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DELIA 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, January 26, 2023 at 8:00 a.m. at the Hotel Paso del Norte, 10 Henry Trost Court, El Paso, Texas.

Virtual & Telephone Participation

- Zoom Meeting Link – <https://us02web.zoom.us/j/86784257645>
 - Zoom Meeting ID: 867 8425 7645
 - Join by Phone – 1-346-248-7799

Public Comment

The public is strongly encouraged to sign up to speak on items on this agenda before 11am, on Wednesday, January 25, 2023. 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.
2. Downtown Management District Strategic Planning Session #1.
 - a. Welcome/Introductions
 - b. Downtown/DMD Development: 2014-Today
 - c. Value-Based Strategic Planning Approach
 - d. Informing Strategic Thought
 - e. Brainstorming Key “Cross Cutting” Issues/Pivot Points
 - f. Surfacing Critical Success Factors (CSFs)
 - g. Next Steps & Questions

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. December 1, 2022 Board of Directors Meeting
4. DMD November & December 2022 Investment Reports
 - a. TexPool Accounts – balance, rate and status
5. Approval of Public Funds Investment Act Quarterly Report for October – December 2022.
6. Recognition of donations, contributions and sponsorships to the El Paso Downtown Management District:
 - a. B-17 Bombers Oyster Pub - \$3,000 Sponsorship of the Fiesta de Las Luces & \$200 Participant Sponsor of the Barstool Open.
 - b. Glazer's Beer & Beverage - \$9,500 Presenting Sponsor of the Barstool Open.
 - c. Hotel Indigo El Paso Downtown - \$1,250 Registration/Awards Sponsor and Participant Sponsor of the Barstool Open.
 - d. Church Bar - \$200 Participant Sponsor of the Barstool Open

NOTICE of DMD BOARD MEETING AGENDA – January 26, 2023

- e. EPIC Nightclub - \$200 Participant Sponsor of the Barstool Open
- f. Tool Box - \$200 Participant Sponsor of the Barstool Open
- g. Ocho y Media - \$200 Participant Sponsor of the Barstool Open
- h. Craft & Social - \$200 Participant Sponsor of the Barstool Open
- i. Dillingers - \$200 Participant Sponsor of the Barstool Open
- j. Park Tavern - \$200 Participant Sponsor of the Barstool Open
- k. International - \$200 Participant Sponsor of the Barstool Open
- l. Sabor (Hotel PDN) - \$200 Participant Sponsor of the Barstool Open
- m. Stanton House - \$200 Participant Sponsor of the Barstool Open
- n. Aloft Hotel - \$200 Participant Sponsor of the Barstool Open
- o. Lapa Lapa - \$200 Participant Sponsor of the Barstool Open
- p. Rockstar Burger - \$200 Participant Sponsor of the Barstool Open
- q. The Tap - \$200 Participant Sponsor of the Barstool Open
- r. Mona Bar - \$200 Participant Sponsor of the Barstool Open
- s. The Rosewood - \$200 Participant Sponsor of the Barstool Open

REGULAR AGENDA

- 7. Committee Report: Finance Committee – Chair Arlene Carroll
 - a. Monthly Financial Summary
- 8. Presentation, discussion and action to accept the Downtown Management District’s FY2021-2022 Independent Auditor’s Report.
- 9. Committee Report: Grant Programs Update – Chair Jamie Gallagher
 - a. Grant Programs Status/Fund Balance Report
- 10. Committee Report: Infrastructure & Advocacy Committee – Chair Martin Morgades
 - a. Migrant Impact on Downtown & DMD Services
 - b. Position Statements
 - i. MPC/City Properties
 - ii. Legislative Priorities
- 11. Discussion & Action to approve the DMD Position Statement regarding the Multi-Purpose Center (MPC/Arena).
- 12. Discussion & Action to approve the DMD’s policy priorities for the 88th Legislative Session of the Texas Legislature and work with the Texas Metro Downtowns Coalition to advocate for identified priorities.
- 13. Committee Report: Marketing Committee – Chair Johnny Escalante
 - a. New DMD Special Event Coordinator – Lindsey Resignato
 - b. Current & Upcoming DTEP Promotions
 - c. Social Media & INSIDER Distribution List
 - d. DMD in the News
- 14. President’s Report
 - a. Executive Director Contract
- 15. Discussion and Action to authorize the Downtown Management District Board President to enter into the Third Amended Employment Agreement: Executive Director with Joe Gudenrath.
- 16. Executive Director’s Report
 - a. DMD Event Sponsorship Opportunities
- 17. Construction & Event Update – Richard Bustamante
 - 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, February 23, 2023 (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 Regarding Executive Director Compensation Review, and Contract Renewal (Section 551.074, Personnel Matter)
- Discussion of personnel matters (551.074 of the Texas Government Code)
- Discussion of matters involving the advice of legal counsel (551.071 of the Texas Government Code)

