



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

*The El Paso Downtown Management District Board of Directors meeting will be held Thursday, November 1, 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*

CITY CLERK DEPT.  
2018 OCT 29 11:00 AM  
FILED FOR RECORD  
IN MY OFFICE

**AGENDA:**

*Delia Brown*  
COUNTY CLERK  
EL PASO COUNTY TEXAS

1. Call meeting to order.
2. USL El Paso Locomotive Update – Andrew Forrest, El Paso Locomotive General Manager, with possible discussion of the topic by the Board (no action).

**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**

3. Approval of Minutes:
  - a. September 27, 2018 Board of Directors Meeting
4. Approval of Public Funds Investment Act Quarterly Report for July - September 2018

**REGULAR AGENDA**

5. Election of DMD Officers: President, Vice-President, Secretary and Treasurer
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. Committee Report: Grant Programs Update– Chair Peter Spier
  - a. Grant Programs Status/Fund Balance Report
9. Committee Report: Infrastructure & Advocacy Committee – Chair Mike McQueen
  - a. Paseo de las Luces Project Outreach & Update
  - b. Streetcar Update
  - c. City of El Paso Noise Ordinance Update
10. Presentation, discussion and possible action on Shared Scooter Systems.
11. Discussion and Action to approve the DMD Position Statement regarding support for the City of El Paso's identification of the Main Library campus as the location of the Mexican American Cultural Center and its efforts to proceed with development of the project.

12. Discussion and Action to approve the DMD Position Statement in support of the El Paso Forward campaign and to join other individuals, businesses, and organizations as a member of the coalition.
13. Committee Report: Marketing Committee – Chair Edie Zuvanich
  - a. Current & Upcoming DTEP Promotions
  - b. Social Media & INSIDER Distribution List
  - c. DMD in the News
14. President’s Report
  - a. Executive Director Goals and Objectives
  - b. 2019-2022 Strategic Plan Steering Committee
  - c. 2019 Meeting Schedule, Committee Charters, Administrative Rules
  - d. December 6<sup>th</sup> DMD Board Meeting
15. Discussion and Action to approve the 2019 Board and Committee Meeting Schedule.
16. Discussion and Action to approve the 2018-2019 DMD Committee Charters.
17. Discussion and Action to approve the DMD Board Administrative Rules, Policies and Procedures as amended.
18. Discussion and Possible Action to amend the 2018 DMD Board Meeting schedule and move the December 6<sup>th</sup> meeting to 3pm at Hotel Indigo, 325 N. Kansas Street, 5<sup>th</sup> Floor Conference Room.
19. Executive Director’s Report
  - a. TIRZ No. 5 Update
  - b. Value of Downtown Project Update
  - c. Power Hour Luncheon Schedule
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 – December 6, 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):*

- Discussion Regarding Executive Director Goals and Objectives (Section 551.074, Personnel Matter)

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 29<sup>th</sup> day of October, 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:  Analissa Carreon

## EL PASO DOWNTOWN MANAGEMENT DISTRICT

### Minutes of the Meeting of the Board of Directors – November 1, 2018

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

**Attendees:** **Total Members:** **21** **Quorum: 11 needed**

**Total Members Present:** **14**

Arlene Carroll	Ben Marcus	Alejo Restrepo	Ruben Torres
Jamie Gallagher	Martin Morgades	Y.I. Santoscoy	Edie Zuvanich
Jon Law	Steve Ortega	Wayne Soza	Brad Taylor
Sam Legate	Laura Pople		

**Total Members Not Present:** **7**

Bill Burton	Pacelli Mesta	Eric Pearson	Peter Spier
Mike McQueen	Madhi Nair	Monty Rogers	

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

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

**Guests:** Bob Blumenfeld, Attorney; Paola Gallegos—Economic Development of the City of El Paso; Philip Etiwe—City of El Paso Planning Department ; Alberto Halpern—Office of Commissioner David C. Stout; Victoria Molinar— Office of State Representative Lina Ortega, Cassandra Hernandez—District 3 Representative, Andrew Forrest—El Paso Locomotive

#### **1. Call meeting to order**

Jon Law called the meeting to order at 11:33am on November 1, 2018 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 Analissa Carreon on October 29, 2018 in accordance with the Texas Open Meeting Act on the dates indicated.

