



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

CITY CLERK DEPT.  
2018 SEP 24 AM 10:37

FILED WITH RECORD  
2018 SEP 24 AM 10:37

*The El Paso Downtown Management District Board of Directors meeting will be held Thursday, September 27, 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*

*Jon Law*  
PRESIDENT

**AGENDA:**

1. Call meeting to order.
2. Welcome and introduce new Board Members.

**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. August 23, 2018 Board of Directors Meeting
4. Recognition of donations, contributions and sponsorships to the El Paso Downtown Management District:
  - a. Ghostlight Creative - \$50 for participation in the Start Up Downtown event.
  - b. Devo Design & Construction - \$50 for participation in the Start Up Downtown event.
  - c. Stanton Street Development LLC - \$50 for participation in the Start Up Downtown event.
  - d. JMT Properties - \$50 for participation in the Start Up Downtown event.
  - e. Best Real Estate Management - \$100 for participation in the Start Up Downtown event.
  - f. Sonny Brown & Associates, LLC - \$50 for participation in the Start Up Downtown event.
  - g. One:One - \$50 for participation in the Start Up Downtown event.
  - h. The Broker Company - \$50 for participation in the Start Up Downtown event.
  - i. Nadler Family, LP - \$50 for participation in the Start Up Downtown event.
  - j. Bright Sol Tech El Paso Inc. - \$50 for participation in the Start Up Downtown event.
  - k. Mendel Blumenfeld, PLLC. - \$120 contribution in support of the DMD's 2<sup>nd</sup> Annual Running of the Bulls.
  - l. Joe Gudenrath - \$120 contribution in support of the DMD's 2<sup>nd</sup> Annual Running of the Bulls.
  - m. Esperanto Developments - \$500 contribution in support of the DMD's 2<sup>nd</sup> Annual Running of the Bulls.
5. Approve contract with Strickler Prieto LLP for performance of annual audit for the year ending September 30, 2018 and allocate \$6,000 for costs associated with the audit from Budget Line 3525 (Accounting) of the FY2018-2019 Budget.

**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. Committee Report: Grant Programs Update– Chair Peter Spier
  - a. Grant Programs Status/Fund Balance Report
9. Discussion and Action for Approval of a Reimbursement Grant Agreement for the Downtown Commercial Façade Improvement Grant Program

- a. That the Executive Director be authorized to sign a Reimbursement Grant Agreement for the Downtown Commercial Façade Improvement Grant Program for property located at 522 San Francisco Avenue (FAC 17-06) in the amount of \$25,000.00 with said project to be completed in accordance with the execution of the Agreement.
10. 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 513 W. San Antonio Avenue (ISL 17-06) in the amount of \$7,500.00 with said project to be completed in accordance with the execution of the Agreement.
  11. Committee Report: Infrastructure & Advocacy Committee – Chair Mike McQueen
    - a. Paseo de las Luces Project Outreach & Update
    - b. City of El Paso Noise Ordinance Update
    - c. Mexican American Cultural Center Update
  12. Committee Report: Marketing Committee – Chair Edie Zuvanich
    - a. Current & Upcoming DTEP Promotions
    - b. Social Media & INSIDER Distribution List
    - c. DMD in the News
  13. President’s Report
    - a. Executive Director’s Annual Performance Review
    - b. Timing of Officer Elections, Committee Charter Approvals, Administrative Rules Review/Approval
    - c. 2019-2022 Strategic Plan Development
  14. Possible Action to Complete Executive Director Performance Evaluation and Compensation Review.
  15. Executive Director’s Report
    - a. TIRZ No. 5 Update
    - b. Value of Downtown Project Update
    - c. DMD Downtown Employee Survey Presentation & Discussion
  16. Construction & Event Update- Frank Hernandez
    - a. Current/Upcoming Projects and Events
  17. Economic Development Update by City of El Paso (Paola Gallegos)
  18. Open Discussion of topics relevant to Downtown El Paso (no action)
  19. Discussion of the Next Board Meeting – November 1, 2018 (no action)
  20. Open Comment Period\* (no action)

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## 21. 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 Performance Evaluation and Compensation Review (Section 551.074, Personnel Matter)

## 22. 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 24<sup>th</sup> day of September, 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 – September 27, 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: 15**

Bill Burton	Mike McQueen	Eric Pearson	Peter Spier
Arlene Carroll	Pacelli Mesta	Laura Pople	Ruben Torres
Jamie Gallagher	Martin Morgades	Alejo Restrepo	Edie Zuvanich
Jon Law	Steve Ortega	Monty Rogers	

**Total Members *Not* Present: 6**

Sam Legate	Madhi Nair	Wayne Soza	Brad Taylor
Ben Marcus	Y.I. Santoscoy		

**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 and Jessica Herrera—Economic Development of the City of El Paso; Kevin Smith—Capital Improvement of the City of El Paso; Alberto Halpern—Office of Commissioner David C. Stout; Victoria Molinar— Office of State Representative Lina Ortega

**1. Call meeting to order**

Jon Law called the meeting to order at 11:34 a.m. on September 27, 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 Teresa Mais on September 24, 2018 in accordance with the Texas Open Meeting Act on the dates indicated.

