



Glenn Hegar Texas Comptroller of Public Accounts

Broadband Development Office Board of Advisors

May 2022



**TEXAS BROADBAND
DEVELOPMENT OFFICE**

BroadbandforTexas.com

Open Meeting Submission Form

Date of Submission: April 20, 2022

Board: Broadband Development Office Board of Advisors

Date of Meeting: May 3, 2022

Time of Meeting: 2:00 p.m., Local time

Street Location: 111 East 17th Street, Room #1011, LBJ State Office Building and Cisco Webex Video Conference

City Location: Austin

State Location: Texas

Additional Information May Be Obtained From: Mr. Greg Conte, Office of the Comptroller of Public Accounts, 111 East 17th Street, Austin, Texas 78701. Phone: 512-463-7611 Email: broadband@cpa.texas.gov

Agenda:

1. Call to Order and Roll Call
2. Review of Open Meeting Rules and Requirements for Meeting participation via Videoconference Call
3. Review of Open Government Training Requirements for Members of Governmental Bodies
 - a. Overview of Training Requirements
 - b. Designation of Public Information Coordinator to Receive Open Records Training
 - c. Personal Data Confidentiality Election Form
4. Welcome by Comptroller Hegar
5. Introduction of Broadband Development Office (BDO) staff and Broadband Development Office Board of Advisors (BDOBOA) members
6. Overview of the BDOBOA Duties to the BDO
7. Overview of the work conducted by the BDO

- a. Summary of actions taken since the creation of the office
 - b. Summary of current and future funding opportunities for BDO
 - c. Deadlines for HB 5 (87R), HB 1505 (87R), and the Capital Projects Fund (CPF)
 - d. Next steps for broadband funding related to the Infrastructure Investment and Jobs Act
 - e. Update on the BDO Listening Tour and State Broadband Plan
8. Discussion on the State Broadband Plan
 9. Dates of future meetings and discussion on agenda items for the next scheduled meeting
 10. Adjournment

ADDITIONAL INFORMATION:

While BDOBOA members may participate in the meeting via videoconference call, the meeting location (111 East 17th Street, Room #1011, Austin, Texas) will be open to the public and the presiding officer will be physically present at that location.

Members of the public wishing to attend the meeting by videoconference with audio and video functionality via a computer or mobile app should use the following link:

<https://txcpa.webex.com/txcpa/onstage/g.php?MTID=ec7ee6548cecefc015f1bc6c1ff4dce01>

Meeting number (access code): 2488 864 6138

Meeting password: Broadband

The public may also participate by audio only by calling 1-408-418-9388 and entering access code 2488 864 6138.

NOTICE FOR PERSONS WITH DISABILITIES

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, also non-English-speaking persons who may need assistance are requested to contact Mr. Greg Conte at broadband@cpa.texas.gov, at least two (2) working days prior to the meeting so that the appropriate arrangements may be made.

Open Government Training Handout

Open Government Training. Sections 551.005 and 552.012, Texas Government Code, require elected and appointed officials who are members of governmental bodies that are subject to the Texas Open Meetings Act or the Texas Public Information Act to take open government training:

- Officials who are members of a governmental body subject to the Open Meetings Act must take **one hour** of training on the **Open Meetings Act**.
- Officials, who are members of governmental bodies subject to the Public Information Act, must take **one hour** of training on **Open Records**, or they can designate the governmental body's public information coordinator to be trained on their behalf.

Although there may be some question as to the applicability of this new law to advisory committees, as a precautionary measure, we recommend that all board/committee members complete the training. This is a one-time training requirement.

Compliance Deadline. The deadline for newly appointed board and committee members is not later than the 90th day after the date the member assumes responsibilities as a member of the governmental body. Tex. Gov't Code Ann. §§ 551.005(a), 552.012(b).

Training Availability. The Attorney General has made training available at no charge on its website at: <https://www.texasattorneygeneral.gov/og/open-government-training> Public officials can go to this website, then click on "Open Meetings Act training video" or "Public Information Act training video" to view the training video and then obtain a course completion certificate for viewing the training.

Designation of Public Information Coordinator to Receive Open Records Training. The Open Records portion of the new law allows public officials the **option to designate a public information coordinator (PIC)** to attend training **in their place** so long as the designee is the person primarily responsible for the processing of open records requests for their governmental body. A designation letter is attached for your signature if desired. Please sign the designation letter and submit a copy to the Comptroller's Office.

