

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

The McAllen Board of Commissioners convened in a Workshop on **Monday, December 10, 2018** at 3:30 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Jim Darling, Mayor Pro Tem Aida Ramirez, Commissioner Javier Villalobos, Commissioner Joaquin Zamora, Commissioner Omar Quintanilla, Commissioner John Ingram and Commissioner Veronica Whitacre

Staff: City Manager Roy Rodriguez, City Attorney Kevin Pagan, Assistant City Manager Michelle Rivera, Assistant City Manager Jeff Johnston, Assistant City Manager Joe Vera, City Engineer Yvette Barrera, Chief Victor Rodriguez and City Secretary Perla Lara

CALL TO ORDER

Mayor Jim Darling called the meeting to order.

1. PRESENT QUESTIONS TO STAFF RELATING TO DECEMBER 10, 2018 REGULAR MEETING AGENDA, TO BE DISCUSSED AT SUCH MEETING.

There were no questions related to the Regular Meeting Agenda.

2. UPDATE REPORT REGARDING THE TASK FORCE OF BORDER HEALTH OFFICIALS.

Staff provided a brief update on the Border Health Task Force recommendations to the Department of State Health Services Commissioner of Health. Brief explanation was given as it related to the following:

- Texas-Mexico Border
- Challenges
- Access to care
- Health Professional Shortages
- Transmigration challenges

Staff also noted that in the first year, the Task Force of Border Health Office completed strategic planning and reviewed border health data that led to the formation of five border health workgroups as follows:

- Border Public Health Infrastructure
- Communicable Diseases
- Environmental Health
- Chronic Diseases
- Maternal and Child Health

Discussion ensued. Comments and concerns were shared by the Mayor and City Commission. Questions were asked relating to: 1) State Funding, 2) Representation from Mexico, 3) What types of Measures and 4) Respite Centers. Staff answered questions posed by the Mayor and City Commission.

Mayor Jim Darling thanked staff for their presentation.

3. DISCUSSION OF THE ENTERTAINMENT AND CULTURAL OVERLAY DISTRICT.

Staff gave an update of the entertainment and cultural overlay district (ECOD). Staff noted that information was provided in their packets under Exhibit A and Exhibit B. It was noted that Exhibit A depicted the original ECOD boundary and compares appraisal values from 2004 in 2018 for the original district. Exhibit B depicts the current ECOD boundary, as modified in 2015 for voluntary exclusions of certain property and compares values for 2015 and 2018.

Staff stated there were two amendments to the Ordinance adopted in 2016 as part of review of the District. Specific permit conditions were established for entertainment venues as follows:

- BYOB prohibited

- ECOD Special Permits issued for three years (reduced from 5 years)
- Lighting required at each entrance and exit, as well as rear if a corner lot or adjacent to an alley
- Provide security personnel based on occupancy of one personnel per every 75 patrons plus one supervising security personnel for every five security personnel required; all property identified
- Security cameras required at each entrance and exit plus one additional camera for every 500 square feet of floor area; have a minimum retention load of 30 recording days
- Outdoor amplified music may not exceed 85 decibels as measured at 300 ft. from the property line of the business
- Establishments selling alcoholic beverages with a Mixed Beverage Late Hours Permits
 - Enforce the use of age-verification devices and supporting tracking software
 - Mark all occupants that are under the age of 21 with UV ink and track the same using black light devices throughout the business
 - Provide reports related to occupants under the age of 21 years as may be requested by city staff at any times
- Provisions to keep litter to a minimum
- Submit a plan for the venue
- Maximum Occupancy identified
- Additional requirements or limitations as deemed appropriate and reasonable to carry out the purposes of the ECOD

Additionally, staff briefly reviewed the following exhibits:

- Exhibit C showing Code Enforcement activity and Citations issued for 2016-2018
- Exhibit D showing a summary of Fire Department activity and Citations Issued for 2016-2018
- Exhibit E shows a summary of sales tax information for 2016-2018

A discussion ensued. Comments and concerns were shared by the Mayor and City Commission. Questions were raised as to: 1) Sunset, 2) # of Establishments, 3) Properties that opted out, 4) What were the advantages and disadvantages and 5) Family Entertainment. Staff answered questions posed by the Mayor and City Commission.

Mayor Jim Darling thanked staff for their presentation.

4. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT)

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

Commissioner Omar Quintanilla moved to accept the recommendation for the basis of the discussion in Executive Session under the section cited by the City Attorney. Mayor Pro Tem Aida Ramirez seconded the motion. The motion carried unanimously by those present.

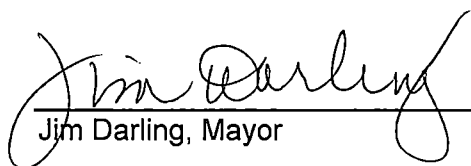
Mayor Jim Darling recessed the meeting at 4:25 pm to go into Executive Session and stated that any action would be taken at the Regular City Commission Meeting.

- A) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CAUSE NO. CL-18-6198-G; STATE FARM MUTUAL AUTO INSURANCE COMPANY ASO J. CHARLES MEAVE V. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**
- B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CAUSE NO. CL-18-6605-E; NANCY MORIN MIRELES V. OSCAR AGUIRRE DE LA PAZ AND CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**
- C) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CAUSE NO. CL-18-6681-A; SONIA RODRIGUEZ V. CITY OF McALLEN. (SECTION 551.071, T.G.C.)**
- D) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO ENTERTAINMENT DISTRICT. (SECTION 551.071, T.G.C.)**
- E) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (SECTION 551.087, T.G.C.)**

PUBLIC COMMENT SESSION: No public comment.

ADJOURNMENT

There being no other business to come before the Commission, the meeting was adjourned at 5:04 p.m.


Jim Darling, Mayor

Attest:


Perla Lara, TRMC/CMC, CPM
City Secretary