July 5, 2022

Memorandum #2022-94

TO: Southside Network Authority

BY: Steven H. DeBerry, Executive Director

RE: Southside Network Authority Meeting – July 8, 2022

A meeting of the Southside Network Authority (SNA) will be held on Friday, July 8, 2022, beginning at 2:00 PM in Board Room A, The Regional Building, 723 Woodlake Drive, Chesapeake, VA 23320. The agenda is attached.

SHD/ka

Attachment

**SNA Voting Members:**
- Susan Vitale, CH
- Andria McClellan, NO
- Daniel Jones, PO
- Albert Moor, SU
- Rosemary Wilson, VB

**SNA Alternate Members:**
- Scott Fairholm, CH
- Catheryn Whitesell, NO
- Mimi Terry, PO
- Regina Chandler, SU
- Peter Wallace, VB

**Copy:**
- Mike Lockaby, Guynn, Waddell, Carroll & Lockaby, P.C.
- Southside Network Authority Jurisdictions’ Chief Administrative Officers
- Southside Network Authority Jurisdictions’ Chief Information Officers
- Southside Network Authority Jurisdictions’ Legal Representatives
1. Call to Order

2. Approval/Modification of Agenda

3. Public Comments

Members of the public are invited to address the Southside Network Authority (SNA). Each comment is limited to three minutes.

4. Submitted Public Comments

There were no submitted public comments since the last SNA meeting. Any new written public comments received after the preparation of this agenda will be distributed at the meeting.

5. Meeting Minutes (Attachment 5)

Attached for the SNA’s consideration are the minutes from the June 10, 2022, SNA Meeting.

**Action Requested:** SNA Board should take action to approve the minutes for the June 10, 2022, Board Meeting.

6. Project Management Update

Staff will provide a project update to the Board during this meeting.

**Action Requested:** No action required. Update is provided for Board Members’ information.
7. **Grant Opportunity: National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce**

NTIA announced a Notice of Funding Opportunity (NOFO) for the Middle Mile Broadband Infrastructure Grant (MMG) program. The MMG program will provide $1B in middle-mile broadband grant funding. Applications must be submitted by September 30, 2022, and grant awards will be announced no earlier than March 1, 2023. SNA Executive Director Steven DeBerry and HRPDC Executive Director Bob Crum will brief the Authority on potential opportunities for this program that would support the next implementation phases of the SNA regional fiber ring strategy.

**Action Requested: Discussion of various options for submission of a NTIA grant application and Board recommendation.**

8. **Closed Session – Discuss Procurement Strategy**

To proceed into closed session, the SNA Board should consider the following:

*Motion to convene a closed session pursuant to subsection A.28 of § 2.2-3711 of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity; pursuant to subsection A.33 of § 2.2-3711 for the purpose of discussion of consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets subject to the exclusion in subdivision 19 of § 2.2-3705.6; pursuant to subsection A.29 of § 2.2-3711 for the purpose of discussion of the award of a public contracting involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body; and pursuant to subsection A.6 of § 2.2-3711 for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, specifically relating to contract negotiations with Global Technical Systems.*

After reconvening in open session, the SNA Board should consider the following:

*Motion to reconvene in open session and to certify by roll call vote, pursuant to subsection D of § 2.2-3712 of the Code of Virginia, that (i) only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed, or considered in the closed session.*
9. Actions out of Closed Session

Action Requested: Following the end of closed session, the Board may take actions to implement the recommendations received under agenda item 8 considering the confidential information, analysis, discussion, and considerations from the closed session.

10. Old/New Business

11. Adjournment
Southside Network Authority
Summary Minutes
June 10, 2022

The June 10, 2022 meeting of the Southside Network Authority (SNA) was called to order by Chair Susan Vitale at 2:11 PM. Chair Vitale thanked everyone for their attendance at the meeting and requested Mr. Steven DeBerry, SNA Executive Director, call the roll to determine meeting attendance.

Southside Network Authority Voting Members in Attendance:
Susan Vitale, Chair, CH
Andria McClellan, Vice-Chair, NO
Rosemary Wilson, VB
Albert Moor, SU
Daniel Jones, PO

Other Participants:
Steven DeBerry, SNA Executive Director
Regina Chandler, Alternate SU
Scott Fairholm, Alternate CH
Peter Wallace, Alternate VB
Catheryn Whitesell, Alternate NO
Matthew DeHaven, CTC Technology & Energy (via MS Teams)
Travis Andrews, Guynn, Waddell, Carroll & Lockaby, PC (via telephone)

Others Recorded Attending:
Jay Stroman (City of Chesapeake) and Kelli Arledge, Rob Cofield, Dmitry Rekhter and Chris Vaigneur (HRPDC Staff).

Approval of the Agenda
Chair Vitale called for a motion to approve the agenda. Vice Chair Andria McClellan Moved to approve the agenda as presented; seconded by Mr. Daniel Jones. The Motion Carried.

