



**NOTICE OF A SPECIAL CITY COUNCIL MEETING  
OF THE CITY OF DONNA  
TUESDAY, JUNE 27, 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 Special City Council Meeting at Donna City Hall 307 S 12th St. Donna, TX 78537, on Tuesday, June 27, 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.

**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.)

4. Second reading of ordinance(s):

- A. Ordinance 2023-14 Zone Change requested by Ramos Noe & Alma A from Single Family Residential (R1) to Multi-Family (R2) for property located at 1409 North Avenue, Donna, TX

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B. Ordinance 2023-15 Establishing a reimbursement policy for utility improvements constructed or paid for by the City and private developers

5. Consideration and possible action on the Utility Customer Account Adjustments.
6. Consideration and possible action on authorization for staff to issue requests for proposals for Toll Collection System for the Bridge.

### **Regular Items**

7. Consideration and possible action on the business case analysis letter of interest.
8. Consideration and possible action on items discussed in public hearing:
  - A. First Reading of 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.
9. Preliminary plat approval for Champion Ridge at Donna Meadows submitted by Robles Engineering representing Alejandro Figueroa
10. Consideration and possible action on the addition to main office at Utilities Department.
11. Discussion and possible action on:
  - A. Resolution No. 2023-19, a resolution authorizing and ratifying the use of the power of eminent domain to acquire 0.049 of one acre (2,130.30 sf) permanent utility easement out of a tract of land described as LOTT, TOWN & IMPROVEMENTS LOT 11 BLS 21-38 5.0 AC S 1/2 5.0 AC NET (L0250-00-021-0011-00) for the extension of city utilities and other public purposes.
  - B. Resolution No. 2023-20, a resolution authorizing and ratifying the use of the power of eminent domain to acquire 0.049 of one acre (2,130.30 sf) easement out of a tract of land described as LOTT, TOWN & IMPROVEMENTS LOT 11 BLKS 21, 22, 23 & 38 .50AC-H/S-N 1/2 .50AC (L0250-00-021-0011-01) for the extension of city utilities and other public purposes.

### **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.

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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.

- 12. A. 551.087 Project Blue
- B. 551.087 Project Crossings

### **Open Session**

- 13. A. Discussion and possible action on approval of 380 agreement - Kapal
- B. Discussion and possible action on approval of 380 agreement - Donna 493 JV

### **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 23rd day of June 2023 at 5:00 pm.

WITNESS MY HAND, this 23rd day of June 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.

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