GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD January 7, 2020 at 1:30 p.m.
AT Lower Colorado River Authority
LCRA Service Center, Room A502/503
3505 Montopolis Blvd.
Austin, Texas

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m. The following announced as present at roll call:
   Dain Herbat, on behalf of Travis County
   Bruce Hermes, on behalf of City of Austin
   Sarah Eichelberger, on behalf of GAATN
   Syd Falk, GAATN attorney
   Frank Ammons, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   Harold Nall, on behalf of UT-Austin
   Steve Pyle, on behalf of State of Texas DIR
   John Kohlmorgan, on behalf of Austin ISD
   Gary Weseman, on behalf of Austin Community College
   Jaime Guerra, on behalf of UT-Austin
   A quorum was established at roll call.
   Members of the public:
   Chris Gonzales, on behalf of BryComm
   Wayne Wedemeyer, on behalf of UT-Austin
   Doug Wilson, on behalf of JC Communications

2. **Citizen Communications:** There was no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of December 3, 2019**
   Dain Herbat moved to approve the draft minutes from the regular Board Meeting of December 3, 2019 as presented; Jaime Guerra seconded the motion and it passed unanimously.

4. **Consent Agenda Items recommended by Technical Subcommittee at December 17, 2019 Meeting**
   Jaime Guerra moved to approve Agenda Item 4A from the Consent Agenda; Dain Herbat seconded the motion and it passed unanimously.
   A. **Seeking approval for 192-count cable standard on GAATN Technical Guidelines for seven subrings**
      APPROVED ON CONSENT

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN Backup NOCC construction procurement**
      Frank reported that there hasn't been any progress made on the contract between IMEG and COA for finalizing the revised design. Frank said the timeline discussed at the previous Technical Meeting is still in effect at this time. He reminded the Board that GAATN will not be

involved in the evaluation of bids once they are solicited, and that COA will go with the lowest bidder. Bruce said he has a meeting regarding this process next Thursday with the department heads for CTM, Capital Contracting Office, and Public Works. Jaime asked Bruce to find out if the award will go to the lowest qualified bidder and not just the lowest bidder. Bruce asked members to send him any questions they would like answered before his meeting on Thursday.

B. Seeking approval for Proposed FY2021 GAATN Site List and Network Rights Percentages

Sarah reported that, since the previous meeting, she received a response from LCRA, but not from DIR. Steve Pyle with DIR said he was good with the list as presented. Sarah said that GAATN removed 11 total sites, which was due to the Treaty Oak decommissioning, and entities acquired 42 strands since the previous year's site list. She noted the proposed FY21 network rights percentages on the handout, which are calculated based on entity sites, presence, and number of strands. Jaime Guerra moved to approve the FY2021 GAATN Site List and Network Rights Percentages as presented and illustrated below Agenda Item 5C; Steve Pyle seconded the motion and it passed unanimously.

C. Seeking approval for GAATN FY2021 Proposed Budget

Sarah said the only change to the proposed budget and entity contributions since December is a minor change in the network rights percentages from the additional site for LCRA. Jaime Guerra moved to approve the $1.7 million FY2021 Proposed Budget and Entity Contributions dated January 7, 2020; Bruce Hermes seconded the motion and it passed unanimously.

Entity	FY21 Network Rights	FY21 Contribution
Austin ISD	27.36%	$465,120
City of Austin	20.38%	$346,460
Austin Community College	13.00%	$221,000
Travis County	13.34%	$226,780
State of Texas DIR	12.00%	$204,000
University of Texas at Austin	8.91%	$151,470
Lower Colorado River Authority	5.01%	$85,170
TOTAL	100.00%	$1,700,000

D. Property damage claim against Asplundh Tree Expert Co. at C1N Willamette Drive

This item was moved to executive session for attorney consultation. Upon reconvening in open session, no further discussion was had or action taken.

6. Network Manager's Update – Discussion and possible action regarding:

A. Project Status Report

Frank reviewed the following upcoming/completed projects:

- GAATN SRN/A2N Reroutes for Capitol Complex – management will notify members as soon as this is scheduled; this is still pending developer scheduling.
- GAATN C1N Permanent repair at Willamette – completed 12/17.
- DIR C1N TxDOT new node at IH35 and US183 – scheduled to complete 1/9.
- UT A2N node cable replacement – scheduled to complete 1/12.
- AISD D1N Govalle ES renovations – completed 12/30.

B. Job Budget Tracking Report

Sarah reported that GAATN has received the final invoice for the US183 Direct Connect project. Currently, she is tracking 12 budget-affecting jobs totaling $526k, leaving $191k for

additional jobs. She noted that GAATN is expected to recover $195k of the $526k for TxDOT reimbursements and damage settlements.

7. **Executive Session:** GAATN Chairman Dain Herbat announced that the GAATN Board was adjourning for closed session at 1:49 p.m., under Texas Government Code sections 551.071, to seek legal advice or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Item 5D.

   At, 2:09 p.m., Dain Herbat reconvened the meeting in open session for discussion and actions, if any, on matters considered in closed session. The only agenda item discussed in closed session was Agenda Item 5D. Upon reconvening in open session, no further discussion was had or action taken on Agenda Item 5D.

8. **Discussion and possible action regarding the financial report and current fiscal year budget issues.**
   A. **Financial Report**
      John reviewed the report ending November 30, 2019. He said if members have any questions to please email him or Sarah.

9. **Meeting & Action Items Summary:**
   Frank said there are no action items to report for this meeting.

10. **Confirm date, time, and location for the next regular Board meeting on February 4, 2020 at 1:00 p.m. at the LCRA Service Center, 3505 Montopolis Blvd., Room A502/503, Austin, Texas.**
    The date, time, and location for the next regular Board meeting are confirmed; the meeting adjourned at 2:13 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD February 4, 2020 at 1:00 p.m.
AT Lower Colorado River Authority
LCRA Service Center, Room A504
3505 Montopolis Blvd.
Austin, Texas

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Vice-Chairman Gary Weseman called the meeting to order at 1:00 p.m.
   The following announced as present at the start of the meeting:
   Gary Weseman, on behalf of Austin Community College
   John Kohlmorgan, on behalf of Austin ISD
   Bobby Saddler, on behalf of LCRA
   Harold Nall, on behalf of UT-Austin
   Carlos DeMatos, on behalf of GAATN
   Bo Kinsey, on behalf of Travis County
   Sarah Eichelberger, on behalf of GAATN
   Syd Falk, GAATN attorney
   Steve Pyle, on behalf of State of Texas DIR – arrived at 1:15 p.m.
   A quorum was established at roll call.
   Members of the public present:
   Chris Gonzales, on behalf of BryComm
   Wayne Wedemeyer, on behalf of UT-Austin
   Doug Wilson, on behalf of JC Communications

2. **Citizen Communications:** There was no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of January 7, 2020**
   Jaime Guerra moved to approve the draft minutes from the regular Board Meeting of January 7, 2020 as presented; Bo Kinsey seconded the motion and it passed unanimously.

4. **Semi-Annual Network Management SLA Feedback Session**
   Section 1: Network Management, Engineering and Planning
   Jaime said he feels that there hasn't been enough progress made on the Convention Center Backup NOCC. Gary said he doesn't think that is necessarily on network management. Gary said management needs to keep moving forward, and asked management to keep the Board more informed with regards to stumbling blocks or issues that they are having with Public Works and the procurement process. Jaime said, at last year's design session meeting, there was discussion about revisiting details about the outer ring and finding potential opportunities to partner. John said there are still challenges with communicating change management, outage management, and other network issues. Jaime said he would like to see more progress made on A1N. Carlos said management will bring other projects for approval well in advance since it is taking time to get projects completed; management would like to get A1N fully completed next fiscal year if approved.

Section 2: Engineering Documentation
Gary mentioned improvements are needed with fiber sweep data on the website. Carlos said management is expecting final results from the continuity testing and will compile a report with all of that data for presentation at the March Technical Meeting. Gary mentioned the tracking of tie cables and members sites that use GAATN pathway in Bentley; Carlos said management is still working on that. Jaime mentioned updating the tie-cable policy and said he will update the network rights spreadsheet with UT's tie cable sites to see the impact; he said management should begin gathering those tie cable and other members sites now to have them ready. Gary said the Board wants management to get the butterfly drawings in Bentley; Carlos said the only butterfly drawings are for the manholes on Colorado and Advanced 1 is working on incorporating those in Bentley.
Section 3: Damage Management and Disaster Recovery
Jaime said he would like to see disaster recovery subcommittee meetings scheduled by management.
Section 4: Financial Management
Jaime and John said management is doing a good job in this area.
Section 5: Contract Administration
Jaime mentioned the incident where BryComm cut the input and output cable on A2N and said the Board would like to see a root cause analysis on that incident and other future incidents.
Section 6: Business Administration
Gary said he knows management is working on the physical access security policy. Gary asked members to share any suggestions for improvement in that area with management. John said management is doing a good job in this area.

5. **Consent Agenda Items recommended by Technical Subcommittee at January 21, 2020 Meeting:**
   A. **Seeking approval for B2S reroute along Burleson Road project to make use of Fiberlight duct bank in an amount not to exceed $79k to be funded from the FY20 MAC budget**
   Jaime Guerra moved to approve the B2S reroute along Burleson Road project to make sure of Fiberlight duct bank not to exceed $79k of the FY20 MAC budget; John Kohlmorgan seconded the motion and it passed unanimously.

6. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Seeking approval for GAATN Directors & Officers, Business Owners, and Umbrella insurance policies from CNA through Higginbotham Insurance Agency in the amount of $3,375 for a term of March 1, 2020 through February 28, 2021 to be funded from GAATN Fund balance**
   Sarah reported that GAATN did not issue a RFP for this insurance because it is well below the threshold for competitive bidding, but instead requested direct quotes from two vendors. One vendor was unable to provide a quote at this time, because they received several declinations from the providers. Higginbotham, the current agent that administers this policy for GAATN, provided a quote of $3,375 for the same coverages. John Kohlmorgan moved to approve the GAATN Directors & Officers, Business Owners, and Umbrella insurance policies from CAN through Higginbotham Insurance Agency for $3,375 and a term of March 1, 2020 through February 28, 2021; Jaime Guerra seconded the motion and it passed unanimously.
   B. **GAATN Backup NOCC project update**
   Carlos reported that Public Works and management received a best and final offer (BAFO) from the vendor that submitted a bid for the GAATN Backup NOCC buildout, and the Board would be reviewing it in the next agenda item.

C. GAATN Backup NOCC buildout best and final offer from vendor
This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Jaime Guerra moved to request the City of Austin (COA) to go out for bid for the GAATN Backup NOCC buildout, to award to the vendor offering the best value to GAATN, and to allow GAATN to participate in the evaluation; Steve Pyle seconded the motion and it passed unanimously.

D. Contract with IMEG to revise design of GAATN Backup NOCC
This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Jaime Guerra moved to request the COA to execute a contract with IMEG by February 17, and if they are unable to do so by that date, the Board directs management to work with legal and the GAATN fiscal agent to contract directly with IMEG; Bo Kinsey seconded the motion and it passed unanimously.

E. Cap Metro License Agreement
This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Gary Weseman said the Board directs management and legal to follow up on this license agreement.

F. Property damage claim against Asplundh Tree Expert Co. at C1N Willamette Drive
This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, there was no further discussion held or action taken.

7. Network Manager's Update – Discussion and possible action regarding:

A. Project Status Report
Carlos reviewed the following upcoming/completed projects:

- A2N/SRN Capitol Complex re-routes – still pending developer schedule, management will send out a notice as soon as it is scheduled.
- A1N Grove at Shoal Creek relocation – scheduled to complete 2/11
- SRN Grove at Shoal Creek relocation – scheduled to complete 2/13
- ACC B1S/B2S Connection to co-location – scheduled to complete 1/30
- AISD D1N Govalle ES renovations – schedule complete 2/18

B. Job Budget Tracking Report
Sarah reported that, with the B2S Fiberlight duct bank reroute, the FY20 MAC budget is now 88% encumbered, which leaves $84k remaining for additional jobs. She said GAATN is expected to recover $284k of those encumbered funds from reimbursements/damage recoveries in this fiscal year.

8. Executive Session: Gary Weseman adjourned the GAATN Board for closed session at 1:36 p.m., under Texas Government Code section 551.071, to seek legal advice or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 6C, 6D, 6E, and 6F.

At 2:33 p.m., Gary Weseman reconvened for discussion and actions, if any, on matters considered in closed session. Agenda Items 6C, 6D, 6E, and 6F were the only items discussed.

Agenda Item 6C: Upon reconvening in open session, Jaime Guerra moved to request the City of Austin (COA) to go out for bid for the GAATN Backup NOCC buildout, to award to the vendor

offering the best value to GAATN, and to allow GAATN to participate in the evaluation; Steve Pyle seconded the motion and it passed unanimously.

Agenda Item 6D: Upon reconvening in open session, Jaime Guerra moved to request the COA to execute a contract with IMEG by February 17, and if they are unable to do so by that date, the Board directs management to work with legal and the GAATN fiscal agent to contract directly with IMEG; Bo Kinsey seconded the motion and it passed unanimously.

Agenda Item 6E: Upon reconvening in open session, Gary Weseman said the Board directs management and legal to follow up on this license agreement.

Agenda Item 6F: Upon reconvening in open session, there was no further discussion held or action taken.

9. **Discussion and possible action regarding the financial report and current fiscal year budget issues.**
   A. **Financial Report**
      John Kohlmorgan reviewed the financial report for the month ending December 31, 2019. He asked members to let him know if they have any questions.

