



**Board of Directors Meeting
Jon Law, President**

CITY CLERK DEPT.
2018 AUG 20 AM 10:11

The El Paso Downtown Management District Board of Directors meeting will be held Thursday, August 23, 2018 at 11:30 a.m. at the United Bank Building Conference Room of the United Bank Building, 401 E. Main Dr., El Paso, Texas

FILED
2018 AUG 20 AM 10:25
RECORDED

AGENDA:

1. Call meeting to order.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA will be considered by the Downtown Management District (DMD) Board to be routine and will be enacted by one motion unless separate discussion is requested by Board Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. The Board may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the DMD Board of Directors as posted, unless otherwise revised by this or other motion of the Board, without the necessity of reading the wording of each item into the record.

CONSENT AGENDA

2. Approval of Minutes:
 - a. June 28, 2018 Board of Directors Meeting
3. Amend the 2018 DMD Board Meeting Schedule by canceling the October 25, 2018 meeting and rescheduling it for November 1, 2018 at 11:30am at United Bank, 401 E. Main Dr.
4. Approval of Public Funds Investment Act Quarterly Report for April - June 2018.
5. Recognition of donations, contributions and sponsorships to the El Paso Downtown Management District:
 - a. United Bank of El Paso del Norte - \$1,500 contribution in support of the DMD's 2nd Annual Running of the Bulls and the Segundo Barrio Backpack Drive.
 - b. Pierce, Little & Madrid, PC - \$100 contribution in support of the Segundo Barrio Backpack Drive.
 - c. Hunt Companies (Gary Sapp) - \$450 contribution in support of the Segundo Barrio Backpack Drive.
 - d. El Paso Community Foundation - \$3,000 in support of various DMD events.
 - e. El Paso Chihuahuas - \$1,500 in support of the Segundo Barrio Backpack Drive.
 - f. Falisa Pasquel Pierce - \$40 contribution in support of the Segundo Barrio Backpack Drive.
 - g. Downtown Management District - \$30 and materials from Gudenrath, Mais and Vasquez in support of the Segundo Barrio Backpack Drive.
 - h. Parkhill Smith Cooper – cash and materials in support of the Segundo Barrio Backpack Drive.
 - i. Scott Hulse Attorneys - materials in support of the Segundo Barrio Backpack Drive.
 - j. Paso Del Norte Health Foundation - materials in support of the Segundo Barrio Backpack Drive.
 - k. Borderplex REIT - materials in support of the Segundo Barrio Backpack Drive.
 - l. Diversified Parking/Best Real Estate Management - \$1,000 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - m. Glazer's Beer & Beverage - \$4,950 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - n. Mithoff Burton Partners - \$500 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - o. Sotoak Realty, LLC - \$1,500 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - p. Michael D. McQueen - \$120 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - q. Jamie Gallagher - \$120 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - r. Jon Law - \$120 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - s. National American Investment Co. - \$120 contribution in support of the DMD's 2nd Annual Running of the Bulls.
 - t. El Paso Inc. – Media Sponsor for Start Up Downtown Seminar, Workshop & Open House.

- u. Various individual contributions of cash and supplies in support of the Segundo Barrio Backpack Drive (see attachment).

