GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD January 12, 2021 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 542 286 811#

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
   Steve Pyle, on behalf of State of Texas DIR
   John Kohlmorgan, on behalf of Austin ISD
   Gary Weseman, on behalf of Austin Community College
   Robert Saddler, on behalf of LCRA
   Ruben Reyes, on behalf of City of Austin
   Jaime Guerra, 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.
   Bruce Hermes, on behalf of City of Austin – joined at 1:33 p.m.
   Members of the public:
   Doug Wilson, on behalf of JC Communications
   Chris Gonzales, on behalf of BryComm

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

3. **Review and Approve the minutes for the Board Meeting of December 15, 2020**
   Dain Herbat moved to approve the draft minutes as presented; Gary Weseman seconded the motion and it passed unanimously.

4. **Consent Agenda Items from the December 15, 2020 Technical Meeting – Discussion and possible action regarding:**
   Gary Weseman moved to approve the Consent Agenda Item 4A and 4B; Jaime Guerra seconded the motion and it passed unanimously.
   A. **Seeking approval for A1N/A2N into GAATN Backup NOCC facility at a cost not to exceed $92k from the GAATN fund balance**
      APPROVED ON CONSENT.
   B. **Seeking approval for Travis County new site on B1N/C2S at Balcones Wildlife Preserve entity-specific project at no cost to GAATN**
      APPROVED ON CONSENT.

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN Pole Attachment Agreement Revision**
      Frank noted that a telecom contacted GAATN to attach to a couple of its poles. During those discussions, Syd did a comprehensive review of the GAATN pole attachment agreement and revised it to be more applicable to GAATN's purposes. Syd noted the original agreement

reflected Austin Energy's pole attachment agreement and therefore included a lot of language about space for power. John asked if management would have to contact all companies that have pole attachment agreements to execute new ones; Syd said the idea is to have them execute the new version once their agreement comes up for renewal. Members reviewed the redlines and agreed with the changes. John Kohlmorgan moved to approve the revised GAATN pole attachment agreement as presented; Bruce Hermes seconded the motion and it passed unanimously.

B. GAATN Cap Metro agreement

Syd reported that he sent Cap Metro his redlines and is currently awaiting their response. Dain said Travis County is very interested in getting this agreement executed so they can proceed with their projects and offered to help in any way they can. There was no action for the Board to take on this agenda item and it will be brought back to a future meeting.

C. Draft Guidance for Entity-Specific Projects and corresponding draft agreement

Syd said he is still waiting on some entities to send their feedback so he can compile all feedback and produce a final document that incorporates the feedback for a final review. Jaime said he sent UT's response back in October and would resend it again. There was no action for the Board to take on this agenda item and it will be brought back to a future meeting.

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

Frank reported that he met onsite in the field with the Austin Water crew that caused the damage to GAATN's underground facilities. He said the meeting went well and they admitted they cut GAATN's conduit and said they would not make that mistake again. They asked Frank to remove a particular charge and he agreed. Management sent them a revised invoice but has yet to receive a response resolving this claim. Frank escalated the matter to their division manager and although he has been responsive, they have not yet confirmed whether they will pay the claim. Management will continue to pursue this claim and will keep the Board informed.

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

Syd reported that Asplundh has requested to depositions. He was not aware of any new offers to settle and will continue to keep the Board updated on this litigation.

6. Network Manager's Update:

A. GAATN Backup NOCC status update

Frank stated that the City received the check for the backup NOCC on December 7, but due to internal accounting issues, they have not yet been able to move the money into the correct account in order for the agreement with the construction vendor to be executed. Bruce said he and Frank will work diligently on getting this issue resolved as expeditiously as possible because time is of the essence with regards to their proposal. Frank said he will keep the Board informed as anything changes.

B. Project status report

Frank reported on the following pending and recently completed projects:

- A1N upgrade segment 12 – completed 1/6
- SRN temporary repair at Cameron Rd & 51st – completed 1/6
- AISD C1S Menchaca ES node relocation – completed 12/7
- AISD B1S Ann Richards School renovations – scheduled to complete 1/21
- TC A1N Probate Court new node – completed 12/7

C. Job budget report

Sarah reported that management was currently tracking 32 jobs totaling $1.67 million with a total recovery of $270k expected. This leaves GAATN overbudget by about $75k if all of the jobs are completed in FY21. She said management will continue to monitor the progress of these jobs closely and, if needed, will come back to the Board closer to the end of the fiscal year to request a budget transfer.

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 reviewed the financial report for the month ending November 30, 2020. He asked members to send him any questions.

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

   Frank said there were no action items for management from this meeting.

10. **Confirm date, time, and location for the next regular Board meeting on February 9, 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 2:21 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD February 9, 2021 at 1:00 p.m.
Via Teleconference at (512) 831-7858, Conference ID 700 785 510#

MINUTES

1. **Call to Order and Roll Call (Chairperson, 1 minute)**
   GAATN Board Chairperson Dain Herbat called the meeting to order at 1:00 p.m. The following announced as present at the start of the meeting:
   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
   John Kohlmorgan, on behalf of Austin ISD
   Robert Saddler, on behalf of LCRA
   Harold Nall, on behalf of UT-Austin
   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 of the public:
   Chris Gonzales, on behalf of BryComm

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

3. **Review and Approve the minutes for the Board Meeting of January 12, 2021**
   Gary Weseman moved to approve the draft minutes as presented; Jaime Guerra seconded the motion and it passed unanimously.

4. **Semi-annual Network Management SLA feedback session**
   Section 1 – John said he would like to see some sort of tracking for AE permit approvals.
   Section 2 – Gary would like to see a process with Advanced 1 written out, something to measure whether they are meeting their contractual obligations. Jaime would like for management to identify what tie cables are not in Bentley. Frank said that management has discussed having the maintenance vendor performing audits to capture those tie cables that are not documented in Bentley. Frank is more concerned about doing underground audits first because of conduit capacity issues. Jaime suggested management sending a spreadsheet out to the members so they can list their entity's tie cables that are not listed in Bentley, sort of a tie cable site list.
   Section 3 – Dain asked management to look at DIR for disaster recovery exercise facilitation services. Frank said he would like to get the disaster recovery plan updated that GAATN already has in place. Jaime said GAATN's ability to meet via teleconference should be included in the plan.
   Section 4 – no feedback
   Section 5 – John asked about data management policies; Dain said there is a subcommittee for data security and they have met once and now Travis County is putting together an outline for GAATN to follow. John would like to see an outline of what the deliverables will be for management in regards to data security.
   Section 6 – no feedback

5. **Consent Agenda Items from the January 26, 2021 Technical Meeting – Discussion and possible action regarding:**
   Gary Weseman moved to approve Consent Agenda Items 5A and 5B as presented; Steve Pyle seconded the motion and it passed unanimously.
   A. **Seeking approval for revision to GAATN Technical Guidelines regarding dark fiber testing**
   B. **Seeking approval for A2N-SRS-LVL3-COA 425 West Riverside Drive developer-driven project at no cost to GAATN**

6. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN Fund Balance Policy**
   The Board reviewed the current GAATN fund balance policy. John asked that management put GAATN's policies on a cycle of review by the Board.
   B. **GAATN updated replacement valuation of at-risk portion of network and emergency set aside funding**
   The board reviewed the updated replacement valuation of the at-risk portion of the network. The GAATN Fund Balance policy calls for 10% of the replacement value of the at-risk portion of the network be set aside. Previously, this amount was reviewed in FY14 and replacement value was calculated to be $13 million. Management's updated calculation for FY21 replacement value is $18.5 million. John said that GAATN needs to be mindful of level of the fund balance which is dwindling due to the backup NOCC construction and transfers that have been approved for FY21 jobs. Sarah noted that if GAATN completes all jobs slated for FY21 and GAATN approves the additional $550k emergency set aside, that will leave approximately $500k in the project reserve at the end of FY21. Gary Weseman moved to approve transferring $550k from the GAATN fund balance to the emergency reserve to bring the total emergency reserve amount to $1.85 million; Jaime Guerra seconded the motion and it passed unanimously.
   C. **Draft GAATN Third-Party Developer Policy**
   The Board reviewed a draft policy put together by Syd at the request of network management. The policy outlined GAATN contractor and third-party developer obligations in regards to relocating GAATN fiber for third-party projects. Syd explained the one of the main points of this policy was to convey to GAATN's contractors that they should not enter into a contract to relocate GAATN fiber until they are approved by GAATN to do so. John asked whether a blanket agreement was needed between GAATN and the developer; Syd said he had envisioned such an agreement. Frank said management will work with Syd and internally with City of Austin AULCC personnel to determine whether such an agreement would even be feasible since the developer is under no obligation to execute such an agreement and GAATN has no choice but to move its fiber in those situations.
   D. **GAATN Cap Metro agreement**
   Syd said there hasn't been much progress on this. Cap Metro's legal department is currently in review of Syd's redlined agreement. He hopes to have a conference call to discuss their comments to his redlines once they complete their review.
   E. **Draft Guidance for Entity-Specific Projects and corresponding draft agreement**
   Syd said he spent time yesterday speaking to the UT business contract person and they were able to resolve their suggestions. COA and AISD have provided comments. TC has provided comments. Assuming there are no further comments, Syd would like to present a cumulative redlined version that incorporates everyone's comments. Syd has not heard any comments from LCRA, DIR and ACC and asked them to follow up with their respective legal departments.

Steve said he would get that done in the next couple of weeks. Bobby said he thought his legal department responded but he would verify.

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

Frank reported that this claim was paid in full by Austin Water on 1/29 and is now closed.

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

Syd reported that depositions have been scheduled for this month and next month. Gunnar is going to depose two of their people and they are going to depose two GAATN people.

7. Network Manager's Update:

A. GAATN Backup NOCC status update

Frank reported that a preconstruction meeting was held on January 26 and things are moving along; the hazmat permit was approved and Spawglass is working on their submittals.

B. Project status report

Frank reported on the following pending projects:

- A2N re-route at Sabine between 4th and 6th – scheduled to complete 2/17
- B2S SH71 re-route SH130 and Ross Rd – scheduled to complete 2/18
- AISD B1S Ann Richards School renovations – completed 1/21

C. Job budget report

Sarah reported that three jobs were added since the last meeting. Management is tracking 36 jobs totaling $1.8 million with expected recoveries of $276k. If all jobs are completed in FY21, GAATN will be overbudget by $95k.

8. Executive Session: There was no executive session.

9. Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):

A. Financial Report

John reviewed the financial report for the month ending December 31, 2020. He asked members to review and send him any questions.

