

2022 SEP 26 AM 11:14

DELLA BRIONES  
COUNTY CLERK  
EL PASO COUNTY, TEXAS



**Board of Directors Meeting  
Ruben Torres, President**

*The El Paso Downtown Management District Board of Directors meeting will be held Thursday, September 29, 2022 at 11:30 a.m. at the Center for Civic Empowerment on the 17<sup>th</sup> Floor of the Blue Flame Building, 304 Texas Avenue, El Paso, Texas.*

Virtual & Telephone Participation

- Webex Meeting Link

<https://elpasotexas.webex.com/elpasotexas/j.php?MTID=m6a24ec3918041db022bde1a38476a6a6>

- Webex Meeting Number (Access Code): 2491 027 5792
- Webex Meeting Password: BHRpbam82Y6
- Join by Phone – 1-844-992-4726 (United States Toll Free)

Public Comment

The public is strongly encouraged to sign up to speak on items on this agenda before 11am, on Thursday, September 29, 2022. Visit <https://downtownelpaso.com/procedures-for-addressing-the-el-paso-downtown-management-district-dmd-board-of-directors> or call 915-240-3116 to sign up prior to the start of the meeting.

**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 the item has not been called out for separate discussion, the item has been approved. The Board may, however, reconsider any item. 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.*

CITY CLERK DEPT  
2022 SEP 26 AM 10:17

2. Discussion and Possible Action pertaining to Community Progress ballot proposals presentation by City of El Paso.

**CONSENT AGENDA**

3. Approval of Minutes:
  - a. August 25, 2022 Board of Directors Meeting
4. DMD August Investment Reports
  - a. TexPool Accounts – balance, rate and status
5. Recognition of donations, contributions and sponsorships to the El Paso Downtown Management District:
  - a. Krystal Jeans - \$1,500 Sponsorship of the Fiesta de Las Luces
6. Acknowledgement of expenditures exceeding \$5,000 and 15% of the original budgeted amount established as part of the 2021-2022 DMD Budget:

Line No.	Item	Actual (thru August)	Budget	Variance	Explanation
7025	Fuel	\$17,455	\$12,000	\$5,455	Increase in fuel costs.

7. Approve contract with Strickler Prieto LLP for performance of the annual audit for the year ending September 30, 2022 and allocate \$8,000 for costs associated with the audit from Budget Line 3525 (Accounting) of the FY 2022-2023 Budget.
8. Approval of Joe Gudenrath's appointment to a 3-year term on the Board of Directors for the International Downtown Association.

### REGULAR AGENDA

9. Committee Report: Finance Committee – Chair Arlene Carroll
  - a. Monthly Financial Summary
10. Committee Report: Grant Programs Update – Chair Jamie Gallagher
  - a. Grant Programs Status/Fund Balance Report
  - b. Potential ARPA Small Business Grant Program
11. Discussion and Action for Approval of Reimbursement Grant Agreements submitted by Mills Plaza Properties VI, LP for the property located at 215 E. Main Dr.
  - 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 215 E. Main Dr. (PCI 21-03) in the amount of \$10,000.00 with said project to be completed in accordance with the execution of the Agreement.
12. Discussion and Action for Approval of Reimbursement Grant Agreements submitted by Mills Plaza Properties VII, LP for the property located at 221 N. Kansas St.
  - 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 221 N. Kansas St. (PCI 21-04) in the amount of \$10,000.00 with said project to be completed in accordance with the execution of the Agreement.
13. Committee Report: Infrastructure & Advocacy Committee – Chair Martin Morgades
  - a. Downtown/Uptown Master Plan Update
  - b. FY2022 Brownfields Assessment Grant
  - c. Migrant Camps Impact on Sanitation Program
  - d. State & Federal Advocacy
14. Committee Report: Marketing Committee – Chair Johnny Escalante
  - a. Current & Upcoming DTEP Promotions
  - b. Social Media & INSIDER Distribution List
  - c. DMD in the News
15. President's Report
  - a. Executive Director Contract & Annual Performance Review
  - b. DMD Board Vacancy
  - c. Discussion on MPC Project & City of El Paso Feasibility Study Update
  - d. Upcoming Election of Officers, Committee Charters and Administrative Rules
16. Executive Director's Report
  - a. Annual Survey Results
  - b. Downtown Dashboard
  - c. DMD Strategic Plan Update
  - d. Vision Zero Task Force
  - e. DMD Marketing & Communications Director
17. Construction & Event Update – Joe Gudenrath
  - a. Current/Upcoming Projects and Events

18. Economic Development Update by City of El Paso (Mirella Craigo)
19. Economic Development Update by El Paso County (Michael Hernandez)
20. Call to the Public\* (no action)
21. Open Discussion of topics relevant to Downtown El Paso (no action)
22. Discussion of the Next Board Meeting – Thursday, September 29, 2022 (no action)
23. 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 and advice of counsel (551.071 -Exemption for Consultation with legal counsel).
- Discussion Regarding Executive Director Contract Renewal (Section 551.074, Personnel Matter)