2. USL El Paso Locomotive Update – Andrew Forrest, El Paso Locomotive General Manager, gave a brief presentation about the new USL soccer team in El Paso.

### **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.

#### **3. Approval of Minutes:**

- a. September 27, 2018 Board of Directors Meeting

4. **Approval of Public Funds Investment Act Quarterly Report for July - September 2018**

**Discussion:** None  
**Moved:** Wayne Soza  
**Seconded:** Jamie Gallagher  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0  
**Motion Approved.**

**REGULAR AGENDA**

5. **Election of DMD Officers: President, Vice-President, Secretary and Treasurer**

Gudenrath outlined the process for electing officers and that terms were for 1-year due to a 2017 amendment to the DMD Administrative Rules. The following nominations were made and accepted. Due to the lack of contested offices, the slate was taken as one voting item.

**Discussion: None**

- a. Laura Pople nominated Jon Law as President. Steve Ortega seconded the nomination.
- b. Jon Law nominated Martin Morgades as Vice President. Wayne Soza seconded the nomination.
- c. Sam Legate nominated Laura Pople as Treasurer. Jon Law seconded the nomination.
- d. Laura Pople nominated Jamie Gallagher as Secretary. Wayne Soza seconded the nomination.

**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0  
**Motions Approved.**

6. **Committee Report: Finance Committee**

- a. Monthly Financial Summary

Pople provided an overview of the DMD's current financial position. She informed the Board that the committee spent a lot of time with the auditor on the grant program fund and reserve balances and everything looks good.

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. **Committee Report: Grant Programs Update**

- a. Grant Programs Status/Fund Balance Report

Joe Gudenrath gave a brief overview of the status and fund balance of the Grant Program. He informed the Board that there are no projects under consideration this month. He stated that about \$5,000 of DMD's own money has been used and \$147,000 has been used from TIRZ in FY2017-2018.

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

- a. Paseo de las Luces Project Outreach & Update  
Gudenrath gave a brief update about the Paseo de las Luces project. He informed the Board that the DMD continues to work with the City on outreach to get word out to the property owners on the status of the project and on how to take advantage of this major investment. The Paseo de las Luces project will be completed on November 7<sup>th</sup>.
- b. Streetcar Update  
Gudenrath informed the Board that the Streetcar system will have a dedication on November 9<sup>th</sup> and will begin operations following that.

c. City of El Paso Noise Ordinance Update

Gudenrath informed the Board that staff made the DMD's position on the noise ordinance known to City Council and that the DMD will continue to advocate until the ordinance is brought before Council.

**10. Presentation, discussion and action to encourage the City of El Paso to implement an orderly scooter sharing pilot program in the near future.**

Gudenrath gave a brief presentation on shared scooter systems. He shared the pros and cons of having dockless scooters in downtown areas, and how other downtowns around the US are dealing with the scooters. He stated that the agenda would allow the board to take a position on this issue.