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

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

- Create a tracker for AE permit approvals.
- Draft procedure for Advanced 1 submittals.
- Take inventory of tie cables currently in Bentley and request members review and add any tie cables not listed in Bentley for their entity.
- Update disaster recovery plan.
- Have Board periodically review policies for updating.
- Work with Syd on third-party developer policy/possible agreement.

11. Confirm date, time, and location for the next regular Board meeting on March 9, 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 2:51 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD March 9, 2021 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 620 481 052#

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:
   Robert Saddler, on behalf of LCRA
   Dain Herbat, on behalf of Travis County
   Steve Pyle, on behalf of State of Texas DIR
   Jaime Guerra, on behalf of UT-Austin
   John Kohlmorgan, on behalf of Austin ISD
   Gary Weseman, on behalf of Austin Community College
   Harold Nall, on behalf of UT-Austin
   Syd Falk, GAATN's 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.
   Ruben Reyes, on behalf of City of Austin – joined at 1:36 p.m.
   Anthony Breckenridge, on behalf of City of Austin – joined at 1:36 p.m.
   GAATN Contractors:
   Chris Gonzales, on behalf of BryComm
   Doug Wilson, on behalf of JC Communications

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

3. **Review and Approve the minutes for the Board Meeting of February 9, 2021**
   Gary Weseman moved to approve the draft minutes from the February 9, 2021 Board Meeting as presented; Jaime Guerra seconded the motion and it passed unanimously.

4. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN network severe weather update**
   Frank discussed the recent severe weather in Central Texas and stated that the GAATN Network faired very well. He said management had the maintenance contractor do an emergency three-day inspection of the entire network. During that inspection two issues were found that were not service impacting. The first issue was an Austin Energy service drop that came down into the vicinity of GAATN's line. The second issue was a span of C1N started to sag too low and caused damage to a splice case; the sag was corrected and the case was replaced. John asked how the damage was communicated to the members; Frank said he sent emails out to the members about the emergency inspection, but since the two issues were not service impacting, there were no alerts about them. Jaime asked if there are any lessons learned; Frank said overall the biggest lesson would be the loss of power and how to work around that going forward. Frank said there was no loss of communication between network management and the maintenance contractor and members. Frank said that GAATN may want to incorporate a radio system as they look at their disaster recovery plan. Steve asked

about the generator for the future backup NOCC and getting fuel to it during a similar situation. Frank said that both NOCCs would have to go down for the network to have failure, and that both NOCCs will have a PDU system that is battery operated and will kick in during a power failure to allow up to four hours for someone to arrive onsite. He said that management has been reviewing the generator submittals from the construction contractor and management will be looking into a maintenance contract for the backup NOCC and generator. He said management will look into the fuel issue, but that in the history of the location where the backup NOCC will be, it has only lost power three times. Carlos said the generator at the main NOCC runs both the GAATN room and the other communications inside the building. He noted that the generator for the backup NOCC will run on natural gas so there will not be a need to get fuel to the new generator since it will be on a gas tap. Steve said that management should look at a tap that would allow a natural gas truck to be brought in if the City loses natural gas from the tap; Frank said he believes the location has extra propane on hand for that situation and that he will look into this. Steve asked if the generators will be exercised periodically, how often will they be maintained and have fuel replaced, and how often will load transfer be tested. Carlos said they will be exercised quarterly and the COA data center operations (DCO) team will be responsible for that; COA has a maintenance contractor for the data centers and management is working with the COA DCO team to include GAATN's backup NOCC on that contract. Frank clarified that the generator at the backup NOCC will be exclusive to GAATN. Dain said he would like management to put together a generator standard operating procedure. Steve said management needs to verify that there are alarms when everything is transferred to the generator when power is lost and that alarms are generated when the generator fails to exercise. Jaime asked if the NOCCs rely on chilled water; Frank said nothing on either NOCC operates off of chilled water. Carlos said the backup NOCC will have its own HVAC in the room. Dain said he was very pleased with how well GAATN faired during the weather event and that speaks to how well management has managed the environment and the work by the contractors.

B. GAATN Cap Metro agreement

This item was discussed in executive session under Texas Government Code section 551.071 for attorney consultation. Upon reconvening in open session, John Kohlmorgan moved to allow the GAATN Board Chair to execute an agreement with Cap Metro once the insurance matters are resolved; Gary Weseman seconded the motion and it passed unanimously.

C. Draft Guidance for Entity-Specific Projects and corresponding draft agreement

Syd said he is still waiting on DIR's comments. Once he has comments from all entities, he will make the revisions to the draft agreement for circulation to the members. He said he is very close to having a final version for the Board to consider. Steve said he spoke with their attorneys last week and reiterated the importance of this task and he will follow up with them again.

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

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

5. Network Manager's Update:

A. GAATN Backup NOCC status update

Frank reported that everything is on schedule and the NOCC is still in line to be completed in August. He said the project is in the submittal phase at the moment and management is

reviewing all of the final submittals. Dain asked Frank to present the schedule at the next Board meeting, so everyone can see the timeline and what milestones to expect next.

B. Project status report

Frank reported on the following upcoming/recently completed projects:

- A2N Re-route at Sabine between 4th and 6th – completed 3/2/21
- A1N/A2N/SRN/UT – Civil Courthouse – will be brought to next Technical meeting
- B2S TxDOT SH71 east of SH130 and Ross Road – scheduled to complete 3/11/21. This project was delayed due to the severe weather and only affects Travis County.
- SRN Permanent repair at IH35 and Camino LaCosta – this project will involve a highway crossing due to a pole transfer, which will take place on Sunday, 3/14/21, and Carlos will be onsite to ensure everything goes smoothly. There is no anticipated impact to the network.
- A1N/A2N Re-route to Convention Center – this was delayed due to a DIR request. It was approved and scheduled, but due to concerns regarding the legislative session, DIR requested it be postponed. Frank noted that this project is not the normal one day splice next day test and would more likely require a three-day window to complete. He said there will be some additional costs due to the delay because permits were already in place and lane closures approved and now they will expire and have to be redone. JC Communications will speak regarding the additional costs at the next Technical meeting.

C. Job budget report

Sarah reported that management is tracking 36 jobs totaling $1.79 million with an expected recovery of $276k. As it stands now, if all jobs are completed in FY21, GAATN will be overbudget by approximately $95k.

6. **Executive Session:** At 2:11 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 Items 4B and 4D.

   At 2:28 p.m. Dain Herbat reconvened the GAATN Board in open session. Agenda Items 4B and 4D were the only items discussed. An updated roll call was taken and all members who were present at the original roll call were present at the updated roll call. A quorum was re-established.

7. **Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):**

   A. Financial Report

   John reviewed the financial report for the month ending January 31, 2021. Ruben asked about the budget and how it was trending. John said that, from Sarah's report, GAATN is on track for this fiscal year. Dain suggested that management put together a budget presentation for the new members, and to refresh the older members, to be presented at a future Board meeting.

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

   Frank reviewed the following action items from this meeting:

   - Draft generator SOP, taking items mentioned by Steve into account
   - Present backup NOCC schedule at the next Board meeting
   - In-depth review of GAATN's budget report in the next couple of months

9. **Confirm date, time, and location for the next regular Board meeting on April 6, 2021 at 1:30 p.m. via Teleconference.**
   The time, date and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:40 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD April 6, 2021 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 296 561 635#

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
   John Kohlmorgan, on behalf of Austin ISD
   Steve Pyle, on behalf of State of Texas DIR
   Anthony Breckenridge, on behalf of City of Austin
   Robert Saddler, on behalf of LCRA
   Gary Weseman, on behalf of Austin Community College
   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.
   GAATN Contractors:
   Chris Gonzales, on behalf of BryComm
   Doug Wilson, on behalf of JC Communications
   Members of the public:
   Wayne Wedemeyer
   Michael Shear, on behalf of Broadband Planning Initiatives

2. **Citizen Communications**
   Michael Shear said he has been an advocate for resilient broadband networks and currently is advocating that Texas take some lessons learned from GAATN and apply that in a broader multi-county network initiative.

3. **Review and Approve the minutes for the Board Meeting of March 9, 2021**
   Dain Herbat moved to approve the draft minutes as presented; Gary Weseman seconded the motion and it passed unanimously.

4. **Consent Agenda Items – Certain contract renewals and/or Items Recommended for Approval from the March 23, 2021 Technical Subcommittee Meeting:**
   Jaime Guerra moved to approve consent agenda items 4A, 4B, 4C, and 4D; Steve Pyle seconded the motion and it passed unanimously.
   A. **Seeking approval for SRN permanent repair at Cameron Road and 51st Street at a cost not to exceed $63,500 to be funded from the FY22 MAC budget**
      APPROVED ON CONSENT.
   B. **Seeking approval for developer-funded relocation of A1N/A2N/SRN/UT at Travis County Civil Court House at no cost to GAATN**
      APPROVED ON CONSENT.

C. **Seeking approval for Travis County A1N new node at Civil Courthouse entity-specific project at no cost to GAATN**
APPROVED ON CONSENT.

D. **Seeking approval for Travis County A2N new node at Civil Courthouse entity-specific project at no cost to GAATN**
APPROVED ON CONSENT.

5. **Board Chairperson Update (30 minutes) – Discussion and possible action regarding:**

A. **Seeking approval for FY21 GAATN budget line item transfers and fund balance transfer**
Sarah reviewed a handout showing a projected shortfall for FY21 of $30k in the legal services budget and $71k in the locates/notifications budget. The handout also showed approximately $51k in budget savings in certain categories. Sarah said that after corresponding with the fiscal agent, they recommended re-appropriating $101k of the $171k in unbudgeted revenue received to those line items. Gary asked about the shortfall in the locates budget and what that was attributed to. Sarah said the number of monthly locates has increased dramatically due to the increase in construction in the greater Austin area. Gary asked if this was accounted for in the FY22 budget; Sarah said the locates budget was increased by $30k over the FY21 budget, but based on the amount spent this year, she may need to bring a revised budget in June that decreases the FY22 MAC budget in order to increase the FY22 locates budget. John asked management to illustrate the increase of monthly locates when they bring the revised FY22 budget request. Gary Weseman moved to re-appropriate $101k of unbudgeted revenue to the following FY21 budget line items - $30k for legal services and $71k for locates/notifications; John Kohlmorgan seconded the motion and it passed unanimously.