**2. Welcome and introduce new Board Members**

Eugenio “Pacelli” Mesta introduced himself to the Board and gave a brief description of what he does in Downtown.

**NOTICE TO THE PUBLIC**

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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.

**3. Approval of Minutes:**

a. September 27, 2018 Board of Directors Meeting

4. **Recognition of donations, contributions and sponsorships to the El Paso Downtown Management District:**

- a. Ghostlight Creative - \$50 for participation in the Start Up Downtown event.
- b. Devo Design & Construction - \$50 for participation in the Start Up Downtown event.
- c. Stanton Street Development LLC - \$50 for participation in the Start Up Downtown event.
- d. JMT Properties - \$50 for participation in the Start Up Downtown event.
- e. Best Real Estate Management - \$100 for participation in the Start Up Downtown event.
- f. Sonny Brown & Associates, LLC - \$50 for participation in the Start Up Downtown event.
- g. One:One - \$50 for participation in the Start Up Downtown event.
- h. The Broker Company - \$50 for participation in the Start Up Downtown event.
- i. Nadler Family, LP - \$50 for participation in the Start Up Downtown event.
- j. Bright Sol Tech El Paso Inc. - \$50 for participation in the Start Up Downtown event.
- k. Mendel Blumenfeld, PLLC. - \$120 contribution in support of the DMD's 2<sup>nd</sup> Annual Running of the Bulls.
- l. Joe Gudenrath - \$120 contribution in support of the DMD's 2<sup>nd</sup> Annual Running of the Bulls.
- m. Esperanto Developments - \$500 contribution in support of the DMD's 2<sup>nd</sup> Annual Running of the Bulls.

5. **Approve contract with Strickler Prieto LLP for performance of annual audit for the year ending September 30, 2018 and allocate \$6,000 for costs associated with the audit from Budget Line 3525 (Accounting) of the FY2018-2019 Budget.**

**Discussion:** None  
**Moved:** Mike McQueen  
**Seconded:** Eric Pearson  
**Roll-Call Vote:** For: 13; Against: 0; Abstaining: 1 (Pacelli Mesta); Absent: 1 (Jamie Gallagher)  
**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. She explained that some programs are under budget like Marketing and the Ambassador program.

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

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. Two of them are currently under extension, five have their reimbursement request in process, and two are under review. Spier gave a brief presentation about the two projects that are under review.

9. **Discussion and Action for Approval of a Reimbursement Grant Agreement for the Downtown Commercial Façade Improvement Grant Program**

- a. That the Executive Director be authorized to sign a Reimbursement Grant Agreement for the Downtown Commercial Façade Improvement Grant Program for property located at 522 San Francisco Avenue

(FAC 17-06) in the amount of \$25,000.00 with said project to be completed in accordance with the execution of the Agreement.

**Discussion:** None  
**Moved:** Eric Pearson  
**Seconded:** Arlene Carroll  
**Roll-Call Vote:** For: 13; Against: 0; Abstaining: 1 (Alejo Restrepo); Absent: 1 (Jamie Gallagher)  
**Motion Approved.**

**10. 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 513 W. San Antonio Avenue (ISL 17-06) in the amount of \$7,500.00 with said project to be completed in accordance with the execution of the Agreement.

**Discussion:** Restrepo was identified as the owner of the property under review and would be abstaining from the vote. McQueen commented that the sign is a nice sign, but that it is not iconic. He suggested the DMD do away with the notion of iconic. Pearson suggested that the DMD give a clear definition of “iconic” to give a design standard for this grant. Law commented that the DMD doesn’t want a mediocre sign. Spier commented that the DMD staff should put some thought into redefining the use of iconic and present it at the next grant meeting. Restrepo, as a member of the public, commented that the manufacturer of this sign has been in business for a long time and has done signs for other Downtown businesses. Zuvanich commented that when she thinks of something iconic she thinks of what something is known for. She commented that if Downtown is known for multiple retro signs that blade signs can become iconic because it is added to a body of work that is known as iconic. Pople commented that the sign is cool and she is not sure the sign is classified in the right grant category. Steve Ortega commented that something is not iconic unless it has had standing and that the criteria is unfair because it relies on discretion.

