

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

MEETING OF THE BOARD OF DIRECTORS

MEETING HELD June 5, 2018 1:30 p.m.

AT Lower Colorado River Authority
LCRA Service Center, Room A502/503
3505 Montopolis Blvd.
Austin, Texas

MINUTES

1. Call to Order and Roll Call

GAATN Board Chairperson Dain Herbat called the meeting to order at 1:30 p.m.

The following announced as present at roll call:

Dain Herbat, on behalf of Travis County

Harold Nall, on behalf of the University of Texas

Mike Gibbons, on behalf of Lower Colorado River Authority

Gary Weseman, on behalf of Austin Community College

John Kohlmorgan, on behalf of Austin ISD

Bruce Hermes, on behalf of City of Austin

Frank Ammons, on behalf of GAATN

Sarah Eichelberger, on behalf of GAATN

Syd Falk, GAATN attorney

Carlos DeMatos, on behalf of GAATN

A quorum was established at roll call.

Arriving at 1:37 p.m. – Steve Pyle, on behalf of State of Texas DIR

Arriving at 1:55 p.m. – Jaime Guerra, on behalf of the University of Texas

Members of the public:

Chris Gonzales, on behalf of BryComm

Cory Brymer, on behalf of BryComm

Charles Ross, on behalf of JC Communications

James Bailey, on behalf of ADB

Joshua DeShields, on behalf of ADB

Tom McElhaney, on behalf of Titus Systems

Wayne Wedemeyer, on behalf of the University of Texas

2. Citizen Communications

There were no citizen communications.

3. Review and Approve the minutes for the regular Board Meeting of May 1, 2018

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

4. Technical Subcommittee Update – Discussion and possible action regarding:

A. Seeking approval to award agreement for GAATN Bentley Management (AISD 18RFP104) for an initial term of July 1, 2018 to June 30, 2019 with four (4) possible one-year renewals

Sarah stated that the GAATN Bentley RFP closed on May 1 with one respondent, who is the current contractor for this service. The annual base hosting fee of \$30k and all other unit pricing (drafting, training, etc) are proposed at the same prices that GAATN is currently

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paying. The initial term will be from July 1, 2018 to June 30, 2018 with four possible one-year renewals. Gary Weseman moved to approve awarding an agreement for GAATN Bentley Management to Advanced.1 LLC for an initial term of July 1, 2018 to June 30, 2019; Bruce Hermes seconded the motion and it passed unanimously.

B. Seeking approval to award agreements for GAATN Moves, Adds and Changes (AISD 18RFP112) for an initial term of July 1, 2018 to June 30, 2021 with two (2) possible one-year renewals

Sarah reported that the GAATN MAC RFP was issued by AISD on April 10 and closed on May 1. A pre-proposal conference was held at AISD on April 18. Four companies responded to the RFP, which are ADB, BryComm, JC and Titus. In consultation with AISD, a best and final offer (BAFO) was requested and received last week. An evaluation subcommittee of Steve Pyle, Harold Nall and Frank met on May 7 and reviewed and independently scored the submissions. AISD provided the formula for the financial scoring. Sarah explained that, in order to calculate the financial scores, three sample projects that were typical to GAATN were populated with the unit pricing provided by each proposer in their BAFOs. The average cost of these three sample projects was used as the baseline for each proposer in order to calculate the financial score. Sarah stated that the Technical Subcommittee reviewed the evaluations and financial scoring at the May 15 Technical Meeting and voted to recommend awarding a GAATN MAC agreement to the two highest ranked proposers. Bruce Hermes moved to approve awarding a GAATN MAC agreement to the highest ranked proposer; Mike Gibbons seconded the motion. Dain Herbat stated that the Technical Subcommittee recommended the two highest ranked proposers; Gary Weseman said he felt it was important to have two proposers and that GAATN has been working for several years to have more proposers to utilize. Bruce Hermes amended his motion to award a GAATN Moves, Adds and Changes (AISD 18RFP112) agreement to the two highest ranked proposers, BryComm LLC and JC Communications for an initial term of July 1, 2018 to June 30, 2021 with two (2) possible one-year renewals; Mike Gibbons seconded the motion and it passed unanimously. John Kohlmorgan asked how the work would be divided up between the two proposers; Frank said some of the work would be bid out on a per project basis and at the discretion of the board as GAATN has historically done.

C. Seeking approval for A2N – Re-route Sabine between 4th and 6th St Project

Frank stated that the Technical Subcommittee reviewed and recommended this project at the May meeting but there was some question about the route because it involved a node cable shared by City of Austin and Travis County. Frank said management was able to split that node cable off. Frank said that City of Austin is paying for the underground portion of this project and the remaining cost to GAATN is below the network manager's spending authority of \$25k, but Frank wanted to make the Board aware of the project. Gary Weseman moved to approve the A2N Re-route at Sabine between 4th and 6th St. project; Mike Gibbons seconded the motion and it was approved with Bruce Hermes abstaining and all others voting yes.

