



**Board of Directors Meeting
Steve Ortega, Vice-President**

The El Paso Downtown Management District Board of Directors meeting will be held Thursday, October 26, 2023 at 11:30 a.m. at the Center for Civic Empowerment on the 17th Floor of the Blue Flame Building, 304 Texas Avenue, El Paso, Texas.

Virtual & Telephone Participation

- a. Webex Meeting Link –

<https://elPASOTexas.webex.com/elPASOTexas/j.php?MTID=m9138dad27571ee32e1668ad7202d1c20>

Webex Meeting Number (Access Code): 2492 824 5487

Webex Meeting Password: mRd78mBRMU7

- b. 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, October 26, 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.

FILED FOR RECORD
IN MY OFFICE

AGENDA:

2023 OCT 23 PM 12:04

1. Call meeting to order.

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

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.

2023 OCT 23 PM 12:04
CITY CLERK DEPT

CONSENT AGENDA

2. Approval of Minutes:
 - a. September 28, 2023 Board of Directors Meeting
3. DMD September 2023 Investment Reports
 - a. TexPool Accounts – balance, rate and status
4. Approval of Public Funds Investment Act Quarterly Report for July – September 2023.
5. Approve contract with Strickler Prieto LLP for performance of the annual audit for the year ending September 30, 2023 and allocate \$8,000 for costs associated with the audit from Budget Line 3525 (Accounting) of the FY 2023-2024 Budget.

REGULAR AGENDA

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

7. Discussion and Action to approve the 2023-2024 DMD Committee Charters.
8. Discussion and Action to approve the DMD Board Administrative Rules, Policies and Procedures as amended.
9. Committee Report: Finance Committee – Chair Arlene Carroll
 - a. Monthly Financial Summary
10. Committee Report: Grant Programs Update – Joe Gudenrath
 - a. Grant Programs Status/Fund Balance Report
11. Discussion and Action to approve the Commercial Façade Improvement and Signature Signage & Lighting Grant program guidelines as amended.
12. Committee Report: Infrastructure & Advocacy Committee – Joe Gudenrath
 - a. Update and Discussion on Migrant Issues impacting DMD and Downtown El Paso.
 - b. Brownfields Assessment Grant Project Update
 - c. Landscaping & Tree Maintenance Services
 - d. Position Statement Updates
 - i. Visa Processing Improvement Act
13. Discussion & Action to approve the DMD Position Statement to express support for the federal Visa Processing Improvement Act.
14. Committee Report: Marketing Committee – Lupe Diaz
 - a. Current & Upcoming DTEP Promotions
 - b. DMD Welcome Ambassador Program
 - c. Social Media & INSIDER Distribution List
 - d. DMD in the News
15. Vice President’s Report
 - a. Executive Director Annual Performance Review
 - b. 1-10 Segment 2 Update
 - c. DMD Holiday Social
16. Discussion and Action to Complete Executive Director Performance Evaluation.
17. Executive Director’s Report
 - a. IDA Annual Conference Report
 - b. 2024 Board & Committee Meeting Schedule
18. Construction & Event Update – Richard Bustamante
 - a. Current/Upcoming Projects and Events
19. Economic Development Update by City of El Paso
20. Economic Development Update by El Paso County

21. Call to the Public* (no action)

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

23. Discussion of the Next Board Meeting – Thursday, December 7, 2023 – 3pm (no action)

24. 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 (Section 551.074, Personnel Matter)

25. 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 October 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 – October 26, 2023

Location: Center for Civic Engagement, 17th Floor of Blue Flame Bld, 304 Texas Avenue, El Paso, Texas

Attendees: Total Members: 21 Quorum: 11 needed
Total Members Present (In Person): 15

Nadia Baem	Manuel Burke	Bill Burton	Daniela Caro
Arlene Carroll (11:36am)	Guillermo Garcia	Yolanda Giner	Edgar Lopez
Pacelli Mesta	Steve Ortega	Mark Osborn	Michael Parra
Eric Pearson (11:48am)	Joanne Richardson (12:06pm)	Brad Taylor	

Total Members Present (Online): 1

Maxey Scherr (12:06pm)			
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Total Members Not Present: 5

Kristi Daugherty	Jose Garcia	Patrick Merrick	Cynthia Ortwein
Peter Spier			

Ex-Officio Members: Representative Chris Canales (Online)

Staff: Joe Gudenrath; Richard Bustamante; Lupe Diaz; Terry Mais; Marilú Alemán

Guests: Robert Aguinaga, DMD Attorney; Bob Blumenfeld, DMD Attorney (online); Sito Negrón, Office of Commissioner Stout (online)

1. Call meeting to order

Steve Ortega called the meeting to order at 11:33am on October 26, 2023 in the Center for Civic Engagement, 17th Floor of the 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 October 23, 2023 in accordance with the Texas Open Meeting Act.

CONSENT AGENDA

2. Approval of Minutes:

a. **September 28, 2023 Board of Directors Meeting**

3. DMD September 2023 Investment Reports

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

4. Approval of Public Funds Investment Act Quarterly Report for July – September 2023.

5. Approve contract with Strickler Prieto LLP for performance of the annual audit for the year ending September 30, 2023 and allocate \$8,000 for costs associated with the audit from Budget Line 3525 (Accounting) of the FY 2023-2024 Budget.

Discussion: None.
Moved: Bill Burton
Seconded: Yolanda Giner
Roll-Call Vote: For: 12; Against: 0; Abstaining: 0; Absent: 4 (Carroll, Pearson, Richardson, Scherr)

Motion Approved.