10. **Meeting & Action Items Summary:** Carlos reviewed the following action items for network management from this meeting:
    1. Continue working with Advanced 1 on incorporating the butterfly drawings in Bentley
    2. If COA does not contract with IMEG by February 17, work with legal and fiscal agent to contract directly with IMEG
    3. Assist legal on Cap Metro agreement history

11. **Confirm date, time, and location for the next regular Board meeting on March 3, 2020 at 1:30 p.m. at the LCRA Service Center, 3505 Montopolis Blvd., Room A502/503, Austin, Texas.**
    The date, time and location for the next meeting were confirmed; meeting adjourned at 2:42 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD March 3, 2020 at 1:30 p.m.
AT Lower Colorado River Authority
LCRA Service Center, Room A502/503
3505 Montopolis Blvd.
Austin, Texas

MINUTES

1. **Call to Order and Roll Call:**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m. The following announced as present at the start of the meeting:
   Dain Herbat, on behalf of Travis County
   Harold Nall, on behalf of UT-Austin
   Steve Pyle, on behalf of State of Texas DIR
   Gary Weseman, on behalf of Austin Community College
   Ruben Reyes, on behalf of City of Austin
   Sarah Eichelberger, on behalf of GAATN
   Frank Ammons, on behalf of GAATN
   Syd Falk, GAATN attorney
   A quorum was established at roll call.
   John Kohlmorgan, on behalf of Austin ISD, arrived at 1:32 p.m.
   Chris Gonzales, on behalf of BryComm
   Cory Brymer, on behalf of BryComm
   Doug Wilson, on behalf of JC Communications
   Wayne Wedemeyer, on behalf of UT-Austin

2. **Citizen Communications:** There were no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of February 4, 2020**
   Gary Weseman moved to approve the draft minutes as presented from the regular Board Meeting of February 4, 2020; Dain Herbat seconded the motion and it passed unanimously.

4. **Consent Agenda Items recommended by Technical Subcommittee at February 18, 2020 Meeting:**
   Dain Herbat moved to approve Consent Agenda Items 4A, 4B, and 4C; Gary Weseman seconded the motion and it passed unanimously.
   A. **Seeking approval for GAATN funded project C1S TxDOT Re-route Manchaca and FM1626 using GAATN stock 114-count fiber at a cost not to exceed $46k to be funded by FY20 MAC budget**
      APPROVED ON CONSENT.
   B. **Seeking approval for Travis County funded project C1N Tax Office Building node insertion at no cost to GAATN**
      APPROVED ON CONSENT.
   C. **Seeking approval for Developer funded project SRN/D1N/TIE CVS @ Manor and Airport Relocation at no cost to GAATN**
      APPROVED ON CONSENT.

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Cap Metro License Agreement**
   This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Dain stated that GAATN legal will continue to work on the licensing agreement.
   B. **Property damage claim against Asplundh Tree Expert Co. at C1N Willamette Drive**
   Syd reported that Bruce is working to facilitate a response from Austin Energy. Frank said that if he is unsuccessful, then the next step is to do a formal open records request.

6. **Network Manager's Update – Discussion and possible action regarding:**
   A. **GAATN Backup NOCC project update**
   Frank reported that the City executed the agreement with IMEG on February 17 to finalize the revisions to the design. Frank has since received a revised schedule that he will send out to the members.
   The revised solicitation schedule is tentatively scheduled as:
   - March 18: Solicitation for bids
   - March 18 – April 15: Questions & Answers period for vendors
   - April 29: Bids due to Public Works
   - April 30 – May 7: Evaluation period
   - May 12: Deadline for GAATN approval of bid
   - June 4: Austin City Council approval of bid

   Frank said he is still waiting to get confirmation back from COA Capital Contracting Office as to the extent of GAATN's involvement in the evaluation process, and he is still under the impression that the award will go to the lowest bidder. Frank said he believes that GAATN will be allowed to review the bids and make recommendations to Public Works. Frank said GAATN may need its own subcommittee to review the bids. Dain asked for the project manager from Public works to attend the special Board meeting prior to the start of the next scheduled Technical meeting on March 24. Syd says he feels that GAATN should have the ultimate veto power over the selection. Steve requested that Frank send out the RFP/scope of work to members to review and make comments. Steve brought up a concern he had voiced previously about the bus plugs; he noted the bid that was previously received showed the customer supplying the bus plugs, but he suggests those be added to the scope of work for the vendor to include in their bid. Frank noted that the original final design has been available for members to review on the SFTP site, and the only changes IMEG is making is the generator placement and fire suppression system. Frank said he will send to members the revised schedule, SOW, and a request for questions for Public Works. Gary said he wants to know about the process and who is going to answer the vendors' questions.
   B. **Project status report**
   Frank reviewed the following upcoming/completed projects:
   - SRN/A2N Capitol Complex re-routes – still pending conduit construction
   - SRN Grove at Shoal Creek relocation – completed 2/13
   - A1N Grove at Shoal Creek relocation – completed 2/11
   - B2S Emergency repair at Thornberry Rd & SH71 – completed 2/9
   - AISD D1N Govalle Elem renovations – completed 2/18

C. Job budget tracking report

Sarah reported that management is tracking 16 jobs totaling $679k, leaving $38k remaining for additional jobs in the FY20 MAC budget. She reported that TxDOT paid the $162k reimbursement for the 183 Direct Connect project on 1/29, and so far, GAATN has recovered a total of $201k from reimbursements/damage recoveries.

7. Executive Session: At 2:05 p.m., GAATN Board Chairman Dain Herbat adjourned the GAATN Board for closed session under Texas Government Code section 551.071, to seek legal advice regarding Agenda Item 5A.

At 2:37 p.m., Dain Herbat reconvened the GAATN Board in open session. Agenda Item 5A was the only item discussed. Upon reconvening in open session, Dain stated that GAATN legal will continue to work on the licensing agreement.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues.

A. Financial Report

John Kohlmorgan reviewed the financial report for the month ending January 31, 2020. He asked members to send him any questions regarding the report.

9. Meeting & Action Items Summary:

Frank reviewed the following action items for management from this meeting:

- Send members revised solicitation schedule, scope of work, and request questions or comments for Public Works.
- Request Public Works presence at March 24 Special Board Meeting.
- Request more detail on GAATN's involvement in the solicitation process, including who will answer vendor questions, and evaluate bids.

10. Confirm date, time, and location for the next regular Board meeting on April 7, 2020 at 1:30 p.m. at the LCRA Service Center, 3505 Montopolis Blvd., Room A502/503, Austin, Texas.

The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:41 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

SPECIAL CALLED MEETING OF THE BOARD OF DIRECTORS

MEETING HELD March 24, 2020 at 1:30 p.m.
Via Teleconference

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m.
   The following announced as present at the roll call:
   Dain Herbat, on behalf of Travis County
   Gary Weseman, on behalf of Austin Community College
   John Kohlmorgan, on behalf of Austin ISD
   Jaime Guerra, on behalf of UT-Austin
   Harold Nall, on behalf of UT-Austin
   Syd Falk, GAATN attorney
   Frank Ammons, on behalf of GAATN
   Sarah Eichelberger, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   Alison Von Stein, on behalf of City of Austin
   Chris Gonzales, on behalf of BryComm
   Cory Brymer, on behalf of BryComm
   A quorum was established at roll call.
   Joining the meeting after roll call:
   Bruce Hermes, on behalf of City of Austin, joined at 1:33 p.m.
   Bobby Saddler, on behalf of LCRA, joined at 1:34 p.m.
   Steve Pyle, on behalf of State of Texas DIR, joined at 1:33 p.m.
   Wayne Wedemeyer, on behalf of UT-Austin, joined at 1:35 p.m.

2. **Protocol for Teleconference Meetings**
   Sarah reminded everyone that the meeting recording would be posted online as per the requirements for teleconference meetings in the Texas Open Meetings Act. She asked everyone to state their name prior to speaking.

3. **Citizen Communications** There were no citizen communications.

4. **Review and Approve the minutes for the regular Board Meeting of March 3, 2020**
   Gary Weseman moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Teleconference meetings during COVID-19 pandemic**
      Dain said this was a notice to members that GAATN's meetings will be held via teleconference during the COVID-19 pandemic restrictions.
   B. **GAATN Backup NOCC buildout procurement**
      Board members expressed their concern with the proposed construction solicitation process and the lowest bidder approach. Syd Falk said the preference would be to go with a best value approach. Syd said that the lowest bid approach does not give flexibility like the best value approach does. Steve said he would prefer the bidders specify the brand of material and

equipment they would provide, so the Board can ensure they will not be using subpar material. Syd said it is appropriate to include the technical specifications but not to specify brand of materials. Gary said the main part of this bid will be the material/equipment, and GAATN should make certain it is quality. Syd said GAATN will need to make sure they have identified all of the specifications for the equipment; Frank said those are already called out in the design and project manual. Frank said the project manual does not require the bidder to specify the manufacturer, only the type of product that will be used. Syd said it will need to be specified in the project manual that the bidder must identify manufacturer and part number to be used. Frank noted that the engineering consultant IMEG did not recommend specifying the manufacturer for materials, just the specifications. Alison said it would be helpful to have a list of the components that GAATN would like to scrutinize. Frank said he would send a sample bid sheet template for a data center to the members today and asked for members to let him know of any items of importance to the GAATN NOCC bid process. Jaime said he agrees with the best value bid approach so GAATN can confirm that the proposed material/equipment meets all of the specifications and requirements. Syd asked Alison if GAATN will have to opportunity to review all of bids and whether it would have the ultimate approval to award; Alison said yes the intention is that GAATN would review the bids and have the power to approve an award or choose not to move forward with any of the bids. Bruce asked how much more time will be needed before the solicitation can be sent out; Alison said she will need to find out what is needed to change to the best value approach. She said the solicitation documents will also need to be changed and go back to the GAATN Board for review/approval before the solicitation can be sent to the list of vendors. Dain said the Board has the ability to meet every two weeks if necessary to expedite approval; Syd said the Board can also call a special meeting if needed.

C. GAATN FY2020 Budget line item proposed adjustments

Sarah reviewed the proposed FY2020 GAATN budget line item adjustments; she said these adjustments are proposed in order to accommodate changes to vendor purchase orders for projected expenditures. The largest change was decreasing the maintenance budget by $52,500 in order to add funds to the Utility Locates and Notifications budget due to a large uptick in the average number of locates over the past few months. Also proposed was decreasing the legal budget by $22,000 in order to increase the cable budget to accommodate purchasing a reel of 192-count fiber for emergency stock. Gary Weseman moved to approve the FY2020 GAATN budget line item adjustments as proposed; Jaime Guerra seconded the motion and it passed unanimously.

D. GAATN Maintenance, operations, and projects during COVID-19 pandemic

Frank said network management is looking for guidance from the Board on how to proceed with active projects during the COVID-19 pandemic. He said management has already received communications from BryComm as to their resource capacity during this time and has also reached out to other GAATN vendors to find out their status. Frank said that, as of yesterday, all GAATN vendors were operating as normal as they are considered essential businesses. Dain said his opinion is that, unless anything changes with the mandates, that GAATN continue operating within those guidelines as long as the contractors are comfortable with fulfilling their obligations. Syd spoke about the upcoming Travis County shelter in place, and noted a couple of exemptions that would apply to GAATN are critical infrastructure and governmental functions. His opinion is these exemptions apply to GAATN management and GAATN contractors. Frank said he and Syd spoke about giving the contractors and management team a letter that explains their essential functions that Dain would sign. Dain and John said they agreed with issuing the letter. Bobby said that LCRA is in a tools down mode since everyone is working from home and they would prefer not to continue with

business as usual while there is a shelter in place in order; he is concerned with unnecessarily putting the network at risk and thinks GAATN should be in a repair only mode if needed. Steve said each entity will need to dictate what projects are critical to them; he agrees with putting off non-critical projects and maintenance. Frank said he will send out the projects list for entities to identify their critical projects and send back to him. Jaime asked BryComm to speak about their concerns with operating during the pandemic and whether maintenance activities could be safely completed with social distancing. Cory said things are changing daily, but at this time, they are maintaining most all of the work they have on their plate. He noted some job sites are shutting down, so they have people freed up from some jobs, but they also have employees that are impacted and having to stay home because of quarantine or childcare. He said they are minding the guidelines from the CDC with social distancing and sanitization and he agrees that the letter would be helpful. Carlos said there are some jobs that can be shut down and there are other jobs, such as developer relocations, that cannot be shut down. He said management will prioritize the jobs that the contractors need to work on for GAATN. John asked if management has heard from JC Communications as to their status and also asked Syd if GAATN should post something on its website that identifies it as providing an essential governmental function. Syd said he would work with management to draft something for the website. Frank said he has been in contact with JC Communications and their response was in line with what Cory from BryComm said. John Kohlmorgan moved that the Board define GAATN as an essential governmental function and the Board allow GAATN to perform work in three main categories: maintenance activities, emergency responses, and work on critical projects as needed to maintain the critical infrastructure; Jaime Guerra seconded the motion and it passed with all members voting in favor except Bobby Saddler from LCRA.

E. Consideration of Amendment of GAATN Bylaws

Members reviewed the proposed additional subsections to the GAATN Bylaws which would give more latitude to the GAATN Chair to reschedule or cancel meetings as well as change the order of a posted agenda without a Board vote. Dain Herbat moved to approve the proposed changes to the GAATN Bylaws for articles 3 and 7; Bruce Hermes seconded the motion and it passed unanimously.

F. Consideration of GAATN license agreement with Cap Metro

Dain said this agenda item is concerning a potential license agreement with Cap Metro for a railroad crossing for a Travis County entity-specific project. He directed Syd Falk to negotiate with Cap Metro on a license agreement for GAATN.

6. Executive Session There was no executive session.

7. Confirm date, time, and location for the next regular Board meeting on April 7, 2020 via teleconference

Dain confirmed the date and time for the next regular Board meeting but said the meeting will be held via teleconference.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

GAATN SPECIAL-CALLED BOARD MEETING

April 21, 2020 at 1:30 p.m.
Via Teleconference at (512) 831-7858 Conference ID: 774 225 081#

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m.
   The following announced as present at the roll call:
   Frank Ammons, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   Dain Herbat, on behalf of Travis County
   Jaime Guerra, on behalf of UT-Austin
   Gary Weseman, on behalf of Austin Community College
   Steve Pyle, on behalf of State of Texas DIR
   Bruce Hermes, on behalf of City of Austin
   John Kohlmorgan, on behalf of Austin ISD
   Syd Falk, GAATN attorney
   Bo Kinsey, on behalf of Travis County
   Harold Nall, on behalf of UT-Austin
   Robert Saddler, on behalf of LCRA

   A quorum was established at roll call.

