

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

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

Chair Larabee convened the meeting with a quorum at 12:00 p.m.

ATTENDANCE: - Present were: Commissioner Cheryl Larabee, Commissioner Phil Reberger, Commissioner Alan Shealy, Commissioner David Eberle, Commissioner Andy Simonds, Commissioner John Hale, and Commissioner John May. Commissioner Chuck Hedemark and Commissioner Pat Shalz were 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 October 19, 2009
Paid Invoice Reports
Resolution #1197 Records Disposition

A change was made to the minutes of October 19, 2009.

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

All said Aye. The motion carried 7-0.

REPORT – CCDC WEBSITE TOUR: Katina Dutton, Development Manager, gave a report.

CONSIDER- ACCEPT AWARD OF SBA GRANT FOR BUSINESS DEVELOPMENT CENTER: Scot Oliver, Special Projects Manager, gave a report.

Commissioner Eberle moved to accept the SBA award and direct the Executive Director to sign and return the Notice of Award. Commissioner Simonds seconded the motion.

All said Aye. The motion carried 7-0.

CONSIDER - RESOLUTION #1182 APPROVE AMENDED WATER COOLER LEASE: Phil Kushlan, Executive Director, gave a report.

Commissioner May moved to approve Resolution #1182 authorizing the Chair, Vice Chair or Executive Director to execute the lease agreement. Commissioner Reberger seconded the motion.

All said Aye. The motion carried 7-0.

CONSIDER - RESOLUTION #1196 KEY BANK 2004 A&B BOND LETTER OF CREDIT AGREEMENTS: Todd Bunderson, Chief Financial Officer, gave a report.

Commissioner Eberle moved to adopt Resolution #1196 authorizing the Chair, Vice Chair or Executive Director and Secretary to execute the Amendment No. 1 to the 2004 Reimbursement Agreement, extending the Key Bank Letter of Credit to October 18, 2010. Commissioner Shealy seconded this motion.

All said Aye. The motion carried 7-0.

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

REPORT – DIRECTORS REPORT: Phil Kushlan, Executive Director, gave a report.

REPORT – QUARTERLY STRATEGIC PLAN UPDATE AND FINANCIAL REPORT: Phil Kushlan, Executive Director, gave a report. No action required.

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)] 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 Hale; Aye

Commissioner May; Aye
Commissioner Larabee; Aye
Commissioner Simonds; Aye
Commissioner Reberger; Aye
Commissioner Eberle; Aye

The motion carried 7-0.

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.

Commissioner Simonds left Executive Session at 1:33pm.

EXECUTIVE SESSION ADJOURNMENT: A motion was made by Commissioner Eberle to adjourn executive session at 1:46 p.m. and return to the public meeting. Commissioner May seconded the motion. A roll call vote was taken;

Commissioner Shealy; Aye
Commissioner Hale; Aye
Commissioner May; Aye
Commissioner Larabee; Aye
Commissioner Simonds; Aye
Commissioner Reberger; Aye
Commissioner Eberle; Aye

The motion carried 7-0.

COMMISSIONER DISCUSSION:

A discussion was held about the streetcar project. No action required.

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

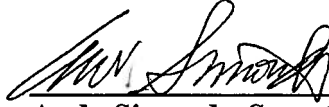
All said Aye.

The meeting was adjourned at 2:12 p.m.

ADOPTED BY THE BOARD OF DIRECTORS OF THE CAPITAL CITY DEVELOPMENT CORPORATION ON THE 11th day of January, 200~~9~~¹⁸



Cheryl Larabee, Chairman



Andy Simonds, Secretary