

**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

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

**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.

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

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 4<sup>th</sup> and 6<sup>th</sup> – 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.