REGULAR AGENDA

6. Committee Report: Finance Committee - Chair Laura Pople
 - a. Monthly Financial Summary
7. Report on DMD Investments:
 - a. TexPool Accounts – balance, rate and status
 - b. WestStar Money Market Accounts – balance, rate and status
8. Presentation, Discussion and Action on Approval of 2018-2019 Downtown Management District Budget.
9. Discussion and Action to Approve Adoption of the Tax Assessment Rate of \$.12 per \$100 in valuation for FY 2018-2019.
10. Committee Report: Grant Programs Update– Chair Peter Spier
 - a. Grant Programs Status/Fund Balance Report
11. Discussion and Action for Approval of a Reimbursement Grant Agreement for the Downtown Iconic Signage & Lighting Grant Program
 - a. That the Executive Director be authorized to sign a Reimbursement Grant Agreement for the Downtown Iconic Signage & Lighting Grant Program for property located at 104 S. Stanton Street (ISL 17-05) in the amount of \$9,166.67 with said project to be completed in accordance with the execution of the Agreement.
12. Committee Report: Infrastructure & Advocacy Committee – Chair Mike McQueen
 - a. Paseo de las Luces Project Outreach & Update
 - b. City of El Paso Noise Ordinance Changes
13. Discussion and Action to approve the DMD Position Statement regarding changes to the City of El Paso’s Noise Ordinance and other legislation that will impact the ongoing development of the downtown as a mixed use urban neighborhood.
14. Committee Report: Marketing Committee – Chair Edie Zuvanich
 - a. Current & Upcoming DTEP Promotions
 - b. Social Media & INSIDER Distribution List
 - c. DMD in the News
15. Presentation, Discussion and Approval of the Start Up Downtown Initiative to promote investment, entrepreneurship and opportunity within Downtown El Paso.
16. President’s Report
 - a. Executive Director’s Annual Performance Review
 - b. Board Member Nominations
17. Discussion and Action on Approval of recommendations to City Council to fill upcoming vacancies on the Downtown Management District Board of Directors as follows:

<u>Position</u>	<u>Candidate</u>	<u>Last Appt Date</u>	<u>Term#</u>	<u>Expiration Date</u>
Place 1	Jon Law	2015	3	August 2021
Place 2	Ben Marcus	NA	1	August 2021
Place 3	Monty Rogers	2017	1	August 2021
Place 4	Mike McQueen	2015	5	August 2021
Place 5	Steve Ortega	2017	1	August 2021
Place 6	Bill Burton	2015	3	August 2021

All the above persons recommended are qualified to serve on the Board in accordance with the qualifications established by Chapter 375 as follows: are at least 18 years old, and are connected within the District as either (1) a resident, (2) owner of property, (3) owner of stock on property, as an individual or in a corporate capacity, (4) owner of a beneficial interest in a trust that owns property, or (5) be an agent, employee or tenant of the owners listed in categories 2, 3 and 4. And further, all of the above persons have experience in at least one of the following statutorily mandated areas: (1) energy matters, (2) commercial banking, (3) real estate development, (4) finance and insurance matters, (5) matters relating to retail or the provision of services, (6) provision of utilities, or (7) general issues the district will address.

18. Discussion and Action on Appointment by Board of Directors to fill the unexpired term of Place 13 on the Downtown Management District Board with Eugenio Mesta. (The appointment to fill an unexpired term does not require City Council approval and is final upon Board approval.)

19. Executive Director's Report

- a. TIRZ No. 5 Update
- b. DMD Annual Survey Presentation & Discussion
- c. IDA Emerging Leaders Presentation & Discussion

20. Construction & Event Update- Frank Hernandez

- a. Current/Upcoming Projects and Events

21. Economic Development Update by City of El Paso (Paola Gallegos)

22. Open Discussion of topics relevant to Downtown El Paso (no action)

23. Discussion of the Next Board Meeting – September 27, 2018 (no action)

24. Open Comment Period* (no action)

25. Executive Session

At any time during the Board Meeting, the Board may, upon motion and affirmative vote of a majority of the Board in attendance, retire into Executive Session pursuant to the Texas Government Code, Chapter 551, Sections 551.071 and 551.074(a) for the purpose of consultations with legal counsel and/or discussion of a specific matter permitted to be in Executive Session pursuant to Texas Law. Executive Session is a closed, private meeting of the Board at which the public may not attend. No action and no voting may occur in Executive Session. The Board will return to open session to take any final action on any item discussed in Executive Session, or if no action is necessary, to continue or adjourn the meeting, as appropriate. The items to be discussed in executive session, if any, include the topics listed on the agenda, and possibly the following specified item(s):