B. **GAATN Cap Metro agreement**
Syd reported that he has been working with Cap Metro and is very close to having a finalized agreement for execution. He said the final question is regarding insurance requirements that are applicable to GAATN and GAATN's contractors. Dain said Travis County is very eager to get this agreement executed so they can move forward with their project.

C. **Draft Guidance for Entity-Specific Projects and corresponding draft agreement**
Syd noted that the handouts include both a redlined and clean version of the revised guidance/agreement that incorporates all entity feedback received thus far. He said the only entity he is waiting on is DIR. Steve said he thought that the DIR legal counsel had responded. Syd said he did receive a voicemail from the DIR attorney and had tried to call him back more than once but has yet to receive another call back. Steve said he would schedule a conference call between the three of them to ensure they connect.

D. **SB 632 regarding possible LCRA provision of broadband service and limitations thereon**
Dain noted that GAATN management received a letter from a City of Austin attorney expressing concern that this bill could have an impact to GAATN. Syd previously reviewed the bill as written and does not believe it will impact GAATN. The summary is that it will give LCRA the ability to provide non-retail broadband service using its fiber to accomplish broadband connectivity in rural areas. LCRA is forbidden from providing retail service but they can provide wholesale service to other outfits that will then provide the retail service to individual customers. Syd said the language that prompted the concern was the provision that requires LCRA to advertise if they are proposing to provide broadband capacity at a wholesale level to a municipality, and if a private provider wants that capacity, they can preempt the municipality. Syd said this does not apply to GAATN since it's not a retail provider and it is unlikely to affect any of GAATN's members directly. Syd reminded the Board that the GAATN interlocal prohibits non-governmental use of GAATN fiber. Dain asked if the provision of the

interlocal that prohibits non-governmental use of GAATN fiber is derived from statute or if it was simply the prerogative of the drafters of the interlocal. Syd said that question has come up from time to time by members. He said there is not a direct statute that prohibits it but it does come from constitutional and tax considerations that a governmental entity in general is prohibited from donating to any third party a benefit that it doesn't provide the populous at large as a governmental function. Secondly, there is a risk that if we allow commercial non-governmental entities to participate, GAATN would risk losing its tax exempt status. Dain said he asked because Travis County is looking at addressing the digital divide, and there are federal funds available to build infrastructure to provide discounted service for qualifying residents. He said Travis County is struggling to identify where they can help bridge the gap and what role is appropriate to get broadband out to the masses; he hopes that the formation of the state broadband office will help to provide guidance on that point. Syd said he will continue to monitor this bill.

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

This item was reviewed in executive session for attorney consultation under Texas Government Code 551.071. Upon reconvening in open session, no additional discussion was held and no action was taken.

F. Property damage claim against Texstar for damage to SRN at Cameron Rd. and 52nd St.

This item was reviewed in executive session for attorney consultation under Texas Government Code 551.071. 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 reviewed the overall NOCC construction schedule and the items that will be completed in the next two weeks. Jaime asked about the card reader for the entry door; Frank said that is being handled by the Data Center Office at COA. Dain asked if management had visited the site; Frank said he visited a couple of weeks ago and there wasn't much to see but he is hoping to visit again later this week. Jaime asked Syd if future updates that include floor plans and pictures should be done in executive session under Texas government code 418.181; Syd said he absolutely agreed.

B. Notification of RFP for GAATN Maintenance (21RFP063) issued April 6, 2021

Sarah reported that the RFP for GAATN Maintenance (AISD 21RFP063) was issued by Austin ISD today and there will be a mandatory virtual pre-proposal on Tuesday, April 13 at 10am. She said the meeting access information is on page 2 of the RFP. She noted that the RFP will close on Tuesday, April 27 at 2pm and a recommendation to award will be brought to the May 4 Board meeting. She said submissions are virtual. The evaluation subcommittee members are Bo Kinsey, Harold Nall and Frank Ammons.

C. Project status report

Frank reported on the following upcoming/recently completed projects:

- SRN permanent repair at Camino La Costa – scheduled to complete 4/7
- A1N upgrade project Segment 5 – scheduled to complete 4/21. Dain asked about the remaining A1N segments and when they will complete. Frank said all segments except 2 and 11 are expected to be completed this fiscal year.
- B1S splice case audits – ongoing through 4/12
- B2S SH71 relocation east of SH130 and Ross Road – completed 3/19
- B1N temporary repair at Parmer Lane – completed 3/9
- SRN permanent repair Cameron Road at 51st – approved today

John asked about the columns added to the report for AE permits. Frank explained that, for every segment of A1N, the contractor or engineer divides the AE permit applications up by 5 to 10 poles; therefore, each segment has multiple applications. He said it would be very labor intensive and make the project status report too difficult to understand if management were to list all of those dates for each application. He proposed that management list the date the first permit was requested and the last permit was approved for each project/segment; Gary and John agreed with that approach.

D. Job budget report

Sarah reported that management is tracking 36 jobs totaling $1.8 million and GAATN is expecting $271k in recoveries, with $171k already received. She noted that management should be able to nail down approximately how much will be spent in FY21 by the May Board meeting and request a fund balance transfer and/or unbudgeted revenue appropriation if needed.

7. Executive Session: At 2:22 p.m., Dain Herbat adjourned the GAATN Board for closed session, under Texas Government Code sections 551.071, 551.089 and 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) Agenda Items 5E and 5F. At 2:56 p.m. Dain Herbat reconvened the GAATN Board in open session. Agenda Items 5E and 5F were the only items discussed. Any action taken regarding an item upon return to open session is noted in the summary of the particular agenda item.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):

A. Financial Report

John reviewed the financial report for the month ending February 28, 2021. He asked members to review and send him any questions they may have.

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

Frank reviewed the following action items from this meeting:

- Bring locates per year/month for FY22 budget line item adjustments
- Pictures for backup NOCC are for executive session only
- AE permit dates on project status and average project timelines – Frank noted this will take a while to gather and asked for patience on this action item

10. Confirm date, time, and location for the next regular Board meeting on May 4, 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 3:02 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD May 4, 2021 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 658 263 317#

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:
   Ruben Reyes, on behalf of City of Austin
   John Kohlmorgan, on behalf of Austin ISD
   Gary Weseman, on behalf of Austin Community College
   Steve Pyle, on behalf of State of Texas DIR
   Robert Saddler, on behalf of LCRA
   Jaime Guerra, on behalf of UT-Austin
   Dain Herbat, on behalf of Travis County
   Anthony Breckenridge, on behalf of City of Austin
   Frank Ammons, on behalf of GAATN
   Sarah Eichelberger, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   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
   Wayne Wedemeyer, on behalf of UT-Austin
   Patrick Kufrovich, on behalf of Charter Communications

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

3. **Review and Approve the minutes for the Board Meeting of April 6, 2021**
   Gary Weseman moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

4. **Consent Agenda Items – Contract Renewals**
   Jaime Guerra moved to approve Consent Agenda Items 4A – 4G. Gary Weseman seconded the motion and it passed unanimously.
   A. **Annual retainage payment to Maintenance Contractor BryComm LLC for FY21**
      APPROVED ON CONSENT.
   B. **Seeking approval for first of two possible one-year renewals for GAATN Moves, Adds, and Changes agreement (AISD 18RFP112) with BryComm LLC for a term of July 1, 2021 to June 30, 2022**
      APPROVED ON CONSENT.
   C. **Seeking approval for first of two possible one-year renewals for GAATN Moves, Adds, and Changes agreement (AISD 18RFP112) with JC Communications for a term of July 1, 2021 to June 30, 2022**
      APPROVED ON CONSENT.

D. **Seeking approval for third of four possible one-year renewals for GAATN Legal Services agreement (AISD 18RFQ097) with Bickerstaff, Heath, Delgado, Acosta LLP for a term of July 1, 2021 to June 30, 2022 with a $5 hourly rate increase**
APPROVED ON CONSENT.

E. **Seeking approval for third of four possible one-year renewals for GAATN Bentley Management Services agreement (AISD 18RFP104) with Advanced 1 for a term of July 1, 2021 to June 30, 2022 with an annual base hosting amount not to exceed $30k**
APPROVED ON CONSENT.

F. **Seeking approval for first of three possible one-year renewals for GAATN Fiber Purchase agreement (AISD 18RFP003) with Graybar for a term of July 1, 2021 to June 30, 2022**
APPROVED ON CONSENT.

G. **Seeking approval for first of three possible one-year renewals for GAATN Fiber Purchase agreement (AISD 18RFP003) with Anixter for a term of July 1, 2021 to June 30, 2022**
APPROVED ON CONSENT.

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

A. **Seeking approval to award agreement for GAATN Maintenance (AISD 21RFP063) to BryComm LLC for an initial contract term of two (2) years from July 1, 2021 to June 30, 2023 with three (3) possible one-year renewals**
Sarah reported that the RFP for GAATN Maintenance was issued by AISD on April 6 and closed on April 27; a mandatory pre-proposal meeting was held virtually on April 13 and was attended by two potential bidders who are listed on Addendum 1. She noted that GAATN received only one bid which was from BryComm. She noted that the RFP called for OLTS testing to be completed in contract years 1, 3, and 5; OTDR testing to be completed in contract years 2 and 4. She said BryComm's cost proposal was within the amount already budgeted for FY22 for maintenance and testing. She said the RFP evaluation subcommittee consisted of Frank, Sarah and Harold Nall. Overall, Brycomm scored 98 out of 100 points. Gary Weseman said he would have liked to see more bidders respond and asked Sarah if she could poll those who downloaded the RFP but didn't respond. Jaime Guerra moved to award AISD 21RFP063 for GAATN Maintenance to BryComm LLC for an initial term of July 1, 2021 to June 30, 2023; Steve Pyle seconded the motion and it passed unanimously.

B. **Designation of GAATN Official Agent of Service**
This item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, Jaime Guerra moved to designate GAATN's outside general counsel as GAATN's Official Agent of Service and Processing; John Kohlmorgan seconded the motion and it passed unanimously.

C. **GAATN Cap Metro agreement**
Syd reported that he is very close to finalizing this agreement. He received some redlined changes which he accepted but there are still some questions about the insurance requirements. He expects to have the agreement ready for execution by next week.

D. **Draft Guidance for Entity-Specific Projects and corresponding draft agreement**
Syd reported that he connected with DIR's attorney but the attorney still needs to do a final review. Syd suggested that the Board consider tentatively adopting the documents pending signoff by DIR. Gary Weseman moved to adopt the draft guidance for entity-specific projects and corresponding draft agreement pending DIR final acceptance; Jaime Guerra seconded the motion and it passed unanimously.

