

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN**

The McAllen Board of Commissioners convened in a Workshop on **Monday, July 10, 2017** at 4:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Jim Darling, Commissioner Omar Quintanilla, Commissioner Joaquin Zamora, Commissioner John Ingram and Commissioner Veronica Whitacre

Absent: Mayor Pro Tem Aida Ramirez, Commissioner Richard Cortez

Staff: City Manager Roy Rodriguez, City Attorney Kevin Pagan, Assistant City Manager Jeff Johnston, Assistant City Manager Joe Vera, Deputy City Secretary Yesenia Rodriguez, Planning Director Juli Rankin

CALL TO ORDER

Mayor Darling called the meeting to order.

1. PRESENT QUESTIONS TO STAFF RELATING TO THE JULY 10, 2017 REGULAR MEETING AGENDA, TO BE DISCUSSED AT SUCH MEETING.

There were no questions relating to the regular meeting agenda.

2. PRESENTATION REGARDING THE REGULATION OF SHORT-TERM RENTALS.

Staff briefly reviewed the short term rental regulations (bed and breakfasts) and reviewed its benefits stating it promoted tourism, benefited adjacent landowners, controlled impact on housing supply and was safe with livable conditions. A brief update was provided on regulations noting it is complicating the collection of hotel occupancy taxes (HOT) and enforcement of health and safety codes. It was also mentioned that there are currently 146 short term rentals listed in the McAllen area with at 25 operating within city limits.

The general ordinance requirements were reviewed as follows:

- Permit application process
- Compliance with provisions
- Pay Hotel Occupancy Taxes
- Meet Safety & Inspection Codes
- Penalties for non-compliance

A Legislation update was provided as follows:

- S.B. 451 and H.B. 2551 sought to create as statewide system for short term rentals
- Similar to H.B. 100 created statewide regulation of transportation network companies such as Uber and Lyft
- Proposed legislation prevented municipalities from banning short term rentals and limited what regulations a municipality could impose (legislation did not pass)

It was noted that other Texas cities, including: 1) Austin, 2) Fort Worth, 3) Galveston, 4) South Padre Island and 5) San Antonio have passed ordinances regulating short term rentals. The majority of short term rentals ordinances require a short term rental host to submit an annual application for a permit or license proof of payment of city HOT taxes and have a certified inspection conducted. It was also noted that violations of the ordinance, such as operating without a license or submitting false information are punishable by a fine of up to \$500.00 per violation per day and said enforcement is delegated to the Code Compliance Department and Tax Office.

Staff noted that the City of McAllen should consider enacting a short term rental ordinance as it could lead to increased HOT revenue and protect the health and safety of travelers visiting the area.

Discussion ensued and staff answered questions posed by the Mayor and City Commission. After due consideration, it was the consensus of the City Commission to take this ordinance to the Ordinance Review Committee.

3. PRESENTATION REGARDING THE RECENT LOCAL ELECTION.

Mr. Albert Morales with AACT gave a brief update on the history and background of involvement and voter participation touching noting that AACT is a non-profit non-partisan organization dedicated to empower voters, cultivate civic participation and increase voter turnout in the Rio Grande Valley.

Staff also reviewed AACT goals and voter turnout as follows:

GOALS:

- Better petition for issues to be addressed
- Secure more funding and resources
- Build a better quality of life for our communities
- Educate, Engage, Empower
- Community Awareness, Voter Registration Drive Efforts, Get Out Vote Efforts through social media, phone banks, community events and volunteers
- Increase Voter Turnout
- Community Awareness through PSAs and Networking

VOTER TURN OUT BY 2020

- Increase community partners
- Establish AACT locations throughout South Texas
- Implement programs to increase participation from the youth
- Increase community presence – September voter awareness month

Discussion ensued. Suggestions were made about partnering with different entities, city events and working with AACT on promos. Staff answered questions posed by Mayor and City Commission.

Mayor Darling thanked Mr. Morales for his presentation.

4. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.087 (ECONOMIC DEVELOPMENT).

On behalf of the Presiding Officer, the City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney on Items 4A, 4B, 4C and 4D; Section 551.087 Economic Development for Item 4E and Section 551.072 Deliberation Regarding Property for Item 4F.

Commissioner Joaquin Zamora moved to accept the recommendation for the basis of the discussion in Executive Session under the sections cited by the City Attorney. Commissioner Omar Quintanilla seconded the motion. The motion carried unanimously by those present.

Mayor Darling recessed the meeting at 4:30 pm to go into Executive Session. Mayor Darling reconvened the meeting at 5:00 pm and announced any action on Executive Session items would be taken during the Regular Meeting.

- A) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF SB 1004. (SECTION 551.071, T.G.C.)**
- B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF FILLING AN ORIGINAL PETITION IN INTERPLEADER ON BEHALF OF THE CITY. (SECTION 551.071, T.G.C.)**
- C) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CAUSE NO. C-5411-16-E; RUBEN TREVINO VS. CITY OF MCALLEN AND JUAN CARLOS ALANIS. (SECTION 551.071, T.G.C.)**
- D) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF THE 29TH STREET RIGHT-OF-WAY. (SECTION 551.071, T.G.C.)**
- E) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (SECTION 551.087, T.G.C.)**
- F) DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL PROPERTY; TRACT 1 AND TRACT 2. (SECTION 551.072, T.G.C.)**

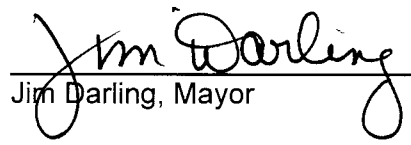
ADJOURNMENT

There being no other business to come before the Commission, the meeting was adjourned at 5:00 p.m.

Attest:



Yesenia Rodriguez, TRMC
Deputy City Secretary



Jim Darling, Mayor