Evidence of Course Completion. The governmental body must "maintain and make available for public inspection the record of its members' completion of the training." Tex. Gov't Code Ann. § 551.005(c); § 552.012(e). Please submit a copy of your Open Meeting training certificate and your Open Records designation letter to: **Texas Comptroller of Public Accounts, Attn: Broadband Development Office Board of Advisors, Data Analysis and Transparency Division, Post Office Box 13528, Capitol Station, Austin, Texas 78711-3528.**

Public Information Coordinator Designation Letter for Board and Committee Members

Texas Comptroller of Public Accounts
Attn: Broadband Development Office Board of Advisors
Data Analysis and Transparency Division
Post Office Box 13528
Capitol Station, Austin, Texas 78711-3528

Re: Designation of Public Information Coordinator to Receive Open Records Training

Pursuant to Section 552.012(c), Government Code, I hereby designate the Public Information Coordinator of the Texas Comptroller of Public Accounts to satisfy the open records training requirements of Section 552.012, Government Code. The Public Information Coordinator of the Texas Comptroller of Public Accounts is primarily responsible for administering the open record responsibilities of the board under Chapter 552, Government Code. Please retain this designation letter and a copy of the training certificate of the Public Information Coordinator in the files of the board, as required by Section 552.012(e).

Thank you for your assistance in this matter.

Sincerely,

Signature of Board Member

Printed Name

Personal Information Confidentiality Election Form for Board and Committee Members

Instructions: Under Sections 552.024 and 552.117, Government Code, as an official of a governmental body you have the right to choose whether to allow public access to the information in the custody of the governmental body that relates to your home address, home telephone number, social security number, or that reveals whether you have family members. To indicate your choice, please complete this form and return to the Comptroller's office.

Your Name (Please print)
Name of Board or Committee (Please print) Broadband Development Office Board of Advisors

Indicate which information the agency may release to the public pursuant to the Public Information Act (checking "YES" indicates you want to **allow** public access to the personal information; checking "NO" indicates you want the agency to **withhold** the information from public access):

Home address	___ YES	___ NO
Home telephone number	___ YES	___ NO
Social security number	___ YES	___ NO
Information that reveals if I have family members	___ YES	___ NO
Emergency contact information	___ YES	___ NO

If you would like to change your election in the future, please notify the Texas Comptroller of Public Accounts in writing.

Please sign the form, enter the date and submit the completed form to:

Texas Comptroller of Public Accounts
 Attn: Broadband Development Office Board of Advisors
 Data Analysis and Transparency Division
 Post Office Box 13528
 Capitol Station, Austin, Texas 78711-3528

Board Member Signature	Date
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You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at texas.comptroller@cpa.texas.gov or 1-888-334-4112.

Broadband Development Office

Board of Advisors Roles and Responsibilities

The Broadband Development Office (BDO) is statutorily authorized through Texas Government Code Chapter 490I, and is housed within the Comptroller of Public Accounts (agency). The Board of Advisors (advisory board) is created in Section 490I.0110, and is made up of eight appointed members, the Comptroller or his designee (who serves as the chair), and a nonvoting member appointed by the BDO. Meetings of the advisory board are open meetings subject to Chapter 551. The board is required to meet at least monthly until June 15, 2022, then at least every other month at the call of the chair.

The duties and roles of the advisory board are authorized under Sections 490I.0110(g) and (j) as follows:

(g) The board of advisors shall provide guidance to the broadband development office regarding the expansion, adoption, affordability, and use of broadband service and the programs administered by the office.

(j) The board of advisors may consult with stakeholders with technical expertise in the area of broadband and telecommunication technology.

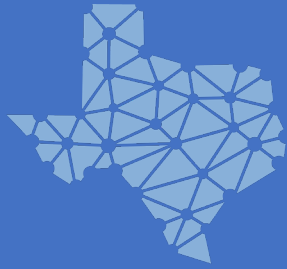
The advisory board is a structured and collaborative way for BDO to engage with external advisors. The advisory board can act as a sounding board to allow BDO to test their strategic thinking and access expertise or connections that may not be readily available via other means.