E. **Elfatmi v. AT&T and GAATN, Cause No. D-1-GN-21 – 000547, 250th District Court, Travis County, amended complaint joining GAATN filed April 9, 2021**

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

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

G. Property damage claim against Texstar for damage to SRN at Cameron Rd. and 52nd St.
This item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, there was no further discussion held or action taken.

6. Network Manager's Update:

A. GAATN Backup NOCC status update
Frank reviewed a two-week look ahead schedule. He said that progress pictures have been posted to the member SharePoint site for review. He said everything is moving along as scheduled.

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

- A1N upgrade segment 5 – scheduled to complete 5/5
- A1N upgrade segment 13 – scheduled to complete 5/10
- A1N upgrade segment 3 – scheduled to complete 5/19
- B1S splice case audit – scheduled to complete 5/21
- AISD C2S Cunningham ES node – scheduled to complete 5/5
- SRN permanent repair at Camino La Costa – completed 4/7
- UT D1N John Chase Building – completed 4/19

C. Job budget report
Sarah reported that management is tracking 36 jobs totaling $1.8 million and expecting $276k in recoveries. She noted that 14 of those 36 jobs have been completed.

7. Executive Session: At 1:57 p.m., Dain Herbat adjourned the GAATN Board 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 5B, 5E, 5F and 5G. Dain Herbat left the meeting at 2:32 p.m. and Vice-Chairman Gary Weseman presided over the remainder of the meeting. A quorum was reestablished in executive session upon Dain's exit.

At 2:57 p.m. Gary Weseman reconvened the GAATN Board in open session for discussion and actions, if any, on matters considered in closed session. Agenda Items 5B, 5E, 5F and 5G were the only items discussed. Any actions taken or discussion held on those items in open session are noted in the summary of that agenda item.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues:
John reviewed the financial report for the month ending March 31, 2021. He asked members to send him any questions. Gary asked Sarah about a fund balance transfer for MAC jobs; Sarah said management will be meeting with the fiscal manager next week to discuss.

9. Review of action items for network management and/or GAATN legal from this meeting:
Frank noted the following action item for network management from this meeting: Reach out to vendors who downloaded the RFP but did not respond.

10. **Confirm date, time, and location for the next regular Board meeting on June 1, 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 3:03 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
June 1, 2021 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 273 590 684#

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
   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
   John Kohlmorgan, on behalf of Austin ISD
   Anthony Breckenridge, on behalf of City of Austin
   Robert Saddler, on behalf of LCRA
   Harold Nall, on behalf of UT-Austin
   Carlos DeMatos, on behalf of GAATN
   Syd Falk, GAATN outside general counsel
   A quorum was established at roll call.

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

3. **Review and Approve the minutes for the Board Meeting of May 4, 2021**
   Dain Herbat moved to approve the draft minutes as presented; Jaime Guerra seconded the motion and it passed unanimously.

4. **Consent Agenda Items – Items recommended for approval at the May 18, 2021 Technical Subcommittee Meeting**
   Jaime Guerra moved to approve Consent Agenda Items 4A & 4B; Steve Pyle seconded the motion and it passed unanimously.
   A. **Seeking approval for splice case audit for B1N to be funded from FY22 MAC at a cost not to exceed $58,000**
      APPROVED ON CONSENT.
   B. **Seeking approval for COA new node on C2S at Fire Station 51 on SH71 entity-specific project at no cost to GAATN**
      APPROVED ON CONSENT.

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Update on continuing remote (videoconference) meetings**
      Syd discussed the possibility that the COVID-19 suspensions of the Texas Open Meetings Act (TOMA) that have allowed GAATN to meet via teleconference may be revoked in the near future and GAATN may have to either return to regular meetings or, per section 551.127 of the Texas Government Code, may be able meet via video conference with some stipulations. He said that most governmental entities may hold meetings via video conference so long as a quorum of the body is present at a location accessible to the public and those participating via video conference are audible and visible during the meeting. He also noted that

governmental entities that extend into three or more counties are able to meet via video conference so long as the chair presiding over the meeting is present at a location accessible to the public and members who are participating via video conference are audible and visible during the meeting. He said that members who are participating via video conference will only be counted as present while they are at their computer and visible on video. Dain asked if there was any new legislation that would affect the TOMA; Syd said no, those proposed bills never made it out of committee. DIR lists technical guidelines for video conference meetings to comply with the TOMA on their website. John asked about facility limitations from LCRA; Frank said currently LCRA is not able to host GAATN meetings, but management is looking at other options. Robert said LCRA is still working through their facility limitations and he will update management in the near future.

B. Seeking approval for GAATN Backup NOCC terminations to be funded from FY22 MAC at a cost not to exceed $168,000

Frank reviewed the handout which included a budget tracking for FY22 showing the impact of this job and a cost comparison showing the difference between the primary NOCC re-terminations and the backup NOCC terminations. Frank said originally management had estimated $350k for A1N/A2N into Convention Center and the NOCC terminations; the actual cost will be $260k ($92k for A1N/A2N, $168k for terminations). He said that if this project is approved, along with the B1N splice case audit, there will be approximately $365k remaining in the FY22 MAC budget. Gary said he wanted to see the overall backup NOCC costs being tracked; Frank said management tracks those costs and they are reported on the job budget tracker. Gary said he would like for management to report on actual costs vs. estimated costs. Jaime Guerra moved to approve the GAATN Backup NOCC terminations to be funded from FY22 MAC at a cost not to exceed $168k; Dain Herbat seconded the motion. Gary asked for it to be noted that this project is part of the bigger backup NOCC project and it should just be an amendment to that project. Frank said the difference is that this project is slated to come out of the FY22 MAC budget and the construction of the NOCC facility came out of the fund balance. John said he is fine with approving this project as presented and the backup NOCC project as a whole has been approved in phases and come out of different financial buckets. Dain asked for a roll call vote to be taken on the motion on the table and the motion passed unanimously.

C. GAATN Cap Metro agreement

Syd said the crossing license was executed by Dain and he is awaiting the final execution by Cap Metro. He contacted them yesterday and has yet to hear back but he expects it to be fully executed any day.

D. Elfatmi v. AT&T and GAATN, Cause No. D-1-GN-21 – 000547, 250th District Court, Travis County, amended complaint joining GAATN filed April 9, 2021

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

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, there was no further discussion held or action taken.

F. Property damage claim against Texstar for damage to SRN at Cameron Rd. and 52nd St.

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

6. Network Manager's Update:

A. GAATN Backup NOCC status update

Frank reviewed the two-week look ahead schedule for the construction of the NOCC. Frank said an architectural walk through will be scheduled and members are welcome to attend. He said management is busy working with public works and everything is coming together very nicely. Dain asked when would be a good time to visit the site; Frank said any weekday during normal business hours but asked members to give him notice if they do plan to attend so he can let the contractor know. Frank said members are welcome to visit the site on their own and to reach out to him if they don't know how to access it. Dain asked if Frank could coordinate a couple of site visits for members in the next couple of weeks; Frank said he would schedule those and will send invitations to the members.

B. Project status report

Frank reported on the following upcoming and recently completed projects:

- A1N upgrade segment 3 phase 1 – scheduled to complete 6/9
- B1S splice case audit – scheduled to complete 6/4
- A1N upgrade project segment 5 – testing rescheduled for 6/2
- A1N/A2N re-route to Convention Center – scheduled to complete 6/16
- A1N upgrade segment 3 phase 2 – completed 5/26
- A1N upgrade segment 13 – completed 5/10
- C1N emergency repair at Dobbie Middle – completed 5/4 – this was a teardown by an unknown vehicle and there will not be any permanent repair.
- AISD D1N Sanchez Elementary renovation – scheduled to complete 6/10

Frank said there was a tear down at Highway 290 on 5/28. Management thinks it may have been weather related, such as a lightning strike, which may have caused a down guy to pull loose and the pole to snap. He said management has the APD reports and the officer thought it was related to a lightning strike. He said it's possible that an unknown vehicle came through and tore down the fiber after the weather damage or that the pole just fell down on its own due to the weather damage. He said management has not heard of any vehicular damage or injury. He said that BryComm performed a temporary repair and that a permanent repair will be brought to the Technical Subcommittee for review. The problem is that AE has so many weather related repairs to make that it could take them a while to replace this pole. John asked if GAATN should be looking to bore underground at this location. Frank said yes management is asking other comms about possibly doing a joint bore and will look to bring an underground option for the permanent repair.

C. Job budget report

Frank reported that there are 37 jobs on the FY21 job budget tracking sheet totaling $1.8 million; 16 jobs have been completed and 806k has been invoiced. Management is anticipating that most of the remaining 21 jobs will carry over into FY22 and any money allocated but not expended will go back into the fund balance. Once the new fiscal year starts, the carryover jobs will be added to the FY22 job list and management will request a fund balance transfer, if necessary, to fund those carryover projects. He noted that the FY22 job budget tracker includes the permanent repair previously approved for SRN at Cameron and 51st as well as the two projects that were up for approval today, the B1N splice case audit and the NOCC terminations. Those three jobs total $288k which will leave $365k for additional FY22 jobs.

7. **Executive Session:** At 2:19 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 or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 5D, 5E and 5F.

   At 2:44 p.m., Dain Herbat reconvened the GAATN Board in open session. Agenda Items 5D, 5E and 5F were the only items discussed. Any further discussion held or action taken on agenda items discussed in executive session is noted in the summary for each agenda item.

8. **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 April 30, 2021. He said GAATN has brought in $1.8 million plus and expended $3.4 million due to the backup NOCC. He asked members to review and send him any questions.

9. **Review of action items for network management and/or GAATN legal from this meeting:**
   Frank reviewed the following action items from this meeting:
   - Updates for video conference meetings
   - Review what has been spent on GAATN backup NOCC at the next Technical Subcommittee meeting; Gary said he will get with Frank to further discuss what he is looking for
   - Send invites to members for walk through of backup NOCC site
   - Bring underground options for Hwy 71 and Hwy 290; see if other comms are interested in joint bores

10. **Confirm date, time, and location for the next regular Board meeting on July 13, 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 2:51 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
July 13, 2021 1:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 165 806 162#

MINUTES

1. **Call to Order and Roll Call (Chairperson)**
   GAATN Board Chairman Dain Herbat called the meeting to order.
   The following announced as present at the start of the meeting:
   Dain Herbat, on behalf of Travis County
   Steve Pyle, on behalf of State of Texas DIR
   Jaime Guerra, on behalf of UT-Austin
   John Kohlmorgan, on behalf of Austin ISD
   Ruben Reyes, on behalf of City of Austin
   Harold Nall, on behalf of UT-Austin
   Bo Kinsey, on behalf of Travis County
   Syd Falk, GAATN attorney
   Sarah Eichelberger, on behalf of GAATN
   Carlos DeMatos, on behalf of GAATN
   A quorum was established at roll call.
   GAATN Contractors:
   Chris Gonzales, on behalf of BryComm
   Members of the public:
   Wayne Wedemeyer

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

3. **Review and Approve the minutes for the Board Meeting of June 1, 2021**
   Dain Herbat moved to approve the draft minutes as presented; Jaime Guerra seconded the motion and it passed unanimously.

