



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

FILED FOR RECORD  
IN MY OFFICE  
JAN 23 2019 8:38 AM

*The El Paso Downtown Management District Board of Directors meeting will be held Thursday, January 24, 2019 at 11:30 a.m. at the United Bank Building Conference Room of the United Bank Building, 401 E. Main Dr., El Paso, Texas*

*Debbie Brumley*  
COUNTY CLERK  
EL PASO COUNTY TEXAS

**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. December 6, 2018 Board of Directors Meeting
3. Approval of Public Funds Investment Act Quarterly Report for October - December 2018

**REGULAR AGENDA**

4. Presentation, discussion and possible action regarding the Downtown Management District's FY2017-2018 Independent Auditors Report.
5. Committee Report: Finance Committee - Chair Laura Pople
  - a. Monthly Financial Summary
6. Report on DMD Investments:
  - a. TexPool Accounts – balance, rate and status
  - b. WestStar Money Market Accounts – balance, rate and status
7. Committee Report: Grant Programs Update– Chair Peter Spier
  - a. Grant Programs Status/Fund Balance Report
8. Discussion and Action for Approval of a Reimbursement Grant Agreement for the Downtown Pedestrian Corridor Improvement Grant Program
  - a. That the Executive Director be authorized to sign a Reimbursement Grant Agreement for the Downtown Pedestrian Corridor Improvement Grant Program for property located at 101 S. El Paso Street (PCI 17-03) in the amount of \$10,000.00 with said project to be completed in accordance with the execution of the Agreement.
9. Committee Report: Infrastructure & Advocacy Committee – Chair Mike McQueen
  - a. Homeless Outreach Program & Opportunity Center Shelter Status
  - b. Ambassador Program and Off Duty Officer Holiday Season Staffing
  - c. Sanitation Program Updates
  - d. EPA Brownfields Assessment Grant
10. Discussion and Action to authorize the Executive Director to negotiate and enter into an agreement with Stantec Consulting Services for services related to the application for an EPA Brownfields Assessment Grant AND Grant

Implementation Services if the grant is obtained. If the grant is obtained, the Professional Services Agreement for the grant's implementation will be developed and brought before the board for its consideration.

11. Committee Report: Marketing Committee – Chair Edie Zuvanich
  - a. Current & Upcoming DTEP Promotions
  - b. Social Media & INSIDER Distribution List
  - c. DMD in the News
  
12. President's Report
  - a. Executive Committee Make-up
  - b. 2019-2022 Strategic Plan
  
13. Discussion and Action to amend the 2019 Board Meeting Schedule to facilitate the Strategic Planning Sessions as follows:
  - a. Add Strategic Planning & Board Meeting – Thursday, February 28, 2019 from 8:30am to 1pm at United Bank, 401 E. Main – Large Conference Room.
  - b. Remove March 28, 2019 Board Meeting
  - c. Add Strategic Planning & Board Meeting – Friday, March 29, 2019 from 8:30am to 1pm at United Bank, 401 E. Main – Large Conference Room.
  
14. Executive Director's Report
  - a. TIRZ No. 5 Update
  - b. Value of Downtown Project Update
  - c. IDA Conference Report
  
15. Construction & Event Update- Frank Hernandez
  - a. Current/Upcoming Projects and Events
  
16. Economic Development Update by City of El Paso (Paola Gallegos)
  
17. Open Discussion of topics relevant to Downtown El Paso (no action)
  
18. Discussion of the Next Board Meeting – February 28, 2019 (no action)
  
19. Open Comment Period\* (no action)
  
20. 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

## 21. 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 18<sup>th</sup> day of January, 2019**, 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 – January 24, 2019

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

**Attendees:** \_\_\_\_\_ **Total Members:** 20 **Quorum: 11 needed**

**Total Members Present:** 15

Bill Burton	Mike McQueen	Laura Pople	Wayne Soza
Arlene Carroll	Pacelli Mesta	Alejo Restrepo	Peter Spier
Jamie Gallagher	Martin Morgades	Monty Rogers	Ruben Torres
Jon Law	Eric Pearson	Y.I. Santoscoy	

**Total Members Not Present:** 5

Sam Legate	Steve Ortega	Edie Zuvanich	Brad Taylor
Ben Marcus			

**Ex-Officio Members:** Lina Ortega — Office of State Representative Lina Ortega

**Staff:** Joe Gudenrath; Frank Hernandez; Teresa Mais; Rudy Vasquez; Analissa Carreon  
**Guests:** Bob Blumenfeld, Attorney; Paola Gallegos—Economic Development of the City of El Paso; Chris Gdak—Stantec; Cedric Lyerly—Strickler and Prieto; Alberto Halpern —Office of Commissioner David C. Stout

#### 1. Call meeting to order

Jon Law called the meeting to order at 11:34am on January 24, 2019 at United Bank, 401 E. Main Drive, 1<sup>st</sup> 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 January 21, 2019 in accordance with the Texas Open Meeting Act on the dates indicated.