**Discussion:** Philip Etiwe informed the Board that the City picked up the Bird scooters that were dropped off around the city. He stated that the City has been in communication with Glide, Bird, and Lime scooter companies and told them to not put any scooters on the ground until the City has an ordinance in place. Carroll stated that what Dallas is doing is giving the scooters a designated area marked by tape on the ground to reduce clutter. Carroll recommended that the City can meet with other cities about how they handle the scooters to get ideas. Pople expressed that she likes the scooters and that it would make transportation between districts in Downtown more connected and faster. She stated that downtown San Antonio's scooters were parked orderly. Pople also expressed that the City should not give privilege or protect the local scooter company. Ortega stated that Austin's operations were messy and obstructive, but San Antonio was orderly. Law indicated that Dallas has issues with scooters and dockless bikes being unorderly. Gudenrath recommended that the City should not be regulation heavy as far as the number of scooters on the ground because they do not know what the market will bear and scooters that aren't being used are not in the companies' interest. Gudenrath recommended that the City have a pilot program to figure this out. Cassandra Hernandez informed the Board about her opinion about the scooters. She stated that City Council has the ability to issue special permits and the company that is ready to launch and has been working with the City should be issued a special permit. Hernandez stated that there should be some flexibility for those companies that are ready to launch now. She stated that she liked the idea of having a lot of flexibility at first, run the pilot program, and make amendments to the ordinance after the pilot program if necessary. Brad Taylor inquired about liability issues. Hernandez informed him that one of the City's attorneys visited with another city to research about this issue. Sam Legate recommended that the City require that the scooter companies have insurance. Gudenrath stated that special use permits of all types require insurance. Law stated that if the Board considers a pilot program that there is a cap on the number of units. Legate questioned why the Board should do anything at the moment since they don't know much information about the topic. Pople and Law responded that the DMD is an advocate for Downtown. Pople added that bringing scooters into Downtown would be good for Downtown. Legate responded that the Board should know about the insurance requirements.

**Moved:** Pople made a motion to encourage the City of El Paso to implement a scooter sharing pilot program in the near future. Law requested to amend the motion and add a cap on the number of units. Pople did not accept Law's amendment. Legate requested to amend the motion to require providers have appropriate insurance. Pople accepted the amendment. Ortega requested to amend the motion to require the orderly implementation of such programs. Pople accepted the amendment.

**Seconded:** Arlene Carroll

**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0

**Motion Approved.**

**11. Discussion and Action to approve the DMD Position Statement regarding support for the City of El Paso's identification of the Main Library campus as the location of the Mexican American Cultural Center and its efforts to proceed with development of the project.**

**Discussion:** None

**Moved:** Steve Ortega  
**Seconded:** Jamie Gallagher  
**Roll-Call Vote:** For: 13; Against: 1 (Edie Zuvanich); Abstaining: 0  
**Motion Approved.**

**12. Discussion and possible action to approve the DMD Position Statement in support of the El Paso Forward campaign and to join other individuals, businesses, and organizations as a member of the coalition.**

**Discussion:** Law stated that it would be helpful to have a presentation on the El Paso Forward campaign. Gudenrath gave a brief summary about the campaign. Legate suggested the Board not take any action yet. Law suggested that the Board invite El Paso Forward to give a presentation at the next meeting.

**Moved:** Martin Morgades  
**Seconded:** Wayne Soza  
**Withdrew:** Morgades and Soza

**13. Committee Report: Marketing Committee**

a. Current & Upcoming DTEP Promotions

Zuvanich informed the Board about the Eat Authentico Restaurant Crawl and how the role as the host of the table is important as advocacy for Downtown. Gudenrath gave a brief summary about feedback, profit and other details about the crawl. Pople commented on the importance of the advocacy opportunity for Downtown at the crawl. Gudenrath gave a brief recap on the Running of the Bulls event including sponsors, registrations, race times, and profits. Ortega stated that the feature in the El Paso Times has a value in the thousands of dollars for the DMD. He expressed the DMD did a good job. Gudenrath informed the Board about the DMD's support for the #RiseAboveDTEP Photo Contest and the support of WinterFest. He stated that WinterFest will kick off on November 18<sup>th</sup>, a position the DMD has held for a long time to expand the holiday season and draw more people into Downtown. He recognized and thanked Scherr Legate Attorneys at Law for being a sponsor for the Celebration of Lights Parade.

b. Social Media & INSIDER Distribution List

Gudenrath informed the Board about all of DMD's social media channels and the INSIDER 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 September and October.

