



**NOTICE OF A REGULAR CITY COUNCIL MEETING  
OF THE CITY OF DONNA  
TUESDAY, APRIL 04, 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, April 04, 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. Conditional Use Permit requested by Nicolas Lopez for the selling of alcoholic beverages (Beer & Wine Retailer's Permit) for off-premise consumption (BQ) for "Iris Drive Thru." The property is located at 405 N Val Verde, Donna, TX. The legal description of property is South Point PH 1A Lot 22, Hidalgo County, TX.
  2. Conditional Use Permit requested by Angel Orlando Luna for the selling of alcoholic beverages (Beer & Wine Retailer's Permit) for on-premise consumption (MB and FB) for "Los Compadres Mexican Restaurant Bar." The property is located at 101 West Business 83, Donna, TX. The legal description of property is VALLEY ORCHARDS 0.81AC GR OUT OF NE COR BLK G 0.74AC NET, Hidalgo County, TX.
  3. Conditional Use Permit requested by Vilma Martinez for the selling of alcoholic beverages (Beer & Wine Retailer's Permit) for off-premise consumption (Store Package) for "V&A Food Store and Bakery" The property is located at 3125 S FM 493, Donna, TX. The legal description of property is SOUTH DONNA ESTATES LOT 2 - AMENDED, Hidalgo County, TX.
  4. Conditional Use Permit requested by Vilma Martinez for operation of "La Plumita Snacks and More Food Truck" The property is located at 3125 S FM 493, Donna, TX. The legal description of property is SOUTH DONNA ESTATES LOT 2 - AMENDED, Hidalgo County, TX.
  5. Conditional Use Permit requested by Adalberto Flores for operation of "GAS Motors" an unpermitted business car lot and related use for property located at 1206 Mile 9 North, Donna, TX. The legal description of property is LOTT, TOWN & IMPROVEMENTS 9.54 AC-40.64 AC LT 14 R/S BKS 21, 22, 23, 38 9.32 AC NET, Hidalgo County, TX.
  6. Zone Change requested by Elena Cruz from Single Family Residential (R1) to General Business (B2) for property located at 2003 & 2004 Joy Drive, Donna, TX. The legal description of property is 493 HEIGHTS LOT 1 & 7, Hidalgo County, TX.
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7. Zone Change requested by Emmanuel Arreola from Single Family Residential (R1) to General Business (B2) for property located at 1206 Mile 9 North, Donna, TX. The legal description of property is LOTT, TOWN & IMPROVEMENTS 9.54 AC-40.64 AC LT 14 R/S BKS 21, 22, 23, 38 9.32 AC NET, Hidalgo County, TX.
  8. Zone Change requested by Alma Lorena Ramirez from Single Family Residential (R1) to General Business (B2) for property located at 3109 East Business 83, Donna, TX. The legal description of property is LA DONNA E248.47'-LOT 7 BLK 1 5.05AC GR 4.70AC 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.)

9. Consideration and possible action on Resolution 2023-12 Animal Control bank account.
10. Consideration and possible action on sponsorship for Donna Lions Club 15th Annual Scholarship Golf Tournament.
11. Consideration and possible action on participation in new opioid settlement through the Office of the Attorney General of Texas.
12. Consideration and possible action on the Utility Customer Account Adjustments.
13. Consideration and possible action on Resolution 2023-15 authorizing submittal of the FY2023-2024 Motor Vehicle Crime Prevention Authority Grant Program

### **Regular Items**

14. Action on items discussed during the public hearing:
    - A. Conditional Use Permit for "Iris Drive Thru."
    - B. Conditional Use Permit for "Los Compadres Mexican Restaurant Bar."
    - C. Conditional Use Permit for "V&A Food Store and Bakery"
    - D. Conditional Use Permit for "La Plumita Snacks and More" Food Truck
    - E. Conditional Use Permit for "GAS Motors"
  
    - F. Ordinance No. 2023-06 Zone Change requested by Elena Cruz from Single Family Residential (R1) to General Business (B2)
    - G. Ordinance No. 2023-07 Zone Change requested by Emmanuel Arreola from Single Family Residential (R1) to General Business (B2)
    - H. Ordinance No. 2023-08 Zone Change requested by Alma Lorena Ramirez from Single Family Residential (R1) to General Business (B2)
  15. Consideration and possible action on the purchase of a 2022 white Ram 1500 truck for public works.
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16. Consideration and possible action on 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
  17. Consideration and possible actin on 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
  18. Discussion and possible action on conditional approval, pending review, for the COPS Grant.

## **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 31st day of March 2023 at 5:20 pm.

WITNESS MY HAND, this 31st day of March 2023.

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/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.