- None Anticipated

26. Adjourn

** Open comment is an opportunity for members of the public to address the Board regarding items to be discussed at the meeting or any other issue of interest related to the DMD. Items that are brought up by the public but which are not posted for discussion or action may not be discussed among the Board members or acted upon by the Board, except for limited questions related directly to the topic or a discussion whether to post the public raised item on a future agenda. The Chair may limit the amount of time for public comment and/or allow additional public comment for each item.*

Posted this 20th day of August, 2018, at the El Paso County Courthouse, 500 E. San Antonio, El Paso, Texas; El Paso City Hall, 300 N. Campbell, and at the administrative office of the El Paso Downtown Management District, 201 E. Main, Suite 107, El Paso, Texas, pursuant to instructions of Jon Law, Vice President of the El Paso Downtown Management District.

BY: , Teresa Mais

EL PASO DOWNTOWN MANAGEMENT DISTRICT

Minutes of the Meeting of the Board of Directors – August 23, 2018

Location: United Bank, 401 E. Main Drive, 1st Floor Conference Room, El Paso, Texas

Attendees: _____ Total Members: 20 Quorum: 11 needed

Total Members Present: 15

Bill Burton	Martin Morgades	Laura Pople	Brad Taylor
Arlene Carroll	Madhi Nair	Monty Rogers	Sam Legate
Jamie Gallagher	Steve Ortega	Y.I. Santoscoy	Peter Spier
Mike McQueen	Eric Pearson	Wanye Soza	

Total Members *Not* Present: 5

Benjamin Gonzalez	Alejo Restrepo	Edie Zuvanich
Jon Law	Ruben Torres	

Ex-Officio Members: Rep. Lina Ortega – Office of State Representative Lina Ortega

Staff: Joe Gudenrath; Frank Hernandez; Teresa Mais; Rudy Vasquez

Guests: Bob Blumenfeld, Paola Gallegos and Elizabeth Triggs—Economic Development of the City of El Paso, Alberto Halpern—Office of Commissioner David C. Stout, Xotchitl Rodriguez—Office of State Representative Lina Ortega, Richard Adams-Environmental Services of the City of El Paso

1. Call meeting to order

Martin Morgades called the meeting to order at 11:36 a.m. on August 23, 2018 at United Bank, 401 E. Main Drive, 1st Floor Conference Room, El Paso, Texas. Notice of the DMD Board of Directors Meeting Agenda was posted at the El Paso County Courthouse, El Paso City Hall, and at the administrative office of the El Paso Downtown Management District, and on the downtownelpaso.com webpage by Teresa Mais on August 20, 2018 in accordance with the Texas Open Meeting Act on the dates indicated.

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CONSENT AGENDA

Law stated the items on the Consent Agenda are considered to be routine. Law requested a Motion and Second to approve the Consent Agenda.

2. Approval of Minutes:

a. June 28, 2018 Board of Directors Meeting

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 - t. El Paso Inc. – Media Sponsor for Start Up Downtown Seminar, Workshop & Open House.
 - u. Various individual contributions of cash and supplies in support of the Segundo Barrio Backpack Drive (see attachment).

Discussion: None
Moved: Jamie Gallagher
Seconded: Mike McQueen
Roll-Call Vote: For: 11; Against: 0; Abstaining: 0; Absent: 4 (Arlene Carroll, Sam Legate, Madhi Nair, Y.I. Santoscoy)

Motion Approved.

REGULAR AGENDA

6. **Committee Report: Finance Committee**
 - a. Monthly Financial Summary

Laura Pople provided an overview of the DMD's current financial position.

7. **Report on DMD Investments:**

- a. TexPool Accounts—balance, rate and status
- b. WestStar Money Market Accounts—balance rate, and status

Pople provided a brief overview of the DMD's current investments.

8. **Presentation, Discussion and Action on Approval of 2018-2019 Downtown Management District Budget.**

Gudenrath provided an overview of the proposed budget.

