

Office of  
the Mayor  
Burlington,  
Vermont



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**MEMORANDUM**

TO: Burlington City Council  
FR: Bob Kiss, Mayor  
RE: BT action items  
DA: December 3, 2009

As the Council considers the Piper Jaffray refinancing proposal for Burlington Telecom, there are a few potential action items that I recommend could be taken at your Dec 7 meeting:

- Appointment of an Ad-Hoc committee to:
  - work with the Administration in selecting an outside consultant to provide advice and recommendations to the City on key issues of the refinancing; and
  - working with the Administration, serve as a Council liaison regarding matters related to the PSB litigation.
- Designation of Council members to participate in the "due diligence" element of the refinancing process.

I will also ask that you consider authorization for the Mayor to execute a Letter of Interest (draft attached) with Piper Jaffray to further develop and analyze a proposal for refinancing Burlington Telecom. With respect to this issue, I want to make clear that the City's commitment at this stage is limited. The administration will engage in further discussions with Piper Jaffray and must ultimately come back to the Council with a full proposal for refinancing that requires final approval. Any action by the Council at this stage should understandably reflect the limited nature of the City's commitment. I will ask that this be placed on the agenda for discussion and potential action at your December 7 meeting, or for final action no later than your December 14 meeting.

These items move this important process forward, involve the Council in a substantial way, and offer little, if any, risk to the City. We anticipate that the next stage of the process, at which time a complete proposal could come back to the Council for consideration, will occur by mid-January. In the meantime, independent consultants could be retained to review the proposal. And, the due diligence process, with Council involvement, could proceed.

Please let me know your thoughts and questions on these potential action items. I will plan to have a draft resolution reflecting these items for your review prior to the December 7 meeting. Thank you.