

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

121 N. 9th St., Conference Room
Boise, ID 83702
January 18, 2011
12:00 p.m.

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

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

Agency staff members present were: Phil Kushlan, Executive Director; Todd Bunderson, Chief Financial Officer; Mike Hall, Development Director; Max Clark, Parking and Facilities Director; Kelsie Wahlin, Planning and Development Specialist; Megan Larsen, Controller; Katina Dutton, Development Manager; 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 changes made to Resolution #1246 and Resolution #1247 on the Consent Agenda.

CONSIDER: ELECTION OF OFFICERS, APPROVAL OF EXECUTIVE COMMITTEE CHARGE, DESIGNATION OF EXECUTIVE COMMITTEE MEMBERS, DESIGNATION OF SECRETARY PRO TEMP – Phil Kushlan asked that the Board consider the annual election of officers. A short discussion was held.

Commissioner Eberle moved for the appointment of the following officers, for approval of the Executive Committee charge, for appointment of the At-Large member and to appoint a Secretary Pro Tempore. Commissioner Shalz seconded the motion.

Board Chair- John May

Vice-Chairman- Phil Reberger

Secretary/Treasurer- Cheryl Larabee

Executive Committee Members –John May, Phil Reberger, Cheryl Larabee

Executive Committee At-Large Member – John Hale

Secretary Pro Tempore-Megan Larsen

All said Aye. The motion carried 5-0.

CORRESPONDENCE:

CONSENT AGENDA:

Meeting Minutes from December 13, 2010

Resolution #1246 Approving Sole Source Purchase of Tree Grates & Frames

Resolution # 1247 Approving Sole Source Purchase of Benches

There was a change to the minutes on page 1. Matt Parks attended the meeting as legal counsel, not Ryan Armbruster.

Commissioner Eberle moved to approve the Consent Agenda with change to the minutes, and Resolution #1246 and #1247. Commissioner Shalz seconded the motion.

All said Aye. The motion carried 5-0.

CONSIDER : ANNUAL INDEPENDANT AUDIT AND FINANCIAL REPORT FOR FY2010 - Kevin Smith and Brad Berls, Eide Bailly, gave a report.

Commissioner Larabee moved to accept the 2010 Annual Financial Report and Independent Audit and authorize staff to file it with the appropriate entities. Commissioner Reberger seconded the motion.

All said Aye. The motion carried 5-0.

EXECUTIVE SESSION: A motion was made by Commissioner Eberle to go into an executive session at 12:22 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 Larabee seconded the motion. A roll call vote was taken;

Commissioner Shalz; Aye

Commissioner Larabee; Aye

Commissioner May; Aye


Commissioner Reberger; Aye

Commissioner Eberle; Aye

The motion carried 5-0.



John May, Chairman



Cheryl Larabee, Secretary

Communications ensued with legal counsel for CCDC to discuss acquisition of real property and 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 1:09 p.m. and return to the public meeting. Commissioner Larabee seconded the motion. A roll call vote was taken;

Commissioner Shalz; Aye
Commissioner Larabee; Aye
Commissioner May; Aye
Commissioner Reberger; Aye
Commissioner Eberle; Aye

The motion carried 5-0.

CONSIDER : RESOLUTION #1248 APPROVING THE SETTLEMENT AGREEMENT BETWEEN CCDC AND CIVIC PARTNERS – Phil Kushlan, Executive Director, gave a Report.

There were two changes made to the item. Strike the words “and directing” in the title. On page 2, section 3 strike the words permitted and directed and leave authorized.

Commissioner Eberle moved to approve Resolution # 1248 approving the settlement agreement between CCDC and Civic Partners with the two amendments brought forth by legal counsel. Commissioner Shalz seconded the motion.

All said Aye. The motion carried 5-0.

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

All said Aye.

The meeting was adjourned at 1:13 p.m.

ADOPTED BY THE BOARD OF DIRECTORS OF THE CAPITAL CITY DEVELOPMENT CORPORATION ON THE 22nd day of February, 2011.