



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

*The El Paso Downtown Management District Board of Directors meeting will be held Thursday, August 22, 2024 at 11:30 a.m. at the WestStar Bank Main Board Room, WestStar Tower – 12<sup>th</sup> Floor, 601 N. Mesa Street, El Paso, Texas.*

**Virtual & Telephone Participation**

- a. Zoom Meeting Link – <https://us02web.zoom.us/j/89589050788>  
Meeting ID: 895 8905 0788  
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 Thursday, August 22, 2024. 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:**

CITY CLERK DEPT  
2024 AUG 19 AM 9:51

- 1. Call meeting to order.
- 2. Presentation & discussion on the status of the proposed Deck Plaza over I-10.

**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. June 27, 2024 Board of Directors Meeting
- 4. DMD June & July 2024 Investment Reports
  - a. TexPool Accounts – balance, rate and status
- 5. Approval of Public Funds Investment Act Quarterly Report for April – June 2024.

FILED FOR RECORD  
IN MY OFFICE

2024 AUG 19 AM 10:27

DELIA BRIONES  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

**REGULAR AGENDA**

- 6. Buildings of Impact Presentation & Discussion
  - a. Newberry Building & Krupp Building Presentation by Joel Guzman
- 7. Presentation & Discussion by the El Paso Chamber on their Assessment of El Paso Sports and Entertainment Venues.
- 8. Committee Report: Infrastructure & Advocacy Committee – Chair Nadia Baem
  - a. Position Statement Updates, Discussion and Possible Action
    - i. City of El Paso Multi-Purpose Performing Arts Center (Arena)
- 9. Committee Report: Finance Committee – Chair Arlene Carroll
  - a. Monthly Financial Summary

10. Presentation, Discussion and Action on Approval of 2024-2025 Downtown Management District Budget.
11. Discussion and Action to Approve Adoption of the Tax Assessment Rate of \$.12 per \$100 in valuation for FY 2024-2025.
12. Discussion and Possible Action to authorize the Executive Director to enter into a service agreement with Placer.ai for data collection services and allocate \$11,917 from Budget Line 5035 (Downtown Research) of the FY2023-2024 Budget (\$917) and the FY2024-2025 Budget (\$11,000).
13. Approval of the purchase of a Ford F350 for primary use by DMD Sanitation Staff to provide services throughout the Downtown Management District (DMD). The DMD has procured the vehicle through TIPS, a regional education service center operating under Texas Education Code. DMD agrees to pay Silsbee Ford or an equivalent vendor, up to \$60,000 for the purchase and set-up of the identified vehicle with funds coming from the DMD's established Capital Fund.
14. Committee Report: Economic & Residential Development Committee – Chair Pacelli Mesta
  - a. Grant Programs Status/Fund Balance Report
15. Discussion and Action to amend a Reimbursement Grant Agreement submitted by Nevena Christi & Marty Snortum for the property located at 115 Anthony Street
  - a. That the Executive Director be authorized to sign an amended Reimbursement Grant Agreement for the Downtown Mural Grant Program for property located at 115 Anthony Street (FAC 23-01) in the amount of \$2,374.92, with said project to be completed in accordance with the execution of the Agreement.
16. Discussion and Action to amend a Reimbursement Grant Agreement submitted by Adam Lucero for the property owned by The Place at Union Plaza Inc. and located at 115 Durango Street
  - b. That the Executive Director be authorized to sign an amended Reimbursement Grant Agreement for the Downtown Pedestrian Corridor Improvement Grant Program for property located at 115 Durango Street (PCI 23-01) in the amount of \$6,468.75, with said project to be completed in accordance with the execution of the Agreement.
17. Committee Report: Marketing Committee – Chair Bill Burton
  - a. Current & Upcoming DTEP Promotions
  - b. Social Media & INSIDER Distribution List
  - c. DMD in the News
18. President's Report
  - a. Executive Director Performance Evaluation
  - b. Board Member Nominations
19. Discussion and Action on Approval of recommendations to City Council to fill upcoming vacancies on the Downtown Management District Board of Directors as follows:

<u>Position</u>	<u>Candidate</u>	<u>Last Appt Date</u>	<u>Term#</u>	<u>Expiration Date</u>
Place 1	Nadia Baem	2021	2	August 2027
Place 2	Edgar Lopez	2021	2	August 2027
Place 3	Michael Parra*	2022	1	August 2027
Place 4	Mark Osborn	2021	2	August 2027
Place 5	Kelly Tomblin	NA	1	August 2027
Place 6	Robert (Beto) Burton	NA	1	August 2027
Place 7	Kathrin Berg	NA	1	August 2027

\* Indicates candidate was appointed to a partial term and is being nominated for his/her first full term.