2. **Citizen Communications** There were no citizen communications.
   Wayne Wedemeyer, on behalf of UT-Austin
   Chris Gonzales, on behalf BryComm

3. **Review and approve minutes from the special Board meeting of March 24, 2020**
   Dain Herbat moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

4. **Consent Agenda Items from the April 7, 2020 Technical Subcommittee Meeting:**
   A. **ACC A1N Connection Project entity funded**
   B. **AISD C1N new node at Co-location Data Center entity funded**
   Gary Weseman moved to approve the consent agenda items as presented; Jaime Guerra seconded the motion and it passed unanimously.

5. **Board Chairperson's Update – discussion and possible action on:**
   A. **Seeking approval for ACC GAATN Project**
   Per Frank Ammons, this item is for the placement of 450' of armored node cable to be funded by GAATN for the previously approved ACC A1N connection project as discussed at the last tech meeting. Gary Weseman motioned to approve funding of a replacement node cable to UT Walter Webb Hall on A1N funded by GAATN. Bruce Hermes seconded the motion and it passed unanimously.
   B. **AISD C1N Node Splices for Co-location Data Center Project**
   Per Carlos DeMatos, this item serves to notify the board that 12 AISD strands across all the cases will be spliced into to shorten their ring and improve dB losses. A GAATN Alert email went out on 4/20/2020. Dain asked if this project will touch GAATN ring cable or only AISD node cable. Carlos

answered that it will touch the ring strands for AISD in every case on C1N. Jaime asked if GAATN has a need for splice case audits during the course of work. Carlos answered that a complete audit is not included in the scope of work and a complete audit had already been completed recently. Carlos added that this is four days worth of work for 37 cases across 21 campuses. There was no further discussion on this item.

C. GAATN Network Management Resource

Frank Ammons informed the board that one FTE from the three-person network management team is currently on extended leave. As such, he has spoken to the City of Austin for a resource to assist the network management team to meet their 3-person SLA. He received permission to utilize a former GAATN resource for 10 hours/week with the caveat that a full-time replacement will be soon onboarded for long-term coverage. Per Bruce, the city will only fund the resource temporarily and he encouraged GAATN to fund the resource. Frank stated the resource will work 20 hours/week. Gary asked what the hourly rate is going to be. Frank answered that he is still finalizing the numbers with the contracting agency. Bruce asked the board to anticipate an expense of up to $12,000 for twelve weeks of coverage. Per Dain with Syd's confirmation, the amount falls within the network manager's spending authority. Gary voiced that since the board is already gathered, they should set a precedent to approve the funding of a temporary position up to $12,000 without using the network manager's spending authority. Bruce Hermes moved to authorize the network management team to spend $15,000 ($12,000 plus contingency) for a period of twelve weeks for temporary and partial staff replacement during the COVID-19 crisis; Dain Herbat seconded the motion and it passed unanimously.

D. GAATN Backup NOCC solicitation documents

Frank Ammons shared the tentative schedule for Competitive Sealed Proposals (CSP) for the GAATN New Operations Control Center. He urged the board to review the plan. Dain asked who is going to be scoring the bid. Frank answered that it will be himself or Carlos and encouraged Board Members to sit on the panel. Dain asked the board to get feedback to Frank as soon as possible.

E. Cap Metro Agreement

Syd shared a status update that it seems like there is little flexibility in the agreement based on other Cap Metro agreements. Frank reminded the board that he sent Syd's written legal advice memo to them via email after his review of similar agreements with Austin Energy. Dain asked Frank if moving forward with the licensing agreement with Cap Metro still provides a benefit to GAATN. Frank answered, yes there are still advantages to the agreement, specifically regarding entering their right-of-way. Previous flexibility regarding entering Cap Metro right-of-way no longer exists as of two years ago. Even though GAATN only works in Cap Metro crossings an average of 1-2 times per year, there is benefit in having the agreement in place to be able to enter or cross the right of way if the cable path is there. It is a necessity. Robert Saddler asked the number of current crossings the network has with Cap Metro right-of-way. Frank estimated 12 or 13 aerial crossings. Gary asked if Cap Metro is going to back-charge GAATN for previous crossings. Frank said that it could come up in negotiations and Syd said that the current agreement doesn't speak to any back charging. Bruce asked how many linear feet the agreement accounts for. Frank answered that it will vary, and most aerial spans are between 100' to 250' for a small, but not inconsequential, total amount. Frank reminded the board that the license agreement is project-specific and that every crossing will require a new agreement. Robert Saddler asked if payment to Cap Metro will be handled through GAATN or directly from the entity involved. Frank said there will be further discussion on how to handle payment and funding. Syd also advised the board that there is an advantage for GAATN to carry the cost since there's always a possibility that other entities may need to utilize the crossing. Gary agreed and proposed to investigate each crossing and up-count the fiber in case there is a need to add on later, without

having to enter into an additional agreement with Cap Metro. Bo advised the board that Travis County is overbuilding this crossing for exactly that reason.

6. **Executive Session** (if an executive session is necessary, Board members and other authorized participants will use a different teleconference line not accessible to the general public; once the executive session is concluded, the meeting will resume on the Teleconference number given above): **Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.073, 551.074, 551.076 and/or one or more of sections 418.175 - 418.181 ("H.B. 9"), to seek legal advice or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning):**
   A. Construction, equipment, and product warranty claims;
   B. Damage to GAATN fiber optic cables, equipment, hardware, and other property;
   C. Contractual, tort or other legal or equitable claims by or against GAATN; or
   D. The procedures and operations of the Board or the organization;
   E. GAATN Management and Operation

   And/or to consider matters concerning:

   F. Real property purchase, exchange, lease, easements or value;
   G. Gifts or donations;
   H. Personnel;
   I. Security devices, security personnel or security procedures or protocols; or
   J. Issues involving GAATN physical plant detail made confidential by law
   K. Or other matters as permitted by the Texas Open Meetings Act

   Reconvene for discussion and actions, if any, on matters considered in closed session.

   There was no executive session.

7. **Confirm date, time, and location for the next Board meeting as May 7, 2020 at 1:30 p.m. at LCRA Service Center at 3505 Montopolis, Building A, Room A502/503, Austin, Texas 78744 or via teleconference if necessary.**
   Dain confirmed the date and time for the next regular Board meeting but said the meeting will be held via teleconference. The meeting was adjourned at 2:16 PM.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

GAATN SPECIAL-CALLED BOARD MEETING

MEETING HELD May 5, 2020 at 1:30 p.m.
Via Teleconference at (512) 831-7858 Conference ID: 772 859 402#

MINUTES

1. **Call to Order (Including a roll call)**
   GAATN Board Chairperson Dain Herbat called the meeting to order at 1:30 p.m.
   The following announced as present at the roll call:
   Frank Ammons, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   Jaime Guerra, on behalf of UT-Austin
   Gary Weseman, on behalf of Austin Community College
   John Kohlmorgan, on behalf of Austin ISD
   Harold Nall, on behalf of UT-Austin
   Dain Herbat, on behalf of Travis County
   Bruce Hermes, on behalf of City of Austin
   Syd Falk, GAATN attorney
   A quorum was established at roll call.
   Wayne Wedemeyer, on behalf of
   Doug Wilson, on behalf of JC Communications
   Chris Gonzales, on behalf of BryComm LLC
   Cory Brymer, on behalf of BryComm LLC

2. **Citizen Communications:** There were no citizen communications.

3. **Review and approve minutes from the special Board meeting of April 21, 2020**
   Dain Herbat moved to approve the draft minutes from the Special Board meeting of April 21, 2020; John Kohlmorgan seconded the motion. Bruce Hermes pointed out an error in Agenda Item 5C. Dain Herbat moved to approve the draft minutes from the Special Board meeting as amended by Bruce; John Kohlmorgan seconded the motion and it passed unanimously.

4. **Consent Agenda Items – GAATN service contracts annual renewals and Items from the April 21, 2020 Technical Subcommittee Meeting:**
   Gary Weseman moved to approve Consent Agenda Items 4A, 4B, 4C, 4D and 4E as presented below; Jaime Guerra seconded the motion and it passed unanimously.
   A. **Seeking approval for second of four (4) possible renewals of GAATN Legal Services agreement (AISD 18RFQ097) with Bickerstaff Heath Delgado Acosta LLP with a $5 hourly rate increase for a term of July 1, 2020 through June 30, 2021**
   B. **Seeking approval for second of four (4) possible renewals of Management of GAATN Bentley agreement (AISD 18RFP104) with Advanced 1, LP at an annual base hosting rate of $30,000 for a term of July 1, 2020 through June 30, 2021**
   C. **Seeking approval for second of four (4) possible renewals of Management of GAATN Bentley agreement (AISD 18RFP104) with Advanced 1, LP at an annual base hosting rate of $30,000 for a term of July 1, 2020 through June 30, 2021**
   D. **Seeking approval for third and final renewal of GAATN Maintenance contract (AISD P16-029) with BryComm LLC at an annual base contract rate of $197,339 for a term of July 1, 2020 through June 30, 2021**

E. Seeking approval for FY20 annual maintenance retainage payment to BryComm LLC in an amount of $19,735

5. Board Chairperson's Update – discussion and possible action on:

A. Property damage claim against Asplundh Tree Expert Co. at C1N Willamette Drive

Frank reported that GAATN Network Infrastructure was damaged on 4/24/2019. He said that upon the GAATN Maintenance Contractor and Network Management arrival at the site, it was noted and recorded that Asplundh Tree Expert Company had worked at that time at the address of record, trimming and removing trees, apparently for Austin Energy (AE). Asplundh was sent a GAATN Demand Letter dated May 5, 2019. In response, Asplundh denied any wrongdoing (i.e., causing damage to the Network) at the address where the incident occurred. After several informal attempts to have GAATN's claim honored failed, GAATN filed a lawsuit in Travis County on October 24, 2019, which was assigned to the 261st Judicial District Court. Since then, GAATN has held discussions with AE in regards to Asplundh, which were not very productive; so GAATN made an open records request to AE to try to establish whether or not Asplunh had indeed worked at the damage site on the date of the incident and, if so, whether or not Asplundh was performing work for AE at the time. AE provided documents in response, which management and legal reviewed. The claim amount is $22,124.00. Syd Falk said that the attorney assigned to the case for his office will try another informal conversation with the opposing attorney. He said the case is entering into the discovery phase.

B. Cap Metro License Agreement

Syd said he is preparing a redlined document with comments and suggested edits that he will send to the person responsible for licensing at Cap Metro. He said he plans to send that to her by the end of this week. Syd noted that he will run the redlined document by Frank before he sends it over. He asked members that would like to review that document to contact him.

C. GAATN Backup NOCC Update

Frank reported that management is in review of the competitive sealed proposal from City of Austin Capital Contracting Office. CCO has asked for GAATN's approval on the proposal documents by May 14. The methodology is scheduled to be placed on the City Council agenda for approval the first week of June. Once Council approves the methodology, the proposal will go out shortly thereafter. John asked if City Council will have to approve the award to the selected vendor; Bruce said yes they would. John asked if there was a target date for Council to approve the contract; Frank said September 17.

6. Network Manager's Update:

A. GAATN Project Status report

Carlos said there have not been any changes to this report since the previous meeting.

B. Job Budget Tracking report

Frank said there are 16 budget affecting jobs totaling $697k, leaving $58k for additional projects. He said a teardown took place Saturday which required a new pole to be placed, and management is awaiting an invoice for that repair.

7. Executive Session: There was no executive session.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues.

A. Financial Report

John said so far $966k of expenses have been paid, and with the encumbrances, it seems that GAATN will come in close to the budgeted amount for the fiscal year. He asked members to make sure their quarterly payments are made.

9. Meeting & Action Items Summary:

Frank reviewed the following actions items for network management from this meeting:

1. Frank said he will make sure the entire financial report is included in the handouts
2. Frank said management has requested all invoices from the vendors
3. Frank will make the edit to the April 21, 2020 Board Minutes

10. Confirm date, time, and location for the next Board meeting as June 2, 2020 at 1:30 p.m. via teleconference.

The date, time, and location of the next regular Board meeting were confirmed; the meeting adjouned at 1:58 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

SPECIAL CALLED MEETING OF THE BOARD OF DIRECTORS

MEETING HELD June 2, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 773 703 484#

MINUTES

1. **Call to Order and Roll Call (Chairperson, 1 minute)**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m. The following announced as present at the start of the meeting:
   Dain Herbat, on behalf of Travis County
   Gary Weseman, on behalf of Austin Community College
   John Kohlmorgan, on behalf of Austin ISD
   Bruce Hermes, on behalf of City of Austin
   Jaime Guerra, on behalf of UT-Austin
   Harold Nall, on behalf of UT-Austin
   Syd Falk, GAATN attorney
   Frank Ammons, on behalf of GAATN
   Sarah Eichelberger, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   A quorum was established at roll call.
   Robert Saddler – joined meeting at 1:39 p.m., left meeting at 1:58 p.m.
   Members of the public:
   Chris Gonzales, on behalf of BryComm
   Doug Wilson, on behalf of JC Communications
   Mike Ragain, on behalf of JC Communications
   Wayne Wedemeyer, on behalf of UT-Austin

2. **Citizen Communications:** There was no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of May 5, 2020**
   Bruce Hermes moved to approve the draft minutes from the regular Board Meeting of May 5, 2020 as presented; Gary Weseman seconded the motion and it passed unanimously.

4. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN teleconference meetings**
      Frank said this agenda item is to discuss the possibility of holding GAATN meetings virtually in the long term. Frank asked Syd if anything had changed with regards to Governor Abbott's declaration that has allowed public meetings to take place virtually. Syd said the Open Meetings Act has a number of requirements for teleconference and video conference Board meetings, with teleconference being more restrictive than video conference meetings. He explained that the reason GAATN is currently able to hold teleconference meetings is because Governor Abbott suspended certain procedural requirements for video and teleconference meetings in

response to the COVID-19 pandemic in mid-March, particularly that there be a public meeting room where the public may participate in the meeting and the emergency requirement for holding teleconference meetings. Syd said this is a temporary waiver, and the current waiver is through mid-June, but may be extended beyond that. He noted that video conference meeting requirements are different because they require a quorum of the Board to be physically present at one location that the public can access. Syd said GAATN can continue to meet via teleconference until the Governor revokes the waiver on the open meetings requirements. Frank said GAATN will continue with the virtual meetings until that happens. Syd said he will carefully monitor the Governor's orders and will keep the Board apprised of any changes. Jaime asked about the email from management that LCRA cannot provide meeting rooms through August; Frank confirmed that was correct. Jaime asked management to find an alternate location in the event the waiver does not get extended; Frank said he already has a room reserved at COA CTM offices if needed. Jaime asked for attendance data for in-person meetings versus virtual meetings. Frank said management will compile and send out that information.