9. Discussion and Action to Approve Adoption of the Tax Assessment Rate of \$.12 per \$100 in valuation for FY 2018-2019.

Items #8 and #9 were considered together with no objection.

Discussion: None
Moved: Arlene Carroll
Seconded: Jamie Gallagher
Roll-Call Vote: For: 15; Against: 0; Abstaining: 0; Absent: 0
Motion Approved.

10. Committee Report: Grant Programs Update

a. Grant Programs Status/Fund Balance Report

Peter Spier gave a brief overview of the status and fund balance of the Grant Program. Ten projects are currently in various stages of progress. Three of them are currently under extension and one under review.

11. Discussion and Action for Approval of a Reimbursement Grant Agreement for the Downtown Iconic Signage & Lighting Grant Program

- a. That the Executive Director be authorized to sign a Reimbursement Grant Agreement for the Downtown Iconic Signage & Lighting Grant Program for property located at 104 S. Stanton Street (ISL 17-05) in the amount of \$9,166.67 with said project to be completed in accordance with the execution of the Agreement.

Discussion: Legate asked if the applicant had received Façade Grant funds previously. Staff confirmed they had and are eligible for the Iconic Signage & Lighting Program as well.
Moved: Sam Legate
Seconded: Y.I. Santoscoy
Roll-Call Vote: For: 15; Against: 0; Abstaining: 0; Absent: 0
Motion Approved.

12. Committee Report: Infrastructure & Advocacy Committee

- a. Paseo de Las Luces Project Outreach & Update
Mike McQueen gave a brief overview about the Paseo de Las Luces Project. Gudenrath informed the Board about an upcoming community meeting and how the DMD is working with the City's Economic Development department and other organizations to communicate to business owners on ways for them to capitalize on this opportunity.
- b. City of El Paso Noise Ordinance
McQueen informed the Board about the City's proposed Noise Ordinance and the DMD's position requesting the Downtown be exempt from the Ordinance changes.

13. Discussion and Action to approve the DMD Position Statement regarding changes to the City of El Paso's Noise Ordinance and other legislation that will impact the ongoing development of the downtown as a mixed- use urban neighborhood.

Discussion: Pearson suggested an event exemption be considered. Legate commented that the DMD should oppose the proposed Noise Ordinance strongly.
Moved: Eric Pearson
Seconded: Wayne Soza
Roll-Call Vote: For: 14; Against: 0; Abstaining: 1 (Peter Spier); Absent: 0
Motion Approved.

14. Committee Report: Marketing Committee

- a. Current & Upcoming DTEP Promotions
Gudenrath informed the Board that the DMD completed two surveys which included the Downtown Employee Survey and the Annual Downtown Survey. He stated that the Segundo Barrio Backpack Drive was completed and thanked those who contributed. He gave a brief update about the events coming up including the Start Up Downtown event, the EAT Authentico Restaurant Crawl and Running of the Bulls.
- b. Social Media & INSIDER Distribution List
Gudenrath gave an update about social media and the weekly newsletter.
- c. DMD in the News
Gudenrath gave a brief overview about what, when, and where the DMD was mentioned in the news in the month of May.

15. Presentation, Discussion and Approval of the Start Up Downtown Initiative to promote investment, entrepreneurship and opportunity within Downtown El Paso.

Discussion: None
Moved: Eric Pearson
Seconded: Wayne Soza
Roll-Call Vote: For: 15; Against: 0; Abstaining: 0; Absent: 0
Motion Approved.

16. President's Report

- a. Executive Director's Annual Performance Review
Martin Morgades informed the Board that it is time for the Board to perform its annual review of the Executive Director. He stated that he will be leading this process as Board Vice President and stated that they will distribute an online survey following the meeting. He informed the Board that at next month's meeting they will go into Executive Session to present the results of that survey and Gudenrath's self-evaluation. The Board will finalize the process at that meeting with a public vote.
- b. Board Member Nominations
Morgades informed the Board that Items #17 & #18 are nominations by the Executive Committee for service on the Board.