REGULAR AGENDA

6. 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:

- Mark Osborn nominated Steve Ortega as President. Pacelli Mesta seconded the nomination.
- Brad Taylor nominated Mark Osborn as Vice President. Pacelli Mesta seconded the nomination.
- Nadia Baem nominated Arlene Carroll as Treasurer. Yolanda Giner seconded the nomination.
- Mark Osborn nominated Yolanda Giner as Secretary. Arlene Carroll seconded the nomination.

Discussion: None
Moved: Bill Burton
Seconded: Pacelli Mesta
Roll-Call Vote: For: 13; Against: 0; Abstaining: 0; Absent: 3 (Pearson, Richarson, Scherr)

Motion Approved.

Ortega requested Items #7 & #8 be taken together.

7. Discussion and Action to approve the 2023-2024 DMD Committee Charters.

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

Gudenrath presented the Board with a summary of proposed changes and updates to the Committee Charters and Administrative Rules.

Discussion: None
Moved: Pacelli Mesta
Seconded: Michael Parra
Roll Call Vote: For: 13; Against: 0; Abstaining: 0; Absent: 3 (Pearson, Richarson, Scherr)

Motion Approved.

9. Committee Report: Finance Committee

- a. Monthly Financial Summary
Carroll gave a brief overview of the DMD's current financial position and carry over.

10. Committee Report: Grant Programs Update

- a. Grant Programs Status/Fund Balance Report
Gudenrath gave a brief overview of completed projects, current projects and budget status.

11. Discussion and Action to approve the Commercial Façade Improvement and Signature Signage & Lighting Grant program guidelines as amended.

Gudenrath presented the proposed changes to the program.

Discussion: Osborn asked for further clarification on what properties are eligible for the increased grant amount. Gudenrath provided a response. Burton asked if there is a strict interpretation of "Signature Signage". Gudenrath stated "no" and that projects will always require the Board's interpretation, but the organization now has a number of projects that represent the intent of the program.

Moved: Eric Pearson
Seconded: Mark Osborn
Roll-Call Vote: For: 13; Against: 0; Abstaining: 1 (Ortega); Absent: 2 (Richardson, Scherr)
Motion Approved.

12. Committee Report: Infrastructure & Advocacy Committee

- a. Update and Discussion on Migrant Issues impacting DMD and Downtown El Paso.
Gudenrath provided an update on current conditions.
- b. Brownfields Assessment Grant Project Update
Gudenrath provided an update on current status.
- c. Landscaping & Tree Maintenance Services
Gudenrath provided an update on current status. Negron asked for information to provide to the County for improving its landscaping. Giner offered to provide details on a recent project.
- d. Position Statement Updates
 - i. Visa Processing Improvement Act
Gudenrath provided background information on the Act and Item #13.

13. Discussion & Action to approve the DMD Position Statement to express support for the federal Visa Processing Improvement Act.

Discussion: None
Moved: Yolanda Giner
Seconded: Pacelli Mesta
Roll Call Vote: For: 15; Against: 0; Abstaining: 0; Absent: 1 (Scherr)
Motion Approved.

14. Committee Report: Marketing Committee

- a. Current & Upcoming DTEP Promotions
Alemán reported on Restaurant Week, Tasting Tour and upcoming Bar Stool Open.
- b. DMD Welcome Ambassador Program
Diaz reported that the program will relaunch on November 3rd.
- 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 September 2023.

15. Vice President's Report

- a. Executive Director Annual Performance Review
Ortega stated that the Board will go into Executive Session at the end of the meeting and address Item #16 upon return.
- b. I-10 Segment 2 Update
Ortega briefed the Board on efforts to secure additional funding for Downtown I-10 and the northern crossing through the Franklin Mountains at Anthony.
- c. DMD Holiday Social
Ortega stated that the December meeting will be followed up a Holiday Social and Board Members will receive an invitation soon.

Item #16 was considered later in the meeting following Executive Session.

16. Discussion and Action to Complete Executive Director Performance Evaluation.

Discussion: None
Moved: Pacelli Mesta
Seconded: Yolanda Giner
Roll Call Vote: For: 16; Against: 0; Abstaining: 0; Absent: 0
Motion Approved.

17. Executive Director's Report

- a. IDA Annual Conference Report
Gudenrath, Diaz, Baem and Richardson shared experiences from the recent conference.
- b. 2024 Board & Committee Meeting Schedule
Gudenrath provided plans for the 2024 meeting schedule which will be presented to the Board in December.

18. 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.

19. Economic Development Update by City of El Paso

None

20. Economic Development Update by El Paso County

None

21. Call to the Public* (no action)

None

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

None

23. Discussion of the Next Board Meeting – December 7, 2023 at 3:00pm. (no action)

None

24. 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 (Section 551.074, Personnel Matter)

Motion to enter into Executive Session

Moved: Mark Osborn

Seconded: Brad Taylor

Voice Vote: For: 16; Against: 0; Abstaining: 0; Absent: 0

Motion Approved to enter into Executive Session at 12:29pm.

Motion to return to the Regular Board Meeting

Moved: Pacelli Mesa

Seconded: Yolanda Giner

Voice Vote: For: 16; Against: 0; Abstaining: 0; Absent: 0

Motion Approved to return to the Regular Board Meeting at 12:41pm.

25. Adjourn

By consensus of the Board the meeting adjourned at 12:45pm.

Submitted by:



Yolanda Giner
Secretary

Date: 10/30/2023