#### 24. Adjourn

*\* Call to the Public is an opportunity for members of the public to bring topics and issues to the DMD Board's attention. The Call to the Public is reserved for items generated by the public. It is not for items already posted on the Board Meeting Agenda. Items that are brought up by the public 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. Individuals who would like to address the Board must sign up on the available form prior to the start of the meeting or submit the form electronically to the DMD Executive Director at least one hour prior to the start of the meeting. Each participant is limited to three minutes to make comments. Any group of five or more persons must appoint one person to present the group's views to the Board and will be limited to three minutes to make comments. Personal attacks, name-calling, and rude or slanderous remarks will not be tolerated.*

Posted this 26<sup>th</sup> day of September 2022, 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 Ruben Torres, 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 29, 2022**

**Location: Center for Civic Engagement, 17<sup>th</sup> Floor – Blue Flame Building, 304 Texas Avenue, El Paso, Texas**

**Attendees: \_\_\_\_\_ Total Members: 20 Quorum: 11 needed**  
**Total Members Present (In Person): 14**

Nadia Baem	Daniela Caro	Arlene Carroll	Johnny Escalante
Jamie Gallagher	Edgar Lopez	Steve Ortega	Cynthia Ortwein
Mark Osborn	Eric Pearson	Joanne Richardson	Y.I. Santoscoy
Peter Spier	Ruben Torres		

**Total Members Present (Online): 0**

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**Total Members Not Present: 6**

Bill Burton	Sam Legate	Pacelli Mesta	Martin Morgades
Alejo Restrepo	Brad Taylor		

**Ex-Officio Members: None**

**Staff: Joe Gudenrath**

**Guests: Robert Aguinaga, DMD Attorney; Alex Hoffman and Laura Cruz-Acosta, City of El Paso**

**1. Call meeting to order**

Ruben Torres called the meeting to order at 11:30am on September 29, 2022 in the Center for Civic Engagement, 17<sup>th</sup> Floor – Blue Flame Building, 304 Texas Avenue, 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 building of the El Paso Downtown Management District, and on the downtownelpaso.com webpage by Teresa Mais on September 26, 2022 in accordance with the Texas Open Meeting Act on the dates indicated.

Torres introduced the DMD’s two newest Board Members – Daniela Caro and Joanne Richardson who both took a moment to introduce themselves.

**2. Discussion and Possible Action pertaining to Community Progress ballot proposals presentation by City of El Paso.**

Alex Hoffman provided a presentation to the DMD Board about the Community Progress ballot proposals. Cruz-Acosta added that the presentation and PCI report on the condition of roadways could be found online.

**NOTICE TO THE PUBLIC**

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**CONSENT AGENDA**

**3. Approval of Minutes:**

- a. August 25, 2022 Board of Directors Meeting

**4. DMD August Investment Reports**

a. **TexPool Accounts – balance, rate and status**

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

a. **Krystal Jeans - \$1,500 Sponsorship of the Fiesta de las Luces**

**6. Acknowledgement of expenditures exceeding \$5,000 and 15% of the original budgeted amount established as part of the 2021-2022 DMD Budget:**

Line No.	Item	Actual (thru August)	Budget	Variance	Explanation
7025	Fuel	\$17,455	\$12,000	\$5,455	Increase in fuel costs.

**7. Approve contract with Strickler Prieto LLP for performance of the annual audit for the year ending September 30, 2022 and allocate \$8,000 for costs associated with the audit from Budget Line 3525 (Accounting) of the FY 2022-2023 Budget.**

**8. Approval of Joe Gudenrath’s appointment to a 3-year term on the Board of Directors for the International Downtown Association.**

**Discussion:** None  
**Moved:** Jamie Gallagher  
**Seconded:** Mark Osborn  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0; Absent: 2 (Escalante, Pearson)  
**Motion Approved.**

**REGULAR AGENDA**

**9. Committee Report: Finance Committee**

a. **Monthly Financial Summary**  
Carroll gave a brief overview of the DMD’s current financial position.

**10. Committee Report: Grant Programs Update**

a. **Grant Programs Status/Fund Balance Report**  
Gudenrath gave a brief overview of current projects and budget status.  
b. **Potential ARPA Small Business Grant Program**  
Gudenrath gave a brief overview of a potential grant program and partnership with the City of El Paso.

