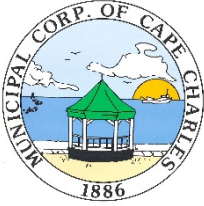




TOWN COUNCIL
Special Meeting
January 13, 2022
Cape Charles Civic Center
6:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Comments on Agenda Item Only (3 minutes per speaker)
4. Special Meeting Order of Business:
 - *A. Review and Selection of PPEA Proposer
 - B. Presentation of Community Survey Responses
5. Town Manager Comments
6. Mayor & Council Comments (5 minutes per speaker)
7. Adjournment of Special Meeting

 TOWN OF CAPE CHARLES	AGENDA TITLE: Review and Selection of PPEA Proposer		AGENDA DATE January 13, 2022
	SUBJECT/PROPOSAL/REQUEST: Review and Select PPEA Proposer		ITEM NUMBER: 4A
	ATTACHMENTS: N/A		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): John Hozey, Town Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

Approximately 18 months ago the Town was approached by a private utility company who proposed to purchase our utilities. This type of acquisition is possible through the state procurement process known as the Public-Private Education Facilities and Infrastructure Act, or PPEA. The PPEA process enables evaluation of these types of proposals, following the development and adoption of local PPEA procedures. Once this was done, the Town was required to advertise that we received an unsolicited proposal and invite others to propose as well. This resulted in a second proposal. To assist with the evaluation of these proposals, a consultant was hired to conduct a proper due diligence. Due to the confidential nature of these proposals, the Town Council held an executive session to interview both companies (with the consultant's help). The result was that both companies were determined to be legitimate providers, with our consultant advising that both passed due diligence, and either was worthy of further consideration.

ITEM SPECIFICS:

It is now time to select one of these proposals/companies to move forward to the next phase of the evaluation, which will include the very important participation of the public. Since choosing between the two companies will be based primarily on the confidential information contained within their proposals, this first step must be based on the best judgement of the Town Council. However, choosing a company to move forward to the public process does not commit the Town in any way. Once competition is removed and just one company moves forward, the information associated with that company can then be discussed openly; and the real public dialogue can begin.

Therefore, tonight's action is only the first of several decision points, which will lead to the public interaction needed to help us determine if selling these utilities is really what's best for this community. Following this selection, the Town will start publishing additional detail, start answering the questions coming to light, and schedule Town Hall meetings so that everyone can come out to express their thoughts, concerns, or to just ask additional questions. The surviving company and our consultant will be on hand for these discussions.

RECOMMENDATION:

Staff recommends the Town Council carefully consider both proposals and make a motion to move one of them to the next phase of the evaluation process.