

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

121 N. 9th St., Conference Room
Boise, ID 83702
July 27, 2009
12:00 p.m.

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

ATTENDANCE: - Present were: Commissioner Cheryl Larabee, Commissioner Phil Reberger, Commissioner John May, Commissioner David Eberle, Commissioner Andy Simonds, Commissioner Chuck Hedemark, and Commissioner Pat Shalz. Commissioner Alan Shealy and Commissioner John Hale 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: No changes were made.

CORRESPONDENCE:

CONSENT AGENDA:

Meeting minutes from June 8, 2009
Meeting minutes from June 22, 2009
Paid Invoice Reports
Resolution #1186 Records Disposition

Commissioner Eberle abstained from voting on the June 22 meeting minutes.

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

All said Aye. The motion carried 7-0.

REPORT: ELECTRONIC BOARD PACKET OPTIONS: Megan Larsen, Office Manager/Controller, gave a report. Some research will be done before this item returns to the Board.

REPORT: OPEN MEETING LAW CHANGE: Ryan Armbruster, Elam and Burke, gave a report. No action required.

REPORT: BUDGET PREVIEW: Todd Bunderson, Chief Financial Officer, gave a report.

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

DISCUSSION - COMMISSIONER DISCUSSION: A discussion was held. No action was required.

EXECUTIVE SESSION: A motion was made by Commissioner Hedemark to go into an executive session at 1:06 p.m. to Discuss Pending Litigation [Idaho Code §67-2345(f)]. Commissioner Eberle 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 Hedemark; Aye
Commissioner Reberger; 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.

EXECUTIVE SESSION ADJOURNMENT: A motion was made by Commissioner Eberle to adjourn executive session at 2:36 p.m. and return to the public meeting. Commissioner Hedemark 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 Hedemark; Aye
Commissioner Reberger; Aye

The motion carried 7-0.

CONSIDER: CONSENT TO FOUNDATION/CIVIC ASSIGNMENT OF UNIT 102: Rick Boardman, Perkins Coie, gave a report.

Commissioner Eberle moved to authorize the Executive Director to provide the required CCDC consent to the Lease Assignment and Assumption Agreement submitted by the University of Idaho Foundation which assigns the Parcel 1 Sublease (governing Unit 102) to Civic Partners, subject to release of amounts owing for accrued supplemental tax payments for Unit 102 owed by Civic Partners from either the Escrow Collateralization Fund or other sources. Commissioner May seconded the motion.

All said Aye.

The motion carried 7-0.

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

All said Aye.

The meeting was adjourned at 2:38 p.m.

ADOPTED BY THE BOARD OF DIRECTORS OF THE CAPITAL CITY DEVELOPMENT CORPORATION ON THE 10th day of August, 2009.



Cheryl Larabee, Chairman



Andy Simonds, Secretary