**Moved:** Peter Spier  
**Seconded:** Martin Morgades  
**Roll-Call Vote:** For: 13; Against: 1 (Mike McQueen); Abstaining: 1 (Alejo Restrepo); Absent: 0  
**Motion Approved.**

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

- a. Paseo de las Luces Project Outreach & Update  
McQueen gave a brief update about the Paseo de las Luces project which is due to be completed next month.
- b. City of El Paso Noise Ordinance Update  
McQueen updated the Board on the noise ordinance and reminded the Board that the DMD has issued a position statement on this. Gudenrath informed the Board that the DMD notified the City Manager and the Council representative about the DMD’s position, and the DMD is ready to take further action to talk to the other Council members and Mayor as necessary. The DMD is meeting with the City to get an update on where they are at with the proposal and to make the DMD’s case. Gudenrath informed the Board that the DMD has spoken to the Chamber of Commerce and other organizations to let them know that there may be potential changes for businesses due to the noise ordinance. He stated that in other cities Downtowns are classified as an entertainment district and are exempt from noise ordinances, but the DMD is not classified as such. The DMD’s position is to be exempt from changes to the current ordinance.

- c. Mexican American Cultural Center Update  
McQueen informed the Board that the Mexican American Cultural Center has been approved by City Council. He reminded that Board that the DMD's position on this center is that the DMD wants to go forward with the project and wants it located in Downtown.

**12. Committee Report: Marketing Committee**

- a. Current & Upcoming DTEP Promotions  
Zuvanich updated the Board about all the current and upcoming promotions the DMD is organizing including Start Up Downtown, Eat Authentico, Downtown Fitness Saturdays, and Running of the Bulls. Gudenrath gave a brief summary about how Start Up Downtown went. Rudy Vasquez gave a brief overview on the social media metrics for the Start Up Downtown event page.
- b. Social Media & INSIDER Distribution List  
Zuvanich informed the Board about all of DMD's social media channels and the INSIDER newsletter. She stated that the social media followers have been growing well organically.
- 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 August.

**13. President's Report**

- a. Executive Director's Annual Performance Review  
Law thanked everyone who participated in the online performance evaluation. He stated that he would like to go through the rest of the agenda before going into Executive Session to discuss the results. After that the Board will return to the public meeting to take item #14.
- b. Timing of Officer Elections, Committee Charter Approvals, Administrative Rules Review/Approval  
Law informed the Board that at the next meeting the Board will be electing officers, approve committee charters and administrative rules. He informed the Board that if any one of them is interested in serving as an officer to contact him or Gudenrath.
- c. 2019-2022 Strategic Plan Development  
Law stated that it is time for the DMD to look at their strategic plan again. Law is looking for some volunteers that will help putting together this process. He stated the plan has stayed relevant for the DMD. Law stated that elected officials, ex officio members, non-board members, key stake holders will be asked to part of the process. He stated that the team that is put together will be looking at key issues.

**14. Action to Complete Executive Director Performance Evaluation and Compensation Review.**

*(This item was postponed and was considered by the board following its return from Executive Session (Item # 21))*

**Discussion:** None  
**Moved:** Eric Pearson – Motion to approve the Executive Director performance evaluation with a compensation adjustment.  
**Seconded:** Laura Pople  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 1 (Pacelli Mesta); Absent: 0  
**Motion Approved.**

**15. Executive Director's Report**

- a. TIRZ No. 5 Update  
Gudenrath informed the Board that the TIRZ met last week. The City is presenting a project to them which is an extension of the Paseo de las Luces. The City is refining the cost estimates to come to the TIRZ with a specific dollar amount. The TIRZ will look at this at their next meeting.

- b. Value of Downtown Project Update  
Gudenrath informed the Board that the IDA Value of Downtown results will be rolled out in October. The DMD will work with them to have a local rollout and the DMD will work with them on the national level at the conference.
- c. DMD Downtown Employee Survey Presentation & Discussion  
Gudenrath gave a presentation of the results of the DMD Downtown Employee Survey.

**16. 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.

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

Kevin Smith and Paola Gallegos gave a brief presentation about City developments like the futsal courts at the Boys Club Park, Streetcar, San Jacinto Visitor’s Center, El Paso Children’s Museum and more.

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

None

**19. Discussion of the Next Board Meeting—November 1, 2018.**

No action

**20. Open Comment Period**

No action

**21. 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 Performance Evaluation and Compensation Review (Section 551.074, Personnel Matter)

Enter Executive Session at 12:36 pm.

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

Exit Executive Session at 1:02 pm.

**Discussion:** None.  
**Moved:** Mike McQueen  
**Seconded:** Bill Burton  
**Roll-Call Vote:** For: 15; Against: 0; Abstaining: 0; Absent:0

**22. Adjourn**

By consensus of the Board the meeting adjourned at 1:04 p.m.

Submitted by:

  
Mike McQueen, Secretary  
DMD Board of Directors

Date: 10/26/18