B. GAATN dark fiber sweeping

Frank noted that management would like to allow the maintenance contractor to resume dark fiber sweeping with the consent of the entities whose fibers are still remaining. Frank said BryComm was more than halfway complete when they were asked to halt due to COVID-19. Frank asked each member to give them their perspective as to whether this would be allowable and if their facilities are currently accessible. Gary with ACC said he didn't have a problem, but access would have to be coordinated with his team since most campuses are closed. Jaime said UT could accommodate and he would prefer it be completed before students return in August. John with AISD asked about BryComm's staffing levels and whether they can complete the project with their current staff; Frank said yes they confirmed with BryComm they are sufficiently staffed. Dain said Travis County can accommodate but it will need to be coordinated as most of their facilities are currently closed. Bruce with COA said the city is in a similar situation and facility access would require coordination. Robert with LCRA said their facilities are closed, but it could be coordinated and he would like to see a schedule for entities. Frank said he will send out a schedule to all entities.

C. GAATN fiber inventory and lead times

Chris Gonzales said that management wanted to address the current fiber lead times and how that could affect the scheduling of future projects. He said that fiber lead times for 192 count are 16-18 weeks out, whereas three months ago, they were only six weeks out. Chris said the smaller 24, 36, and 72 count are still on the shelves, but the 192 count has longer lead times. Jaime asked about the next size up that has less lead time, Chris said 288 count ribbon fiber currently has half the lead time of the 192 count tube fiber. Frank said the slowdown is due partly to COVID-19, but the other reason is that there is an initiative from the federal level for rural areas to receive cable services via fiber optic networks. Frank said he has spoken with the fiber distributors and they expect that lead times will only increase. He said management recommends going ahead and purchasing two 10k foot reels of 192 count fiber for

emergency stock. Jaime asked if those reels would be used for the upcoming A1N projects, Frank said they would be for emergency stock, but if there were older reels of 192 fiber in stock, GAATN could use those for projects and replenish the emergency stock with the newer reels. Dain asked if the cost of the two reels of fiber were within the network manager's spending authority; Frank said that combined, they exceeded it. Dain said that anytime Frank sees this situation, to feel free to use his spending authority to replenish. Jaime Guerra moved to direct management to purchase two 10k foot reels of 192 count fiber; Bruce Hermes seconded the motion. John asked for them to clarify that they would be purchased on next fiscal year's budget. Jaime Guerra amended his motion to direct management to purchase two 10k foot reels of 192 count fiber on next fiscal year's budget; Bruce Hermes seconded the motion and it passed unanimously during a roll call vote.

D. GAATN 10-year financial forecast

Sarah reviewed a 10-year financial forecast showing the impact to the GAATN fund balance with completion of the backup NOCC and the top four priority projects while maintaining a flat annual $1.7 million budget. She projected that approximately $500k will be added to the fund balance after this fiscal year because $300k worth of projects will be carried over from FY20 to FY21 and GAATN received $200k in project reimbursements and damage recoveries. However, if GAATN approves the remaining A1N upgrade segments, it could expend that $500k in the next fiscal year. Bruce asked whether GAATN should consider reducing its annual budget by $50k. Dain said another option would be to expedite the prioritized projects to complete them and expend the fund balance sooner. Frank cautioned against adjusting the annual budget at this time because management is starting to see an uptick in Austin Energy (AE) make ready cost over and above the 20% contingency that is already built in for each project.

E. Seeking approval for A1N upgrade project segments 5 – 13

Frank stated that management brought cost estimates and designs for this to the April 21 Technical meeting and it was unanimously recommended for Board approval. Segments 1-4 were approved last year and are still underway. Since the Tech meeting, management received bids for the project from both contractors. Frank noted that the bids from each contractor were in line with their contract unit pricing and therefore management recommended awarding a block of segments to each contractor in order to keep both engaged. He said the total cost for the nine segments is not to exceed $665k. Jaime Guerra moved to approve funding A1N Segments 5-13 in an amount not to exceed $663,195 coming out of next fiscal year's budget; Bruce Hermes seconded the motion. Gary asked about the total FY21 MAC budget; Sarah said it was $600k for labor and $90k for cable. Gary said that if GAATN approves these segments, it will be approving to exceed the allocated cable budget. John asked if this approval is in addition to the MAC budget for next year as a special project or inclusive of it. Frank said his recommendation was to use $390k from the FY21 MAC labor budget and the remaining $275k from the fund balance. Jaime Guerra amended his motion to approve funding A1N Segments 5-13 in an amount not to exceed $665k with $275k coming from the GAATN fund balance and $390k coming from the FY21

MAC labor budget; Bruce Hermes seconded the motion and a roll call vote was held and the motion passed unanimously. Jaime asked if this will complete the upgrade of A1N; Frank said yes. Frank said that if AE continues to hold up the GAATN projects, he will speak to the Board in the next meeting about a different approach with them which will include a letter to the City Manager. He said GAATN is different because it is not a telecommunications company but rather a governmental interlocal agency that services public safety, public health and local government and saves local taxpayers approximately $20 million per year.

F. **Property damage claim against Asplundh for damage to C1N at Willamette Drive**
Syd said that Gunnar has spoken with the opposing attorney who insists that the tree trimming crew did not use tools capable of causing such damage to the cable, which contradicts the visual evidence of high cuts to the trees around the cable. At this point, they have not offered a settlement. Gunnar is drafting discovery to obtain more information from them. Bruce asked if they were using in-house counsel or an insurance company; Syd said he would find out and report back to the Board.

G. **Property damage claim against City of Austin for damage to B1S at 7612 Bluff Springs**
Frank stated that management submitted a claim executed by the GAATN Board Chair on May 29 to COA Law Claims. Frank said the damage occurred on May 11 and totals approximately $53k. He expects this claim will be paid with no issues.

H. **Property damage claim against Dan Williams Company for damage at C1S at 11517 Menchaca**
Frank reported that management submitted a claim on May 26 to Dan Williams Company (DWC) and an initial response was received on May 28 from their safety coordinator who handles their claims. This damage occurred on May 2 with a cost of approximately $4k when a DWC employee, working on a TxDOT project, boomed his backhoe into the air and tore down the cable and shifted the pole. BryComm came out and moved slack, placed a new pole and made the permanent repair.

5. **Network Manager's Update:**

A. **GAATN Backup NOCC status update**
Frank said the City Council approval for procurement methodology has been pushed out as a certificate of exemption is needed to place the item on the agenda. Frank said Bruce has been working to facilitate the certificate; Bruce said he is continuing to nudge each step along the way and hopes to have more information by the June 16 Tech meeting. John asked what this would do to the approval timeline; Bruce said the CTM CIO needs to meet with the Assistant City Manager to get her approval on the certificate of exemption. Bruce said he was scheduled to meet with her last week, but the protests broke out, and so he needs to reschedule the meeting. John asked what the certificate was for; Bruce said it is to get approval for the procurement methodology since it will not be issued to the public as a RFP but rather to a handful of preselected contractors. The basis for approval is the declaration of emergency issued by GAATN.

B. Project status report

Frank reviewed the project status report which illustrated the FY20 approved projects that are being carried over to FY21.

C. Job budget report

Sarah reviewed the job budget report which showed that eight projects approved in FY20 totaling $304k will be completed and paid out in FY21. She said management will bring a final report to the July meeting and recommend that GAATN pay for these projects out of the fund balance. Dain asked if GAATN approves paying these out of the fund balance, would the net increase to the fund balance really be $200k; Sarah said that is correct. John asked if the Board had just approved paying these from the fund balance; Sarah said no, that the Board just approved paying part of the A1N Segments 5-13 out of the fund balance. However, these projects are separate, as the funding for them had been previously approved to come out of the FY20 MAC budget, and now those unexpended funds will be rolling into the fund balance at the end of FY20 and paid out in FY21. Dain asked if any of these projects were delayed due to COVID-19; Frank said yes COVID-19 has impacted permitting. John spoke to the AISD budget report for the month ending April 30 and asked members to email him with any questions.

6. **Executive Session:** There was no executive session.

7. **Confirm date, time, and location for the next regular Board meeting on July 7, 2020 at 1:30 p.m. via Teleconference.**

   The date, time, and location and the next regular Board meeting were confirmed; the meeting adjourned at 2:36 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD July 7, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 714 987 960#

MINUTES

1. **Call to Order and Roll Call:**
   GAATN Board Chairperson Dain Herbat called the meeting to order at 1:30 p.m. The following announced as present at the start of the meeting:
   Frank Ammons, on behalf of GAATN
   Dain Herbat, on behalf of Travis County
   Jaime Guerra, on behalf of UT-Austin
   Gary Weseman, on behalf of Austin Community College
   Robert Saddler, on behalf of LCRA
   Bruce Hermes, on behalf of City of Austin
   Carlos DeMatos, on behalf of GAATN
   Syd Falk, GAATN attorney
   A quorum was established at roll call.
   Steve Pyle, on behalf of State of Texas DIR – arrived at 2:13 p.m.

2. **Citizen Communications:** There were no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of June 2, 2020**
   Bruce Hermes moved to the draft minutes as presented; Gary Weseman seconded the motion and it passed unanimously.

4. **Consent Agenda Items from the June 16, 2020 Technical Subcommittee Meeting:**
   Gary Weseman asked for item 4A to be removed for further discussion; Bruce Hermes asked for item 4C to be removed for further discussion. Gary Weseman moved to approve Consent Agenda Items 4B, 4D, 4E, and 4F; Dain Herbat seconded the motion and it passed unanimously.
   A. **Seeking approval for update to GAATN Technical Guidelines as presented by Network Management and amended by the Technical Subcommittee**
      Gary Weseman requested clarification regarding the amount of slack at splice points; Carlos said it would be 100' at each splice point. Gary asked if it needed to be revised to clarify a particular amount on each side of the splice; Chris said how much slack is on each side would depend on the circumstance. Based on what Chris said, Frank said the guideline is sufficient as written. Gary Weseman moved to approve the update to the GAATN Technical Guidelines as presented by Network Management and amended by the Technical Subcommittee; Jaime Guerra seconded the motion and it passed unanimously.
   B. **Seeking approval for update to GAATN Maintenance Policy and Procedure as presented by Network Management and amended by the Technical Subcommittee**
      APPROVED ON CONSENT.
   C. **Seeking approval for splice case audits for B1S and B2S to be completed by BryComm at a cost not to exceed $88k to be paid from the FY21 MAC budget**
      Bruce Hermes requested clarification as to what a splice case audit comprises. Dain asked if there is anything written in the Technical Guidelines that defines a splice case audit. Carlos showed the report for each splice case audit that was reviewed at the June 16 Technical meeting. Bruce said he would vote against the item; Robert asked Bruce to discuss his

concerns. Bruce said the tracing of fibers in the splice case was unnecessary because if the network is functioning, then the fibers are working. He said the tracing was a waste of time and money. Robert asked for management to elaborate on the need for the splice case audit. Frank said that, per the Maintenance policy that was just approved, GAATN would audit all network splice cases on a cyclical basis every five years. Frank said that splice case audits are standard practice among telecommunications network and a lot can happen in five years, such as brittle fiber and loose connections. Frank said GAATN aligns itself with standard practices by other telecommunications network with regard to maintenance and auditing procedures. Frank noted that it's important to have this audits conducted on a schedule and such audits have caught incorrect splices and other deficiencies. Dain asked if the contractor would correct any deficiencies; Frank said yes they would. Jaime said that when UT went to purchase strands on A1N through GAATN's Existing Unassigned Fiber Acquisition Policy, he reviewed the previous splice case and thought there more strands to purchase. However, once they went to use those strands, they were not all there, and they had to borrow a pair from AISD. Jaime said he will support this item, but he would like to see a comparison of the data from the previous splice case audit compared to the new one to determine if this is worth continuing every five years on previously audited rings. Frank said the one that Jaime is referencing was the first ever splice case audit done in GAATN's history and he believes it will only improve. Bruce asked if omitting the tracing would lower the cost; Carlos said it would only lower it by less than $3k. Frank said the tracing is just a visual inspection that these fibers in this color tube in one splice case match the same fiber in the same color tube in the next splice case; they are not testing the actual fibers. Dain said he is a big advocate of the splice case audits and the initial round of splice case audits caught a lot of issues and discrepancies. Dain Herbat moved to approve splice case audits for B1S and B2S to be completed by BryComm at a cost not to exceed $88k to be paid from the FY21 MAC budget; Gary Weseman seconded the motion and it passed unanimously. Dain asked management to add an agenda item to the next Technical meeting regarding splice case audits.

D. Seeking approval for B1S permanent repair at 7612 Bluff Springs Road at a cost not to exceed $49k (claim pending) to be paid from the FY21 MAC budget
APPROVED ON CONSENT.

E. Seeking approval for COA B2S Del Valle Fire & EMS Fire Station 50 new node entity-specific project at no cost to GAATN
APPROVED ON CONSENT.

F. Seeking approval for COA B2S Tie cable LCRA Radio Frequency Tower to Met 3 entity-specific project at no cost to GAATN
APPROVED ON CONSENT.

5. Board Chairperson Update:

A. Annual GAATN Elections

Board Chairman – Jaime Guerra nominated Dain Herbat; Bruce Hermes seconded the nomination. Bruce Hermes moved to close nominations; Jaime Guerra seconded the motion and it passed unanimously. A vote was taken for Dain Herbat's election as Board Chairperson and it passed unanimously.

