

MINUTES OF MEETING
BOARD OF COMMISSIONERS
CAPITAL CITY DEVELOPMENT CORPORATION
Board Room, Fifth Floor, 121 N. 9th Street
Boise, ID 83702
August 14, 2023

I. CALL TO ORDER:

Chair Latonia Haney Keith convened the meeting with a quorum at 12:00 p.m.

Roll Call attendance taken:

Present: Commissioner Ryan Erstad, Commissioner Danielle Hurd, Commissioner Latonia Haney Keith, Commissioner Lauren McLean, Commissioner Rob Perez, and Commissioner John Stevens.

Absent: Commissioner Todd Cooper, and Commissioner Alexis Townsend.

Agency staff members present: John Brunelle, Executive Director; Doug Woodruff, Development Director; Joey Chen, Finance & Administration Director; Karl Woods, Senior Project Manager - Capital Improvements; Alexandra Monjar, Project Manager - Property Development; Kelly Burrows, Project Manager - Capital Improvements; Kathy Wanner, Contracts Manager; Marie Schlake, Accountant; and Agency legal counsel, Meghan Sullivan Conrad.

Shawn Wilson, Public Works Deputy Director – City of Boise, attended the meeting.

II. ACTION ITEM: AGENDA CHANGES/ADDITIONS

There were no changes or additions made to the agenda.

III. ACTION ITEM: EXECUTIVE SESSION

A motion was made by Commissioner Haney Keith to move into Executive Session at 12:02 p.m. to deliberate regarding acquisition of an interest in real property which is not owned by a public agency; consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code; and communicate with CCDC legal counsel to discuss the legal ramifications and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated [Idaho Code Section 74-206(1) (c), (d) and (f)]. Commissioner McLean seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 6 - 0.

Discussion on real property acquisition, records exempt from disclosure and communication with legal counsel to discuss the legal ramifications and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated occurred from 12:02 p.m. to 1:04 p.m. A motion was made by Commissioner Haney Keith to adjourn the Executive Session at 1:04 p.m. and return to the public meeting.

Commissioner McLean seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 6 - 0.

IV. WORK SESSION

A. FY2024-2028 Five Year Capital Improvement Plan

Doug Woodruff, Development Director, gave a report.

V. ACTION ITEM: CONSENT AGENDA

A. Expenses

1. Approve Paid Invoice Report for June 2023

B. Minutes and Reports

1. Approve Meeting Minutes for July 10, 2023

C. Other

1. Approve Resolution 1828: W. Grove St., Linen Blocks on Grove Street Public Art. Type 4 Participation Agreement with City of Boise Department of Arts & History
2. Approve Resolution 1822: 212 S. 16th St., Fire Station #5. Type 4 Participation Agreement with City of Boise Public Works

Commissioner Erstad indicated he intended to recuse himself from discussion and abstain from voting on consent agenda items C.1 and C.2.

Commissioner McLean made a motion to approve the consent agenda items A and B. Commissioner Stevens seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 6-0.

Consider Consent Agenda Items C.1 and C.2.

Commissioner Erstad recused himself from discussion and the vote [based on disclosure at the January 11, 2023, and the May 8, 2023, Agency Meetings that he and/or his family owns an interest in real property adjacent to the projects].

Commissioner Stevens made a motion to approve the consent agenda items C.1 and C.2
Commissioner Hurd seconded the motion.

Roll Call:

Commissioner Erstad - Abstained
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 5-0-1.

VI. ACTION ITEM

A. CONSIDER Proposed FY2023 Amended Budget

Joey Chen, Finance & Administration Director, gave a report.

Commissioner Erstad moved to tentatively approve the FY 2023 Amended Budget to new revenue and expense totals of **\$39,566,600** and set the time and date of Noon, August 30, 2023, for the statutorily required public hearing.

Commissioner Hurd seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 6 - 0.

B. CONSIDER: Proposed FY2024 Original Budget

Joey Chen, Finance & Administration Director, gave a report.

Commissioner Erstad moved to tentatively approve the FY 2024 Original Budget with revenue and expense totals of **\$67,448,720** and set the time and date of Noon, August 30, 2023, for the statutorily required public hearing.

Commissioner McLean seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 6 - 0.

C. CONSIDER: Resolution 1830: Boise Canal Multi-use Pathway, 3rd Street to Broadway Avenue. Task Order 19-005 for Final Design with The Land Group

Kelly Burrows, Project Manager - Capital Improvements, Contracts Manager, gave a report.

Commissioner Stevens moved to adopt Resolution 1830 approving Task Order 19-005 with The Land Group, Inc. for Professional Design Services on the Boise Canal Multi-use Pathway Project, 3rd Street to Broadway Avenue.

Commissioner Erstad seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 6 - 0.

D. CONSIDER: Resolution 1831: 8th Street Streetscape and Bikeway Improvements. Ranking for RFQ: Construction Manager / General Contractor (CM/GC)

Kelly Burrows, Project Manager - Capital Improvements and Kathy Wanner, Contracts Manager, gave a report.

