

MOVED
SECONDED
VOTED AYE
VOTED NAY

ROLL CALL WAS ANSWERED BY COUNCIL MEMBERS:

RUBEN FALCON, BILLY JACKSON, MIKE URETA, JR. &
DINO RAMIREZ

ABSENT: ERIC DOMINGUEZ

MAYOR: JOE CHRIS ALEXANDER
CITY MANAGER: FRANK RODRIGUEZ III
CITY SECRETARY: DELMA A. GONZALEZ
CITY ATTORNEY: JESSE GONZALES, JR.
MINUTES OF LAST MEETING:

Mayor Alexander called the Regular Meeting to order at 5:30 p.m. after declaring a quorum present.

Mayor Pro-Tem Jackson gave the Invocation.

Mayor Alexander led the Pledge of Allegiance & read the Mission Statement: **"The Mission of the City of Fort Stockton Municipal Government is to Promote & Value Public Confidence and Trust by the Accountable and Responsible Use of Community Resources; to Ensure Public Safety; Improve Public Services; Promote Local Recreation and Entertainment; and Generate Economic Development."**

PRESENTATIONS: Updates from:

- ↓ Director of Recreation Casias regarding Recreation Department Programs.
- ↓ Street Supervisor Fernando Gomez regarding Street Paving Plan.

Director of Recreation Casias reported that he was currently handling Little League, Baseball and USA Softball. The league contained 52 teams &/or 586 participants. Teams that had yet to be drafted were the USA Softball with 96 girls and Minors with 104 boys. There was a time limit for games, the deadline for playing games was between 9:00 p.m. - 9:15 p.m., and targeted were 13-14 kids per team for substitution reasons &/or playing time. Still needed was one Minors League coach.

All-Stars were selected and played from June - July and Fort Stockton hosted the District All-Star Games which concluded the same week of Water Carnival. Three weeks later the volleyball season began.

Due to a shortage of backstops and practice fields, teams were limited to practicing twice weekly for 1-1½ hours for accommodation purposes. The Theresa Mason Park was being used and could accommodate 6 teams. Once the draft for the 8 & under age group was finalized, 8 teams would practice there weekly. The fields from the former Comanche School could not be used because they were not maintained and unsafe.

A minimum of 12 backstops were needed for practicing. Superintendent Traynham previously indicated that the School would look for the backstops that were previously torn down from Comanche School, etc. but a message was received from him on Tuesday that the pipe could not be located. He further

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granted him permission to grade/blade the school's property that was south of the Shuster Fields. This area could possibly accommodate 2 backstops.

Previously purchased for \$3,000 were 2 backstops for the school's soccer fields with netting. He asked Pecos County and the School for needed material and stated that chicken wire or netting could be used for backstops.

Mayor Pro-Tem Jackson believed that he could supply some pipe.

Mayor Alexander conveyed that with the various oil companies locally, possibly someone could donate some pipe.

Director Casias remarked that the biggest issue was land. He previously met with Judge Shuster regarding the approximate 10 acres of land behind Alfredo's Restaurant and planned to meet with Commissioner Chapman. A couple of years earlier, plans were to construct additional baseball fields or backstop practice fields with irrigation and lighting at that location but the oil field industry plummeted.

Mayor Alexander stated that Judge Shuster previously mentioned that there could potentially be 4 baseball fields and a football/soccer field at that site.

Street Supervisor Gomez reported that:

Public Works and the Girl Scouts Parking Lots - For the past 1½ -2 months, his crew had made improvements to both of these lots. They were approximately 80% complete and still needed was a 2-course sealcoat that would help to withstand the traffic.

Mayor Alexander confirmed that this project was dual purpose, the Girl Scouts parking lot plus the Spray Park's parking lot. Additional parking was needed to prevent individuals from backing out onto Railroad Avenue.

4-Way Stop Sign on Hornbeck/Sunset - This project was about ¾ complete. Signs were received and plans were to install them on Wednesday. The speed limit signs were already in place and needed direction from Council on when to install them.

Cross Walk - The signs had arrived that day for Apache School's cross walk and the installation and painting would be completed on Wednesday.

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City Hall – An attempt was being made to finish the west side of City Hall. Hopefully some emulsion remained in the distributor's tank to complete this project on Wednesday. The drive-thru and the south side would be accessible for customers.

Main Street Striping between 1st & 2nd Streets – The intent of this proposed project was to locate a means that would allow for the parking of additional cars on both sides of the street and for moving vehicles to travel simultaneously in opposite directions.

City Manager Rodriguez reported that instead of a 45° angle that possibly a 60° angle would permit vehicles to travel in opposite directions simultaneously without causing a safety hazard. This though could eliminate 4 parking spaces.