Purpose and Role:

- to help BDO gain value-driven insights and background, focus input, provide non-binding advice to solve problems, and to increase organizational impact
- to contribute their experience and respective areas of expertise. This can provide BDO insights into the potential implications of various strategies and decisions
- to actively contribute to the goals and desired outcomes defined by BDO
- to provide current knowledge, critical thinking and analysis to improve program effectiveness, incorporate best practices, and increase the confidence of the decision makers
- to foresee and identify obstacles or pitfalls of the current path, and identify strategic changes to improve organizational trajectory
- can provide safe harbors to ‘test drive’ options before they become more definitive
- to explore new opportunities by stimulating robust, high-value conversations
- to assist with short-term and long-term planning
- to serve as advocates and allies for BDO and create strategic introductions within approved guidelines for BDO

Advisory board members are not authorized to make decisions or speak on behalf of the agency or BDO. Additionally, advisory board members are required to acknowledge and abide by BDO's "Ethical Standards of Conduct."

END



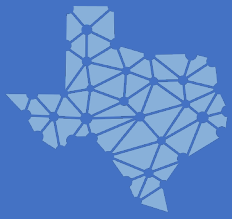
**TEXAS BROADBAND
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Broadband Development Office Board of Advisors Meeting



Summary of actions taken since the creation of the office

- BDO Milestones and Objectives
 - 12 stop listening tour (April 2022)
 - Create a state broadband plan (June 2022)
 - Develop a competitive financial incentive program
 - Establish a statewide availability map (Jan 2023)
 - Develop rules for a pole replacement program (HB1505)
 - Secure federal and state funding
 - Identify and implement ‘best-fit’ programs
 - Conduct outreach



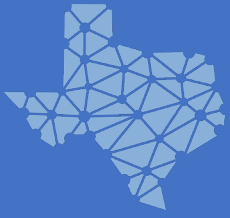
Summary of current and future funding opportunities for BDO

- American Rescue Plan Act (March 2021)
 - Coronavirus State and Local Fiscal Recovery Fund
 - Coronavirus Capital Projects Fund
- Infrastructure Investment and Jobs Act (Nov 2021)
 - Broadband Equity, Access, and Deployment
 - Digital Equity Act
 - Middle Mile
 - Affordability
- State Revenue



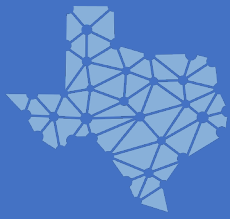
Summary of current and future funding opportunities for BDO (cont.)

- Coronavirus Capital Projects Fund (US Treasury)
 - Texas was allotted \$500.4 million
 - \$75 million broadband pole replacement program
 - “to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency.”
 - 100 Mbps symmetrical
 - No “unserved”/“underserved” requirement



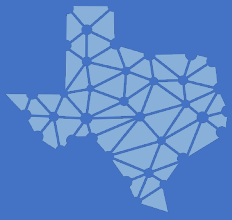
Summary of current and future funding opportunities for BDO (cont.)

- Infrastructure Investment and Jobs Act
 - Broadband Equity, Access, and Deployment (NTIA)
 - \$42.5 billion nationwide, \$100 million per state
 - Purpose: Address availability
 - Cascading use of funds
 - Pending FCC new maps
 - Digital Equity Act (NTIA)
 - \$2.75 billion nationwide
 - Purpose: Support overlooked and underserved areas
1. Unserved (< 25/3 Mbps)
 - ↳ 2. Underserved (< 100/20 Mbps)
 - ↳ 3. Community anchor institutions



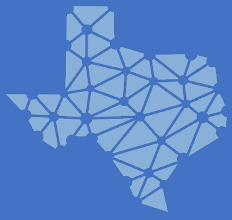
Deadlines for HB 5 (87R) and the Capital Projects Fund (CPF)

- HB 5
 - State Broadband Plan: June 15th
 - Federally Compliant Grant Program
 - State Broadband Availability Map: Jan 1, 2023
- Capital Project Funds (Treasury)
 - Grant Plans: Sept. 24, 2022
 - Funding expended by Dec. 31, 2026



