



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

2019 OCT 21 11:33 AM  
FILED FOR RECORD  
CLERK OF COUNTY, TEXAS

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

**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. September 26, 2019 Board of Directors Meeting
- 3. Approval of Public Funds Investment Act Quarterly Report for July – September 2019

**REGULAR AGENDA**

- 4. Election of DMD Officers: President, Vice-President, Secretary and Treasurer
- 5. Committee Report: Finance Committee - Chair Laura Pople
  - a. Monthly Financial Summary
- 6. Report on DMD Investments:
  - a. TexPool Accounts – balance, rate and status
- 7. Committee Report: Grant Programs Update – Chair Peter Spier
  - a. Grant Programs Status/Fund Balance Report
- 8. Committee Report: Infrastructure & Advocacy Committee – Chair Mike McQueen
  - a. City Historical Preservation Policy Revisions
  - b. Ambassador Program and Off Duty Officer Holiday Season Staffing
  - c. Entertainment District Designation
  - d. City of El Paso Comprehensive Downtown Parking Study
  - e. EPA Brownfields Grant Update
- 9. 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.
- 10. Committee Report: Marketing Committee – Chair Edie Zuvanich
  - a. Current & Upcoming DTEP Promotions
  - b. Social Media & INSIDER Distribution List
  - c. DMD in the News

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11. President's Report
  - a. Board Member Vacancies/Appointments
  - b. 2019 Meeting Schedule, Committee Charter Approvals, Administrative Rules
  - c. December 5<sup>th</sup> DMD Board Meeting
12. Discussion and Action to approve the 2020 Board and Committee Meeting Schedule.
13. Discussion and Action to approve the 2019-2020 DMD Committee Charters.
14. Discussion and Action to approve the DMD Board Administrative Rules, Policies and Procedures as amended.
15. Executive Director's Report
  - a. TIRZ No. 5 Update
  - b. DMD Boundary Expansion/Contraction Process Update
16. Discussion and Possible Action to accept Petitions Requesting Annexation of New Properties into the El Paso Downtown Management District, and direct the Board President to schedule a Special Meeting to hear and consider the Petitions, and adjust the 2019 DMD Board Meeting Schedule accordingly.
17. Construction & Event Update – Amy McQuillen
  - a. Current/Upcoming Projects and Events
18. Economic Development Update by City of El Paso (Mirella Craigo)
19. Open Discussion of topics relevant to Downtown El Paso (no action)
20. Discussion of the Next Board Meeting – December 5, 2019 at 11:30 a.m. (no action)
21. Open Comment Period\* (no action)
22. Executive Session

  
 EL PASO COUNTY, TEXAS  
 FILED FOR RECORD  
 IN THE CLERK'S  
 OFFICE  
 OCT 21 AM 11:03

*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

## 23. 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 21<sup>st</sup> day of October, 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 – October 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: 12**

Arlene Carroll                      Mike McQueen                      Monty Rogers                      Peter Spier  
Jamie Gallagher                      Laura Pople                      Y.I. Santoscoy                      Brad Taylor  
Ben Marcus                      Alejo Restrepo                      Wayne Soza                      Ruben Torres

**Total Members Not Present: 8**

Bill Burton                      Martin Morgades                      Jon Law                      Sam Legate  
Pacelli Mesta                      Steve Ortega                      Eric Pearson                      Edie Zuvanich

**Ex-Officio Members:**

**Staff:** Joe Gudenrath; Teresa Mais; Rudy Vasquez; Analissa Carreon

**Guests:** Gwen Pulido, Attorney; Kent Waggoner—Texas Commission on Environmental Quality; David Stout and Carlos A. Martinez—Office of County Commissioner David Stout

**1. Call meeting to order**

Jamie Gallagher called the meeting to order at 11:34 am on October 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 October 21, 2019 in accordance with the Texas Open Meeting Act on the dates indicated.

At 11:36 am quorum was met.

**NOTICE TO THE PUBLIC**

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**CONSENT AGENDA**

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

**2. Approval of Minutes:**

a. September 26, 2019 Board of Directors Meeting

**3. Approval of Public Funds Investment Act Quarterly Report for July – September 2019**

**Discussion:** None  
**Moved:** Mike McQueen  
**Seconded:** Y.I. Santoscoy  
**Roll-Call Vote:** For: 11; Against: 0; Abstaining: 1 (Alejo Restrepo); Absent: 0  
**Motion Approved.**

## REGULAR AGENDA

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

Joe Gudenrath gave a brief overview about how the election process will be conducted. The following nominations were made and accepted. Due to the lack of contested offices, the slate was taken as one voting item.