Council Member Falcon expressed that it would benefit the Main Street Advisory Committee to assemble to address the striping/parking and the islands.

Mayor Alexander suggested that business owners on Main Street be contacted prior to altering the striping.

Sealcoat – In meeting with Commissioner Cantu, sealcoating would likely begin toward the end of May. This project was divided into the Northeast Rio - State Hwy. 18 Quadrant and Hornbeck Blvd. – 19th Street Quadrant. Vegetation on the shoulders of the road would be milled to a minimum of 4" followed by herbicide, ground sterilization, and a base in preparation of a sealcoat. This project had yet to be completed due to additional projects.

East Hill Cemetery – Plans were to seal coat all the streets between Blue Trail, Quail Run, Partridge and Parkview which totaled approximately 3.6 miles.

Pothole Machine – The crew was averaging between 70-100 potholes daily when there were not any interruptions.

Solar Speed Limit Signs for 6 Schools – Cost for the City to install these signs will exceed \$51,000. They are solar, contain a timer and beacon lights with the school's speed limit zone.

City Manager Rodriguez conveyed that he had spoken to Superintendent Traynham and he had offered to pay for half of the City's cost. His suggestion was that a School member also be involved to identify, assess, and prioritize what

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needed to be completed the first year and subsequent years if unable to entirely complete the initial year.

Mayor Alexander expressed that Chief Fuentes was still considering which of the two portable speed limit detecting signs he preferred.

Council Member Ureta declared that a price could not be placed on safety especially around the schools. If there was technology that had proven to be even more accurate and cost effective over time then that was what they needed to consider. A sign could be placed anywhere; there were some on Main Street that many failed to abide with.

Mayor Alexander commented that if the School helped financially, the project would advance a lot faster.

Mayor Alexander recessed from the Regular Meeting @ 5:55 p.m. to convene into a:

PUBLIC HEARING: To Consider "Commercial" Zoning Designation for Lots 1-9, Block 18, and Block "C" Beverly Square Addition to the City of Fort Stockton, Pecos County, Texas, according to a Map or Plat Now of Record in Cabinet 1, Slide 3A-B, Plat Records and a 0.995 Acre Tract Out of Section 27, Block 146, T&STL RR Co. Survey, Pecos County, Texas, which shall be Renamed from Section 27, Block 146, T&STL RR Co. Survey To "Beverly Square Addition"; as Requested by Property Owner Tyler Young for the Placement of a Fence on the North & South Side of Twelfth Street and the Adjacent Sunset Avenue which will be Utilized for R.V. Storage.

Mayor Alexander asked for comments from the public.

City Secretary Gonzalez commented that this was the same property that was discussed during the March 13, 2017 meeting. On February 23, 2010 when the City completed its initial "inclusion" process, this specific location was vacant at the time, with exception of the former Lumber Company building, and the remainder of the inclusioned/incorporated Beverly Square Addition was not officially given a zoning designation because it contained various types of businesses and residences.

The storage units that were previously placed by Mr. Young and the proposed R.V. Storage business were considered "commercial" zoning. To proceed with

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this project, the property needed to officially be zoned and renamed from Section 27, Block 146, T&STL RR Co. Survey to "Beverly Square Addition" since it was now a part of the city.

Mayor Alexander asked for additional comments from the public. There being none, the Public Hearing was closed at 5:57 p.m.

FIRST ORDER OF BUSINESS:

1. Public Testimony on Agenda Items Only.

Public Testimony Forms were not received from those in attendance.

SECOND ORDER OF BUSINESS:

2. CONSENT AGENDA:

Minutes:

- Special Meeting Minutes of Fort Stockton City Council, 03/22/2017
- Regular Meeting Minutes of Fort Stockton City Council, 03/13/2017
- Regular Meeting Minutes of Planning & Zoning Commission, 03/13/2017
- Regular Meeting Minutes of Animal Control Advisory Board, 03/31/2016
- Regular Meeting Minutes of Convention & Visitor's Bureau, 02/21/2017

Accounts Payable Total: \$ 162,444.32
 Account Recap Report Total: \$9,356,979.95

Motion was made, seconded and carried unanimously to approve the Consent Agenda, with correction to the 03/22/2017 Special Meeting Minutes of Fort Stockton City Council *i.e.* Ruben Gonzalez to Ruben Falcon

THIRD ORDER OF BUSINESS:

3. Rocky Rives of Smith & Rives, PC ---

- ✦ City of Fort Stockton's Final Audit for Fiscal Year Ending September 30, 2016

FALCON
 JACKSON
 URETA
 RAMIREZ

XX
 X
 X
 X

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Rocky Rives of Smith & Rives, PC reported that according to the Independent Auditor's Report the City received an "unmodified opinion" which was the best opinion that could be rendered.