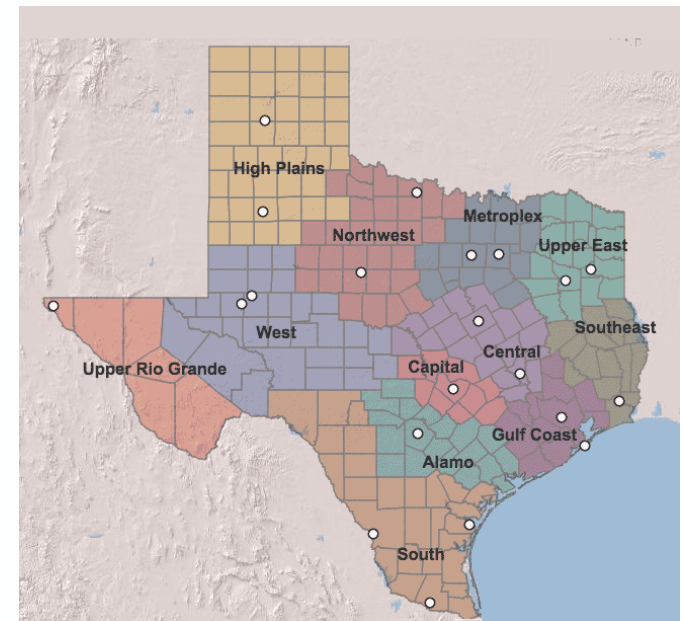
Next steps for broadband funding related to the Infrastructure Investment and Jobs Act

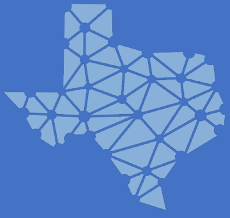
- NTIA to release NOFO May 16, 2022
 - Each state to receive \$100 million minimum
 - Total amount allocated to Texas still unknown
- States need to develop and submit:
 - 5-year action plan for infrastructure
 - Statewide Digital Equity Plan



Update on the BDO Listening Tour

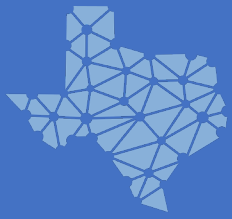
- Townhall sessions were conducted
 - 12 stops in March and April
 - One stop in each Comptroller economic region
 - Each session attended by:
 - Comptroller Glenn Hegar
 - BDO director and staff
 - Consultant staff





Update on the BDO Listening Tour (cont.)

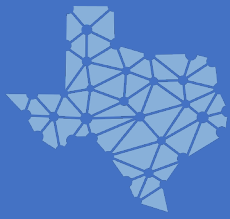
Date	Location	Economic Region
March 1	Prairie View A&M University	Gulf Coast
March 7	University of Houston – Victoria	Alamo
March 10	CAPCOG (Austin)	Capital
March 22	Fort Worth Convention Center	Metroplex
March 24	Amarillo Civic Center	High Plains
March 31	Jefferson Theatre (Beaumont)	Southeast
April 4	Waco Convention Center	Central
April 6	University of Texas – Tyler	Upper East
April 7	Expo Center of Taylor County	Northwest
April 11	University of Texas – El Paso	Upper Rio Grande
April 26	University of Texas – Rio Grande Valley	South
April 28	Angelo State University	West



Update on the BDO Listening Tour (cont.)

- 1,210 registered to attend
- 181 provided public comments
- Approximately 10 hours of testimony, 5 hours of discussions





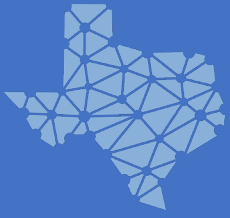
State Broadband Plan

- HB 5 requires the BDO to prepare, update and publish a statewide plan to serve as a strategic guide to close the digital divide in Texas (deadline June 15, 2022)
- Plan will establish long-term goals for:
 - greater access to and adoption of broadband services
 - affordability of broadband services
 - use of broadband services



State Broadband Plan (cont)

- BDO is collecting stakeholder feedback through a combination of:
 - townhalls (Broadband Listening Tour);
 - round table discussions;
 - direct outreach; and
 - broadband surveys.



TEXAS BROADBAND
DEVELOPMENT OFFICE

BDO Contact



BroadbandForTexas.com



broadband@cpa.texas.gov



833-3-TEXBDO (839236)