

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

121 N. 9th St., Conference Room
Boise, ID 83702
October 19, 2009
12:00 p.m.

Chair Larabee convened the meeting with a quorum at 12:01 p.m.

ATTENDANCE: - Present were: Commissioner Cheryl Larabee, Commissioner Phil Reberger, Commissioner Alan Shealy, Commissioner Pat Shalz, Commissioner David Eberle, Commissioner Andy Simonds, Commissioner John Hale, and Commissioner Chuck Hedemark. Commissioner John May was absent.

Agency staff members present were: Phil Kushlan, Executive Director; Todd Bunderson, Chief Financial Officer; Max Clark, Parking and Facilities Director; Pam Sheldon, Planning Director; Jon Cecil, Planning Manager; Mike Hall, Development Director; Katina Dutton, Development Manager; Scot Oliver, Special Projects Manager; Megan Larsen, Controller; Deah Leuthold, Administrative Specialist; 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:

There were no changes.

CORRESPONDENCE:

CONSENT AGENDA:

Approve meeting minutes from September 14, 2009
Paid Invoice Reports

Commissioner Shealy moved to approve the Consent Agenda. Commissioner Eberle seconded the motion.

All said Aye. The motion carried 8-0.

REPORT - BOISE CURB CUP: Mark Rivers, Brix and Company, gave a report.

REPORT – ARTS AND CULTURE ANNUAL UPDATE: Scot Oliver, Special Projects Manager, gave a report.

Terri Schorzman, Boise City Department of Arts/History, gave a report.

Helene Peterson, Fulton Street Theatre, gave a report.

Commissioner Eberle moved to approve the Fiscal 2010 Arts and Culture budget. Commissioner Shealy seconded the motion.

All said Aye. The Motion carried 8-0.

REPORT – SUSTAINABILITY PROGRAM: Scot Oliver, Special Projects Manager, gave a report. No action required.

CONSIDER: EXTENSION OF DIRECT PAY LETTER OF CREDIT FOR SERIES 2004A AND 2004B BONDS: Todd Bunderson, Chief Financial Officer, gave a report.

Commissioner Hale left the meeting at 1:04pm.

Commissioner Shealy moved to authorize the Executive Director to finalize all terms and pricing and sign all documents to secure a commitment for an extended LOC for the Series 2004A and B bonds. Commissioner Eberle seconded the motion.

All said Aye. The motion carried 7-0.

REPORT: PROGRESS REPORT ON STREETCAR, SHIELS OBLETZ JOHNSEN (SOJ): Mike Hall, Development Director, gave a report.

CONSIDER: LETTER TO GOVERNOR'S TASK FORCE ON TRANSPORTATION FUNDING: Jon Cecil, Planning Manager, gave a report.

A discussion was held. It was asked that there be an addition made to the letter.

Commissioner Shealy moved to authorize CCDC Board Chair to sign the letter after corrections have been made and for CCDC staff to forward the letter to the Governor's Task Force on Modernizing Transportation Funding. Commissioner Eberle seconded the motion.

All said Aye. The motion carried 7-0.

REPORT - OPERATIONS REPORT: Max Clark, Parking and Facilities Director, gave a report.

EXECUTIVE SESSION: A motion was made by Commissioner Eberle to go into an executive session at 1:26 p.m. to deliberate regarding labor negotiations or acquisition of an interest in real property [Idaho Code § 67-2345(1)(c)] and communicate with legal counsel

regarding pending/imminently-likely litigation [Idaho Code § 67-2345(1)(f)]. Commissioner Shealy seconded the motion. A roll call vote was taken;

Commissioner Shealy; Aye

Commissioner Simonds; Aye
Commissioner Larabee; Aye
Commissioner Hedemark; Aye
Commissioner Reberger; Aye
Commissioner Eberle; Aye

Communications ensued with legal counsel for CCDC to discuss the legal ramification of and legal options for pending litigation or controversies not yet being litigated, but imminently likely to be litigated and labor negotiations or acquisition of an interest in real property.

EXECUTIVE SESSION ADJOURNMENT: A motion was made by Commissioner Hedemark to adjourn executive session at 2:15 p.m. and return to the public meeting. Commissioner Eberle seconded the motion. A roll call vote was taken;

Commissioner Shealy; Aye
Commissioner Simonds; Aye
Commissioner Larabee; Aye
Commissioner Hedemark; Aye
Commissioner Reberger; Aye
Commissioner Eberle; Aye

The motion carried 6-0.

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

All said Aye.

The meeting was adjourned at 2:16 p.m.

ADOPTED BY THE BOARD OF DIRECTORS OF THE CAPITAL CITY DEVELOPMENT CORPORATION ON THE 19th day of October, 2009.



Cheryl Larabee, Chairman



Andy Simonds, Secretary