Board Vice-Chairman – Dain Herbat nominated Gary Weseman; Steve Pyle seconded the nomination. Bruce Hermes moved to close nominations; Jaime Guerra seconded the motion and it passed unanimously. A vote was taken for Gary Weseman's election as Board Vice-Chairperson and it passed unanimously.

Technical Subcommittee Chairman – Gary Weseman nominated Jaime Guerra; Dain Herbat seconded the nomination. Bruce Hermes moved to close nominations; Dain Herbat seconded the motion and it passed unanimously. A vote was taken for Jaime Guerra's election as Technical Subcommittee Chairperson and it passed unanimously.

Technical Subcommittee Vice-Chairman – Bruce Hermes nominated Steve Pyle; Guerra seconded the nomination. Dain Herbat moved to close nominations; Bruce Hermes seconded the motion and it passed unanimously. A vote was taken for Steve Pyle's election as Technical Subcommittee Chairperson and it passed unanimously.

B. GAATN teleconference meetings

Syd noted that the Governor's proclamation from mid-March included a declaration suspending certain provisions of the Open Meetings Act pertaining to how teleconference meetings of governing bodies were held. Syd said the duration of the suspension of those requirements is either for the duration of the disaster or emergency declaration or until the governor otherwise revokes those suspensions. The governor must renew the declaration every 30 days and he is confident that it will be extended again in July. Syd will continue to keep abreast of the issue and will inform the Board each month until the situation changes.

C. Changes to accessing GAATN entity facilities

Frank said he was working with one entity who needed to access another entity's facility and during those conversations, he learned that AISD had implemented changes for accessing their facilities due to COVID-19. Frank asked members that if they have changes to access policies at their facilities, to please make network management aware. Frank said he sent AISD's changes out to members via email the previous week; Dain asked him to resend that email to members. Bruce said he was also concerned about sharing awareness of COVID exposure at one entity's facility to other members; he would like entities to share that information. Dain asked members to please notify management if there are any changes to access procedures at their facilities.

D. Project delays related to Austin Energy and possible request to City Management

Frank said this agenda item was discussed at the June Technical meeting, and that he sent an email to members on June 9 pertaining to delays and denials by Austin Energy (AE) on certain GAATN projects. He noted that GAATN has reached out to AE on multiple occasions in the past to attempt to resolve issues on projects, such as the DA's Office Re-route, with little to no success at resolution. Frank said the GAATN Chairman expressed desire to reach out to the City Manager to facilitate a positive working relationship between GAATN and AE. Frank noted that AE has expressed that GAATN should be treated as any other telecommunications company, but GAATN is unique in its mission because it services only governmental entities and its relationship with AE is governed by the GAATN Interlocal Agreement and not a pole attachment agreement. Frank said Syd has worked with management and the Board Chairman on a letter to the City Manager. Frank stated that AISD is in jeopardy of not having a school open on time in August because of a denial by AE despite GAATN giving AE multiple work around solutions. Frank said there is a lack of communication on AE's part once GAATN proposes alternate solutions for denied projects. Frank noted that the letter requests a meeting with the City Manager. Bruce said he is doing a courtesy review and he will be finished with that shortly. Gary asked if the letter would be shared with other members; Dain said yes it would be shared.

E. GAATN policy regarding entity-specific TxDOT reimbursable projects

Frank said this agenda item was discussed at the June Technical meeting and management is seeking guidance from the Board on how to handle TxDOT reimbursable projects. Frank said management met with TxDOT the previous week about these types of projects and TxDOT recognizes GAATN as the utility. Management has posed the question to TxDOT that if the

cable that is being relocated is solely owned and maintained by the entity, can the agreement be formed directly with the entity, but they have not given an answer as of yet. TxDOT expressed that they want GAATN management to continue to be the point of contact for such projects. Syd noted these types of projects are new to GAATN which is why this issue is just being raised now. Syd said the Board needs to discuss the process that an entity would have to go through in order to contract with TxDOT and apply for reimbursement for these projects. Syd said there are other questions about whether these projects would be considered an expansion of the network; he said he doesn't think the interlocal anticipated this type of situation and it needs to be discussed in executive session. Syd said the other questions are who pays for the relocation and how are the payments and reimbursements handled. Syd said there are several issues that are appropriate conversation for attorney consultation in executive session. Bruce said he feels that it is better and cleaner to keep everything under GAATN rather than going through individual entities; Dain and Gary agreed with Bruce. The remainder of this agenda item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Dain announced that GAATN Board instructs management and GAATN legal to draft a policy that outlines the management of the relocation of entity-specific cables by third parties, also to include a fee structure that reimburses GAATN for the use of GAATN management resources.

F. TxDOT B1N Relocation at RM620 and FM2222 COA entity-specific project

This agenda item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Frank announced that this agreement was executed between GAATN and TxDOT in July 2019. He said the project was to relocate a COA node cable at FM2222 and RM620 that rides along GAATN pathway. The project is 45.16% reimbursable by TxDOT and the total project cost was $62,328.25 with a reimbursement of $28,147.44 expected. The remaining $34,180.81 is the COA's responsibility. GAATN has applied for the reimbursement and will then transfer that to the COA.

G. Property damage claim against Asplundh for damage to C1N at Willamette Drive

Syd gave the Board an update on this pending litigation. This was the damage caused by tree trimmers. Syd said that Gunnar has served Asplundh with discovery and their deadline to reply is approaching. Asplundh has also served Gunnar with discovery, and it is currently being reviewed. Syd said the next step will be depositions. Syd will continue to keep the Board updated.

H. Property damage claim against City of Austin for damage to B1S at 7612 Bluff Springs

Frank said this damage claim was submitted to the City of Austin on May 29 and today received communication that GAATN should receive this full claim payment next week.

I. Property damage claim against Dan Williams Company for damage at C1S at 11517 Menchaca

Frank reported that this claim was paid in full on June 10. The total damages were $3,831.50.

6. Network Manager's Update:

A. GAATN Backup NOCC status update

Frank thanked Bruce for his continued efforts to have the certificate of exemption signed, which is now completed. Frank said he sent the revised schedule to members last week and this item will be on the July 30 City Council agenda. Frank noted that after the City Council approval, everything will move forward with regards to the solicitation.

B. Project status report

Frank reported on the following upcoming/completed projects:

- B2S Fiberlight Duct bank fiber re-route – scheduled to complete July 13

- C1S Temp repair South 1st and Emerald Wood – completed June 16, a permanent repair will be brought for approval to a future meeting
- B2S Austin Del Valle EMS and Fire Station 50 – completed June 23
- A1N Node Cable replacement to UT NOCC – Gary asked why this one was listed under future projects; Carlos said he will move it up to active projects.

C. Job budget report

Frank reported that In FY20, GAATN completed 20 budget affecting jobs totaling $538k. Eight jobs totaling $329k were approved in FY20 but will not be completed/paid out until FY21. Also, GAATN realized $258k in recoveries for reimbursable projects/damage claims, therefore, approximately $457k will move into the fund balance. Network management will bring an agenda item to the August Board meeting to request these $329k in projects be paid for from the money that will roll into the fund balance (via a transfer from the fund balance). For FY21, the A1N segments 5-13 are listed and the splice case audits are shown as pending approval. At the June Board meeting, the Board approved a transfer of $275k from the fund balance to pay for part of the A1N segments. This transfer has been added to the MAC budget in the top table. Those 11 jobs total $710k, leaving $255k for additional jobs in FY21.

7. Executive Session: At 3:01 p.m., GAATN Board Chairman Dain Herbat adjourned the GAATN Board for closed session, under Texas Government Code section 551.071 to seek legal advice (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 5E and 5F.

At 3:47 p.m. Dain Herbat reconvened the GAATN Board in open session for discussion and actions, if any, on matters considered in closed session. Agenda Items 5E and 5F were the only items discussed. An updated roll call was taken upon reconvening and the following announced as present:
Frank Ammons, on behalf of GAATN
Dain Herbat, on behalf of Travis County
Jaime Guerra, on behalf of UT-Austin
Gary Weseman, on behalf of Austin Community College
Bruce Hermes, on behalf of City of Austin
Carlos DeMatos, on behalf of GAATN
Steve Pyle, on behalf of State of Texas DIR
Syd Falk, GAATN attorney
A quorum was re-established at the updated roll call.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues.

A. Financial Report

Frank reviewed the overall GAATN financial report ending May 31, 2020 provided by AISD. Frank asked members if they have any questions. Dain said he would like to have a discussion regarding the GAATN fund balance and whether that money is set aside for GAATN only or if it can be used by AISD for other purposes. Syd said there was lengthy discussions a couple of years ago by the Board regarding what to do with the fund balance. Syd said his first reaction is that it would require a GAATN Board action to do anything with it. Dain said he would like for this to be an agenda item on next month's Board meeting. Syd said that AISD is GAATN's fiduciary agent and it

is GAATN's money legally, not AISD's. Bruce said as part of that agenda item he would like to review the GAATN financial forecast and discuss future annual budgetary amounts.

9. Meeting and Action Items Summary:

Frank reviewed the following action items from this meeting:

- Add agenda item splice case discussion at next Tech meeting
- Double check agenda items and handouts numbering align
- Resend AISD's facility access changes – Frank just completed this
- Draft policy for third-party relocates of entity-specific cables
- Add agenda item for reserve fund protection during national financial crisis and bring 10-year budget forecast

10. Confirm date, time, and location for the next regular Board meeting on August 4, 2020 at 12:30 p.m. via Teleconference.

A. Items to be added to the next Board Agenda: Network Management SLA Evaluation – Dain asked management to send out the previous one with the new one so the Board can compare and contrast. Dain asked if the evaluation should be moved to align with the new GAATN fiscal year; the Board agreed to look at this again at a later time.

The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 4:01 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD August 4, 2020 12:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 871 907 654#

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 12:30 p.m.
   The following announced as present at the start of the meeting:
   Dain Herbat, on behalf of Travis County
   Gary Weseman, on behalf of Austin Community College
   Jaime Guerra, on behalf of UT-Austin
   John Kohlmorgan, on behalf of Austin ISD
   Bruce Hermes, on behalf of City of Austin
   Harold Nall, on behalf of UT-Austin
   Carlos DeMatos, on behalf of GAATN
   Sarah Eichelberger, on behalf of GAATN
   Frank Ammons, on behalf of GAATN
   A quorum was established at roll call.
   Robert Saddler, on behalf of LCRA – joined meeting at 12:41 p.m.

2. **Citizen Communications:** There was no citizen communications.

3. **Annual Network Management SLA Evaluation**
   The Board discussed the annual network management SLA evaluation. Overall, the FY20 score was 4.66 out of 5.
   Section 1: Network Management, Engineering and Planning
   Board Comments: In spite of bureaucracy and other challenges, network management (NM) has done a good job of making progress on the convention center project. For the next evaluation period, NM should focus on improving permit approval and response times.
   Section 2: Engineering Documentation
   Board Comments: Improvements are needed with the presentation of fiber "sweep" data on the website. For example, dates would help validate the information. Members would like to see tracking of tie cables and member sites that use GAATN pathway in Bentley. Develop written procedure or annual SLA with Advanced1.
   Section 3: Damage Management and Disaster Recovery
   Board Comments: Board would like to see progress on disaster recovery plans and testing.
   Section 4: Financial Management
   Board Comments: Continue the good work! NM should work with tech committee or board on improved methods for tracking/presentation of long term project financial information.
   Section 5: Contract Administration
   Board Comments: The Board would like to see more details (i.e. after action reports, root cause analysis) for incidents or issues pertaining to performance by maintenance or MAC contractors. Excellent job managing contracts.
   Section 6: Business Administration
   Board Comments: Despite all the challenges this year, NM has done an excellent job in this area.

At 1:09 p.m., Dain Herbat announced that the Board would take a short break and reconvene at 1:20 p.m. with an updated roll call.

At 1:20 p.m. Dain Herbat reconvened the Board meeting and took an updated roll call. All members present at the first roll call announced as present at the second roll call. Additionally, Syd Falk, GAATN attorney, announced as present. A quorum was re-established at the updated roll call. Steve Pyle from DIR joined the meeting at 1:27 p.m.

4. Review and Approve the minutes for the regular Board Meeting of July 7, 2020

Dain Herbat moved to approve the draft minutes as presented; Jaime Guerra seconded the motion and it passed unanimously.

5. Network Manager's Update

A. GAATN Backup NOCC status update

Frank reported that a virtual pre-proposal meeting was held on July 23 and only one of the five vendors that received the solicitation attended the virtual meeting. Frank said he asked public works (PW) to re-approach the other four vendors that didn't attend. PW reported that some did not respond and others said they were not available to bid on the project. Frank said management had a site visit earlier that day. The City Council approved the method of procurement on July 29. Also, an evaluation panel of five people has been formed to evaluate the bids. At this time, Frank said only one bid is expected and bids are due on August 18. The bids will be presented to the Board for approval next month.

B. Project status report

Frank reviewed the following upcoming and recently completed projects:

- SRN/A2N re-routes for Capitol Complex – NM is very involved with this project and met with DIR earlier in the week to iron out the details. There was a discrepancy in Bentley of the route of DIR's node cables, but it has been corrected. Frank said this ties back to the tie-cable policy and the maps that are needed from members to ensure their documentation is accurate. Frank urged members to send their updated maps to NM for updating.
- B2S Burleson Road re-route to Fiberlight duct bank – fiber was spliced in yesterday and testing is taking place today. Frank said, due to access issues, he would not be surprised if they were unable to complete the testing today, but NM will keep members informed through the GAATN alerts.
- B1N COA Planning and Development Center new node secondary entrance – scheduled to complete 8/6.

Jaime asked about the Travis County A2N Courthouse project. Carlos said NM is working with the developer. A couple of nodes will be impacted, one for DIR and a couple of tie cables for UT. Carlos said the developer is working on the conduit system around the building which will allow GAATN to relocate its cables underground, including tie and ring cables, as well as enter the building. Carlos said there is no scheduled date as of yet. Jaime asked NM to keep everyone informed because it would be very disruptive for UT. Syd reminded everyone to announce their names before they speak. Jaime asked for this project to be added to the next Tech agenda for further discussion.

