

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

121 N. 9<sup>th</sup> St., Conference Room  
Boise, ID 83702  
December 13, 2010  
12:00 p.m.

Chair May convened the meeting with a quorum at 12:09 p.m.

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

Agency staff members present were: Phil Kushlan, Executive Director; Todd Bunderson, Chief Financial Officer; Jon Cecil, Planning Manager; Mike Hall, Development Director; Max Clark, Parking and Facilities Director; Kelsie Wahlin, Planning and Development Specialist; Megan Larsen, Controller; Katina Dutton, Development Manager; Scot Oliver, Special Projects Manager; Deah Leuthold, Administrative Specialist; Also present was Agency legal counsel, Matt Parks.

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:**

Commissioner Eberle requested to remove Resolution #1243 Amending CCDC Bylaws from the Consent agenda and make Item 4B. Page 2 of Resolution 1242 was replaced with a corrected date.

**CONSENT AGENDA:**

Meeting Minutes from November 8, 2010

Paid Invoice Reports

Resolution #1238 Records Disposition

Resolution #1241 Establish Agency Credit Cards with Bank of America

Resolution #1242 Extending Grove Plaza Operations and Maintenance Agreement

Resolution #1244 Approving Revised Surplus Property Policy

Resolution # 1245 Approving Revised CCDC Procurement Policy

Resolution # 1246 SNW Consulting Agreement for Financial Advisory Services

Commissioner Eberle moved to approve the Consent Agenda with change to page two of Resolution #1242. Commissioner Shalz seconded the motion.

All said Aye. The motion carried 6-0.

**CONSIDER : RESOLUTION #1243 AMENDING CCDC BYLAWS :**

Commissioner Eberle moved to approve Resolution 1243 amending the CCDC Bylaws. Commissioner Shalz seconded the motion.

All said Aye. The motion carried 6-0.

**CORRESPONDENCE:**

The Design Concept for 620 S 9<sup>th</sup> was presented by Steve Hosac, President of the Hosac Company and John Price, The Architects Office.

No action required.

**CONSIDER : RESOLUTION #1247 BAML REVOLVING LINE OF CREDIT AGREEMENT :** Todd Bunderson, Chief Financial Officer, gave a report.

Commissioner Shealy moved to approve to adopt Resolution 1247 establishing and approving the revolving line of credit with Bank of America. Commissioner Eberle seconded the motion.

All said Aye. The motion carried 6-0.

Chairman May opened the meeting for public comment on Resolution #1247. There was no public comment.

**REPORT: CAPITAL INVESTMENT PLAN UPDATE:** Katina Dutton, Development Manager and Scot Oliver, Special Project Manager, gave a report.

No action required.

**REPORT: SUSTAINABLE DEVELOPMENT FY10 REPORT:** Scot Oliver, Special Project Manager, gave a report.

No action required.

**REPORT: ARTS AND CULTURE FY10 REPORT:** Scot Oliver, Special Project Manager, gave a report.

No action required.

**CONSIDER: PARKING ACCESS & REVENUE CONTROL SYSTEM PURCHASE (PARCS):** Max Clark, Parking and Facilities Director, gave a report.

Commissioner Shalz moved that staff be authorized to proceed with the acquisition and installation of Parking Access & Revenue Control System equipment per their recommendations. Commissioner Reberger seconded the motion.

All said Aye. The motion carried 6-0.

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

No action required.

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

No action required.

**REPORT: DIRECTORS 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 1:39 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 Shalz; Aye  
Commissioner May; Aye  
Commissioner Reberger; Aye  
Commissioner Eberle; Aye  
Commissioner Hale; Aye

The motion carried 6-0.

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 Hale to adjourn executive session at 2:20 p.m. and return to the public meeting. Commissioner Shalz seconded the motion. A roll call vote was taken;

Commissioner Shealy; Aye  
Commissioner Shalz; Aye  
Commissioner May; Aye  
Commissioner Reberger; Aye

Commissioner Eberle; Aye  
Commissioner Hale; Aye

The motion carried 6-0.

**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 2:20 p.m.

----

ADOPTED BY THE BOARD OF DIRECTORS OF THE CAPITAL CITY DEVELOPMENT CORPORATION ON THE 18<sup>th</sup> day of January, 2010.

  
\_\_\_\_\_  
John May, Chairman

  
\_\_\_\_\_  
Cheryl Larabee, Secretary