#### **Nominations:**

- Jamie Gallagher nominated Mike McQueen as President. Ruben Torres seconded the nomination.
- Mike McQueen nominated Laura Pople as Vice President. Arlene Carroll seconded the nomination.
- Laura Pople nominated Jamie Gallagher as Secretary. Ruben Torres seconded the nomination.
- Ruben Torres nominated Wayne Soza as Treasurer. Y.I. Santoscoy seconded.

**Discussion: None**

**Roll-Call Vote:** For: 12; Against: 0; Abstaining: 0; Absent: 0

**Motion Approved.**

### **5. Committee Report: Finance Committee**

#### a. Monthly Financial Summary

Laura Pople gave a brief overview of the DMD's current financial position. Gudenrath informed the Board that the DMD has started the year with a higher than budgeted carryover. He stated that because of a reduction in anticipated expenses and some additional new income, the DMD has about \$50,000 more in carryover than expected. These funds are unallocated and unless the DMD allocates the funds this year, the DMD is expecting a larger carryover at the end of the fiscal year. Pople informed the Board that the DMD budgeted to hire a BRR&E Coordinator in the last quarter of the fiscal year, and one consideration would be to move that up.

### **6. Report on DMD Investments:**

#### a. TexPool 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

Gudenrath provided an update on the status of current projects and the program's fund balance. He informed the Board that there are 14 projects in various stages and all of the grants that the Board has approved except for one are under contract. He stated that so far, this fiscal year there have been no applications considered.

### **8. Committee Report: Infrastructure & Advocacy Committee – Chair Mike McQueen**

#### a. City Historical Preservation Policy Revisions

Gudenrath gave a brief update about the City Historical Preservation Policy Revisions. He informed the Board that the City is still in the revision process, that he had a meeting with the planning department, and they will be providing more context and reasoning behind the proposed revisions. He stated that he may ask the Board to take a position on those revisions as they move forward.

#### b. Ambassador Program and Off Duty Officer Holiday Season Staffing

Gudenrath informed the Board that the Ambassador Program will start again on November 16 through the holiday season. The DMD will hire off-duty officers for the Shopping District on weekends through the holiday season. He stated that there is a high-demand for off-duty officers and there is a price increase.

#### c. Entertainment District Designation

Gudenrath gave a brief update and overview about the Entertainment District Designation. He stated that he met with the City about the designation and the Infrastructure Committee will come back to the Board with a position statement regarding such a designation.

#### d. City of El Paso Comprehensive Downtown Parking Study

Gudenrath informed the Board that the parking study was released and presented to City Council. He gave a brief overview of the parking study recommendations. Gudenrath passed out information about the Park 915 app.

- e. EPA Brownfields Grant Update  
Gudenrath gave an update about the EPA Brownfields Grant. He reminded the Board of the first steps taken in the process including the application, the RFQ process, and consultant recommendations. Gudenrath gave a brief overview about the process going forward and presented the proposal and budget example by Stantec.

**9. 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:** None  
**Moved:** Peter Spier  
**Seconded:** Wayne Soza  
**Roll-Call Vote:** For: 12; Against: 0; Abstaining: 0; Absent: 0  
**Motion Approved.**

**10. Committee Report: Marketing Committee**

- a. Current & Upcoming DTEP Promotions  
Gudenrath informed the Board that the DMD sold out the Eat Authentico Restaurant Crawl event. He presented stats, revenue, and survey results about the restaurant crawl. Gudenrath gave a brief overview about the Running of the Bulls 5k event and presented stats and results about the event. Gudenrath informed the Board that the next upcoming event is the Start Up Downtown Business Blender and he gave details about the event.
- b. Social Media & INSIDER Distribution List  
Gudenrath gave brief update on the DMD's social media channels and the weekly newsletter.
- c. DMD in the News  
Gudenrath gave a brief update about what publications and when the DMD was in the news during September. He stated that the Eat Authentico Restaurant Crawl was the main source of news during that month.