C. Job budget report

Sarah reported that, for FY21, GAATN has approved 12 jobs totaling $758k. She noted that the FY21 MAC budget includes a $275k transfer from the fund balance approved for the A1N projects by the Board at the 6/6/20 Board Meeting. She stated that 11 projects totaling

$421k carried over from FY20 and later in the meeting, NM will be asking for approval to fund those projects from the fund balance.

6. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN teleconference meetings**
   Syd Falk reported that Governor Abbott extended the emergency declaration on July 10, so GAATN may continue to hold its meetings virtually until the declaration is allowed to expire or the governor otherwise revokes the suspension of provisions of the open meetings act to allow for teleconference meetings. Syd said he will update the Board as the declaration is renewed.
   B. **GAATN fund balance review and forecast**
   Frank said this agenda item was requested by two members in the last Board meeting. He noted that a fund balance analysis was sent to members via email last week. Frank reviewed the 10-year financial forecast. Gary asked about the projects being carried over from the previous fiscal year; Sarah noted where they were accounted for and said this forecast accounts for all carried over and newly approved projects. It also illustrates the impact to the fund balance if GAATN completes its top five priority projects while maintaining a flat budget for the next 10 years.
   C. **Seeking approval to fund TxDOT B1N Relocation at RM620 and FM2222 COA entity-specific project from GAATN fund balance to be 100% reimbursed to GAATN**
   Frank reported that TxDOT has formally requested that GAATN remain the contracting entity and submit all reimbursement requests for all TxDOT projects. Frank stated that GAATN will need to pay BryComm, the vendor that performed the work, $62,328.25, and 45% of that will be reimbursed by TxDOT and the remaining 55% will be reimbursed by COA. Frank noted that management is requesting this project be funded from the fund balance since it is 100% reimbursable. Bruce asked how long the reimbursement process would take; Sarah said about six months. John asked if this project could be funded from the FY21 MAC budget since it is reimbursable; Frank said yes it could. John said that GAATN can reassess later in the year if it will be short and will require another transfer from the fund balance. John Kohlmorgan moved to fund the TxDOT B1N relocation at RM620 and FM2222 COA entity-specific project in the amount of $62,328.25 from the FY21 MAC budget and wait for the reimbursement to resupply the budget for other projects; Bruce Hermes seconded the motion and it passed unanimously.
   D. **Seeking approval to transfer funds from GAATN fund balance to pay for GAATN projects carried over from FY20**
   Sarah stated that management is requesting that 10 projects totaling $359k carried over from FY20 be funded through the GAATN fund balance since the funds that were encumbered for those projects were rolled in to the fund balance. She said that management is requesting a transfer of $360k, which would be $358k to MAC labor and $2k to MAC cable. Dain Herbat moved to transfer $360k from the GAATN fund balance to the FY21 MAC budget to fund the 10 projects carried over from FY20; John Kohlmorgan seconded the motion and it passed unanimously.
   E. **Seeking approval for draft policy regarding participant-specific projects**
   Syd Falk reviewed the guidance he drafted regarding participant-specific projects. Syd said that, as Frank reported earlier, TxDOT has formally requested that GAATN continue to be the contracting entity for any GAATN/TxDOT project, regardless of whether it is only affecting one or more entities. Syd said this guidance was an attempt to codify GAATN's approach to these and other types of entity-specific projects. He said one thing that needed to be made clear in this guidance was who was responsible for the costs of these projects, which would be the entities whose cables are affected by these projects. Syd noted that GAATN is agreeing to be

the entity who obtains the permits and handles the relocates and whatever other pieces that GAATN agrees to, and that GAATN will look to the participant for reimbursement. Additionally, if a reimbursement from TxDOT or developer is available, GAATN will request that reimbursement on behalf of the participant and either credit it to the participant or deduct it from the reimbursement request from the participant. Syd said the Board needs the flexibility to determine which parts of an entity-specific project they are willing to take on. Dain said this guidance is a tremendous value add. John agreed but wants to make sure that GAATN has the ability to hold the entity accountable for their responsibility and asked whether there would be some type of agreement between GAATN and the entity. Syd said there is language in the guidance that speaks to a written agreement between GAATN and the participant. He said state and local law that requires there be an actual debt incurred before the state can pay it. John asked if there will be a template agreement document to go along with the guidance. Syd said he could draft a base agreement template and the cost estimate and project description would be attachments. Jaime asked who would sign the agreement for GAATN – chair or network management. Syd said that could be handled either way depending on the circumstances and as long as the Board approves the action, what follows from that is delegated authority to sign on behalf of the Board. Dain said he doesn't mind signing as long as the Board approves the project. Jaime asked about a situation where the project is not touching a participant's property because they are leasing space; Syd said leased space would still be considered the participant's property. Jaime also asked about making the notification requirement reciprocal to where management is required to notify the participant within the certain time frame; Frank said he agrees that should be called out. Syd said he will add language to that affect. Frank said he would circle back with Syd on the reciprocity language. Jaime asked what would happen if the Board would not approve providing assistance; Syd said then the entity would not get assistance. Jaime said the interlocal states that entities can perform network expansions at their own expense if GAATN does not approve. Syd said he does not think this guidance contradicts the interlocal agreement and as a matter of law, it cannot contradict or have a negative effect on anything included in the interlocal. Syd said it was important to leave the Board flexibility because there may a situation where the Board does not approve providing assistance. John asked if the Board would need to vote on every such project; Syd said yes the Board would need to approve all such projects and agreements. John asked if those projects would require quorum or unanimous approval; Syd said as written it would require a quorum approval. John asked about a situation where an entity does not want to pay for their relocate; Syd said that would most likely be a very unusual circumstance because the participant would be putting their infrastructure in jeopardy by not letting GAATN relocate it on their behalf. Syd said he would add the reciprocity language and draft a template agreement to bring back. Dain requested the revised guidance and agreement template be brought back to the next Board meeting for approval.

F. Update on GAATN correspondence to City Management regarding Austin Energy working relationship

Frank said that he updated the Technical Subcommittee on a letter that was drafted but not yet sent to the City Manager informing of delays and denials from Austin Energy (AE) for GAATN projects. Frank said the COA CTM Chief Information Officer reviewed the draft letter and met with AE's general manager; in the meeting, the GM referred him to the same AE personnel that GAATN has been attempting to work with. Frank said section 5A of the GAATN ILA is not the typical pole attachment agreement that AE is accustomed to, and it speaks to an in-kind contribution to COA in order for GAATN to attach to AE poles. Frank also noted that the A1N permit approvals through one of GAATN's MAC vendors seem to be going more

smoothly than usual. Dain asked why; Frank said two things 1) AE is aware of the draft letter to the CM, and 2) this MAC vendor is utilizing an outside engineering firm. Frank said Bruce has scheduled a meeting with the AE GM and the AE personnel for August 17. Frank said he would like to invite the chairs to this meeting so long as a quorum would not be formed. Dain noted that the City has taken up the matter internally and appears to have made some progress; the City is suggesting that GAATN hold off on sending the letter for now to see if progress can continue and GAATN legal has suggested this conversation be continued without legal representation on either side.

G. **Property damage claim against Asplundh for damage to C1N at Willamette Drive**
This item was discussed in executive session for attorney consultation. Upon reconvening in open session, no further action was taken or discussion held by the Board.

H. **Property damage claim against City of Austin for damage to B1S at 7612 Bluff Springs**
Frank reported that this claim in the amount of $53,482.50 was paid in full by COA on 7/16/20.

7. **Executive Session**: At 2:48 p.m., Dain Herbat announced that the GAATN Board was adjourning for closed session, under Texas Government Code section 551.071 to seek legal advice (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Item 6G.

   At 2:58 p.m., Dain Herbat reconvened the GAATN Board for discussion and actions, if any, on matters considered in closed session. Agenda Item 6G was the only item discussed. Upon reconvening in open session, the Board held no further discussion and took no action on this agenda item.

8. **Discussion and possible action regarding the financial report and current fiscal year budget issues:**

   A. **Financial Report**
   John reviewed the preliminary report ending June 30, 2020. He said GAATN brought in $2.03 million and spent roughly $1.352 million, but there are still some invoices to be processed that will reflect on the final FY20 report. He said there will be a fund balance gain around $600k once everything has been processed. He asked members to send him any questions regarding the report.

9. **Meeting and Action Items Summary**
   Frank reviewed the following action items for network management from this meeting:
   - Add agenda item regarding the A2N TC Courthouse project to the next Technical agenda
   - Work with legal on edits and agreement template for guidance for participant-specific projects

10. **Confirm date, time, and location for the next regular Board meeting on September 1, 2020 at 1:30 p.m. via Teleconference.**
    The date, time, and location for the next regular Board meeting were confirmed. The meeting adjourned at 3:02 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS

MEETING HELD September 1, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 560 372 073#

MINUTES

1. **Call to Order and Roll Call:**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m. The following announced as present at the start of the meeting:
   Gary Weseman, on behalf of Austin Community College
   Steve Pyle, on behalf of State of Texas DIR
   Bruce Hermes, on behalf of City of Austin
   Robert Saddler, on behalf of LCRA
   Jaime Guerra, on behalf of UT-Austin
   Dain Herbat, on behalf of Travis County
   John Kohlmorgan, on behalf of Austin ISD
   Brian Rose, on behalf of Austin Community College
   Harold Nall, on behalf of UT-Austin
   Syd Falk, GAATN attorney
   Sarah Eichelberger, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   A quorum was established at roll call.
   Members of the public:
   Chris Gonzales, on behalf of BryComm LLC
   Wayne Wedemeyer, on behalf of UT-Austin

2. **Citizen Communications:** There were no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of August 4, 2020**
   Syd Falk noted a correction on Agenda Item 6E. Gary Weseman moved to approve the draft minutes as presented with the correction noted by Syd; Jaime Guerra seconded the motion and it passed unanimously.

4. **Consent Agenda Items from the August 18, 2020 Technical Subcommittee Meeting:**
   Jaime Guerra noted that Agenda item 4C does not include allocation for the B2S cable to Cyrus One. Jaime Guerra moved to approve Consent Agenda Items 4A, 4B, and 4C. Dain Herbat seconded the motion and it passed unanimously.
   A. **Seeking approval for B1S Permanent repair at 4004 Banister Lane in an amount not to exceed $47,300 to be funded from FY21 GAATN MAC budget**
      APPROVED ON CONSENT.
   B. **Seeking approval for C1S Permanent repair at South First and Emerald Wood in an amount not to exceed $38,100 to be funded from FY21 GAATN MAC budget**
      APPROVED ON CONSENT.
   C. **Seeking approval for revised allocation of strands on A1N, A2N, SRS, and SRN as presented at the August 18, 2020 Technical Subcommittee meeting**
      APPROVED ON CONSENT.

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Notification of Travis County election maintenance blackout window of October 9 – November 6, 2020**
   Dain Herbat notified the Board of the maintenance blackout dates for the election.
   B. **Seeking approval for 2021 GAATN Meeting dates**
   Sarah reviewed the proposed 2021 meeting dates, which consider 2021 spring break and other holidays. All meeting dates will fall on Tuesdays. Jaime Guerra moved to approve the 2021 GAATN Meeting dates as presented; Gary Weseman seconded the motion and it passed unanimously.
   C. **Project delays related to Austin Energy and possible request to City Management**
   Bruce Hermes reported that a meeting was held between GAATN and Austin Energy and a follow up meeting will be scheduled by Frank. Dain Herbat requested attorney consultation for this agenda item in executive session under Texas Government Code 551.071. Upon reconvening in open session, there was no further discussion held or action taken.
   D. **Seeking approval for GAATN policy regarding entity-specific projects and agreement template**
   This agenda item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Syd Falk reviewed the draft guidance and agreement template. John Kohlmorgan asked if it would be possible to streamline the process and create a master agreement so members don't have to go back to their governing bodies every time they are involved in such a project. Dain suggested that, with the Board's approval, GAATN allow the Travis County/TxDOT project to commence without an agreement between GAATN and Travis County with the understanding that Travis County will reimburse GAATN for remaining portion not reimbursed by TxDOT. Dain also suggested that Syd and the Board continue to work on the draft agreement template for projects moving forward. Gary and Jaime agreed with Dain. Syd said members could have their governing body's legal departments review the draft agreement. John said he would like to see a one-size-fits-all agreement since he predicts there will be more of these types of projects in the future. Syd said the current agreement is written more on a per-project basis rather than a master agreement and would need a little re-drafting if that is what the Board wants, but he said there would still need to be some type of per project agreement that the master would reference. Syd asked members to review the current draft since there will not be substantial changes to mold it into a master agreement. Syd asked members to email him any comments prior to the Board meeting on September 15 and he would have a draft master agreement ready to take back to their respective legal departments.
   E. **Discussion of GAATN Backup NOCC at Austin Convention Center construction project**
   This agenda item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Jaime Guerra reported that he and some members of the network management team are participating on the COA evaluation panel for the solicitation. Jaime noted that the evaluation team is currently in negotiations with the highest ranked bidder and the plan is to have those negotiations complete prior to the September 15 special called Board meeting. He said the hope is to bring the funding of the project to the September 15 meeting for approval.
   F. **Seeking approval for TxDOT SH71/Ross Road Travis County entity-specific project to be 100% reimbursed to GAATN in an amount not to exceed $98,323 to be funded from FY21 GAATN MAC budget**
   This agenda item was discussed in executive session under Texas Government Code 418.181 for review of protected infrastructure. Upon reconvening in open session, Jaime Guerra

moved to approve the TxDOT SH71/Ross Road Travis County entity-specific project to be 100% reimbursed to GAATN by TxDOT (43.72% or $42,986.82) and Travis County (56.28% or $55,336.18) in an amount not to exceed $98,323 to be funded from FY21 GAATN MAC budget; Dain Herbat seconded the motion and it passed unanimously.

G. Regulatory perspective of utilizing 4g/5g networks

This agenda item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, there was no further discussion held or action taken.

H. Seeking approval for allocation of strands to Cyrus One

This agenda item was discussed in executive session under Texas Government Code 418.181 for review of protected infrastructure. Upon reconvening in open session, Dain Herbat instructed management to bring options to the next Technical meeting.

