

MINUTES OF SPECIAL MEETING  
OF  
BOARD OF COMMISSIONERS  
CAPITAL CITY DEVELOPMENT CORPORATION

121 N. 9<sup>th</sup> St., Conference Room  
Boise, ID 83702  
September 26, 2011  
12:00 p.m.

Chair May convened the meeting with a quorum at 12:04 a.m.

**ATTENDANCE:** - Present were: Commissioner Pat Shalz, Commissioner Phil Reberger, Commissioner John May, Commissioner Dana Zuckerman, Commissioner Lauren McLean, Commissioner John Hale, Commissioner Chuck Hedemark, and Commissioner David Eberle. Commissioner Cheryl Larabee was absent

Agency staff members present were: Todd Bunderson, Interim Executive Director; Mike Hall, Planning and Development Director; Max Clark, Parking and Facilities Director; Jane Reed, Project Specialist; Jon Cecil, Planning Manager; Katina Dutton, Development Manager; Morgan Maiolie, Planning and Development Specialist; Megan Larsen, Controller; Scot Oliver, Special Projects Manager; Pam Sheldon, Contracts Manager; and Deah LaFollette, Administrative Assistant; Also present was Agency legal counsel, Ryan Armbruster.

Others in attendance are listed on the attached attendance sheet, which is incorporated and made part of these minutes as of herein set forth in full.

**CONSIDER- CHANGES, MODIFICATIONS, OR ADDITIONS TO THE AGENDA:**

No changes were made.

**CONSIDER: RESOLUTION #1280 APPROVE INTEREST RATE FOR 2002B BONDS**

Todd Bunderson, Interim Executive Director, gave a report.

Commissioner Hedemark moved to approve resolution #1280 with the interest rate of 4.75%. Commissioner Eberle seconded the motion.

All said Aye. The motion carried 8-0.

**CONSIDER: RESOLUTION #1281 APPROVE AMENDED SURPLUS GROUND LEASE, SECOND AMENDED AND RESTATED MASTER GROUND LEASE, PARCEL 2 SUBLEASE, PARCEL 3 SUBLEASE, A NOMINEE AGREEMENT, CERTIFICATION OF COMPLETION, AND TAX INCREMENT GUARANTY**

Todd Bunderson, Interim Executive Director, gave a report.

Commissioner Eberle moved to approve Resolution #1281. Commissioner Hale seconded the motion.

All said Aye. The motion carried 8-0.

**CONSIDER: RESOLUTION #1282 APPROVE SETTLEMENT AGREEMENT WITH CIVIC PLAZA** Todd Bunderson, Interim Executive Director, gave a report

Commissioner Eberle moved to approve Resolution #1282. Commissioner Reberger seconded the motion.

All said Aye. The motion carried 8-0.

**CONSIDER: RESOLUTION #1283 APPROVE SETTLEMENT AGREEMENT WITH CIVIC PARTNERS LEASES AND SETTLEMENT AGREEMENT** Todd Bunderson, Interim Executive Director, gave a report

Commissioner Eberle moved to approve Resolution #1283 and provide the Director and legal counsel the ability to make a minor modification to the agreement that will release Civic Partners from repair and maintenance to the improvement on parts of 401. Commissioner Zuckerman seconded the motion.

All said Aye. The motion carried 8-0.

Commissioner moved that the board take a short break at 12:36 p.m.

The meeting was back in session at 12:47 p.m.

**CONSIDER: RESOLUTION #1279 APPROVE THE OWNER PARTICIPATION AGREEMENT AND DECLARATION OF ACCESS EASEMENT AND SIGNAGE LICENSE CONCERNING PROPOSED DEVELOPMENT AT CORNER OF 8<sup>TH</sup> STREET AND MAIN STREET** Todd Bunderson, Interim Executive Director, gave a report

Jeff Wardle, Hawley Troxell, gave a report.

Commissioner Eberle moved to approve Resolution #1279 and give authority to the Director and legal counsel to make required changes to this document to get it signed in a timely matter . Commissioner Reberger seconded the motion.

All said Aye. The motion carried 8-0.

**CONSIDER: RESOLUTION #1276 FUND BALANCE POLICY** Megan Larsen, Controller, gave a report.

Commissioner Eberle moved to approve Resolution #1276 with modification to paragraph 8.0 starting on line 7 and ending on line 10. Commissioner Shalz seconded the motion.

All said Aye. The motion carried 8-0.

**CONSIDER: RESOLUTION #1276A ESTABLISH EMERGENCY CAPITAL REPAIR RESERVE** Megan Larsen, Controller, gave a report.

Commissioner Eberle moved to approve Resolution #1276a with modification to paragraph 8.0 starting on line 7 and ending on line 10. Commissioner Shalz seconded the motion.

All said Aye. The motion carried 8-0.

**EXECUTIVE SESSION:** A motion was made by Commissioner Eberle to go into an executive session at 1:12 p.m. to consider hiring a public employee to fill a particular need (Idaho Code Section 67-2345(1)(a)) Commissioner Reberger seconded the motion. A roll call vote was taken;

Commissioner Hale; Aye  
Commissioner McLean; Aye  
Commissioner Shalz; Aye  
Commissioner May; Aye  
Commissioner Reberger; Aye  
Commissioner Hedemark; Aye  
Commissioner Zuckerman; Aye  
Commissioner Eberle; Aye

The motion carried 8-0.

Communications ensued with legal counsel for CCDC to consider the hiring of an employee or staff member or individual agent and consideration or consideration of the evaluation, dismissal or disciplining of an employee, staff member or individual agent.

**EXECUTIVE SESSION ADJOURNMENT:** A motion was made by Commissioner Eberle to adjourn executive session at 2:29 p.m. and return to the public meeting. Commissioner McLean seconded the motion. A roll call vote was taken;

Commissioner Hale; Aye  
Commissioner McLean; Aye  
Commissioner Shalz; Aye  
Commissioner May; Aye  
Commissioner Reberger; Aye  
Commissioner Hedemark; Aye  
Commissioner Zuckerman; Aye  
Commissioner Eberle; Aye

The motion carried 8-0.

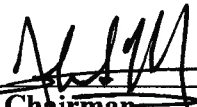
**ADJOURNMENT:** There being no further business to come before the Board, a motion was made by Commissioner Eberle to adjourn the meeting. Commissioner Zuckerman seconded the motion.

All said Aye.

The meeting was adjourned at 2:30 p.m.

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ADOPTED BY THE BOARD OF DIRECTORS OF THE CAPITAL CITY DEVELOPMENT CORPORATION ON THE 14<sup>th</sup> day of November, 2011.

  
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John May, Chairman

  
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Cheryl Larabee, Secretary