**11. President's Report**

- a. Board Member Vacancies/Appointments  
Monty Rogers announced to the Board that he will be resigning from the Board. He expressed that he has enjoyed serving on the Board and that he would like to nominate Leah Masters from United Bank to serve out the rest of his term. Gallagher thanked Rogers for his time on the Board on behalf of the Board. She stated that there are still two vacancies and asked the Board for nominations.
- b. 2019 Meeting Schedule, Committee Charter Approvals, Administrative Rules  
Gudenrath acknowledged the typo in the agenda item. He gave a brief overview about the 2020 meeting schedule, committee charter changes, and changes to the administrative rules.
- c. December 5th DMD Board Meeting  
Gallagher informed the Board that traditionally the date of the Board's last meeting is also the date for the Board's Holiday Social. Gudenrath added that this is tied to Item #16 and depending on the outcome of that Item. If Item #16 is approved, it gives the Board President the ability to schedule the remainder of 2019 meetings accordingly.

Items 12, 13, and 14 were taken together.

**12. Discussion and Action to approve the 2020 Board and Committee Meeting Schedule.**

**13. Discussion and Action to approve the 2019-2020 DMD Committee Charters.**

**14. Discussion and Action to approve the DMD Board Administrative Rules, Policies and Procedures as amended.**

**Discussion:** None  
**Moved:** Ruben Torres  
**Seconded:** Y.I. Santoscoy  
**Roll-Call Vote:** For: 12; Against: 0; Abstaining: 0; Absent: 0  
**Motion Approved.**

**15. Executive Director's Report**

a. TIRZ No. 5 Update

Gudenrath informed the Board that there is no update on the TIRZ. He informed the Board that they will meet in November and he has asked them to include funding for the Wayfinding System and potentially connect the clock in San Jacinto Plaza to an electrical source.

b. DMD Boundary Expansion/Contraction Process Update

Gudenrath gave an update about the DMD Boundary Expansion/Contraction Process. He gave a brief background about the process, the upcoming process itself, and the petitions. He stated that the DMD has been receiving executed petitions from property owners. Gudenrath further explained the timeline of the process in detail.

**16. Discussion and Action to accept Petitions Requesting Annexation of New Properties into the El Paso Downtown Management District, and direct the Board President to schedule a Special Meeting to hear and consider the Petitions, and adjust the 2019 DMD Board Meeting Schedule accordingly.**

**Discussion:** Pople questioned if there was a downside to considering the petitions. Spier identified himself as a property owner in the potential expansion area.  
**Moved:** Mike McQueen  
**Seconded:** Ruben Torres  
**Roll-Call Vote:** For: 11; Against: 0; Abstaining: 1 (Peter Spier); Absent: 0  
**Motion Approved.**

**17. Construction & Event Update**

a. Current/Upcoming Projects and Events

Amy McQuillen gave a brief update about current and upcoming projects and events in Downtown including the Plaza Parking Garage, The Plaza Hotel, Paseo Del Norte Hotel, Dia de los Muertos parade, Winterfest and more.

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

None

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

Soza inquired about the status of the arena lawsuit(s). Gudenrath responded with a brief overview about the archeological study and the process. McQueen added more details about the court and decision process. Brad Taylor thanked Gudenrath for keeping Downtown looking nice during the MiLB Innovators Summit. He commented that this was the number one attended summit in the history of the event and there was positive feedback about El Paso from the attendees. Gallagher informed the Board about the Westcom Conference. Gudenrath informed the Board about the state laws changing pertaining to public comment and informed the Board that they will have to set rules on how to handle public comment in compliance to the law.

**20. Discussion of the Next Board Meeting—To Be Determined by President**

None

**21. Open Comment Period**

None

**22. 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*

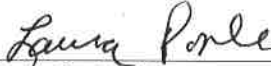
551.074(a) for the purpose of consultations with legal counsel and/or discussion of a specific matter permitted to be in Executive Session pursuant to Texas Law. Executive Session is a closed, private meeting of the Board at which the public may not attend. No action and no voting may occur in Executive 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

**23. Adjourn**

By consensus of the Board the meeting adjourned at 12:38 pm.

Submitted by:

  
Laura Pople, Treasurer *L.P.*  
DMD Board of Directors

Date: 11/12/19