4. **Consent Agenda Items – Items recommended for approval at the June 15, 2021 Technical Subcommittee Meeting**
   Jaime Guerra moved to approve Consent Agenda Items 4A, 4B, 4C, and 4D; Steve Pyle seconded the motion and it passed unanimously.
   A. **Seeking approval for COA new node at B2S Marshalling Yard entity-specific project at no cost to GAATN**
   B. **Seeking approval for UT new node on A1N at Colorado Apartments entity-specific project at no cost to GAATN**
   C. **Seeking approval for UT new node on A1N at Gateway Apartments entity-specific project at no cost to GAATN**
   D. **Seeking approval for GAATN conduit use at Crockett High School Super Node Site**

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **GAATN Board and Technical Subcommittee Chair and Vice-Chair Elections**
      - Board Chair – Dain Herbat re-elected
        Jaime Guerra nominated Dain Herbat to continue serving as GAATN Board Chair; Ruben Reyes seconded the nomination. Jaime Guerra moved to close nominations; Ruben Reyes

seconded the motion and it passed unanimously. Jaime Guerra moved to elect Dain Herbat as GAATN Board Chair; Steve Pyle seconded the motion and it passed unanimously.

- Board Vice-Chair – Gary Weseman re-elected
  Ruben Reyes nominated Gary Weseman to continue serving as GAATN Board Chair; Jaime Guerra seconded the nomination. Jaime Guerra moved to close nominations; Dain Herbat seconded the motion and it passed unanimously. Jaime Guerra moved to elect Gary Weseman as GAATN Board Chair; Steve Pyle seconded the motion and it passed unanimously.
- Technical Subcommittee Chair – Jaime Guerra re-elected
  Dain Herbat nominated Jaime Guerra to continue serving as GAATN Technical Subcommittee Chair; Ruben Reyes seconded the nomination. Dain Herbat moved to close nominations; Steve Pyle seconded the motion and it passed unanimously. Steve Pyle moved to elect Jaime Guerra as GAATN Technical Subcommittee Chair; Dain Herbat seconded the motion and it passed unanimously.
- Technical Subcommittee Vice-Chair – Steve Pyle re-elected
  Jaime Guerra nominated Steve Pyle to continue serving as GAATN Technical Subcommittee Vice-Chair; Dain Herbat seconded the nomination. Jaime Guerra moved to close nominations; Dain Herbat seconded the motion and it passed unanimously. Jaime Guerra moved to elect Jaime Guerra as GAATN Technical Subcommittee Chair; Dain Herbat seconded the motion and it passed unanimously.

B. GAATN Cap Metro agreement update

Syd reported that this agreement has been fully executed and GAATN has paid the first year fee on behalf of Travis County. Travis County is now in the permitting phase for this project.

C. Update on continuing remote (videoconference) meetings

Sarah reported that on July 2, Texas Attorney General Ken Paxton announced that the suspensions of the Texas Open Meetings Act (TOMA) that have allowed GAATN to hold teleconference meetings will end on September 1. This means that GAATN may choose to either go back to regular in-person meetings or, pursuant to Texas Government Code 551.127, GAATN may choose to hold meetings via videoconference with the presiding chair of the meeting being present at a physical location accessible to the public. Sarah discussed the stipulations specified under 551.127 for video conference meetings and said she would poll members via email this week regarding their preference for in-person versus video conference meetings. She said management will meet with the Board and Tech chairs to discuss meeting logistics after responses are received from the poll.

D. GAATN Backup NOCC status update

Sarah reviewed the two-week look ahead schedule. She noted the substantial completion date is upcoming in the next two weeks. Jaime asked management to note the completion date for the agreement between GAATN and the City of Austin. Dain asked to review pictures of the progress. Members reviewed pictures of the facility during executive session under Texas Government Code 418.181.

E. Seeking approval for GAATN SRN Permanent Repair HWY 290 at Cameron to be funded from FY22 MAC budget

Carlos said this item was brought to the Technical Subcommittee with both an aerial-only and an underground option. He noted that the Tech members requested management get a quote from the other GAATN-approved vendor, which they did, but the quote came back more expensive than the original vendor. Sarah noted that the underground quote is only $45k more than the aerial only quote. She said, pursuant to GAATN's damage claim policy,

management has submitted this claim to GAATN's property insurance carrier and it is currently in the review phase. She said management is hopeful to recover about $37-45k after the $50k deductible. Jaime Guerra moved to approve the GAATN SRN Permanent Repair at HWY 290 and Cameron Road underground option in an amount not to exceed $133k to be funded from the FY22 MAC budget; Steve Pyle seconded the motion and it passed unanimously.

F. **Elfatmi v. AT&T and GAATN, Cause No. D-1-GN-21 – 000547, 250th District Court, Travis County, amended complaint joining GAATN filed April 9, 2021**
This item was discussed in executive session for attorney consultation under Texas Government Code 551.071. Upon reconvening in open session, no further discussion was held or action taken.

G. **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 further discussion was held or action taken.

H. **Property damage claim against Texstar for damage to SRN at Cameron Rd. and 52nd St.**
This item was discussed in executive session for attorney consultation under Texas Government Code 551.071. Upon reconvening in open session, Dain Herbat moved to accept the Texstar offer of full settlement in the amount of $67,267.41 and to execute the agreed release of claims agreement; John Kohlmorgan seconded the motion and it passed unanimously.

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

A. **Project status report**
Carlos reported on the following upcoming and recently completed projects:
- A2N relocation at 218 S. Lamar – scheduled to complete on 7/29
- SRS relocation at 218 S. Lamar – scheduled to complete on 8/5
- A1N upgrade project segment 3 phase 1 – completed 6/9
- B1S splice case audit – completed 6/4
- AISD D1N Eastside Memorial High School renovation – scheduled to complete 7/13
- COA C2S Fire Station 51 new node – completed 7/8
- DIR B2S TxDOT Facility Stassney Lane new node – completed 7/6

B. **GAATN budget reports overview**
Sarah gave a detailed overview of the GAATN annual budget and entity contributions, the monthly GAATN overall financial report and the GAATN job budget tracker. She revamped the job budget tracker for FY22 to make it more comprehensive in order to assist with better future project budgeting.

C. **Job budget report**
Sarah reported that, for FY21, GAATN completed 19 of 38 jobs on the books and was invoiced for $972,415 in MAC expenses. She noted that 19 jobs with $823,443 in encumbrances will carryover to FY22. She said that for FY22, 4 jobs had been approved totaling $420,780. The total FY22 MAC budget is $653k.

7. **Executive Session:** At 2:23 p.m., GAATN Board Chair Dain Herbat adjourned the GAATN Board for closed session, under Texas Government Code sections 551.071 and 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) regarding Agenda Items 5D, 5F, 5G, and 5H.

At 2:59 p.m. Dain Herbat reconvened the GAATN Board in open session. Agenda Items 5D, 5F, 5G, and 5H were the only items discussed. Any further discussion held or action taken on items discussed in executive session is noted in the summary for that agenda item.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):

A. **Financial Report**
John Kohlmorgan reviewed the report for the month ending May 31, 2021. He asked members to review and send him or Sarah any questions.

9. Review of action items for network management and/or GAATN legal from this meeting:
Sarah noted the following action items from this meeting:

- Poll members on meeting preferences
- Note completion date for Backup NOCC for agreement purposes

10. Confirm date, time, and location for the next regular Board meeting on August 10, 2021 at 12:30 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
August 10, 2021 12:30 p.m.
Via Teleconference at (512) 831-7858, Conference ID 743 970 430#

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat called the meeting to order at 12:37 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
   Anthony Breckenridge, on behalf of City of Austin
   Carlos DeMatos, on behalf of GAATN
   A quorum was established at roll call.

2. **Annual Network Management SLA Evaluation**
   The Board held the annual evaluation for the network management team for FY21; the management team overall scored 4.83 out of 5.

3. **Short Break**

4. **Updated roll call**
   An updated roll call was taken at 1:20 p.m. after the break.
   The following announced as present at the updated roll call:
   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
   Anthony Breckenridge, on behalf of City of Austin
   Carlos DeMatos, on behalf of GAATN
   Syd Falk, GAATN attorney
   A quorum was re-established at the updated roll call.
   Steve Pyle, on behalf of State of Texas DIR – joined at 1:27 p.m.
   Robert Saddler, on behalf of LCRA – rejoined at 1:30 p.m.
   GAATN Contractors:
   Chris Gonzales, on behalf of BryComm – joined at 1:28 p.m.

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

6. **Review and Approve the minutes for the regular Board Meeting of July 13, 2021**
   Jaime Guerra moved to approve the draft minutes as presented; Dain Herbat seconded the motion and it passed unanimously.

7. **Consent Agenda Items – Items recommended for approval at the July 27, 2021 Technical Subcommittee Meeting**

Jaime Guerra moved to approve Consent Agenda Items 7A and 7B; Gary Weseman seconded the motion and it passed unanimously.

A. **Seeking approval for A2N relocation at 98 Red River developer-funded project at no cost to GAATN**
   APPROVED ON CONSENT.
B. **Seeking approval for B2S underground re-route at Ben White and Thornberry at a cost not to exceed $70k to be funded by FY22 MAC**
   APPROVED ON CONSENT.

8. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Update on future GAATN meetings format**
      Frank noted that the suspensions of the Texas Open Meetings Act (TOMA) that have allowed GAATN to meet solely via teleconference will end on September 1 and the full TOMA laws will be back in effect. As stated at the last Board meeting, pursuant to Section 551.127 since GAATN extends into three or more counties, GAATN may elect to hold meetings via videoconference with the stipulation that the one who is presiding over the meeting (the chair or vice-chair) be physically present at the meeting location that is open to the public. Sarah sent out a poll to members regarding their preferences with respect to future GAATN meetings. The polls were split evenly with regards to preference of in-person vs. remote meetings. Management met with the Board and Tech chairs, and it was decided that members will be able to choose whether they want to attend GAATN Board and Tech meetings in person or remotely using videoconference. Starting with the September 7 Board meeting going forward, those attending in person will come to the LCRA service center to the same building, same room as before (A502/503). Those attending remotely will be required to use their video camera and headset with a mic; in order for remote attendees to be counted as present for quorum considerations, they must be seen and heard on video. Management will send out further details regarding the hybrid meeting format and technical requirements for both remote and in-person attendees. Management does ask that any members who cannot be present (either physically or remotely) for any meeting to please give as much notice as possible so they can determine if a quorum will be met.
   B. **Elfatmi v. AT&T and GAATN, Cause No. D-1-GN-21 – 000547, 250th District Court, Travis County, amended complaint joining GAATN filed April 9, 2021**
      This item was reviewed 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.
   C. **Property damage claim against Asplundh for damage to C1N at Willamette Drive**
      This item was reviewed 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 Texstar for damage to SRN at Cameron Rd./52nd St.**
      This item was reviewed 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.

9. **Network Manager's Update**
   A. **GAATN Backup NOCC status update**
      Frank reported that the GAATN backup NOCC has reached near final completion and he thinks that most of the contingency money paid to the City of Austin will be returned to GAATN after project completion and closeout. He said the final completion walk through is

scheduled for Thursday and he sent the invite out to members in case they want to attend. Frank noted that the project has passed final inspections and the general contractor (GC) is ready to hand it over as completed to the City of Austin Public Works department. Public Works has requested from the GC some contract requirements, such as generator training, before the project can be considered complete; the training is scheduled for next week. Frank said management has been working with Public Works and the City of Austin Data Center Operations (DCO) team to make sure everyone is on the same page. He noted that management is meeting with GAATN's contractors to complete the A1N/A2N fiber project. There are ongoing conversations between management and the COA DCO team to determine if they will provide maintenance to the backup NOCC; a meeting is scheduled for tomorrow between Frank and the DCO manager as well as their corporate managers. Jaime asked if the training could be recorded; Frank said there will be video recordings of the training and several people will also be present at the training. Frank said he will take an action item to send a link to those videos out to members as soon as they are made available so they can share them with their employees.

B. Project status report

Frank reported on the following upcoming/recently completed projects:

- A1N upgrade Segment 5 – testing only scheduled to complete 8/10
- A1N upgrade Segment 6 – scheduled to complete 8/11
- A1N/A2N re-route to Backup NOCC – scheduled to complete 8/20 – Frank noted that management sent out a detailed GAATN alert about this large project. Management and the contractor are hopeful that there will be enough capacity to pull in the 432-count cable. If there is not enough capacity, then the backup plan is to have the 114-count cable that is currently there un-spliced on one end pulled out and to pull it back in to where it was in the event of an emergency so as to not keep the network in wrap longer than needed.
- SRS relocation at 218 S. Lamar – completed 8/5
- A2N relocation at 218 S. Lamar – completed 7/29
- B1N emergency repair at 11604 Stonehollow – completed 7/14
- UT A1N new node Gateway Apts – scheduled to complete 8/12
- AISD C1N Graham ES node replacement – scheduled to complete 8/19
- AISD D1N Eastside Memorial HS renovation – completed 7/13

C. Job budget report

Frank said that, with the B2S underground project approved, there will be five jobs approved for FY22 totaling $491k of the $653k budget. Additionally, $823k in encumbrances for 19 jobs was carried over from FY21.

10. Executive Session: At 1:52 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 or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 8B, 8C, and 8D.

At 2:17 p.m., Dain Herbat reconvened the GAATN Board in open session. Agenda Items 8B, 8C, and 8D were the only items discussed. Any further discussion held or action taken in open session on agenda items discussed in executive session will be noted in the summary for that agenda item.

11. Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):

A. Financial Report

Frank reviewed the financial report for the month ending June 30, 2021. He asked members to send any questions to John or Sarah.

12. Meeting and Action Items Summary

- Send out generator training videos to members once available
- Add standing agenda item after executive session for updated roll call
- Schedule meeting with Travis County to discuss after action reports

13. Confirm date, time, and location for the next regular Board meeting on September 7, 2021 at 1:30 p.m. at LCRA Service Center 3505 Montopolis Austin, TX and via Video Conference on Microsoft Teams.

The date, time and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:22 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
September 7, 2021 1:30 p.m.
LCRA Service Center at 3505 Montopolis, Austin, Texas 78744
Building A, Room A502/503
Teams Videoconference link provided 72 hours prior to meeting on homepage of www.gaatn.org
Remote audio-only option for public access: (512) 831-7858, Access Code: 240 917 183#

MINUTES

1. **Call to Order and Roll Call:**
   GAATN Board Vice-Chair Gary Weseman called the meeting to order at 1:33 p.m. The following announced as present at the start of the meeting:
   John Kohlmorgan, on behalf of Austin ISD (remote)
   Gary Weseman, on behalf of Austin Community College (on site)
   Steve Pyle, on behalf of State of Texas DIR (on site)
   Bo Kinsey, on behalf of Travis County (remote)
   Ruben Reyes, on behalf of City of Austin (remote)
   Jaime Guerra, on behalf of UT-Austin (remote)
   Harold Nall, on behalf of UT-Austin (remote)
   Anthony Breckenridge, on behalf of City of Austin (remote)
   Syd Falk, GAATN outside general counsel (on site)
   Carlos DeMatos, on behalf of GAATN (on site)
   Sarah Eichelberger, on behalf of GAATN (remote)
   A quorum was established at roll call.
   Robert Saddler, on behalf of LCRA – joined at 1:42 p.m. (remote)
   Members of the public:
   Wayne Wedemeyer (remote)
   Chris Gonzales, on behalf of BryComm (remote)
   Doug Wilson, on behalf of JC Communications (on site)

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

3. **Review and Approve the minutes for the regular Board Meeting of August 10, 2021**
   Jaime Guerra moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

4. **Consent Agenda Items – Items recommended for approval at the August 24, 2021 Technical Subcommittee Meeting and Operational Contract Renewals**
   Jaime Guerra requested that Agenda Item 4B be removed from the consent agenda for further discussion of the funding source. Jaime Guerra moved to approve Consent Agenda Items 4A and 4C; Steve Pyle seconded the motion and it passed unanimously.
   A. **Seeking approval for second 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, 2021 through October 31, 2022 with an annual premium of $57,609**
      APPROVED ON CONSENT.

B. **Seeking approval for Second phase A1N activation into GAATN Backup NOCC at a cost not to exceed $31K to be funded from FY22 MAC budget**
Jaime asked if members agreed the funding source should be from the anticipated refund from the City of Austin for leftover funds from the Backup NOCC project. John said he would need to have a better idea how much of a refund GAATN is expecting; Carlos said it would be at least $100k. John said that any funds received back will go into the fund balance and then can be transferred to the MAC budget to pay for the project. Jaime Guerra moved to approve the second phase of A1N activation into GAATN Backup NOCC at a cost not to exceed $31k to be funded form FY22 MAC budget; Steve Pyle seconded the motion and it passed unanimously.

C. **Seeking approval for A1N relocation from overhead to underground at 3rd and Pressler developer-funded project at no cost to GAATN**
APPROVED ON CONSENT.

5. **Board Chairperson Update (Approximately 1 hour) – Discussion and possible action regarding:**
   A. **Elfatmi v. AT&T and GAATN, Cause No. D-1-GN-21 – 000547, 250th District Court, Travis County, amended complaint joining GAATN filed April 9, 2021**
   Syd reported that the order granting the plea to the jurisdiction is final, so GAATN is dismissed from the case on the basis of governmental immunity with prejudice to plaintiff's refiling his claims. There will be no further updates to the Board.
   B. **Property damage claim against Asplundh for damage to C1N at Willamette Drive**
   Syd reported that Asplundh agreed to the settlement offer; Syd and Gunnar sent back a redlined version of Asplundh's form release and are waiting to hear back.

6. **Network Manager's Update**
   A. **GAATN Backup NOCC status update**
   Carlos said there were training sessions for the in-row coolers, automatic transfer switch and generators; those sessions went well and were video recorded. He reviewed the handout package including the additional small items GAATN needs to purchase, a ring activation schedule, an entity rack layout, and a proposal for the PDU installation.
   B. **Project status report**
   Carlos said there have been no changes to this report since the previous meeting.
   C. **Job budget report**
   Sarah reported that the A1N activation and PDU installation for the Backup NOCC were added to this report. With these projects, there are now 7 jobs for FY22 totaling $546k of the $653k budget for FY22. There were also 19 jobs carried over from FY21 totaling $823k.

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

8. **Update Roll Call (only if executive session called):** Since there was no executive session called, there was no need for an updated roll call.

9. **Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):**
   A. Financial Report
   John reviewed the financial report for the month ending July 31, 2021. He pointed out the reduced fund balance due to the construction of the Backup NOCC. He asked members to send him or Sarah any questions they may have about this report.

10. **Meeting and Action Items Summary:** There were no action items from this meeting.

11. **Confirm date, time, and location for the next regular Board meeting on October 5, 2021 at 1:30 p.m. at LCRA Service Center 3505 Montopolis Austin, TX and via Video Conference on Microsoft Teams.**
    The date, time and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:58 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
October 5, 2021 1:30 p.m.
LCRA Service Center at 3505 Montopolis, Austin, Texas 78744
Building A, Room A502/503
Teams Videoconference link provided 72 hours prior to meeting on homepage of www.gaatn.org

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:
   John Kohlmorgan, on behalf of Austin ISD (remote)
   Dain Herbat, on behalf of Travis County (on site)
   Gary Weseman, on behalf of Austin Community College (remote)
   Steve Pyle, on behalf of State of Texas DIR (remote)
   Robert Saddler, on behalf of LCRA (remote)
   Jaime Guerra, on behalf of UT-Austin (remote)
   Harold Nall, on behalf of UT-Austin (remote)
   Frank Ammons, on behalf of GAATN (remote)
   Sarah Eichelberger, on behalf of GAATN (remote)
   Carlos DeMatos, on behalf of GAATN (remote)
   Syd Falk, GAATN outside general counsel (on site)
   A quorum was established at roll call.
   Ruben Reyes, on behalf of City of Austin (remote) – joined at 1:34 p.m.
   GAATN Contractors:
   Chris Gonzales, on behalf of BryComm (remote)

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

3. **Review and Approve the minutes for the regular Board Meeting of September 7, 2021**
   Gary Weseman moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

4. **Consent Agenda Items – Items recommended for approval at the September 21, 2021 Technical Subcommittee Meeting and operational contract renewals**
   Gary Weseman moved to approve Consent Agenda Item 4A; Jaime Guerra seconded the motion and it passed unanimously.
   A. **Seeking approval for third of four possible one-year renewals of GAATN Underground Locate Services (AISD 19RFP031) with USIC, LLC for the term of January 27, 2022 through January 26, 2023 with a per locate rate of $25**
      APPROVED ON CONSENT.

5. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Seeking approval for A2N Palm Park relocation overhead and underground developer-funded project at no cost to GAATN**
      Jaime noted that this was not recommended by the Technical Subcommittee because members were not pleased with the proposed routing. Frank said there will not be any new routing, but management and legal are working on a license agreement that will ensure protection of the

new infrastructure. Syd is currently editing the draft license agreement and should have it completed for Public Works/City attorney review by the end of the week. Frank said the aerial pole line that runs through Palm Park will be removed and all aerial lines will be relocated underground; the City has already built a duct bank for the re-route. He said the only two choices GAATN has is either to work with the City to re-route the cable underground as proposed at no cost to GAATN, or for GAATN to find its own route around the park at GAATN's cost. Dain asked if this could go to the next Tech meeting to review both options and then be approved at the November Board meeting; Frank said he thought that would be acceptable for the City's timeline.

B. Seeking approval for 2022 GAATN Meeting Dates

Gary Weseman moved to approve the 2022 GAATN meeting dates as presented; Steve Pyle seconded the motion and it passed unanimously.

C. Discussion of MOU and SLA for GAATN Backup NOCC maintenance and operations

Frank sent out the draft MOU to GAATN members last week for review. He said the MOU is an internal City of Austin (COA) document between CTM Data Center Operations (DCO), CTM GAATN (network management) and the Austin Convention Center (ACC). The MOU outlines roles and responsibilities concerning the GAATN Backup NOCC including maintenance and notifications of work that will affect access. Frank said that management has engaged Syd to edit the draft agreement between GAATN and COA CTM DCO for the maintenance of the backup NOCC. This agreement may take the form of a service level agreement (SLA) which will explain in detail the services that will be performed by CTM DCO or their contractor, and how GAATN will pay for those services. Frank discussed possible options for paying annually or quarterly as well as having a minimum amount of money on hand at CTM DCO in a GAATN backup NOCC fund in case the need for emergency maintenance arises. Steve asked about the technical specifics such as who would monitor generator alarms and change the batteries on the UPSes. Dain asked Steve and the other members to brainstorm those kinds of technical specifics that should be in the SLA and send those to network management prior to the next Technical meeting on October 19. Dain asked about the ILA for the Backup NOCC and if the SLA would be part of the ILA; Syd said it would most likely be a separate document because it is pretty simple and it's projected to cost under $10k annually. John said that the charter of GAATN was that all entities pitched in for the greater good of GAATN, and he noted that AISD did not charge for those types of services when it hosted the NOCC for 25 years. Dain asked about the contract terms of the DCO contractor and whether the cost will go up after a certain amount of time and if GAATN would have a say when the next contractor is chosen. Frank said he would inquire about that with DCO. Dain asked for management to bring this agreement as an agenda item to the next Tech meeting to further discuss the maintenance technical details. Frank said management will continue working with Syd, the City attorney and Public Works for the license agreement.

D. Property damage claim for damage to C1N at IH-35 and Rutherford

Frank reported that this damage occurred on 9/20/21 when a TxDOT subcontractor tore down GAATN fiber while working on the IH-35/Hwy 183 project. The subcontractor has already filed a claim with their insurance and management will work with their adjuster to get the claim paid once the maintenance contractor is able to provide a cost for the permanent repair. The cost of the temporary repair was $31,487.25 because it involved a highway crossing; the temporary repair was completed on 9/22/21.

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

Syd reported that Asplundh has agreed to the settlement amount proposed by GAATN and the attorneys for both parties have agreed on the release language. Dain Herbat moved to accept the settlement offer by Asplundh and agreed upon release and to authorize the GAATN Board

Chair to execute the release; John Kohlmorgan seconded the motion and it passed unanimously.

6. **Network Manager's Update**
   A. **GAATN Backup NOCC status update**
   Frank said the backup NOCC is almost completely finished on the construction side and management is working on a few things such as getting the card reader and some cameras installed as well as working with ACC on the monthly utility billing that is called out in the ILA. ACC has said verbally that they will only bill for electrical. Frank expects that GAATN will receive a refund of approximately $347k.
   B. **Project status report**
   Carlos reviewed the following upcoming and recently completed projects:
   - A1N Segments 5 and 6 – repairs of splices and re-testing – completed 10/5
   - C2S temporary repair at West Gate and Jones Road (transformer fire caused by bird landing) – completed 9/27
   - C1N temporary repair at IH35 and Rutherford (damage caused by TxDOT subcontractor) – completed 9/22
   - UT A1N conduit installation for Block 164 project – completed 10/1
   - UT A1N node decommissioning 3200 Red River – completed 9/28
   - AISD C1S Menchaca Elementary node repair – completed 9/21
   C. **Job budget report**
   Sarah reported that management is tracking 26 jobs totaling $1.36 million. For FY22, seven jobs totaling $546k have been approved; the FY22 MAC budget is $653k. So far this fiscal year, GAATN has recovered $166k for damages and reimbursements for projects.

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

8. **Update Roll Call (only if executive session called)**: There was no updated roll call.

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 August 31, 2021. He noted the increase in the emergency set aside to $2.1 million and the decrease in the fund balance to $1.1 million due to the funding of the backup NOCC. He asked members to review and send him any questions they may have.

10. **Meeting and Action Items Summary:**
   Frank reviewed the following action items from this meeting:
   - Call out of specific maintenance needs for SLA
   - Contractual terms for data center maintenance for backup NOCC (will cost go up once their term is over, does GAATN have a say in the contractor)

11. **Confirm date, time, and location for the next regular Board meeting on November 9, 2021 at 1:30 p.m. at LCRA Service Center 3505 Montopolis Austin, TX and via Video Conference on Microsoft Teams.**
   The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:28 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
MEETING HELD November 16, 2021 1:00 p.m.
LCRA Service Center at 3505 Montopolis, Austin, Texas 78744
Building A, Room A502/503
Teams Videoconference link provided 72 hours prior to meeting on homepage of www.gaatn.org
Remote audio-only option for public access: (512) 831-7858, Access Code: 889 346 423#

MINUTES

1. **Call to Order and Roll Call**
   GAATN Board Chairman Dain Herbat 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 (remote)
   Jaime Guerra, on behalf of UT-Austin (on site)
   Dain Herbat, on behalf of Travis County (on site)
   Steve Pyle, on behalf of State of Texas DIR (remote)
   Ruben Reyes, on behalf of City of Austin (remote)
   Mace Royston, on behalf of LCRA (remote)
   Harold Nall, on behalf of UT-Austin (remote)
   Anthony Breckenridge, on behalf of City of Austin (remote)
   Frank Ammons, on behalf of GAATN (remote)
   Sarah Eichelberger, on behalf of GAATN (remote)
   Carlos DeMatos, on behalf of GAATN (remote)
   Gunnar Seaquist, GAATN attorney (on site)
   A quorum was established at roll call.
   Robert Saddler, on behalf of LCRA (remote) – joined at 1:21 p.m.
   John Kohlmorgan, on behalf of Austin ISD (remote) – joined at 1:23 p.m.
   Members of the public present at roll call:
   Chris Gonzales, on behalf of BryComm (remote)
   Doug Wilson, on behalf of JC Communications (remote)
   Wayne Wedemeyer (remote)

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

3. **Review and Approve the minutes for the regular Board Meeting of October 5, 2021**
   Gary Weseman moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

4. **Consent Agenda Items – Items recommended for approval at the October 19, 2021 Technical Subcommittee Meeting**
   Dain Herbat moved to approve Consent Agenda Items 4A, 4B, and 4C; Jaime Guerra seconded the motion and it passed unanimously.
   A. **Seeking approval for A2N Palm Park relocation overhead and underground developer-funded project at no cost to GAATN**
      APPROVED ON CONSENT.
   B. **Seeking approval for LCRA tie cable overlash to A1N between LCRA Redbud Center and LCRA Hancock Bldg. project at no cost to GAATN**
      APPROVED ON CONSENT.

C. Seeking approval for D1N temporary aerial unattachment due to relocation of heritage tree at no cost to GAATN
APPROVED ON CONSENT.

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

A. GAATN FY22 Cost Avoidance Report
Sarah said this biennial exercise is done to help GAATN entities estimate how much they save annually by participating in GAATN. All entities responded to the Cost Avoidance exercise for FY22. She noted that benchmark pricing remained the same as FY20, because the DIR AT&T contract from which the benchmark prices were extracted remains in effect through FY23. For FY22, GAATN entities saved an estimated combined $34 million by being a part of GAATN. This represents a 37% net savings increase over FY20. Sarah said these calculations are just an estimation and do not factor in the costs of equipment, labor or maintenance.

B. Seeking approval to purchase reel(s) of 192-count stock fiber at a cost of $29,600 per reel to be funded from FY23 MAC budget
Frank noted that the Technical Subcommittee recommended approval for GAATN to purchase a 20k foot reel of 192-count fiber to have on hand for future projects due to the anticipated increase in the cost of fiber and the nearly year-long lead time for delivery. Frank said management recommends purchasing two reels and warehousing them with the GAATN maintenance contractor. Jaime Guerra moved to approve the purchase of two 20k foot reels of 192-count stock fiber at $29,600 each; Steve Pyle seconded the motion and it passed unanimously.

C. Property damage claim for damage to C1N at IH-35 and Rutherford on 9/20/21
Sarah reported that this damage occurred on September 20 when a TxDOT contractor tore down GAATN cable over IH-35. She noted the damage is costly because it involves highway crossings. She said that management sent the demand letter to the TxDOT contractor, Lone Star Paving, and they have referred GAATN to their insurance adjuster. Management sent all of the information to the insurance adjuster and is waiting to hear back.

D. Property damage claim for damage to B1N 11604 Stonehollow Drive on 10/18/21
Frank reported that this damage was caused behind warehouses that were recently demolished and that a responsible party was not identified, therefore this may have to be a claim against GAATN's property insurance if the damage exceeds the deductible amount. He noted that management is waiting on the temporary repair invoice and permanent repair proposal and will bring that to the Tech committee for review once received.

