

GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) INTERLOCAL AGENCY

MEETING OF THE BOARD OF DIRECTORS

February 7, 2023 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: 333 413 348#

MINUTES

1. Call to Order and Roll Call:

GAATN Board Chair Dain Herbat called the meeting to order at 1:02 p.m.

The following announced as present at the start of the meeting:

Steve Pyle, on behalf of State of Texas DIR (remote)

John Greiner, on behalf of Austin ISD (remote)

Jaime Guerra, on behalf of UT-Austin (on site)

Dain Herbat, on behalf of Travis County (on site)

Robert Saddler, on behalf of LCRA (remote)

Gary Weseman, on behalf of Austin Community College (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)

A quorum was established at roll call.

Members arriving after roll call:

Leslye Conoley, on behalf of City of Austin (remote) – joined at 1:27 p.m.

Syd Falk, GAATN attorney (on site) – arrived at 1:11 p.m.

GAATN Contractors/Members of the public:

Tina Little, on behalf of Austin Energy (remote)

Chris Gonzales, on behalf of BryComm (remote)

Doug Wilson, on behalf of JC Communications (remote)

2. Citizen Communications: There were no citizen communications.

3. Network Management SLA Feedback Session:

Members reviewed the SLA deliverables and network management's accomplishments in each. The members had the following comments for each deliverable section:

1) Network management, engineering, and planning

a. Deliverable K – revisit outer ring plans

b. Good work developing relationships and understanding AE processes

2) Engineering documentation

a. Questions regarding documentation on CyrusOne entrances and where should this information be maintained?

b. Good job keeping SharePoint site updated.

3) Damage management and disaster recovery

a. Is there a way to speed up claim and recovery process? Flow chart review is warranted.

b. Good work on network status report in the tech meetings.

c. More progress coming in regards to DR planning.

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- 4) Financial management
 - a. Continue the good work!
- 5) Contract administration
 - a. Keep up the good work.
- 6) Business administration
 - a. Confirm use of correct mailing lists.

4. Review and Approve the minutes for the regular Board Meeting of January 10, 2023

Gary Weseman moved to approve the draft minutes as presented; Steve Pyle seconded the motion and it passed unanimously.

5. Consent Agenda Items from the January 24, 2023 Technical Subcommittee Meeting

A. Seeking approval for Travis County C2S - Mansfield Dam Park Travis County New site on C2S western expansion entity-specific project at no cost to GAATN

Jaime Guerra moved to approve Travis County C2S - Mansfield Dam Park Travis County New site on C2S western expansion entity-specific project at no cost to GAATN; Gary Weseman seconded the motion and it passed unanimously.

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

A. Seeking approval for C1N TxDOT Capitol Extension IH-35 North N Hwy 183 from SH71 to North SH-45 GAATN-funded TxDOT 100% reimbursable project to be funded by the FY24 GAATN MAC budget at a cost not to exceed \$550k

Sarah presented an updated financial forecast to show how this project and other upcoming TxDOT projects would impact GAATN's budget over the next few years. Frank said this project is 100% reimbursable by TxDOT and that management will seek reimbursement annually for expenses incurred each year until the project is complete. Jaime Guerra moved to approve C1N TxDOT Capitol Extension IH-35 North N Hwy 183 from SH71 to North SH-45 GAATN-funded TxDOT 100% reimbursable project to be funded by the FY24 GAATN MAC budget at a cost not to exceed \$550k; John Greiner seconded the motion and it passed unanimously.

B. Cap Metro license agreement for UT project

Syd said that this license agreement for Cap Metro, unlike the one for the Travis County project that was executed a couple of years ago, requires ongoing railroad protection liability insurance in the amount of \$5 million. He said that he was initially working with one attorney at Cap Metro and thought that requirement had been successfully negotiated out of the agreement, but then it was assigned to a different attorney at Cap Metro and they put the requirement back in. Dain asked if current crossing were grandfathered in; Syd said he hasn't heard otherwise from Cap Metro. Dain asked if each crossing needs its own agreement; Syd confirmed that is correct. Dain asked if Cap Metro would require this insurance for future crossings; Syd said he thinks that will be the case. Jaime asked if it would be advisable for the Board chair to have a meeting with Cap Metro to get some consistency in how GAATN is treated; Syd said he thinks the first step is to get the insurance quotes. Syd said he is unfamiliar with this type of insurance and he is not sure what it would cover. Steve asked if GAATN contractors would be required to have the same coverage; Syd said yes that anyone who works on this would have to obtain this coverage. Frank said that network management was informed of this requirement by Syd on January 26 and immediately sought quotes for this type of insurance from both of its agents, Brown and Brown and Higginbotham. Management has not received any quotes back as of this meeting but is expecting them later in the week and will pass those along to Syd, Dain and Jaime as soon as received. Jaime said that UT purchased strands on C1N and they have not been able to connect their Pickle Campus to it. He said UT is ready to get this project completed and this agreement has been in progress for over a year. He requested a review

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of quotes at the upcoming Technical meeting if they have been received by then.