Public Comments
Chair Vitale invited members of the public to address the Southside Network Authority. There were no public comments.

Submitted Public Comments
There were no submitted comments.

Approval of the Minutes
Chair Vitale called for a motion to approve the May 13, 2022 minutes. Vice Chair McClellan Moved to approve the minutes; seconded by Mr. Al Moor. The Motion Carried.
Project Management Update

Mr. Steven DeBerry, SNA Executive Director, provided a brief update on the current status of construction, negotiations with GTS and the Public-Private Partnership (P3), as well as various tools that will be provided to the Chief Information Officers (CIOs) and other local staffs to help manage the fiber ring project.

CTC has completed the final design for the first phase of the fiber route construction of approximately 45 miles in Virginia Beach. In addition, Danella has received the conduit for this phase as well. Mr. DeBerry reminded SNA members that he still needs the member localities to approve the Master Lease Agreements for right-of-way. He noted that Virginia Beach City Council approved their lease agreement on June 7, 2022. This will allow CTC and Danella to formally begin working with the city's permitting staff. Chair Vitale reported that Chesapeake’s approval is in process, and Ms. Whitesell stated that Norfolk’s is slated for approval on June 14, 2022. Mr. Moor noted that Suffolk is scheduled for Council approval in the first week of July.

Mr. DeBerry reported that he and Mr. DeHaven have a meeting scheduled with Bob Crum, HRPDC Executive Director, on how best to engage the Virginia Department of Environmental Quality (VDEQ) and Army Corps of Engineers from a regional perspective. CTC has completed the initial environmental review and Mr. DeBerry will put together a package to share with VDEQ.

Mr. Jones inquired as to any major challenges with environmental quality. Mr. DeBerry noted that there may be some challenges because there are water crossings, but he does not think there are any major hurdles. Mr. DeHaven concurred and noted there has been nothing that has caught them off guard or that they anticipate will cause problems. CTC is aware there are a number of water crossings and the approach from the beginning has been to avoid area wetlands and buffer zones and stay outside of these areas.

Mr. DeBerry reported that CTC is continuing with the final design of the remaining fiber segments and has completed most of the field work for approximately 40 miles between Chesapeake and Suffolk. As those plans become finalized and the project continues to move forward, approximately 80 miles of the 119 total miles will be through the design phase.

Conversations continue with Global Technical Systems (GTS); Mr. DeBerry noted he has met with them twice a week for the past two weeks. There are key issues that Mr. DeBerry will discuss more in-depth with SNA members during the closed session.

Lastly, Mr. DeBerry mentioned that a project management shared-file has been created, and it will be accessible by local Chief Information Officers (CIOs) and staff. He and Mr. DeHaven continue to meet with Danella and the CIOs on alternating weeks in order to keep the communication flow open.

Chair Vitale asked if SNA Board members have access to the SharePoint site. Mr. DeBerry replied affirmatively.
Closed Session

Chair Vitale called for a closed session and asked Mr. DeBerry to provide the language for the motion.

Motion to convene a closed session pursuant to subsection A.28 of § 2.2-3711 of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity; pursuant to subsection A.33 of § 2.2-3711 for the purpose of discussion of information subject to the exclusion in subdivision 19 of § 2.2-3705.6; pursuant to subsection A.29 of § 2.2-3711 for the purpose of discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body; and pursuant to subsection A.6 of § 2.2-3711 for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, all specifically relating to PPEA negotiations with Global Technical Systems.

Mr. Jones Moved to proceed into closed session; seconded by Vice Chair McClellan. The Motion Carried.

The Authority proceeded into closed session.

Return to Open Session

The Authority reconvened into open session. Mr. Stroman, Chesapeake City Attorney, read the following motion into the record to certify that the closed session attended by SNA Board Members and Alternates, as well as Steven DeBerry, Travis Andrews, Matt DeHaven and Jay Stroman:

Move to reconvene in open session and to certify by roll call vote, pursuant to subsection D of § 2.2-3712 of the Code of Virginia, that (i) only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed, or considered in the closed session.

Ms. Wilson Moved to certify that only public business matters lawfully exempted from open meeting requirements as identified in the motion were heard, discussed or considered in the closed session; seconded by Vice Chair McClellan.
Roll Call Vote:

Ms. Vitale Yes
Ms. McClellan Yes
Mr. Jones Yes
Mr. Moor Yes
Ms. Wilson Yes

The Motion Carried.

Old/New Business

Vice-Chair McClellan mentioned the effort of the current Biden Administration with the NTIA (National Telecommunications and Information Administration), and an effort called “Internet for All” that launched a few weeks ago. This effort includes three tranches of money related to broadband, with a significant amount going to States directly, but another tranche will go to middle-mile specifically for municipalities and localities. Vice-Chair McClellan reported that the grant funding applications will open in September and felt that this would be a potential for the SNA to gain some additional funding.

Adjournment

With no further business to come before the Southside Network Authority, the meeting adjourned at 3:36 PM.