Commissioner Erstad moved to adopt Resolution 1831 approving the ranking for the RFQ: CM/GC for the 8th Street Streetscape and Bikeway Improvements Project from State St. to Franklin St. and authorize the Executive Director to negotiate and execute a Construction Manager/General Contractor agreement for the Project.

Commissioner McLean seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye

Commissioner Stevens - Aye

The motion carried 6 - 0.

E. CONSIDER Resolution 1829: 521 W. Grove Public Space Project. Task Order 19-010 for Professional Design Services with Jensen Belts Associates

Karl Woods, Senior Project Manager - Capital Improvements, gave a report and Kimberly Siegenthaler, Principal – Jensen Belts Associates, gave a report.

Commissioner Erstad moved to adopt Resolution 1829 approving and authorizing the execution of Task Order 19-010 with Jensen Belts Associates for Professional Design Services on the 521 W. Grove Public Space Project.

Commissioner Perez seconded the motion.

Roll Call:

Commissioner Erstad - Aye

Commissioner Hurd - Aye

Commissioner Haney Keith - Aye

Commissioner McLean - Aye

Commissioner Perez - Aye

Commissioner Stevens - Aye

The motion carried 6 - 0.

F. CONSIDER: Designation: 705 S. 8th St., South 8th Street and Greenbelt Site Improvements. Type 4 Capital Project Coordination with City of Boise Public Works

Karl Woods, Senior Project Manager - Capital Improvements and Shawn Wilson, Public Works Deputy Director - City of Boise, gave a report.

Commissioner Hurd recused herself from discussion and the vote as she consulted with the architecture team for the project.

Commissioner Erstad moved to designate 705 S. 8th St., South 8th Street and Greenbelt Site Improvements as a project eligible to utilize the Type 4 assistance and directed the Agency to negotiate a final agreement with City of Boise Public Works for future Board approval.

Commissioner McLean seconded the motion.

Roll Call:

Commissioner Erstad - Aye

Commissioner Hurd – Abstain

Commissioner Haney Keith - Aye

Commissioner McLean - Aye

Commissioner Perez - Aye

Commissioner Stevens - Aye

The motion carried 5-0-1.

G. CONSIDER: Block 68 South Mixed Use Residential and Mobility Hub Development and Block 69 North Workforce Housing Development. Request for Revised Participation

Alexandra Monjar, Project Manager - Property Development, gave a report. Jill Sherman, Co-founder, Edlen & Co. and Dean Papé, Partner, deChase Miksis, collectively, representatives of the Block 68 Project development team, responded to Agency Board's questions.

Ms. Monjar provided Block 68 Project background, an update and outlined developer's requests for revised assistance and Agency staff's recommendations to developer's requests, which recommendations included:

- Direct the Executive Director to negotiate a Purchase and Sale agreement to acquire the "State Parcel" from the Developer for \$1.7 million.
- Authorize departure from the Agency's Type 5 Participation Program policy and direct the Executive Director to negotiate DDA amendments that include upfront contribution of the full land value of each half block subject to certain terms and conditions.
- Authorize Developer to revert the Block 69 North design to standards established in the DDA, with Board review and approval required upon submission of revised Schematic Design Documentation and Unit Documentation.
- Reject this request and reimburse the Developer for Block 69 North public improvement expenses in accordance with Participation Program policy (payment upon completion) and subject to the forthcoming Type 4 Agreement.
- Direct the Executive Director to negotiate a Purchase and Sale Agreement for the Agency Garage Unit in the Block 68 South project for \$11 million to include the BikeBOI cold shell and 205 parking spaces, and subject to the Developer's performance under the Block 68 South DDA and any amendments to the DDA.

Discussion followed.

Commissioner Perez moved to authorize departure from Agency Participation Program Type 5 policy and directed the Executive Director to respond to the Developer's requests as summarized above, and directed negotiation of implementation agreements or similar agreements to guide negotiation of amendments to the Block 68 South and Block 69 North DDAs for future Board approval, and directed negotiation of amendments to the DDAs, for future Board approval.

Commissioner Stevens seconded the motion.

Roll Call:

Commissioner Erstad - Aye
Commissioner Hurd - Aye
Commissioner Haney Keith - Aye
Commissioner McLean - Aye
Commissioner Perez - Aye
Commissioner Stevens - Aye

The motion carried 6 - 0.

VII. MEETING ADJOURNMENT

There being no further business to come before the Board, a motion was made by Commissioner Haney Keith to adjourn the meeting.

The meeting was adjourned at 2:53 p.m.

ADOPTED BY THE BOARD OF DIRECTORS OF THE CAPITAL CITY DEVELOPMENT CORPORATION ON THE 9th DAY OF OCTOBER 2023.

DocuSigned by:
Commissioner Latonia Haney Keith
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Latonia Haney Keith, Chair

DocuSigned by:
Lauren McLean
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Lauren McLean, Secretary