



**NOTICE OF A REGULAR CITY COUNCIL MEETING
OF THE CITY OF DONNA
TUESDAY, MAY 02, 2023 5:30 PM**

Pursuant to Texas Government Code Section 551.127, on a regular, non-emergency basis, the Donna City Commission may attend and participate in the meeting remotely by videoconference call. If this occurs, a quorum of the members will be physically present at the location noted above on this agenda.

Pursuant to Chapter 551, Title 5 of the Texas Government Code and Texas Open Meetings Act, notice is hereby given that the City of Donna, Texas will convene a Regular City Council Meeting at Donna City Hall 307 S 12th St. Donna, TX 78537, on Tuesday, May 02, 2023 at 5:30 PM for the purpose of discussing the following items:

Roll Call, Establish Quorum, Pledge of Allegiance & Prayer

Citizens Participation

Open Public Hearing to consider the following:

1. Conditional Use Permit requested by Ana Garza for the selling of alcoholic beverages (Beer & Wine Retailer's Permit) for on-premises consumption (BE) for "Seven Sports Bar." The property is located at 309 W BUS HWY 83 (HOOKS AVE) Suite #6, Donna, TX. The legal description of property is LOTT, TOWN & IMPROVEMENTS AN IRR TR E250.65'-N318' EXC 0.28 AC LOT1 BLK 76 1.55 AC NET, Hidalgo County, TX
2. Conditional Use Permit requested by Angel Orlando Luna for the selling of alcoholic beverages (Beer & Wine Retailer's Permit) for off-premise consumption (BQ) for "Dona Barbara Drive Thru." The property is located at 2003 BLUEBONNET DR, Donna, TX. The legal description of property is BLUEBONNET VILLAGE PH 2 LOT 33, Hidalgo County, TX.
3. Zone Change requested by Countryside Realty Investments LLC from Single Family Residential (R1) to General Business (B2) for property located at 4559 N FM 493, Donna, TX. The legal description of property is LOTT, TOWN & IMPROVEMENTS E130.25'-N120' BLK 0.36 AC GR 0.33 AC NET, Hidalgo County, TX
4. Zone Change requested by Templo Monte Calvario from Single Family Residential (R1) to General Business (B2) for property located at 112 N Victoria Road, Donna, TX. The legal description of property is LA BLANCA (A) S584.7'-W380.47' LOT 14 5.0AC GR 4.56AC NET, Hidalgo County, TX.

Close Public Hearing

Consent Agenda

(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests that an item be removed and considered separately.)

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5. Proclamation declaring Small Business Week

 6. Consideration and possible action on Resolution 2023-17, a resolution denying AEP Texas Inc's application to amend its distribution cost recovery factors to increase distribution rates within the City.

 7. Consideration and possible action on approval of Veteranos Car Club request for use of the Donna City Park on November 26, 2023 from 7am-6pm for the Annual Car Show (free to the public); requesting waiving of the park fee and the closure of Miller Ave, from Main St. to 8th street and 8th street to be closed from Miller Ave to Business 83.

 8. Consideration and possible action on acceptance of the new Border Patrol contract for firing gun range.

 9. Second Reading of:
 - A. Ordinance No. 2023-06 Zone Change requested by Elena Cruz from Single Family Residential (R1) to General Business (B2)

 - B. Ordinance No. 2023-07 Zone Change requested by Emmanuel Arreola from Single Family Residential (R1) to General Business (B2)

 - C. Ordinance No. 2023-08 Zone Change requested by Alma Lorena Ramirez from Single Family Residential (R1) to General Business (B2)

 10. Second reading of:
 - A. Ordinance No. 2023-09: An ordinance amending Ordinance 2019-34 and S-2011-09-121 to prohibit the parking of truck, tractors trailers, recreational, construction, or any other vehicle deemed a nuisance on any portion of public right of way of the city

 - B. Ordinance No. 2023-10: An ordinance establishing a fee schedule for inspections, permits and planning and zoning; repealing and replacing all prior ordinances in conflict; and providing for an effective date

 11. Consideration and possible action to approve budget line-item transfers for fiscal year 2023.

 12. Consideration and possible action to approve engineering contracts related to ARPA funding for B2Z Engineering,LLC., Javier Hinojosa Engineering, and Alvarado Architects & Associates, Inc.

 13. Consideration and possible action on approval of renewal payment for the Microsoft Office 365 licenses for the City of Donna.

Regular Items

14. Consideration and possible action on items discussed during the public hearing:
 - A. Conditional Use Permit for "Seven Sports Bar."

 - B. Conditional Use Permit for "Dona Barbara Drive Thru."

 - C. Ordinance 2023-11 Zone Change requested by Countryside Realty Investments LLC from Single Family Residential (R1) to General Business (B2) for property located at 4559 N FM 493

 - D. Ordinance 2023-12 Zone Change requested by Templo Monte Calvario from Single Family Residential (R1) to General Business (B2) for property located at 112 N Victoria Road
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15. Preliminary and final approval of the Resubdivision Plat of Lots 4, 5, and 6 out of the Shops 493 Subdivision submitted by SWG representing Donna EDC.
 16. Preliminary Plat approval of El Encantado Subdivision Phase 3 submitted by Melden and Hunt Inc. representing Cayetano Development
 17. Preliminary Plat approval of Templo Monte Calvario Subdivision submitted by Benavides Engineering representing Emmanuel Garcia
 18. Consideration and possible action on advertisement for Sludge Hauling and Disposal Service.
 19. Discussion and possible action to request qualifications for engineering services for contractual management services for Donna International Bridge Northbound Project.
 20. Consideration and possible action to approve the building permit for 1931 Ponciano due to hardship and governmental funding.
 21. Consideration and Possible action for approval to purchase a new playground set for City Square Park.
 22. Consideration and possible action to approve the Cooperation Agreement between the City of Donna and the County of Hidalgo for the 2024-2026 Urban County Program fiscal year.

Executive Session

Executive Session as authorized by Ch. 551 of the Texas Government Code:

Pursuant to Sec. 551.074, the City may convene in a closed, non-public meeting to discuss any matters related to appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee. The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Sec. 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related to legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Sec. 551.072, the City may convene in a closed, non-public meeting to discuss any matters related to real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Sec. 551.087, the City may convene in a closed, non-public meeting to (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). The City and its attorney may also discuss such issues with the

appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Adjourn

I do hereby certify that the above notice was posted on the designated bulletin boards at Donna City Hall, 307 S. 12th Street, Donna, Texas on the 28th day of April 2023 at 4:30 pm.

WITNESS MY HAND, this 28th day of April 2023.

/s/ Norma Yanez

City Secretary

If, during the course of this meeting, the City Council should determine that a closed or executive meeting or session of the City Council is required, then the Donna City Council will convene in such closed or executive meeting or session whether or not such item is posted as an executive session item at any time during the meeting as authorized by the Texas Open Meetings Act. Note: If any accommodations for disability are required, please notify the City Secretary's Office at (956) 464-3314 at least 48 hours prior to the meeting date.