All the above persons recommended are qualified to serve on the Board in accordance with the qualifications established by Chapter 375 as follows: are at least 18 years old, and are connected within the District as either (1) a resident, (2) owner of property, (3) owner of stock on property, as an individual or in a corporate capacity, (4) owner of a beneficial interest in a trust that owns property, or (5) be an agent, employee or tenant of the owners listed in categories 2, 3 and 4. And further, all of the above persons have experience in at least one of the following statutorily mandated areas: (1) energy matters, (2) commercial banking, (3) real estate development, (4) finance and insurance matters, (5) matters relating to retail or the provision of services, (6) provision of utilities, or (7) general issues the district will address.

20. Executive Director's Report

- a. Downtown Power Hour Luncheon Series
- b. Recognition of Outgoing Board Members

21. Construction & Event Update – Richard Bustamante

- a. Current/Upcoming Projects and Events

22. Economic Development Update by City of El Paso

23. Economic Development Update by El Paso County

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

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

26. Discussion of the Next Board Meeting – Thursday, September 26, 2024 – 4pm (no action)

27. 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

28. 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 19<sup>th</sup> day of August 2024, 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 Steve Ortega, 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 – August 22, 2024**

**Location: WestStar Bank Main Board Room, WestStar Tower – 12<sup>th</sup> Floor, 601 N. Mesa Street, El Paso, Texas**

**Attendees: Total Members: 20 Quorum: 11 needed**  
**Total Members Present (In Person): 13**

Manuel Burke	Bill Burton (11:33am)	Arlene Carroll	Kristi Daugherty
Yolanda Giner	Edgar Lopez (11:32am)	Patrick Merrick	Pacelli Mesta
Steve Ortega	Mark Osborn	Michael Parra	Joanne Richardson
Brad Taylor			

**Total Members Present (Online): 1**

Maxey Scherr (11:33am)			
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**Total Members Not Present: 6**

Nadia Baem	Daniela Caro	Guillermo Garcia	Jose Garcia
Eric Pearson	Peter Spier		

**Ex-Officio Members:** None

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

**Guests:** Bob Blumenfeld, DMD Attorney; Joel Guzman; Mia Romero, El Paso Chamber; Tracy Yellen, Paso Del Norte Community Foundation; Malea McMurray, State Representative Lina Ortega’s Office (virtual)

**1. Call meeting to order**

Steve Ortega called the meeting to order at 11:30am on August 22, 2024 in Main Board Room of WestStar Bank, WestStar Tower – 12<sup>th</sup> Floor, 601 N. Mesa Street, 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 August 19, 2024 in accordance with the Texas Open Meeting Act. A quorum was achieved at 11:31am.

**2. Presentation & discussion on the status of the proposed Deck Plaza over I-10**

Yellen provided an update on the ongoing efforts to develop a Deck Plaza over I-10 in conjunction with the widening of the interstate. Mesta commented that phasing of such a project would present difficulties and he encourages completing the project all at once. Board members asked what they can do to support the effort. Yellen encouraged board members to advocate for the project with City and County officials. She added that the project still needs an “owner” or lead developer, and that would likely be the City or County. Lopez asked about the need for private funding of the project. Yellen stated that the project, and then its operation, will require many sources of revenue. Ortega thanked Yellen for leadership of these efforts.

**CONSENT AGENDA**

**3. Approval of Minutes:**

- a. **June 27, 2024 Board of Directors Meeting**

**4. DMD June & July 2024 Investment Reports**

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

**5. Approval of Public Funds Investment Act Quarterly Report for April – June 2024.**

**Discussion:** None.  
**Moved:** Brad Taylor  
**Seconded:** Arlene Carroll  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0; Absent: 0  
**Motion Approved.**

## **REGULAR AGENDA**

### **6. Buildings of Impact Presentation & Discussion**

- a. Newberry Building & Krupp Building Presentation by Joel Guzman  
Guzman presented a pictorial history of the two buildings. Gudenrath updated the Board on outreach to the property owners and encouragement to maintain and redevelop properties.