FY 2015-2016 Financial Highlights:

- The City's net position increased by \$1,061,160 as a result of that year's operations. While the net position of the business-type activities increased by \$3,559,094 or roughly 23.04%, the net position of governmental activities decreased by \$2,497,934.
- During the year, the City incurred expenditures that were \$3,531,481 more than the \$6,652,033 generated in taxes and other revenues for governmental programs. This compared to last year when expenditures exceeded revenues by \$1,997,365.
- In the City's business-type activities, operating revenues increased by \$194,056, or about 2.00%, while operating expenses increased by \$127,765, or about 2.07%.
- The total cost of the City's programs was \$9,394,242, while last year's cost was \$8,556,526.
- The General Fund ended the year with a fund balance of \$2,570,254 which was below last year's fund balance of \$2,889,073.
- The resources available for appropriation were \$1,312,964 less than budgeted for the General Fund due primarily to health insurance premiums received being netted against claims paid.
- Actual expenditures were \$1,311,540 less than budgeted for the General Fund due primarily to the same reason above.
- Primary government ended with a net position of \$16,844,834 of equity while EDC and Housing Authority had \$3,021,711.
- It took \$15,868,708 on the accrual basis to operate the City for 1 year. \$9,979,187 came from charges for services i.e. water, sewer, gas, etc. and \$456,990 came from grants & contributions that were for a specific purpose, and \$699,188 came from property taxes and sales taxes, franchise taxes, mixed beverage taxes, etc.; a total of \$6,937,122 was received from these types of revenue.
- General Fund anticipated \$5,404,646 in total revenues but only received \$4,091,682 or <\$1,312,964>. On the expenditure side, expenses were anticipated at \$8,635,136 but only \$7,323,596 was spent; a difference of \$1,311,540.
- The Proprietary Funds contained total assets of \$4,532,873 of which cash and cash equivalent included \$2,578,401; totaling a net position of \$18,741,582.

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- On the Report on Internal Control Over Financial Reporting and Report on Compliance for Each Major Federal Program regarding Federal Awards, "No Findings" were issued.

Mayor Alexander recessed from the Regular Meeting @ 6:16 p.m. to convene as the Board of Adjustment.

FOURTH ORDER OF BUSINESS:

4. Discuss/Act upon Variance Request to Utilize a Stone (All Weather) Paving Surface from the Required Concrete or Asphalt Surface Area for the Employee Parking Lot, Main Drives, and Maneuvering Area for the Proposed FedEx Ground Facility; as Requested by Andrew Morgan of 42 Real Estate and Justin Lipscomb of Moltus Building Group. (City of Fort Stockton Code Of Ordinances, Section 21. General Definitions. (41) Parking Space)

Kimberly Bennett of Moltus Building Group commented that a variance was being requested because the engineer from Odessa misinterpreted the City's Code and submitted a bid for a stone paving parking lot instead of concrete or asphalt, as required. The project was priced, awarded and negotiations were underway for a lease with Fed-Ex Ground based on the final construction costs which included stone pavement areas. If they were required to install parking spaces as defined in the Code, the additional cost could possibly force this project to be deferred to another site that would allow for stone paving.

The facility would be an industrial building surrounded with a security fence, gates and not publicly accessed. If approved, they would extend the concrete parking spaces to also include two visitor parking spaces.

EDC Director May recommended that in an attempt to avoid future variance requests for projects as this &/or an industrial trans-load site, that the current ordinance regarding paving materials be revised or that a specific ordinance be prepared for industrial sites.

Building Official Oakley conveyed that TxDOT manuals already had these formula(s)...when a flex base was combined with the proper base & aggregate would equate to 3,000-3500 psi; almost as much as concrete. He suggested that the City Attorney reference TxDOT's manual regarding flex base for industrial purposes in the Zoning Ordinance.

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON	X		X	
JACKSON			X	
URETA		XX		
RAMIREZ			X	
FALCON			X	
JACKSON	X		X	
URETA			X	
RAMIREZ			X	

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Peterbilt Patching Truck. The FY 2015-2016 Fund Balance at year end was \$262,150.00.

Street Supervisor Gomez commented that the pothole machine was operating for 6-7 hours daily and the additional materials would allow the department to continue repairing the potholes and utility cut repairs until the end of this fiscal year.

Motion was made, seconded and carried unanimously to approve Ordinance No. 17-105, Adopting Budget Amendment No. 1 to the Original Budget of the City of Fort Stockton, Texas, for the Fiscal Year 2016-2017; Providing for Supplemental Appropriation and/or Transfer of Certain Funds; Providing for Severability; and Providing for Other Matters Related to the Subject.