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 23rd day of January 2023, 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 – January 26, 2023
Location: Hotel Paso del Norte, 10 Henry Trost Court, El Paso, Texas

Attendees: **Total Members:** **21** **Quorum: 11 needed**
Total Members Present (In Person): 14

Nadia Baem	Daniela Caro	Arlene Carroll	Jamie Gallagher
Edgar Lopez	Pacelli Mesta	Martin Morgades	Steve Ortega
Mark Osborne	Michael Parra	Eric Pearson	Peter Spier
Brad Taylor	Ruben Torres		

Total Members Present (Online): 0

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Total Members Not Present: 7

Bill Burton	Johnny Escalante	Sam Legate	Cynthia Ortwein
Alejo Restrepo	Joanne Richardson	Y.I. Santoscoy	

Ex-Officio Members: None

Staff: Joe Gudenrath; Richard Bustamante; Lupe Diaz, Terry Mais, Lindsey Resignato
Guests: Bob Blumenfeld, DMD Attorney; Sito Negron, Office of Commissioner Stout; Phil Strickler, Strickler & Prieto, LLP; and Gilbert Moreno, Acuity Consulting

1. Call meeting to order

Steve Ortega called the meeting to order at 8:15am on January 26, 2023 in the Henry Trost Meeting Room – Hotel Paso del Norte, 10 Henry Trost Court, 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 January 26, 2023 in accordance with the Texas Open Meeting Act.

2. Downtown Management District Strategic Planning Session #1

Gilbert Moreno with Acuity Consulting engaged with those present as part of a strategic planning effort to build consensus around Critical Success Factors. Moreno covered the following areas:

- a. Welcome/Introductions
- b. Downtown/DMD Development: 2014-Today
- c. Value-Based Strategic Planning Approach
- d. Informing Strategic Thought
- e. Brainstorming Key “Cross Cutting” Issues/Pivot Points
- f. Surfacing Critical Success Factors (CSFs)
- g. Next Steps & Questions

Board members, staff and guests present provided input and discussed various topics and issues related to the identified areas.

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Discussion: None
Moved: Eric Pearson
Seconded: Jamie Gallagher
Roll-Call Vote: For: 12; Against: 0; Abstaining: 0; Absent: 2 (Caro, Ortega)

Motion Approved.

REGULAR AGENDA

- 7. Committee Report: Finance Committee**
 - a. Monthly Financial Summary
Carroll gave a brief overview of the DMD’s current financial position.
- 8. Presentation, discussion and action to accept the Downtown Management District’s FY2021-2022 Independent Auditor’s Report.**

Phil Strickler from Strickler & Prieto, LLP presented his firm’s audit report.

Discussion: Torres asked Strickler for his perspective of the organization after having completed over 5 years’ worth of audits. Strickler stated that financial operations are relatively small, straight forward and clean with suitable controls in place.
Moved: Steve Ortega
Seconded: Martin Morgades
Roll-Call Vote: For: 13; Against: 0; Abstaining: 0; Absent: 1 (Caro)

Motion Approved.

9. Committee Report: Grant Programs Update

a. Grant Programs Status/Fund Balance Report

Gallagher gave a brief overview of current projects and budget status. Torres asked about the status of the DeSoto Hotel grants and highlighted the negative impact the building's current condition is having on pedestrian activity in the area. Gudenrath and Mais stated that the standard approach to delayed projects is to provide additional extensions as long as the applicant is demonstrating efforts to proceed with the project. The DeSoto is moving forward with its project, is in compliance with City requirements and we expect to receive the required permitting/authorization from the City soon. Osborn asked if the DeSoto was in compliance with their grant agreement and whether the DMD could leverage its status to encourage the property owner to address sidewalk and fencing issues. Gudenrath/Mais stated that the DMD could terminate the grant agreement currently, but that the property owner is set to proceed with the project in the near future. In addition, the sidewalk closure is authorized by the City. Gudenrath/Mais promised to provide the Board an update on the project at the February meeting.