17. Discussion and Action on Approval of recommendations to City Council to fill upcoming vacancies on the Downtown Management District Board of Directors as follows:

<u>Position</u>	<u>Candidate</u>	<u>Last Appt Date</u>	<u>Term#</u>	<u>Expiration Date</u>
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Place 5	Steve Ortega	2017	1	August 2021
Place 6	Bill Burton	2015	3	August 2021
Place 7	Eric Pearson	2015	3	August 2021

All the above persons recommended are qualified to serve on the Board in accordance with the qualifications established by Chapter 375 as follows: are at least 18 years old, and are connected within the District as either (1) a resident, (2) owner of property, (3) owner of stock on property, as an individual or in a corporate capacity, (4) owner of a beneficial interest in a trust that owns property, or (5) be an agent, employee or tenant of the owners listed in categories 2, 3 and 4. And further, all of the above persons have experience in at least one of the following statutorily mandated areas: (1) energy matters, (2) commercial banking, (3) real estate development, (4) finance and insurance

matters, (5) matters relating to retail or the provision of services, (6) provision of utilities, or (7) general issues the district will address.

18. Discussion and Action on Appointment by Board of Directors to fill the unexpired term of Place 13 on the Downtown Management District Board with Eugenio Mesta. (The appointment to fill an unexpired term does not require City Council approval and is final upon Board approval.)

Items #17 and #18 were considered together with no objection.

Discussion: None
Moved: Jamie Gallagher
Seconded: Y.I. Santoscoy
Roll-Call Vote: For: 13; Against: 0; Abstaining: 2 (Steve Ortega, Eric Pearson); Absent: 0
Motion Approved.

19. Executive Director's Report

- a. TIRZ No. 5 Update
Gudenrath informed the Board that the TIRZ has not held a meeting, but the project committee did meet about the extension of the Paseo de las Luces project. No action was taken.
- b. DMD Annual Survey Presentation & Discussion
Gudenrath gave a presentation about the results of the DMD Annual Survey. He stated that he plans to share these results at City Council. Eric Pearson commented that the Plaza Classic Film Festival sells as many tickets as the Lion King sold.
- c. IDA Emerging Leaders Presentation & Discussion
Gudenrath thanked the Board for their support for him to attend the IDA Emerging Leaders Program in New York City and he gave a brief presentation about what he learned during the program.

20. Construction & Event Update

- a. Current/Upcoming Projects and Events
Frank Hernandez gave an overview and updates of upcoming construction, projects and events including the Paseo de las Luces project, the Plaza Hotel construction and the El Paso Streetcar.

21. Economic Development Update by City of El Paso

Elizabeth Triggs gave a presentation about the P3 project, a public/private partnership by the City of El Paso. The development will provide Downtown with apartment units, hotel units, retail space, and parking.

22. Open Discussion of topics relevant to Downtown El Paso

None

23. Discussion of the Next Board Meeting—September 27, 2018.

No action

24. Open Comment Period

No action

25. Executive Session

At any time during the Board Meeting, the Board may, upon motion and affirmative vote of a majority of the Board in attendance, retire into Executive Session pursuant to the Texas Government Code, Chapter 551, Sections 551.071 and 551.074(a) for the purpose of consultations with legal counsel and/or discussion of a specific matter permitted to be in Executive Session pursuant to Texas Law. Executive Session is a closed, private meeting of the Board at which the public may not attend. No action and no voting may occur in Executive Session. The Board will return to open session to take any final action on any item discussed in Executive Session, or if no action is necessary, to continue or adjourn the meeting, as appropriate. The items to be discussed in executive session, if any, include the topics listed on the agenda, and possibly the following specified item(s):

26. **Adjourn**

By consensus of the Board the meeting adjourned at 12:45 p.m.

Submitted by:


Mike McQueen, Secretary
DMD Board of Directors

Date: Sept 21, 2018