SEVENTH ORDER OF BUSINESS:

7. Discuss/Act upon the City of Fort Stockton's Final Audit for Fiscal Year Ending September 30, 2016, as presented by Rocky Rives of Smith & Rives, PC.

Motion was made, seconded and carried unanimously to approve the City of Fort Stockton's Final Audit for Fiscal Year Ending September 30, 2016, as presented by Rocky Rives of Smith & Rives, PC.

EIGHTH ORDER OF BUSINESS:

8. Discuss/Act upon Initiating the Voluntary Annexation Process for a Tract of Land Out of Section 17, Block 146, T&STL Ry Co. Survey, described by Warranty Deed in Volume 557, Page 226, Deed Records of Pecos County, Texas, Tract II called 5.78 Acres and Found to Contain 5.75 Acres as Petitioned by Property Owner Vimalkumar Bhakta, which shall be zoned "Commercial" and known as the "Sanchi Plaza" Addition for the Construction of a "La Quinta Inn & Suites."

City Secretary Gonzalez conveyed that this property was adjacent to the former Apache Convenience Store & Interstate Highway 10 and brought to City Council last year to initiate the annexation process for Mr. Bhakta. His intent was to construct an Arby's Restaurant but was informed by the corporation that he lacked the experience to service the business. He was now considering a La Quinta Inn & Suites and possibly a restaurant in front of the property.

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MOVED	SECONDED	VOTED AYE	VOTED NAY
X		X	X
	X	X	X
		X	X

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NINTH ORDER OF BUSINESS:

9. Discuss/Act upon Lease Agreement between the City of Fort Stockton and Pecos County regarding the Fort Stockton Animal Shelter.

City Manager Rodriguez stated that if approved, this agreement would renew for an additional 5 years from January 1, 2017 – December 31, 2021.

Mayor Alexander reported that in consideration of the "rent" to be paid to the County, the City provided animal control services that extended to the City's extra territorial jurisdiction (1 mile) in support of the Sherriff's Department and as needed in other portions of the County for emergency purposes. Services provided by the City extending beyond the City's boundaries will be provided "on call" or when the City is notified an animal control problem exists.

FALCON
 JACKSON
 URETA
 RAMIREZ

		X	X
	X	X	X
X		X	X

Motion was made, seconded and carried unanimously to approve Lease Agreement between the City of Fort Stockton and Pecos County regarding the Fort Stockton Animal Shelter for an additional 5 years from January 1, 2017 – December 31, 2021.

TENTH ORDER OF BUSINESS:

10. Discuss/Act upon Intergovernmental Agreement between the Pecos County and City of Fort Stockton regarding FEMA Grant Funds for the Hazard Mitigation Action Plan.

City Manager Rodriguez conveyed that Pecos County approved this agreement on June 13, 2016. The County was the primary participant and the City was an additional participant for vital information in the application for FEMA grant funds that would be used to create a countywide Hazard Mitigation Action Plan that would be effective for five (5) years.

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EDC Director May reported that EDC contributed approximately \$3,500 - \$5,000 and Grant Works would be managing the grant. He did not believe that funds had been received. The purpose of the grant was to mitigate environmental hazards for the entire county and funding would assist with chemical hazards.

Motion was made, seconded and carried unanimously to approve the Intergovernmental Agreement between the Pecos County and City of Fort Stockton regarding FEMA Grant Funds for the Hazard Mitigation Action Plan.

ELEVENTH ORDER OF BUSINESS:

11. Discuss/Act upon Easement Agreement for Utilities for a 0.5806 Acre Tract Out of the E/2 of the NE/4 of Section 4, Block 118, T&STL RR Co Survey, Pecos County, Texas.

City Manager Rodriguez remarked that this easement was for the Fort Stockton Police Department Shooting Range. It was needed to allow Texas-New Mexico Power Company to connect electricity at the location &/or buildings.

Motion was made, seconded and carried unanimously to approve Easement Agreement for Utilities for a 0.5806 Acre Tract Out of the E/2 of the NE/4 of Section 4, Block 118, T&STL RR Co Survey, Pecos County, Texas.

TWELFTH ORDER OF BUSINESS:

12. Discuss/Act upon Fort Stockton Police Department Motor Vehicle Racial Profiling Report for 2016-2017.

Lieutenant Rangel reported that this report was previously submitted to the State and the department qualified as a Tier 1 due to the 90-day retention period for in-car videos.

Hispanics were a majority in our community and statistics reported for traffic stops were consistent with our community's demographics. This year they did not have any complaints for racial profiling and therefore feedback was not received from the State.

	MOVED	SECONDED	VOTED AYE	VOTED NAY
FALCON		X	X	
JACKSON			X	
URETA	X		X	
RAMIREZ			X	
FALCON		X	X	
JACKSON			X	
URETA	X		X	
RAMIREZ		X	X	