### **7. Presentation & Discussion by the El Paso Chamber on their Assessment of El Paso Sports and Entertainment Venues.**

Mia Romero shared information learned from the assessment. She stated that the Chamber Board will take a position on the possible revocation of the MPC bonds at their next meeting.

### **8. Committee Report: Infrastructure & Advocacy Committee**

- a. Position Statement Updates, Discussion and Possible Action
  - i. City of El Paso Multi-Purpose Performing Arts Center (Arena)  
Ortega stated that since the last Board meeting, the City of El Paso has placed an item on the November ballot for voters to decide whether to revoke the bonding authority previously given to the City to build an arena. Ortega invited discussion on whether the DMD should take an official position on this specific item. A general consensus emerged to take a position against revocation of the bonds, to force the City to do something with the funding available, and to find a way to deliver the project promised to voters. Blumenfeld advised what the DMD could legally do to address this issue and educate the public. Mesta encouraged a positive tone in all messaging. Carroll encouraged a joint advocacy effort with the Chamber and other organizations. Burton stated that its important that we get our message out and have Blumenfeld review related messaging to stay within what is legally allowed. Mesta suggested that further down the road, the DMD look to take an active role in the future delivery of an MPC similar to what the El Paso Community Foundation did for La Nube and what the Paso Del Norte Community Foundation is doing for the Deck Plaza.

A motion was made to establish the position of the Downtown Management District within legal bounds and in coordination with other stakeholders in opposition to the revocation of the municipal bonds previously approved for the construction of a Multi-Purpose Performing Arts Center by the City of El Paso.

**Moved:** Pacelli Mesta  
**Seconded:** Yolanda Giner  
**Roll-Call Vote:** For: 13; Against: 0; Abstaining: 0; Absent: 1 (Scherr)  
**Motion Approved.**

### **9. Committee Report: Finance Committee**

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

Gudenrath asked the Board to consider items #10-#13 together following the presentation on the FY2024-2025 budget.

### **10. Presentation, Discussion and Action on Approval of 2024-2025 Downtown Management District Budget.**

### **11. Discussion and Action to Approve Adoption of the Tax Assessment Rate of \$.12 per \$100 in valuation for FY 2024-2025.**

**12. Discussion and Possible Action to authorize the Executive Director to enter into a service agreement with Placer.ai for data collection services and allocate \$11,917 from Budget Line 5035 (Downtown Research) of the FY2023-2024 Budget (\$917) and the FY2024-2025 Budget (\$11,000).**

**13. Approval of the purchase of a Ford F350 for primary use by DMD Sanitation Staff to provide services throughout the Downtown Management District (DMD). The DMD has procured the vehicle through TIPS, a regional education service center operating under Texas Education Code. DMD agrees to pay Silsbee Ford or an equivalent vendor, up to \$60,000 for the purchase and set-up of the identified vehicle with funds coming from the DMD's established Capital Fund.**

**Discussion:** Gudenrath asked the Board to take Items #10-#13 at one time. There was no objection.  
**Moved:** Arlene Carroll  
**Seconded:** Yolanda Giner  
**Roll-Call Vote:** For: 14; Against: 0; Abstaining: 0; Absent: 0  
**Motions Approved.**

**14. Committee Report: Economic & Residential Development Committee**

- a. Grant Programs Status/Fund Balance Report  
Mesta and Mais gave a brief overview of current projects and budget status of DMD managed grant programs. Mesta advised the Board that the committee was considering possible program options to support residential develop and offset the high costs of utility improvements. Additional program options will be discussed in the coming months.

