**AGENDA ITEM NO. G-5**

**M E M O R A N D U M**

DATE: November 22, 2005

TO: The Board of Supervisors

FROM: Steven W. Hicks, General Services Manager
Leo P. Rogers, County Attorney

SUBJECT: Adoption of the guidelines amendments enacted by the 2005 General Assembly for the Public-Private Transportation Act of 1995 and updating the County's guidelines for the Public-Private Education Facilities and Infrastructure Act of 2002

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During the 2005 General Assembly the Public-Private Transportation Act (PPTA) of 1995 and The Public-Private Educational Facilities and Infrastructure Act of 2002 (PPEA) were amended (Sections 56-556 et seq. and Sections 56-575.1 et seq. of the Virginia Code) to allow local governments and public education to enter into an interim agreement with the private entity proposing the development and/or operation of the qualifying facilities. The Commonwealth has also adopted guidelines to implement both the PPTA and PPEA. On June 24, 2003, the Board of Supervisors adopted the then existing guidelines for PPEA projects.

The PPTA and PPEA would provide more choices for the Board in its capital improvements planning process as it examines all possibilities to identify the best method for delivering public facility improvements to the citizens. The PPTA and PPEA authorizes private entities to acquire, design, construct, improve, renovate expand, equip, maintain, or operate qualifying projects after obtaining approval of a public entity.

In order for the County to be able to consider projects under the amendments enacted by the 2005 General Assembly for PPTA and PPEA, the Board needs to adopt the PPTA guidelines and update the existing County PPEA guidelines in accordance with the amendments enacted by the 2005 General Assembly for receiving and evaluating any proposal submitted under the provisions of the PPTA and PPEA.

Staff recommends approval of the attached resolution adopting the PPTA guidelines and updating the existing County PPEA guidelines.

Steven W. Hicks

Leo P. Rogers

SWH/tlc
PPTAguide.mem

Attachment