**11. Discussion and Action for Approval of a Reimbursement Grant Agreement submitted by Mills Plaza Properties VI, LP for the property located at 215 E. Main Dr.**

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 215 E. Main Dr. (PCI 21-03) in the amount of \$10,000.00 with said project to be completed in accordance with the execution of the Agreement.**

**Discussion:** Gallagher disclosed that the applicant is her employer and that she would be abstaining from the vote.  
**Moved:** Eric Pearson  
**Seconded:** Arlene Carroll  
**Roll-Call Vote:** For: 12; Against: 0; Abstaining: 2 (Escalante, Gallagher); Absent: 0  
**Motion Approved.**

**12. Discussion and Action for Approval of a Reimbursement Grant Agreement submitted by Mills Plaza Properties VII, LP for the property located at 221 N. Kansas St.**

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 221 N. Kansas St. (PCI 21-04) in the amount of \$10,000.00 with said project to be completed in accordance with the execution of the Agreement.**

**Discussion:** Gallagher disclosed that the applicant is her employer and that she would be abstaining from the vote. Osborn asked about the timeline of the project.

**Moved:** Y.I. Santoscoy

**Seconded:** Johnny Escalante

**Roll-Call Vote:** For: 13; Against: 0; Abstaining: 1 (Gallagher); Absent: 0

**Motion Approved.**

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

- a. Downtown/Uptown Master Plan Update  
Gudenrath stated that a community meeting was held on September 27<sup>th</sup>.
- b. FY2022 Brownfields Assessment Grant  
Gudenrath stated that the Cooperative Agreement with the EPA will be considered at a future Board Meeting.
- c. Migrant Camps Impact on Sanitation Program  
Gudenrath reported that the DMD worked with the City to address the increased sanitation issues which developed from on-street camping.
- d. State & Federal Advocacy  
Gudenrath reported that he is working with the Texas Metro Downtowns Coalition and the IDA on issues of importance to urban areas. He will return at a future board meeting with a legislative agenda developed by the Texas Metro Downtowns Coalition for Board consideration.

**14. Committee Report: Marketing Committee**

- a. Current & Upcoming DTEP Promotions  
Escalante updated the Board on recent and upcoming promotions including the Tasting Tour/Restaurant Week, Fiesta de Las Luces and Employee Appreciation Day.
- b. Social Media & INSIDER Distribution List  
Escalante reviewed the continued growth in DMD Social Media profiles.
- c. DMD in the News  
Gudenrath reviewed DMD media mentions in August 2022.

**15. President's Report**

- a. Executive Director Contract & Annual Performance Review  
In the absence of Ruben Torres, Gudenrath stated that board members should have received the online ED evaluation survey link. Torres' goal is to finalize the review process in October along with ED Contract.
- b. DMD Board Vacancy  
Gudenrath stated that Edgar Orozco had to resign his position from the board and encouraged board members to identify individuals who might be a good fit for board or committee positions. The Executive Committee could nominate a replacement as soon as October.
- c. Discussion on MPC Project & City of El Paso Feasibility Study  
Gudenrath provided an update on current efforts by the City of El Paso and encouraged public participation in this process.
- d. Upcoming Election of Officers, Committee Charters and Administrative Rules  
Gudenrath outlined all of the upcoming board matters.

**16. Executive Director's Report**

- a. Annual Survey Results  
Gudenrath presented the results of the DMD's annual survey.
- b. Downtown Dashboard  
Gudenrath provided an update on the internal and external indicators monitored by the DMD.
- c. DMD Strategic Plan Update  
Gudenrath reviewed the status of efforts associated with current Strategic Plan.
- d. Vision Zero Task Force  
Gudenrath reported that he has been invited to participate in the City of El Paso's Vision Zero Task Force. The goal of the effort is to reduce the number of vehicular and pedestrian crashes.
- e. DMD Marketing & Communications Director  
Gudenrath thanked Rudy Vasquez for his efforts with the DMD over nearly 9 years, and outlined efforts to identify a replacement.

**17. Construction & Event Update**

- a. Current/Upcoming Projects and Events

Gudenrath gave a brief update about current construction projects still underway in the downtown and upcoming events.

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

No Update.

**19. Economic Development Update by El Paso County**

No Update.

**20. Call to the Public\* (no action)**

None

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

Gudenrath advised the Board of Winterfest sponsorship opportunities.

**22. Discussion of the Next Board Meeting – September 29, 2022 at 11:30a.m. (no action)**

**23. 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 and advice of counsel (551.071 -Exemption for Consultation with legal counsel).

**Motion to enter into Executive Session**

**Moved:** Steve Ortega

**Seconded:** Peter Spier

**Roll-Call Vote:** For: 12; Against: 0; Abstaining: 0; Absent: 2 (Santoscoy, Torres)

**Motion Approved to enter into Executive Session at 12:45pm.**

**Motion to return to the Regular Board Meeting**

**Moved:** Arlene Carroll

**Seconded:** Steve Ortega

**Roll-Call Vote:** For: 11; Against: 0; Abstaining: 0; Absent: 3 (Escalante, Santoscoy, Torres)

**Motion Approved to return to the Regular Board Meeting at 12:53pm.**

**24. Adjourn**

By consensus of the Board the meeting adjourned at 12:54 pm.

Submitted by:

  
Jamie Gallagher, Secretary  
DMD Board of Directors

Date: October 17, 2022