**14. President's Report**

a. Executive Director Goals and Objectives

Law stated that the review of Gudenrath's annual goals and objectives were not covered during the Executive Director Annual Performance Evaluation and the Board will go into Executive Session to review and discuss them.

b. 2019-2022 Strategic Plan Steering Committee

Law informed the Board that the steering committee that will be put together to help develop the DMD's planning process and prepare the DMD for their next session next spring will include himself, Gallagher, Pacelli Mesta, Bill Burton, Cary Westin, Betsy Keller, and Michael Kelly. He stated that the committee will meet two or three times and their job is to frame what the Board will do on their retreat next spring.

c. 2019 Meeting Schedule, Committee Charters, Administrative Rules

Law presented the meeting schedule which is pretty much the same. Gudenrath informed the Board that the full Committee Charters are in the packet and the amendments to the administrative rules about the Financial and Investment policies have the support of the Finance Committee.

d. December 6th DMD Board Meeting

Law informed the Board about the Holiday Social and details pertaining to that event. Gudenrath informed the Board that this year the DMD would move the Holiday Social and Board meeting adjacent to each other and would only do this if reaching quorum is not jeopardized. Item #18 would allow the Board to do this.

Items #15-#18 were all taken at once.

15. Discussion and Action to approve the 2019 Board and Committee Meeting Schedule.
16. Discussion and Action to approve the 2018-2019 DMD Committee Charters.
17. Discussion and Action to approve the DMD Board Administrative Rules, Policies and Procedures as amended.
18. Discussion and Possible Action to amend the 2018 DMD Board Meeting schedule and move the December 6th meeting to 3pm at Hotel Indigo, 325 N. Kansas Street, 5th Floor Conference Room.

**Discussion:** None  
**Moved:** Sam Legate  
**Seconded:** Martin Morgades  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0  
**Motion Approved.**

19. Executive Director's Report

- a. TIRZ No. 5 Update  
Gudenrath informed the Board that the TIRZ did not meet last month. The next meeting they will consider supporting the extension of Paseo de las Luces to San Jacinto Plaza.
- b. Value of Downtown Project Update  
Gudenrath informed the Board that the IDA Value of Downtown is in draft phase and will be finalizing in the coming weeks with a presentation to the Board following.
- c. Power Hour Luncheon Schedule  
Gudenrath informed the Board the Power Hour Luncheon schedule for 2019 has been established. He stated that the responsibility of the Board members is two suggest topics and bring two guests. He thanked sponsors Kemp Smith and the Electric Company.

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, Plaza Hotel, Paso del Norte Hotel, El Paso Streetcar, and Dia de los Muertos.

21. Economic Development Update by City of El Paso

Paola Gallegos informed the Board that she attended the IDA Conference and she will have a follow-up meeting about what she learned at the conference with the City Manager. Ortega inquired about the status of alley activation. Gallegos responded that they are currently seeking funding options.

22. Open Discussion of topics relevant to Downtown El Paso

None

23. Discussion of the Next Board Meeting—December 6, 2018 at 3 pm.

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):*

-Discussion Regarding Executive Director Goals and Objectives (Section 551.074, Personnel Matter)

Enter Executive Session at 12:42 pm.

**Discussion:** None.  
**Moved:** Jamie Gallagher  
**Seconded:** Ruben Torres  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0; Absent:0  
**Motion Approved.**

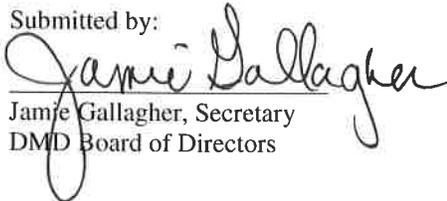
Exit Executive Session at 12:52 pm.

**Discussion:** None.  
**Moved:** Martin Morgades  
**Seconded:** Jamie Gallagher  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0; Absent:0

**26. Adjourn**

By consensus of the Board the meeting adjourned at 12:52 p.m.

Submitted by:

  
Jamie Gallagher, Secretary  
DMD Board of Directors

Date: Nov. 20, 2018