**15. Discussion and Action to amend a Reimbursement Grant Agreement submitted by Nevena Christi & Marty Snortum for the property located at 115 Anthony Street**

- a. **That the Executive Director be authorized to sign an amended Reimbursement Grant Agreement for the Downtown Mural Grant Program for property located at 115 Anthony Street (FAC 23-01) in the amount of \$2,374.92, with said project to be completed in accordance with the execution of the Agreement.**

**Discussion:** Mais presented the project and staff/committee recommendation to approve.  
**Moved:** Michael Parra  
**Seconded:** Yolanda Giner  
**Roll-Call Vote:** For: 13; Against: 0; Abstaining: 1 (Burton); Absent: 0  
**Motion Approved.**

**16. Discussion and Action to amend a Reimbursement Grant Agreement submitted by Adam Lucero for the property owned by The Place at Union Plaza Inc. and located at 115 Durango Street**

- a. **That the Executive Director be authorized to sign an amended Reimbursement Grant Agreement for the Downtown Pedestrian Corridor Improvement Grant Program for property located at 115 Durango Street (PCI 23-01) in the amount of \$6,468.75, with said project to be completed in accordance with the execution of the Agreement.**

**Discussion:** Gudenrath presented the project and staff/committee recommendation to approve with the removal of interior costs and at  $\frac{3}{4}$  of the eligible amount. Mesta advised the Board that the committee recommendation was not unanimous and outlined concerns by some of the members.  
**Moved:** Mark Osborn  
**Seconded:** Edgar Lopez  
**Roll-Call Vote:** For: 11; Against: 3(Burton, Daugherty, Parra); Abstaining: 0; Absent: 0  
**Motion Approved.**

Due to time constraints, Ortega asked to move to Item#19 on the agenda.

**17. Committee Report: Marketing Committee**

- a. Current & Upcoming DTEP Promotions  
No report given due to time constraints.
- b. Social Media & INSIDER Distribution List  
No report given due to time constraints.
- c. DMD in the News  
No report given due to time constraints.

Item #18 was taken up following action on Item #19.

**18. President’s Report**

- a. Executive Director Performance Evaluation  
Ortega advised the Board that they would receive an email with a link to the online evaluation tool and asked them to complete it as soon as possible. Results will be shared at a future meeting to conclude the evaluation process.
- b. Board Member Nominations  
Slate for approval is provided in Item #19.

Item #19 was taken up following action on Item #16.

**19. Discussion and Action on Approval of recommendations to City Council to fill upcoming vacancies on the Downtown Management District Board of Directors as follows:**

<u>Position</u>	<u>Candidate</u>	<u>Last Appt Date</u>	<u>Term#</u>	<u>Expiration Date</u>
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All the above persons recommended are qualified to serve on the Board in accordance with the qualifications established by Chapter 375 as follows: are at least 18 years old, and are connected within the District as either (1) a resident, (2) owner of property, (3) owner of stock on property, as an individual or in a corporate capacity, (4) owner of a beneficial interest in a trust that owns property, or (5) be an agent, employee or tenant of the owners listed in categories 2, 3 and 4. And further, all of the above persons have experience in at least one of the following statutorily mandated areas: (1) energy matters, (2) commercial banking, (3) real estate development, (4) finance and insurance matters, (5) matters relating to retail or the provision of services, (6) provision of utilities, or (7) general issues the district will address.

**Discussion:** None  
**Moved:** Bill Burton  
**Seconded:** Pacelli Mesta  
**Roll-Call Vote:** For: 13; Against: 0; Abstaining: 0; Absent: 1 (Daugherty)  
**Motion Approved.**

Due to time constraints, Ortega asked to move to Item #24

**20. Executive Director’s Report**

- a. Downtown Power Hour Luncheon Series  
No report given due to time constraints.
- b. Recognition of Outgoing Board Members  
Gudenrath acknowledged the contributions of outgoing Board members Burton, Pearson and Ortega.

**21. Construction & Event Update**

- a. Current/Upcoming Projects and Events  
No report given due to time constraints.

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

No report given due to time constraints.

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

No report given due to time constraints.

Item #24 was taken up following action on Item #19.

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

None

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

No discussion due to time constraints.

**26. Discussion of the Next Board Meeting – September 26, 2024 at 4pm. (no action)**

No discussion due to time constraints.

**27. Executive Session**

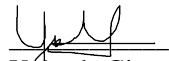
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- None

**28. Adjourn**

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

Submitted by:

  
\_\_\_\_\_  
Yajanda Giner  
Secretary

Date: 8-28-24