### 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

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. December 6, 2018 Board of Directors Meeting

#### 3. Approval of Public Funds Investment Act Quarterly Report for October - December 2018

**Discussion:** None  
**Moved:** Mike McQueen  
**Seconded:** Ruben Torres  
**Roll-Call Vote:** For: 11; Against: 0; Abstaining: 2 (Arlene Carroll, Alejo Restrepo); Absent: 2 (Eric Pearson, Wayne Soza)

**Motion Approved.**

### REGULAR AGENDA

4. Presentation, discussion and action to accept the Downtown Management District's FY2017-2018 Independent Auditors Report as presented by Strickler & Prieto

Cedric Lyerly of Strickler & Prieto, LLP gave a brief presentation about the results of the audit. He said there were no findings and there are adequate controls in place by the DMD.

**Discussion:** Motion to accept the audit report as presented.  
**Moved:** Ruben Torres  
**Seconded:** Peter Spier  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0; Absent: 1 (Eric Pearson)  
**Motion Approved.**

5. Committee Report: Finance Committee

- a. Monthly Financial Summary  
Laura Pople provided an overview of the DMD's current financial position.

6. 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.

7. 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. He informed the Board that there is one project under extension, three have a reimbursement request in process, and one is currently under review.

8. Discussion and Action for Approval of a Reimbursement Grant Agreement for the Downtown Pedestrian Corridor Improvement Grant Program upon completion of the entire project of the Hotel

- a. That the Executive Director be authorized to sign a Reimbursement Grant Agreement for the Downtown Pedestrian Corridor Improvement Grant Program for property located at 101 S. El Paso Street (PCI 17-03) in the amount of \$10,000.00 with said project to be completed in accordance with the execution of the Agreement.

**Discussion:** Spier informed the Board that work on the hotel stopped and the grant review was postponed until work started again. Gudenrath stated work has started on some aspects of the hotel. He reminded the Board that they are applying for a reimbursement grant and regardless if the project stops again, the DMD does not reimburse money until the project is completed. He further informed the Board that there are safe guards on the grant that if they do not comply with, the DMD can cancel the grant. Arlene Carroll and Martin Morgades inquired about if the reimbursement would be handed upon the completion of the project for which they applied or the completion of the hotel. Gudenrath clarified it would be the project for which they applied. Torres inquired if the property was still on the tax rolls. Gudenrath responded that the City-

owned land went off the rolls, but the improvement is a tax-paying portion of the project. Laura Pople expressed that the only downside to this is that if the project is not completed the money reserved for the project will go back to available funds. Pacelli Mesta expressed concern that if work on the hotel stops again that the project operation and maintenance will suffer. Spier and Carroll expressed that the DMD should reimburse the money upon completion of the hotel and not upon completion of the project. Eric Pearson stated that the DMD should not attempt to control the completion of projects with grants and stated that the DMD endorses the improvement of cityscapes which is what the grant is for. Mesta responded that this project is different given the history of construction issues related to the project. Morgades expressed that he understands what Pearson expressed, but that the Board has to be good stewards of citizens' money. Mesta made a motion to approve the grant on the condition that final reimbursement be subject to completion of the hotel project.

**Moved:** Pacelli Mesta

**Seconded:** Arlene Carroll

**Roll-Call Vote:** For: 11; Against: 4 (Eric Pearson, Alejo Restrepo, Monty Rogers, Wayne Soza); Abstaining: 0; Absent: 0

**Motion Approved.**

**9. Committee Report: Infrastructure & Advocacy Committee**

a. Homeless Outreach Program & Opportunity Center Status

Mike McQueen informed the Board that the Opportunity Center says they are having serious financial issues and may close in the spring if they do not get support from the City and other organizations. The Opportunity Center is asking the DMD to provide any assistance. McQueen suggested the DMD assist them when the Center approaches the City or County for funding. Y.I. Santoscoy expressed to the Board that the Opportunity Center is doing a good job and encouraged them to go visit. Law stated that the Center is accepts everyone when some shelters do not. Pearson added that federal funding has shifted away from emergency services like those provided by the Opportunity Center.

b. Ambassador Program and Off Duty Officer Holiday Season Staffing

McQueen informed the Board the Ambassador Program and Off Duty Officers worked through WinterFest and there were no series incidents reported.

c. Sanitation Program Updates

McQueen informed the Board that according to the County the DMD will no longer be able to give double time for clients participating in the community service program and will only be able to give them time and a half for their work. Staff will monitor program participation to determine if the change impacts operations.

d. EPA Brownfields Assessment Grant

McQueen informed the Board that the DMD applied for an EPA Brownfields Assessment Grant. Gudenrath gave a brief overview about the grant, the RFQ process and possible implementation. He stated that El Paso has not seen a Brownfields grant in a number of years and Texas is underfunded compared to other states. Chris Gdak from Stantec gave a brief overview about the grant and the process.