6. Network Manager's Update

A. GAATN Backup NOCC status update
Frank reviewed the activation schedule for the backup NOCC and said that the contractors are running into delays due to material availability. However, work is still ongoing with the installation of cameras and the card reader. Frank said there is an issue with setting up the remote monitoring of the generator but management is working through that issue with the general contractor, IMEG, COA Data Center Operations (DCO) and Public Works. Frank said he is hopeful that the Public Works project manager will be available for the December Tech meeting to give a final update. Frank said that A1N was scheduled to be activated on November 23 and 24; Carlos said management just found out this morning that date will be pushed out at least a week because the contractor is still waiting on the boxes for the meet me points. Frank said management will keep the Board and Tech Committee updated as the activation schedule changes and firm dates are scheduled.

B. Project status report

Frank reported on the following upcoming and recently completed projects:

- SRS-LVL3-COA Tie 425 W. Riverside Drive – completed 11/15
- A2N 425 W. Riverside Drive – completed 11/15
- B1N Temporary repair at 11604 Stonehollow – completed 10/18
- COA C1N Fire Station #18 node replacement – scheduled to complete 11/17
- COA B1N node damage squirrel Fire Station #31 – completed 10/18

C. Job budget report

Sarah reported that management is tracking 29 jobs totaling $1.4 million. So far for FY22 encumbered, eight jobs totaling $577k have been approved, with the remaining $838k being carried over from previous fiscal years; $165k has been recovered from damage claims, insurance claims and project reimbursements. She noted that the backup NOCC expenditure tracker now illustrates an anticipated refund of approximately $340k from the City of Austin, which would bring the total cost of the backup NOCC to $2 million.

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

8. **Updated Roll Call (only if executive session called):** There was no updated roll call.

9. **Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):**

   A. Financial Report

   John reviewed the financial report for the month ending September 30, 2021. He asked members to review and let him know if they had any questions.

10. **Meeting and Action Items Summary:** There were no action items from this meeting.

11. **Confirm date, time, and location for the next regular Board meeting on December 7, 2021 at 1:30 p.m. at LCRA Service Center 3505 Montopolis Austin, TX and via Video Conference on Microsoft Teams.**

    The date, time and location for the next regular Board meeting were confirmed; the meeting adjourned at 1:28 p.m.

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS
December 7, 2021 1:30 p.m.
LCRA Service Center at 3505 Montopolis, Austin, Texas 78744
Building A, Room A502/503
Teams Videoconference link provided 72 hours prior to meeting on homepage of www.gaatn.org
Remote audio-only option for public access: (512) 831-7858, Access Code: 994 085 480#

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:
   Gary Weseman, on behalf of Austin Community College (remote) – left at 2:17 p.m.
   Dain Herbat, on behalf of Travis County (on site)
   Robert Saddler, on behalf of Lower Colorado River Authority (remote)
   John Kohlmorgan, on behalf of Austin ISD (remote)
   Ruben Reyes, on behalf of City of Austin (remote)
   Jaime Guerra, on behalf of UT-Austin (remote)
   Harold Nall, on behalf of UT-Austin (remote)
   Anthony Breckenridge, on behalf of City of Austin (remote)
   Frank Ammons, on behalf of GAATN (remote)
   Carlos DeMatos, on behalf of GAATN (remote)
   Sarah Eichelberger, on behalf of GAATN (remote)
   Gunnar Seaquist, GAATN attorney (on site)
   A quorum was established at roll call.
   Members of the public/GAATN Contractors:
   Chris Gonzales, on behalf of BryComm LLC (remote)
   Doug Wilson, on behalf of JC Communications (remote)
   Wayne Wedemeyer, on behalf of UT-Austin (remote)

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

3. **Review and Approve the minutes for the regular Board Meeting of November 16, 2021**
   Dain Herbat moved to approve the draft minutes as presented; Gary Weseman seconded the motion and it passed unanimously.

4. **Board Chairperson Update – Discussion and possible action regarding:**
   A. **Seeking approval for Permanent repair of C1N at IH35 and Rutherford Lane at a cost not to exceed $95k to be funded out of FY22 MAC budget**
      Frank reported that this repair was reviewed and recommended for Board approval at the November 16 Technical Subcommittee meeting, however, since that meeting, the cost of the fiber has increased by $6k. Frank noted that this was damage caused by a TxDOT contractor and they have admitted fault and this, along with the temporary repair, are part of a claim that management submitted to the contractor's insurance company. Frank said management expects this claim to be paid. Gary Weseman moved to approve the permanent repair of C1N at IH35 and Rutherford Lane at a cost not to exceed $95k to be funded out of the FY22 MAC budget; John Kohlmorgan seconded the motion and it passed unanimously.

B. Seeking approval to order two 20k foot reels of 192-count fiber at a cost not to exceed $76k to be funded out of FY23 MAC budget

Frank reported that the Board approved the purchase of two 20k foot reels of 192-count stock fiber at the November Board meeting. However, when the contractor placed the order, it was kicked back because the price increased by $7,800 per reel, resulting in a $15,600 increase over what was previously approved. Therefore, management wanted to bring this item back for the Board to approve the additional cost. Frank noted that this fiber will be used for projects, but can also be used for emergency repairs if needed. Frank also stated that this cost will actually come out of the FY23 MAC budget, because it will take about a year to come in. Jaime Guerra moved to approve the purchase of two 20k foot reels of 192-count fiber at a cost not to exceed $76k to be funded out of FY23 MAC budget; Dain Herbat seconded the motion and it passed unanimously.

C. Notification of updated pole attachment agreements with AT&T and Pedernales Electric Cooperative

Frank reported that management and Syd are currently in review of updated pole attachment agreements with AT&T and PEC. Both AT&T and PEC initiated an update of their pole attachment agreements with GAATN to bring them in line with current standards. Syd and management have been working on the AT&T one for some time and just received the draft PEC agreement last week for review and comments. Frank noted that the new AT&T agreement will include a pole attachment fee that management estimates to cost around $11k per year and the PEC agreement costs around $5k per year. John asked if the agreement with AT&T was reciprocal; Frank said yes it is, and AT&T will annually calculate how many poles GAATN is on and subtract the number of GAATN poles that AT&T in on and then bill GAATN for the difference. Frank said he expects these agreements to be finalized and ready for Board approval in the coming months.

D. Seeking approval for FY23 GAATN Site List

Sarah reported that all entities responded to the Site List and all submitted changes were applied. Overall, 13 sites were added to the GAATN Network. She noted that the network rights changes from FY22 were very minimal. Jaime Guerra moved to approve the FY23 GAATN Site List as presented; John Kohlmorgan seconded the motion and it passed unanimously.

E. GAATN Budget History and Forecast

Sarah presented the GAATN budget history and forecast for the next five years. She discussed the fact that costs are rising across the board and the FY23 GAATN budget will need to be increased by $200k to $1.9 million to account for that. She noted that if GAATN chooses to pursue the upgrades to SRS, SRN, and A2N, then the annual budget will need to be further increased in FY24 and beyond to at least $2.1 million.

F. Seeking approval for FY23 GAATN Proposed Budget

Sarah reviewed the proposed FY23 annual budget of $1.9 million. She noted that the largest budget increase was for the locates, due to the increased monthly ticket rate in the last year. She also stated that the maintenance line item was increased by over $50k to account for the maintenance and utilities for the backup NOCC. Dain asked what the deadline to approve the annual budget is; Sarah said the GAATN interlocal agreement states that the budget must be approved by March 1 for the following fiscal year. Dain asked members if they would like some time for their entities to review the budget since there is a proposed increase of $200k. Robert Saddler said LCRA is looking at their budget for next fiscal year now so the sooner they can know what the amount will be, the better for planning purposes. Dain directed members to review the budget with their entity's budget staff and to let management know if they have any issues with the budget as presented prior to the next Board meeting. Dain directed management to bring the budget back to the January Board meeting for approval.

G. Agreement between City of Austin and GAATN for maintenance of the GAATN Backup NOCC
Frank reported that management has received quotes from vendors for the maintenance of the NOCC with varying service levels. He said the quotes will be discussed at the December Technical meeting.

H. Property damage claim against Lone Star Paving for damage to C1N at IH-35 and Rutherford on 9/20/21
Frank reported that management has been in contact with the insurance adjuster for the TxDOT contractor and submitted all supporting documentation to them on November 7. He noted that, on December 6, management submitted an updated quote for the permanent repair due to the increase in fiber cost. He said this claim is currently in review by the insurance company and management expects to hear back soon. He noted that management has kept Syd and Gunnar in the loop on the progress of this claim.

I. Property damage claim for damage to B1N 11604 Stonehollow Drive on 10/18/21
Frank said there was no responsible party identified for this damage. Management is awaiting the emergency repair invoice and permanent repair proposal to determine if the cost will exceed the property insurance deductible. Frank noted that, per the GAATN damage policy, if the damage exceeds the insurance deductible, then management will submit the claim to the property insurance company.

5. Network Manager's Update

A. GAATN Backup NOCC status update
Frank reviewed the activation scheduled for the backup NOCC; A1N is scheduled for activation December 8-9. The remaining rings are scheduled for activation in January, with all rings scheduled to be completed by January 26.

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

- D1N 3707 Goodwin Heritage Tree relocation – scheduled to complete 12/11
- A1N activation in Backup NOCC – scheduled to complete 12/9
- SRS activation in Backup NOCC – scheduled to complete 1/12
- SRN activation in Backup NOCC – scheduled to complete 1/19
- A2N activation in Backup NOCC – scheduled to complete 1/26
- AISD B1S new Blazier node replacement – completed 12/7

C. Job budget report
Sarah reported that management is tracking 31 jobs totaling $1.5 million. $675k of the $1.5 million is for jobs approved in FY22, the remaining $837k is for jobs approved in previous fiscal years. So far, GAATN has recovered $180k for damages and project reimbursements.

6. Executive Session: There was no executive session.

7. Update Roll Call (only if executive session called) There was no updated roll call.

8. Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):

A. Financial Report
John reviewed the financial report for the month ending October 31, 2021. So far this fiscal year, GAATN has taken in $1.1 million and expended $904k. The fund balance (not including the emergency set aside) as of October 31 was about $1.4 million.

9. **Meeting and Action Items Summary:** There were no action items from this meeting.

10. **Confirm date, time, and location for the next regular Board meeting on January 11, 2022 at 1:30 p.m. at LCRA Service Center 3505 Montopolis Austin, TX and via Video Conference on Microsoft Teams.**
    The date, time and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:23 p.m.