C. Discussion of expansion for potential future GAATN participants

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

D. Property damage claim against JD Abrams/Lone Star Paving for damage to C1N at IH-35 and Rutherford on 9/20/21

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

7. Network Manager's Update:

A. Inclement weather network status update

Frank reported that he had BryComm go out and start performing inspections immediately after the ice storm last week and there was only one non-service impacting issue. They found that an Austin Energy pole had leaned over and caused a span of D1N to fall down over an entranceway on Airport Blvd. Frank said that BryComm is still pending inspections on SRS, C1S, C2S, B1S and B2S. He said they are compiling inspection reports and all items noted are minor with the exception of the aforementioned span on D1N. Frank said that he spoke to AE about GAATN's applications and how this ice storm may affect the application process; AE said that GAATN should not see any delays regarding applications. Frank asked members to reach out to him if they have any concerns. Dain noted that this is three winters in a row where the GAATN network has proven to be resilient, which speaks to the maintenance of the network, network management, and its contractors. He said GAATN is incredibly well built and resilient and he is very proud of how well it has sustained through these last three winters. John and Leslye agreed with Dain's praise.

B. Project status report

Frank reported on the following upcoming and recently completed projects:

- B2S MET2/MET3 288-ct spur replacement phase 1 – scheduled to complete 2/7
- SRN/D1N emergency repair at Airport and Manor – completed 1/21
- A2N maintenance hole relocate UG Lamar and Toomey – completed 1/19
- D1N COA emergency repair at D1N18 & D1N20 – completed 1/19
- SRS maintenance hole relocate UG Lamar and Toomey – completed 1/4

C. Job budget report

Sarah reported that, with the TxDOT project that was approved today, management is tracking 45 projects totaling \$3.4 million. So far for FY23, 7 jobs have been completed and GAATN has been invoiced for \$247k, leaving \$3.1 million encumbered.

D. Notification of issuance of AISD 23RFP041 GAATN Moves, Adds, and Changes, AISD 23RFP042 GAATN Bentley Management, and AISD 23RFQ040 GAATN Legal Services

Sarah notified the Board regarding the following RFPs/RFQs:

- AISD 23RFP041 GAATN Moves, Adds, and Changes – issued on 2/7/23, closes 3/21/23
- AISD 23RFP042 GAATN Bentley Management – issued on 1/24/23, closes 3/21/23
- AISD 23RFQ040 GAATN Legal Services – issued on 1/24/23, closes 3/21/23

She noted that all evaluation subcommittees were filled and those members should have received their invitation to create a Bonfire account to complete their evaluation once the RFPs/RFQs are closed. She said the goal is to bring these to the April Technical meeting for review (if applicable) and the May Board meeting for awarding.

8. Executive Session: At 1:52 p.m., Dain Herbat adjourned the GAATN Board of Directors 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 6C and 6D.

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At 2:28 p.m., Dain Herbat reconvened the GAATN Board in open session. Agenda Items 6C and 6D were the only items discussed in executive session. Any further discussion held or action taken on items discussed in executive session will be noted in the summary for that agenda item.

9. Update Roll Call (only if executive session called): An updated roll call was taken upon reconvening in open session. All members present at the initial roll call announced as present at the updated roll call. Additionally, Leslye Conoley and Syd Falk announced as present at the updated roll call. A quorum was re-established.

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

A. Financial Report

Sarah reported that, as of 12/31/22, GAATN had received \$899k in revenue, mostly from annual member contributions. Also, GAATN had expended \$989k, leaving a remaining project reserve of \$1.6 million. She asked members to review the report and send her any questions they may have.

11. Meeting and Action Items Summary:

The following action items were noted for network management from this meeting:

- Bring outer ring design to future technical meeting
- Bring disaster recovery document to future technical meeting
- Locate and send out ACC Cyrus one documentation to Gary and Dain
- Bring damage claim process to future Board meeting for review
- Set up meeting with Austin ISD regarding Keeling and Longhorn Dam

12. Confirm date, time, and location for the next regular Board meeting on March 7, 2023 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 2:48 p.m.