**10. Discussion and Action to authorize the Executive Director to negotiate and enter into an agreement with Stantec Consulting Services for services related to the application for an EPA Brownfields Assessment Grant AND Grant Implementation Services if the grant is obtained. If the grant is obtained, the Professional Services Agreement for the grant's implementation will be developed and brought before the board for its consideration.**

**Discussion:** Mesta, Pearson and Pople requested clarifications which were addressed by Gudenrath and Gdak.

**Moved:** Martin Morgades

**Seconded:** Y.I. Santoscoy

**Roll-Call Vote:** For: 15; Against: 0; Abstaining: 0; Absent: 0  
**Motion Approved.**

**11. Committee Report: Marketing Committee**

- a. Current & Upcoming DTEP Promotions  
Gudenrath informed the Board about the Downtown Barstool Open and the Hidden Hearts promotion.
- b. Social Media & INSIDER Distribution List  
Gudenrath gave a brief update of all the follower and subscriber numbers for each social medium and the INSIDER newsletter. He stated that INSIDER subscribers are almost at 6,000 subscribers.
- 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 December.

**12. President's Report**

- a. Executive Committee Make-up  
Law thanked the Board for electing him as Board President for the current year. He identified the make-up of the Executive Committee for the current year.
- b. 2019-2022 Strategic Plan  
Law gave an overview of the process, phases and timeline of how the DMD and Board will create the 2019-2022 Strategic Plan. Gudenrath stated that he will add more to each one of the issues presented in the Strategic Plan.

**13. Discussion and Action to amend the 2019 Board Meeting Schedule to facilitate the Strategic Planning Sessions as follows:**

- a. Add Strategic Planning & Board Meeting – Thursday, February 28, 2019 from 8:30am to 1pm at United Bank, 401 E. Main – Large Conference Room.
- b. Remove March 28, 2019 Board Meeting
- c. Add Strategic Planning & Board Meeting – Friday, March 29, 2019 from 8:30am to 1pm at United Bank, 401 E. Main – Large Conference Room.

**Discussion:** None  
**Moved:** Mike McQueen  
**Seconded:** Martin Morgades  
**Roll-Call Vote:** For: 15; Against: 0; Abstaining: 0; Absent: 0  
**Motion Approved.**

**14. Executive Director's Report**

- a. TIRZ No. 5 Update  
Gudenrath informed the Board there has not been a meeting for the TIRZ.
- b. Value of Downtown Project Update  
Gudenrath informed the Board that the Value of Downtown Project is complete and gave a presentation on the results. He went over each section of the study and elaborated on the results including employee demographics, identity, residential and more. Gudenrath expressed that the results are extremely valuable to show the DMD where they are at currently and to suggest where to focus efforts for the future. Mesta expressed that the DMD should get current data to supplement the report.
- c. IDA Conference Report  
Law stated that the IDA Conference Report should be postponed to the next meeting to allow for adequate time.

**15. Construction & Event Update**

a. **Current/Upcoming Projects and Events**

Frank Hernandez gave a brief overview about current and upcoming projects including various hotel, parking garage, and building projects. He briefly talked about Neon Desert Music Festival and other events coming to Downtown.

**16. Economic Development Update by City of El Paso**

Paola Gallegos updated the Board about the dockless scooters ordinance and stated that there are three scooter companies coming to the City for the pilot program. Gallegos gave a brief overview about the building project on 213 S El Paso St.

**17. Open Discussion of topics relevant to Downtown El Paso**

Gudenrath informed the Board that the City is finalizing its Downtown Parking Study and informed them about their public meetings. Pearson briefly spoke about the effort to master plan the space between the Children's Museum and the El Paso Museum of Art.

**18. Discussion of the Next Board Meeting—February 28, 2019**

None

**19. Open Comment Period**

None

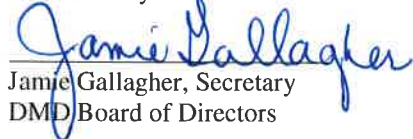
**20. Executive Session**

*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):*

**21. Adjourn**

By consensus of the Board the meeting adjourned at 12:52pm

Submitted by:

  
Jamie Gallagher, Secretary  
DMD Board of Directors

Date: Feb. 20, 2019