campus has restraints available. If there is not crime, the SRO is not necessarily involved. We use a wrap-device off-campus as needed and that requires training. How to use restraints is taught to teachers for their use who are the primary users of them.

Council Member Baker stated his concerns and wants to ensure there is a clear process so students and parents know their rights. He is suggesting an ongoing survey of the program. Chief Standridge stated Texas State University has an ongoing study. He mentioned that the school district has a contract with Texas State University the research is being funded by the National Institute of Justice and the research is not complete. Chief would like to allow the research to be completed and discuss the best practices to be implemented into the ILA next year. Council Member Baker would like to see the Texas State University and SMCISD terms agreement. Chief stated the city is not involved with the agreement so he does not have this information.

Mr. Lumbreras stated this agreement is with SMCISD for contracting with our officers which they have requested. The question is do we or do we not want to provide officers for this program. He stated there are benefits and interest from the School District to continue this program. Mayor Hughson explained to Council Member Baker that the agreement is on the regular meeting agenda and that will be the time for amendments, not now during the work session.

Council Member Garza asked how parents or caregivers can voice their concerns about interactions with School Resource Officers. Chief Standridge stated the law states proactive communication must occur in two different methods and it is outlined in article 2 of the Code of Criminal Procedures. It must be in written materials and also notification on website. Mr. Stapp stated

there has not been much outreach to administrative staff within the school on how to file a complaint. Mayor Hughson asked why wouldn't we have the brochures in the front office to inform all admin/teachers about the process. Chief Standridge stated they can provide the Superintendent with a brochure, but it will be up to him how this will be provided to his staff.

Council Member Garza asked if there are other forms of data being collected that is presented to the community. She also spoke on how the literature regarding SRO programs states that all stakeholders including the City, ISD and community should all be on the same page regarding the program. She inquired about internal surveys conducted. Chief Standridge does not know if the school district does them.

Council Member Baker inquired about Agency 360 being used only during their probationary period? He asked why we are not fully utilizing the program? Mr. Stapp replied that we used a different product, called IA Pro. We acquired Agency 360 for better tracking, electronically, and it produces reports.

Council Member Gleason expressed his support and thanked Chief Standridge for his due diligence. Mr. Gleason shared a couple of personal experience as he has a family member that is an educator. The presence of an officer on campus creates a level of safety.

Council Member Baker would like to provide amendments to make sure students are safe and to improve this program so students and parents know their rights. He stated there is room for improvement.

Council Member Garza stated there are areas of improvement. She stated there are community members that may feel they are unheard and not empowered to provide feedback. She wants to emphasize that our Police Department is willing to listen to feedback in a constructive way to have a successful program.

Deputy Mayor Pro Tem Scott stated there is always room to grow. He stated that Law Enforcement has changed and it is no longer the same department. He asked how many "bad" officers were written up, or question or had issues removed throughout the state or San Marcos since its inception. Chief Standridge stated there have been no removal for behavior during his tenure. Mr. Stapp stated one SRO was removed years ago, but none during his tenure as chief.

**Mayor Hughson closed out this discussion item and reminded all that we will be voting on this item at the regular meeting tonight.**

## **EXECUTIVE SESSION**

**2. Executive Session in accordance with the following:**

A. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: - To receive advice of legal counsel regarding the Purchase and Sale Agreement with Pursuant Ventures, LLC.

B. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: - To receive legal counsel regarding the pending wastewater discharge application dockets; the application of HK Real Estate Development, LLC for proposed permit for new TPDES Permit No. Q0015784001; TCEQ Docket No. 2021-0053-MWD; SOAH Docket No. 582-21-1893

C. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the City Manager Search Process

**A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Gleason, to enter into Executive Session at 4:06 p.m. The motion carried by the following vote:**

**For:** 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

**Against:** 0

## **III. Adjournment.**

**A motion was made by Deputy Mayor Pro Tem Scott, seconded by Mayor Pro Tem Derrick, to adjourn the October 19, 2021 Work Session meeting of the City Council at 5:37 p.m.**

**For:** 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

**Against:** 0

**Tammy K. Cook, Interim City Clerk  
Mayor**

**Jane Hughson,**