



**NOTICE OF A REGULAR CITY COUNCIL MEETING  
OF THE CITY OF DONNA  
TUESDAY, AUGUST 01, 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, August 01, 2023 at 5:30 PM for the purpose of discussing the following items:

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**Roll Call, Establish Quorum, Pledge of Allegiance & Prayer**

**Citizens Participation**

**Open Public Hearing to consider the following:**

1. Zone Change requested by Mama Mia Restaurant & Grocery Inc from Single Family Residential (R1) to General Business (B2) for property located at 7551 N FM 493, Donna, TX. The legal description of property is PRIMO MEAT MARKET LOT 1, Hidalgo County, TX.
2. Conditional Use Permit requested by Jose Reyna and Michelle Anderson for the selling of alcoholic beverages (Mixed Beverage Permit) for on-premise consumption (MB) for "Backyard Eatery LLC" The property is located at 2016 and 2112 Redskin Avenue, Donna, TX. The legal description of the property is AFFORDABLE ATTIC NO. 7 LOT 3 & 4, Hidalgo County, TX.
3. Conditional Use Permit requested by Alejandro Martinez Jr. for the selling of alcoholic beverages (Beer & Wine Retailer's Permit) for off-premise consumption (BQ) for "Redskin Drive Thru" The property is located at 109 S Victoria, Donna, TX. The legal description of property is HOOKS RESERVE S130'-N272.50'-E150'- LOT 12 BLK L 0.4486AC NET, Hidalgo County, TX.
4. Conditional Use Permit requested by Knapp Home Place being represented by Nicolas Billman for the operation of an unpermitted business (Agricultural Farmland & Farmers Market) for "Red River Farms" The property is located at 777 W IH2, Donna, TX. The legal description of the property is HILL HALBERT 2.30 AC SE PART N PT BLK 218, Hidalgo County, TX.

**Close Public Hearing**

**Consent Agenda**

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(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.)

5. Discussion and possible action on contract with Cascos & Associates, PC to conduct our Annual Audit ending Fiscal Period September 30, 2023.
6. Consideration and possible action on resolution #2023-26 to create depository account for Series 2023 Bond Proceeds – Development Corp of Donna.

### **Regular Items**

7. Consideration and possible action on approval of Online Permits Self-Service Software-as-a-Service Agreement between City and Smart City Soft
8. Action on items discussed during public hearing:
  - A. Ordinance 2023-17 Zone Change from Single Family Residential (R1) to General Business (B2) for property located at 7551 N FM 493
  - B. Conditional Use Permit for “Backyard Eatery LLC” for property located at 2016 and 2112 Redskin Avenue
  - C. Conditional Use Permit for “Redskin Drive Thru” The property is located at 109 S Victoria
  - D. Conditional Use Permit for “Redriver Farms” property located at 777 W IH2
9. Preliminary plat approval for Champion Ridge at Donna Meadows submitted by Robles Engineering representing Alejandro Figueroa
10. Preliminary Plat for Emerald Acres Subdivision submitted by Melden and Hunt representing EVERYGREEN LAND & PROPERTIES, LLC
11. Considerations and possible action on final plat approval of Trinity Estates Subdivision submitted by M2 Engineering, PLLC representing Lugo 4 Investments LLC
12. Discussion, consideration and possible action on Resolution No. 2023-25 accepting petition for Voluntary Annexation; setting the dates and times for public hearings regarding the proposed annexation of the following property; and directing the Planning Department to prepare a plan of services for said annexation for Lot 324 and 325 of (unrecorded) El Encantado Subdivision H.C.M.R. SEE ATTACHED EXHIBIT “A”.
13. Consideration and possible action on Resolution 2023-27 approving the operation of the 2024 Operation Stone Garden.
14. Certification of the 2023 Hidalgo County Appraisal Tax Roll and Anticipated Collection Rate for FY 23-24 as required by the Property Tax Code Sec 25.04 (B).
15. Consideration and possible action to appoint staff to calculate the No New Revenue & the Voter Approved Tax Rate for Tax Year 2023 as required by the PTC Section 26.04(C).

### **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

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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.

A. Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).

### **Open Session**

18. Consideration and possible action on item(s) discussed in Executive Session:

A. Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).

### **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 July 2023 at 5:30 pm.

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

/s/ Norma Yanez

City Secretary

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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.

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