I. Property damage claim against Asplundh for damage to C1N at Willamette Drive

This agenda item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, there was no further discussion held or action taken.

6. Network Manager's Update

A. Project status report

Carlos reviewed the following upcoming and recently completed projects:

- C1S resplicing several cases to activate TC fibers – scheduled for 9/10
- C1N temporary repair at HWY290 and Johnny Morris – completed 8/26. John asked for more information about this damage; Carlos said management and the maintenance contractor is still gathering information and the permanent repair will be brought to the next Technical meeting and he can give them more information then.
- SRN re-routes for Capitol Complex – completed 8/19
- A2N re-routes for Capitol Complex – completed 8/12
- B2S Burleson Rd re-route to Fiberlight duct bank – completed 8/4
- COA B1N Planning and Development Center – completed 8/15
- ACC B2S node to Cyrus One MET3 – completed 8/25
- UT B1N/C1N Pickle Research Center new node – completed 8/21

B. Job budget report

Sarah reported that management is tracking 26 jobs totaling $1.363 million. From those jobs, GAATN expects to recover $214k, leaving $175k remaining for additional FY21 jobs.

7. Executive Session: At 1:45 p.m., GAATN Board Chairman Dain Herbat announced that the GAATN Board was adjourning for closed session, under Texas Government Code sections 551.071, 551.089, and 418.181 ("H.B.9"), to seek legal advice and to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 5C, 5D, 5E, 5F, 5G, 5H, and 5I.

At 3:10 p.m., Dain Herbat reconvened the GAATN Board in open session for discussion and actions on matters considered in closed session. Agenda Items 5C, 5D, 5E, 5F, 5G, 5H, and 5I were the only items discussed. Dain requested an updated roll call; all members present at the original roll call were present at the updated roll call except Bruce Hermes, who left the meeting at 2:57 p.m., and Harold Nall, who left the meeting at 2:59 p.m. A quorum was re-established at the updated roll call.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues.

A. Financial Report

John Kohlmorgan reviewed the final FY20 report. The ending GAATN fund balance, not including the emergency set aside was $3.684 million.

9. Meeting and Action Items Summary

Carlos reviewed the following action items for management from the meeting:

- Bring B2S 288-count allocation options to next Technical meeting
- Send entity-specific project agreement to entities to review by September 15 Board meeting
- Syd will review GAATN's designation by the FCC

10. Confirm date, time, and location for the next special-called Board meeting on September 15, 2020 at 1:30 p.m. via Teleconference.

Items to be added to the next Board Agenda: Seeking approval for GAATN Backup NOCC at Austin Convention Center construction project

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

SPECIAL-CALLED MEETING OF THE BOARD OF DIRECTORS

MEETING HELD September 15, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 555 308 160#

MINUTES

1. **Call to Order and Roll Call:**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m.
   The following announced as present at the start of the meeting:
   Dain Herbat, on behalf of Travis County
   Gary Weseman, on behalf of Austin Community College
   Steve Pyle, on behalf of State of Texas DIR
   Jaime Guerra, on behalf of UT-Austin
   Bruce Hermes, on behalf of City of Austin
   John Kohlmorgan, on behalf of Austin ISD
   Bobby Saddler, on behalf of LCRA
   Bo Kinsey, on behalf of Travis County
   Brian Rose, on behalf of Austin Community College
   Sarah Eichelberger, on behalf of GAATN
   Frank Ammons, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   Syd Falk, GAATN attorney
   A quorum was established at roll call.
   Members from the public:
   Doug Wilson, on behalf of JC Communications
   Wayne Wedemeyer, on behalf of UT-Austin

2. **Citizen Communications:** There were no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of September 1, 2020**
   Dain Herbat moved to approve the draft minutes from the regular Board meeting of September 1, 2020; Jaime Guerra seconded the motion and it passed unanimously.

4. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Review of proposal, and possible approval of funding, for construction of GAATN Backup Network Operations Control Center project at Austin Convention Center, under agreement with the City of Austin.**
   Frank reviewed the project package, including costs proposals, estimated annual maintenance and utility costs, list of proposed equipment and the project schedule. He said that the proposed cost of $1,913,400 payable to the City of Austin includes approximately $342k in estimated contingencies that will be refundable to GAATN if not expended. Frank explained that the $1.9 million would be due up front to COA as soon as possible and the contract between COA and Spawglass will be on the October 1 City Council agenda for approval. Once Spawglass gets the notice to proceed, the

project is estimated to take six months to complete. Frank reviewed the financial forecast showing the impact to the fund balance if the project is approved. Frank stated that Syd Falk is drafting a construction plan attachment to the ILA between GAATN and the City that will define COA as the construction manager and will include language that all equipment will be owned by GAATN and any leftover funds at project completion will be refunded to GAATN. Bruce Hermes moved to approve $1,913,400 funding for the GAATN Backup NOCC project via the GAATN fund balance payable to the City of Austin; Jaime Guerra seconded the motion and it passed with unanimous approval by all seven entities. Gary Weseman asked management to bring proposals for getting A1N into the Convention Center and the terminations to the next Technical meeting for recommendation.

5. **Executive Session:** There was no executive session.

6. **Review of action items for network management from this meeting:**
   - Work with Syd on Construction Plan
   - Bring A1N and terminations for Convention Center to October Technical meeting.

7. **Confirm date, time, and location for the next regular Board meeting on October 6, 2020 at 1:30 p.m. via Teleconference.**
   The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 1:56 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS

October 6, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 782 358 665#

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:31 p.m.
   The following announced as present at the start of the meeting:
   Steve Pyle, on behalf of State of Texas DIR
   Dain Herbat, on behalf of Travis County
   Gary Weseman, on behalf of Austin Community College
   Jaime Guerra, on behalf of UT-Austin
   Harold Nall, on behalf of UT-Austin
   John Kohlmorgan, on behalf of Austin ISD
   Syd Falk, GAATN attorney
   Sarah Eichelberger, on behalf of GAATN
   Frank Ammons, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   A quorum was established at roll call.
   Robert Saddler, on behalf of LCRA – joined at 1:32 p.m.
   Bruce Hermes, on behalf of City of Austin – joined at 1:36 p.m.
   Members of the public:
   Chris Gonzales, on behalf of BryComm
   Doug Wilson, on behalf of JC Communications
   Wayne Wedemeyer, on behalf of UT-Austin

2. **Citizen Communications:** There were no citizen communications.

3. **Review and Approve the minutes for the special-called Board Meeting of September 15, 2020**
   Dain Herbat moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

4. **Consent Agenda Items from the September 15, 2020 Technical Meeting and Operational Contract Renewals – Discussion and possible action regarding:**
   Jaime Guerra moved to approve Consent Agenda Items 4A – 4D; Steve Pyle seconded the motion and it passed unanimously.
   A. **Seeking approval for C1N permanent repair for underground facilities at HWY 290 and Johnny Morris Road for an amount not to exceed $53k to be funded from FY21 MAC**
      APPROVED ON CONSENT.
   B. **Seeking approval for B2S allocation of 288-ct cable based on color coordination**
      APPROVED ON CONSENT.

C. **Seeking approval for Procedure for Submission of Entity-Specific Projects for Bentley Drafting**
APPROVED ON CONSENT.

D. **Seeking approval for first of three possible one-year renewals of GAATN Property Insurance (AISD 20RFP025) with Alamo Insurance Group DBA Brown & Brown San Antonio for the term of November 1, 2020 through October 31, 2021 with an annual premium of $54,469**
APPROVED ON CONSENT.

5. **Board Chairperson Update – Discussion and possible action regarding:**

A. **Leander ISD interest in GAATN**
Frank reported that he was contacted by the Chief Technology Officer at Leander ISD because they are interested in utilizing GAATN or partnering with a GAATN member who has infrastructure in their area. Dain said that GAATN infrastructure is about eight to ten miles from their location, which is too far to allow them to utilize GAATN ring fiber. Harold from UT asked Frank to send him the contact information for the CTO at Leander ISD.

B. **Consideration of draft Guidance for Entity-Specific Projects and corresponding draft agreement**
Syd reviewed the feedback and tasks from the September 1 Board meeting; he said he only received feedback from Travis County's legal department. John asked whether the agreement should be tied to the GAATN interlocal; Syd said he didn't think that would be necessary unless the interlocal failed to be renewed. Dain asked members to have their legal departments review the agreement and guidance and contact Syd directly with feedback. Bruce asked Syd to put together a brief document to describe the purpose of the guidance and agreement and send all documents in one email so members can easily forward to their legal departments for review. Dain directed management to include this as an agenda item at the next Board meeting.

C. **GAATN agreement with Cap Metro**
Syd said he engaged with Cap Metro during the spring regarding a license agreement with very slow response. Only recently, did Cap Metro respond that they won't discuss license agreements until an application has been submitted and the engineering aspect has been agreed upon. Syd asked where Travis County is with submitting their application; Chris Gonzales said BryComm is still working on submitting it and are waiting on the funding of the application fee. Syd said once the application is submitted and an examiner is assigned, he will reach out to them.

D. **Property damage claim against City of Austin Water for damage to C1N at HWY 290 and Johnny Morris**
Frank reported that this damage occurred to GAATN underground facilities on August 26, and management sent a claim letter and supporting documentation to City of Austin Law Claims on September 28. The total amount of damage for the emergency and permanent repairs is $55,880. Management will continue to update the Board until the claim is settled.

E. Property damage claim against Asplundh for damage to C1N at Willamette Drive
This item was discussed in executive session for attorney consultation under Texas Government Code 551.071. Upon reconvening in open session, no action was taken or additional discussion held.

6. Network Manager's Update:

A. GAATN Backup NOCC status update
Frank reported that Austin City Council approved the contract with Spawglass for the buildout on October 1 and now he is working on getting the Construction Plan that Syd drafted executed. The remainder of this item was discussed in executive session for attorney consultation under Texas Government Code 551.071. Upon reconvening in open session, no action was taken or additional discussion held.

B. Project status report
Frank reviewed the following upcoming/recently completed projects:

- A1N node replacement Walter Webb Hall – completed 9/16
- AISD C1N VXChange Secondary Entrance – completed 9/14
- UT C2S Johnson Wildflower Center – Jaime reported that this project has not been completed because they found that the dark fibers UT purchased are not spliced all the way around the ring. Carlos said he is aware of the issue and working to address it. Jaime said it is now in the Technical Guidelines that dark fibers be spliced around the ring. Frank said that is a new addition to the guidelines and therefore most of the dark fibers are not spliced around the ring and members should expect the same issue if they have future projects utilizing dark fiber.

C. Job budget report
Sarah reported that, since the previous meeting, she added the emergency and permanent repairs at Hwy 290 and Johnny Morris. Therefore, management is tracking 28 jobs totaling $1.42 million with expected recoveries of $270k, leaving $173k remaining for additional jobs. She noted that GAATN did receive the damage claim payment on July 31 from COA for the Bluff Springs trash truck fire. She said that COA is currently processing their portion of the reimbursement for the FM2222/RM620 project and that TxDOT has already processed their portion of the reimbursement on October 1.

7. Executive Session: At 2:10 p.m., Board Chairman Dain Herbat announced that the GAATN Board was adjourning for closed session, under Texas Government Code section 551.071, to seek legal advice or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 5E and 6A.

At 3:16 p.m., Dain Herbat reconvened the GAATN Board in open session for discussion and actions, if any, on matters considered in closed session. Agenda Items 5E and 6A were the only items discussed.

8. **Discussion and possible action regarding the financial report and current fiscal year budget issues.:**
   A. **Financial Report**
   John reviewed the financial report for the month ending July 31, 2020. He asked members to review and email him any questions.

9. **Review of action items for network management and/or GAATN legal from this meeting:**
   Frank noted the following action items from this meeting:
   - Send Harold contact information for Leander ISD
   - Add guidance for entity specific projects and corresponding draft agreement to next Board Agenda
   - Send email package to members containing one-page abstract, guidance for entity specific projects, and draft agreement
   - Coordinate with UT on C2S Johnson Wildflower center strand activation issue

10. **Confirm date, time, and location for the next regular Board meeting on November 10, 2020 at 1:30 p.m. via Teleconference.**
    The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 3:22 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS

Meeting held November 10, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 267 960 499#

MINUTES

1. **Call to Order and Roll Call:**
   GAATN Board Vice-Chairman Gary Weseman called the meeting to order at 1:30 p.m.
   The following announced as present at the start of the meeting:
   Gary Weseman, on behalf of Austin Community College
   Frank Ammons, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   Jaime Guerra, on behalf of UT-Austin
   John Kohlmorgan, on behalf of Austin ISD
   Bruce Hermes, on behalf of City of Austin
   Steve Pyle, on behalf of State of Texas DIR
   Robert Saddler, on behalf of Lower Colorado River Authority
   Bo Kinsey, on behalf of Travis County
   Shirley Erp, on behalf of City of Austin
   Syd Falk, GAATN attorney
   A quorum was established at roll call.
   Members of the public:
   Chris Gonzales, on behalf of BryComm
   Doug Wilson, on behalf of JC Communications

2. **Citizen Communications:** There were no citizen communications.

3. **Regional Partner Cybersecurity Briefing (City of Austin)**
   At 1:32 p.m. Gary Weseman announced that the GAATN Board was adjourning for executive session under Texas Government Code 418.181 and 551.089 to discuss Agenda Item 3. At 2:00 p.m. Gary Weseman reconvened the GAATN Board in open session, and a quorum was re-established. Agenda Item 3 was the only item discussed. Upon reconvening in open session, no further discussion was held or action taken on Agenda Item 3.

4. **Review and Approve the minutes for the regular Board Meeting of October 6, 2020**
   Jaime Guerra moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

5. **Consent Agenda Items from the October 20, 2020 Technical Meeting and Operational Contract Renewals – Discussion and possible action regarding:**
   Jaime Guerra moved to approve the November 10, 2020 Consent Agenda; Bruce Hermes seconded the motion and it passed unanimously.

A. **Seeking approval for update to GAATN Technical Guidelines as presented at the October 20, 2020 Technical Subcommittee.**
APPROVED ON CONSENT.

B. **Seeking approval for 288-count B2S Cyrus One cable replacement at a cost not to exceed $75,200 from FY21 MAC budget**
APPROVED ON CONSENT.