10. Committee Report: Infrastructure & Advocacy Committee

a. Migrant Impact on Downtown & DMD Services

Morgades briefed the Board on the recent impact of the migrant surge on Downtown in terms of the street population, public health, sanitation and public safety, and outlined the DMD's strategy in partnership with the City to maintain the cleanliness of the Downtown area.

b. Position Statements

i. MPC/City Properties

ii. Legislative Priorities

Gudenrath summarized each of the recommended positions.

11. Discussion & Action to approve the DMD Position Statement regarding the Multi-Purpose Center (MPC/Arena).

Discussion: Pearson made a motion, seconded by Carroll, to add a timeline of one year for the development of a plan for the site. Gallagher stated that improvements to the Convention Center would have a negative economic impact during construction. Morgades asked if it was worth discussing the dismissal of the lawsuit. Osborn stated that the case is dismissed, and its impact won't be known until the precedent comes into play in another case.

Moved: Eric Pearson, as amended

Seconded: Arlene Carroll, as amended

Roll-Call Vote: For: 12; Against: 0; Abstaining: 2 (Caro, Spier); Absent: 0

Motion Approved.

12. Discussion & Action to approve the DMD's policy priorities for the 88th Legislative Session of the Texas Legislature and work with the Texas Metro Downtowns Coalition to advocate for identified priorities.

Discussion: Torres stated that it is important to encourage additional resources towards mental health, and encouraged the board to give future consideration to engaging with the Emergence Health Network who is also a Downtown business tenant.

Moved: Steve Ortega

Seconded: Martin Morgades

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

Motion Approved.

13. Committee Report: Marketing Committee

a. New DMD Special Event Coordinator – Lindsey Resignato

Resignato introduced herself at the start of the meeting.

b. Current & Upcoming DTEP Promotions

Diaz updated the Board on plans for the upcoming Downtown Barstool Open.

c. Social Media & INSIDER Distribution List

Diaz reviewed the current levels of engagement across the DMD's social media channels and newsletter.

- d. DMD in the News
Diaz reviewed DMD media mentions in December 2022.

14. President's Report

- a. Executive Director Contract
Torres stated that the Board will go into Executive Session towards the end of the meeting and then take up Item #15.

15. Discussion and Action to authorize the Downtown Management District Board President to enter into the Third Amended Employment Agreement: Executive Director with Joe Gudenrath.

Item was introduced and considered upon return from Executive Session.

Discussion:	None
Moved:	Mark Osborn
Seconded:	Eric Pearson
Roll-Call Vote:	For: 13; Against: 0; Abstaining: 0; Absent: 1 (Mesta)

Motion Approved.

16. Executive Director's Report

- a. DMD Event Sponsorship Opportunities
Gudenrath stated that because of personnel transitions, staff is a little behind on soliciting and securing sponsorships for the DMD's 2023 events but added that he and Resignato will be reaching to Board members and others in the near future. He encouraged Board members to identify other potential sponsors, and thanked those who have already committed to events.

17. Construction & Event Update

- a. Current/Upcoming Projects and Events
Bustamante 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

Gudenrath advised the Board that the City has established a partnership with UTEP to support small business marketing and start up efforts. He has advised Downtown businesses of the opportunity and connected interested businesses with the City.

19. Economic Development Update by El Paso County

Gudenrath advised the Board that Michael Hernandez notified him that he was leaving the County to work as a private consultant. Hernandez thanked Gudenrath and the DMD for its efforts.

20. Call to the Public* (no action)

None

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

None.

22. Discussion of the Next Board Meeting – February 23, 2023 at 11:30am. (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):

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Motion to enter into Executive Session

Moved: Steve Ortega

Seconded: Martin Morgades

Voice Vote: For: 13; Against: 0; Abstaining: 0; Absent: 0

Motion Approved to enter into Executive Session at 12:18pm.

Motion to return to the Regular Board Meeting

Moved: Steve Ortega

Seconded: Jamie Gallagher

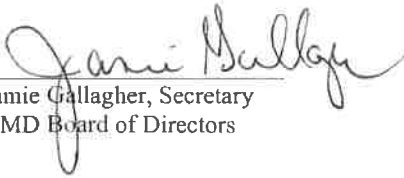
Voice Vote: For: 13; Against: 0; Abstaining: 0; Absent: 0

Motion Approved to return to the Regular Board Meeting at 12:37pm.

24. Adjourn

By consensus of the Board the meeting adjourned at 12:40pm.

Submitted by:



Jamie Gallagher, Secretary
DMD Board of Directors

Date: Feb 20, 2023