

**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

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

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

**GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN)
INTERLOCAL AGENCY**

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.