C. **Seeking approval for second of four possible one-year renewals of GAATN Underground Locate Services (AISD 19RFP031) with USIC, LLC for the term of January 27, 2020 through January 26, 2021 with a per locate rate of $25**
APPROVED ON CONSENT.

6. **Network Manager's Update:**

A. **Project status report**
Frank reviewed the following recently completed project:
- C1S relocation at FM1626 (Travis County & TxDOT) – completed 10/20

B. **Job budget report**
Frank reported that, since last meeting, the B2S 288-count Cyrus One spur replacement was added, which was approved in today's meeting, as well as two reels of 192-count fiber that was approved in the June Board meeting. In total, management is tracking 31 jobs totaling $1.54 million and expecting to recover $270k. Therefore, $53k is remaining for additional jobs for FY21.

7. **Board Chairperson Update – Discussion and possible action regarding:**

A. **Consideration of draft Guidance for Entity-Specific Projects and corresponding draft agreement**
Gary said his legal department is still reviewing the documents. Frank asked if any other members had made any progress; Jaime said he sent Frank and Syd the feedback from his legal department's office. Frank asked the other members to have their legal departments review these documents, because it's important that GAATN get this agreement template established for future projects.

B. **GAATN Backup Network Operations Control Center (NOCC) status update and possible approval of a NOCC ILA amendment**
Frank said that Syd has been working with the COA attorney and they've finalized the amendment and it's ready for Board approval. This amendment spells out provisions such as Public Works overseeing the construction and compliance, ownership of installed equipment, payment to COA, and refund to GAATN for unused funds. The Board must approve this amendment before the Assistant City Manager. Bruce said he would speak to the COA attorney to determine whether it would need to go to City Council for approval; Syd said the COA attorney told him that he didn't think it would need to go back to Council for approval. Jaime Guerra moved to approve the GAATN NOCC ILA amendment as presented and to authorize the GAATN Chair or Vice-chair to execute it on behalf of the Board; Steve Pyle seconded the motion and it passed unanimously with Bruce Hermes abstaining.

C. Discuss use of Microsoft SharePoint application considering Texas Open Meetings Act requirements

This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, there was no further discussion held or action taken.

D. Property damage claim against City of Austin Water for damage to C1N at HWY 290 and Johnny Morris

Frank reported this damage occurred to underground facilities by Austin Water on August 26. Frank said that a demand letter was sent on September 29 and that he has been working with Austin Water and the Law Department but has not received a definitive answer on the claim payment. Frank said he expects to have this claim resolved soon and will continue to update the Board. Damages total $55,879.75 for the temporary and permanent repairs. The permanent repair was approved by the Board in October.

E. Property damage claim against Asplundh for damage to C1N at Willamette Drive

This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, Gary directed GAATN legal to continue proceeding as they have been directed regarding the litigation.

8. Executive Session: At 2:22 p.m. Gary Weseman announced that the GAATN Board was re-adjourning for closed session, under Texas Government Code sections 551.071, to seek legal advice or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 7C and 7E.

At 2:39 p.m. Gary Weseman reconvened the GAATN Board in open session, and a quorum was re-established. Agenda Items 7C and 7E were the only items discussed.

9. Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD):

A. Financial Report

John reviewed the financial report for the month ending September 30, 2020. He noted that the transfer for the NOCC buildout was completed and will show up in the next report.

10. Review of action items for network management and/or GAATN legal from this meeting:

Management to send reminder email for draft guidance and agreement for third-party entity-specific projects

11. Confirm date, time, and location for the next regular Board meeting on December 1, 2020 at 1:30 p.m. via Teleconference.

The date, time, and location for the next regular Board meeting were confirmed. The meeting adjourned at 2:42 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
December 1, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 224 087 884#

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m.
   The following announced as present at the start of the meeting:
   Gary Weseman, on behalf of Austin Community College
   Dain Herbat, on behalf of Travis County
   John Kohlmorgan, on behalf of Austin ISD
   Jaime Guerra, on behalf of UT-Austin
   Bruce Hermes, on behalf of City of Austin
   Robert Saddler, on behalf of LCRA
   Brian Rose, on behalf of Austin Community College
   Harold Nall, on behalf of UT-Austin
   Syd Falk, GAATN attorney
   Sarah Eichelberger, on behalf of GAATN
   Frank Ammons, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   A quorum was established at roll call.
   Members of the public:
   Chris Gonzales, on behalf of BryComm
   Mike Ragain, on behalf of JC Communications

2. **Citizen Communications:** There were no citizen communications.

3. **Review and Approve the minutes for the Board Meeting of November 10, 2020**
   Bruce Hermes moved to approve the draft minutes from the November 10, 2020 Board Meeting; Gary Weseman seconded the motion and it passed unanimously.

4. **Consent Agenda Items from the November 17, 2020 Technical Meeting – Discussion and possible action regarding:**
   Gary Weseman moved to approve the consent agenda for December 1, 2020; Jaime Guerra seconded the motion and it passed unanimously.
   A. **Seeking approval for DIR entity-specific B2S new node TxDOT facility at Burleson and Stassney at no cost to GAATN**
      APPROVED ON CONSENT.
   B. **Seeking approval for SRS/A2N GAATN relocation of underground facilities at 218 S. Lamar at a cost not to exceed $129k to be paid from the FY21 MAC budget**
      APPROVED ON CONSENT.

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Seeking approval for FY2022 GAATN Site List and Entity Network Rights**
      Sarah reported that all entities responded in a timely manner and that all requested changes were incorporated into the proposed site list. She noted that the total number of GAATN sites decreased by two and the number of allocated strands remained the same. She said the changes to the network rights percentages were nominal. Dain Herbat moved to approve the

FY2022 GAATN Site List and Entity Network Rights as presented; Bruce Hermes seconded the motion and it passed unanimously.

B. GAATN budget historical trends and forecast

Sarah reviewed the GAATN financial historical trends for the past five years and the financial forecast for the next five years. The most notable historical trend was the increase in the monthly rate of locate tickets, which has increased from an average of 500 locates per month in FY19 to 700 locates per month so far in FY21. Sarah showed a five-year forecast which illustrated GAATN completing the 192-buildout of A1N and SRS as well as completion of the backup NOCC. The forecast showed that maintaining a flat annual budget of $1.7 million would allow GAATN to complete all of those major projects in the next five years with the project fund balance ending up around $800k. Syd Falk asked about the emergency fund of $1.55 million and whether GAATN should re-evaluate the level of that fund. Sarah noted that the GAATN Fund Balance policy states that the emergency fund is set to a level of ten percent of the at-risk portion of the network. Dain Herbat directed management to include a review of the emergency set aside as an agenda item at upcoming Technical and Board meetings.

C. Seeking approval for FY2022 GAATN Budget and Entity Contributions

Sarah presented the proposed FY2022 GAATN Budget and Entity Contributions (see attachment to these minutes). Jaime Guerra moved to approve the FY2022 GAATN Budget and Entity Contributions as presented; Dain Herbat seconded the motion and it passed unanimously.

D. Consideration of draft Guidance for Entity-Specific Projects and corresponding draft agreement

Frank said all entities should have sent the draft guidance and agreement template to their respective legal departments for review; he asked members to update him and Syd by Friday regarding their review status. A couple of entities have responded to Syd thus far. The City and AISD's respective legal departments are currently in review of the documents. Travis County said their legal department found the documents acceptable. Frank anticipates this will be wrapped up by all entities before the January Board meeting. Syd requested responses by January 2 to give him some time to evaluate the comments and respond; he asked members to include their legal department contact information with their response.

E. GAATN agreement with Cap Metro

Syd said the Travis County application was submitted and Cap Metro's application manager has sent him a newer version of the crossing license for governmental entities. Syd is working on a redlined version to turn around this week and hopes to get it finalized before Christmas. Most of the redlines have to do with how emergency situations are handled, so as to allow GAATN to go in make an emergency repair to restore services immediately.

F. Property damage claim against City of Austin Water for damage to C1N at HWY 290 and Johnny Morris

Frank stated that this damage occurred August 26 to GAATN underground facilities by an Austin Water crew. Frank said the COA attorney has not responded to him in several weeks; Frank has scheduled a meeting for this Friday between him, the water department division manager and Bruce. Management will continue to keep the board updated on this claim.

G. Property damage claim against Asplundh for damage to C1N at Willamette Drive

Dain Herbat announced that agenda item 6 would be discussed next; he moved the discussion of this item down to Agenda item 7. This item was discussed in executive session under Texas Government Code 551.071 for attorney consultation. Upon reconvening in open session, no additional discussion was held and no action was taken.

6. **Network Manager's Update:**
   A. **GAATN Backup NOCC status update**
   Frank reported that the City and GAATN have executed the construction plan amendment, and COA has invoiced GAATN for the construction. Frank said that as soon as the City receives the check from GAATN, it will execute the contract with Spawglass. Frank also noted that the Convention Center did file for their hazmat permit and the engineering firm is working to get that completed. Typically, those permits take two to three weeks to turn around, so GAATN is looking good with starting construction soon.
   B. **Project status report**
   Frank reviewed the following pending/recently completed projects:
   - AISD C1S Menchaca Elementary renovations – scheduled to complete 12/7
   - COA B2S tie cable LCRA RF Tower to MET3 – completed 11/25

   Frank said that Austin is growing and thus so is the workload for network management with regards to developer-driven projects. Frank has spoken with a couple of members recently about their entity-specific projects being delayed; he invited members to send him an email listing all of their projects that are delayed and the reason why so management can assist. He said the good news is that the relationship between GAATN and Austin Energy (AE) is much improved and he has been hands on with all AE permitting. He has also established a good rapport with Traffic and Transportation.
   C. **Job budget report**
   Sarah noted that the A2N/SRS relocation at 218 S. Lamar was added to this report. Management is tracking 32 jobs totaling $1.67 million with expected recoveries of $270k, which would leave GAATN in the red by about $75k if GAATN completes all of the awarded jobs in FY21. She noted that GAATN has already approved a transfer from the fund balance totaling $635k if needed. If an additional transfer is needed, management will make that determination closer to the end of the fiscal year when they can be sure of the jobs that will complete by June 30. Any additional transfer requests will be brought to the Board for approval.

7. **Executive Session:** At 2:12 p.m., Dain Herbat announced that the GAATN Board was adjourning for closed session, under Texas Government Code section 551.071, to seek legal advice or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Item 5G. At 2:40 p.m., Dain Herbat reconvened the GAATN Board in open session. Agenda Item 5G was the only item discussed.

8. **Discussion and possible action regarding the financial report and current fiscal year budget issues:**
   John reviewed the financial report ending October 31, 2020. He asked members to send him any questions.

9. **Review of action items for network management and/or GAATN legal from this meeting:**
   - Bring calculations for replacement value to upcoming Technical meeting
   - Review/evaluation of fund balance at upcoming Board meeting

10. **Confirm date, time, and location for the next regular Board meeting on January 12, 2021 at 1:30 p.m. via Teleconference.**
    The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:44 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

SPECIAL-CALLED MEETING OF THE BOARD OF DIRECTORS
MEETING HELD December 15, 2020 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 365 749 405#

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 1:30 p.m.
   The following announced as present at the start of the meeting:
   Frank Ammons, on behalf of GAATN
   Bo Kinsey, on behalf of Travis County
   Dain Herbat, on behalf of Travis County
   Carlos DeMatos, on behalf of GAATN
   Shirley Erp, on behalf of City of Austin
   Kevin Williams, on behalf of City of Austin
   Bruce Hermes, on behalf of City of Austin
   John Kohlmorgan, on behalf of Austin ISD
   Syd Falk, GAATN attorney
   Gary Weseman, on behalf of Austin Community College
   Jaime Guerra, on behalf of UT-Austin
   Harold Nall, on behalf of UT-Austin
   Paul Hopingardner, on behalf of Travis County
   Robert Saddler, on behalf of LCRA
   Steve Pyle, on behalf of State of Texas DIR
   A quorum was established at roll call.

2. **Citizen Communications:** There were no citizen communications.

3. **Review and Approve the minutes for the regular Board Meeting of December 1, 2020:**
   Jaime Guerra moved to approve the draft minutes as presented from the regular Board Meeting of December 1, 2020; Bruce Hermes seconded the motion and it passed unanimously.

4. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN data security**
      This item was discussed in executive session under Texas Government codes 418.181 and 551.089 to discuss protected infrastructure. Upon reconvening in open session, no additional discussion was held or action was taken on this agenda item.
   B. **GAATN data management policy**
      Dain said GAATN currently does not have a policy for how data is managed and secured, and the Board needs to come up with one that will apply to the managing partner and vendors who house GAATN data. He said GAATN also needs a method for data classification. He requested the formation of a subcommittee to create the draft data management policy. Jaime suggested GAATN consider hiring a consultant or using one of the partners' information security office as a consultant. Dain Herbat, Steve Pyle, and Gary Weseman volunteered to participate in the data management subcommittee.

5. **Executive Session:** At 1:31 p.m., Dain Herbat announced that the GAATN Board was adjourning for closed session, under Texas Government Code sections 551.089 and 418.181 ("H.B.9"), to preserve confidentiality as permitted by law regarding Agenda Item 4A.

   At 2:12 p.m., Dain Herbat reconvened the GAATN Board in open session. Agenda Item 4A was the only item discussed in executive session. Upon reconvening in open session, an updated roll call was taken and the following announced as present:
   Dain Herbat, on behalf of Travis County
   Jaime Guerra, on behalf of UT-Austin
   Steve Pyle, on behalf of State of Texas DIR
   Frank Ammons, on behalf of GAATN
   Bruce Hermes, on behalf of City of Austin
   John Kohlmorgan, on behalf of Austin ISD
   Gary Weseman, on behalf of Austin Community College
   Robert Saddler, on behalf of LCRA
   Carlos DeMatos, on behalf of GAATN
   A quorum was re-established.

6. **Review of action items for network management from this meeting:**
   Frank noted that he captured action items from the executive session.

7. **Confirm date, time, and location for the next regular Board meeting on January 12, 2021 at 1:30 p.m. via Teleconference.**
   The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:25 p.m.