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

A. GAATN backup NOCC update and options, including City’s revisions to draft ILA and requests for additional GAATN benefits

Frank said that the Convention Center has made the following four requests for additional services to be added to the ILA: 1) an additional 12 strands from the Convention Center to City Hall, 2) an additional 12 strands between City Hall and Parmer Events Center, 3) use and access of GAATN installed conduit in and out of Convention Center for event services, and 4) a secondary/redundant path from Parmer Events Center to Convention Center that does not go through City Hall using current GAATN rings. Frank said that GAATN is unable to fulfill requests 1 because of existing capacity/ownership/maintenance constraints. Frank said GAATN cannot fulfill requests 2 and 4 because GAATN doesn’t have the infrastructure/pathway in place to accommodate. Frank said he needs clarification for request 3 on whether they are referring to the rigid metal conduit that the City paid for that was placed within the Convention Center or the 3rd street conduit that was paid for by GAATN. Frank said if they are referring to the 3rd street conduit, then GAATN could not accommodate because only governmental entities with a governmental purpose can utilize GAATN pathway. Gary Weseman said these requests should be directed to City of Austin CTM and not GAATN.

Frank said that GAATN needs to make a business decision on whether or not it can accept the five-year space guarantee in the ILA. Dain asked when the five-year guarantee would begin; Bruce said it would begin post construction. Bruce said there is a strong possibility that the room would stay for many years beyond the five-year guarantee, but it is dependent upon the possible expansion of the Convention Center. Syd Falk said if City Council will not allow them to expand their footprint, then they may need to expand upwards and that is when the room could be displaced. John Kohlmorgan asked why they could not grant GAATN easement no matter which way they expanded; Syd said they may not be in a position because the room could be near a support wall but they may be able to grant an alternate space. Dain read the passage from the draft about the notice period; Jaime noted that the notice period was during the five-year guarantee and so there was not really a guarantee of five years. Dain said he thinks that was a drafting error but would have Syd look into it.

John Kohlmorgan said he doesn’t understand how GAATN got so far away from its founding principles of shared costs and shared resources and now it is looking at spending \$1.25 million for a facility which only has a five-year guarantee; he said there is also no way that GAATN could vacate in six months. Gary said GAATN should ask the Convention Center for a one-year notice; Bruce said that they will not budge on the six months notice. John and Steve Pyle said the six-month notice period is a no-go for them.

Frank said the other location that GAATN might consider is a fire station that is very close to Treaty Oak. Steve asked Bruce what the next step would be if GAATN wanted to go into the fire station instead; Bruce said that GAATN would have to go back to City Council which would not be until September at the earliest due to the upcoming budget season. Bruce said the fire station is a good alternative because GAATN doesn’t have to construct the room around the event schedule and it is easier access for members. Bruce said there are six other members of GAATN that could step forward with properties that it could work with.

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Dain said he is comfortable with moving forward with the Convention Center but he thinks the fire station might be the better option. Mike Gibbons said that GAATN should respond to the Convention Center and memorialize its abilities and inabilities but still pursue the fire station. Bruce said he will not put anything on the City Council agenda until GAATN makes a firm decision on where it wants to go. John Kohlmorgan said he recommends looking at other entities sites. Frank said the management has provided the top four alternative sites. Dain asked Frank to resend out the list of alternative sites. John asked him to increase the list to six alternative sites.

B. Austin Energy Make Ready, City of Austin Ordinances and Utility Criteria Discussion

Frank said this is to notify the Board that network management received City of Austin ordinances and Utility Criteria manual which was forwarded to members for review on May 24. Frank explained a couple of recent denials by AE for the Treaty Oak decommissioning project and the Travis County District Attorney's Office re-route project. Frank said there have also been long delays after GAATN pays AE for electrical make ready for AE to complete the make ready. Frank said there are 13 states that currently regulate such pole attachment fees, but Texas is not one of them. Frank said that GAATN does not pay pole attachment or administrative fees because of the interlocal agreement. Frank said he is having difficulty with AE because they are not giving him answers regarding denials and timelines. Frank said that the GAATN chair has requested that he draft a letter to AE regarding concerns about recent project denials. John asked if other entities could have their CEOs sign off on the letter. Dain asked Frank to move forward with the GAATN letter first and then go from there.

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

A. Any existing network operations, repairs, or maintenance issues, including any that occurred since the last Board Meeting

1. Treaty Oak Decommission project status update

Frank reported that AE has approved three of the four rings of the project. Jaime asked Frank when the would be the earliest that splicing would happen; Frank said end of July would be the earliest. Frank said that GAATN will delve into scheduling and ring priorities at upcoming Technical meetings. Frank said he received three responses for ring priorities and he will go off of those. John said he still stands by the position that members need to be vacated by October.

2. Pending projects

Frank reviewed the following pending projects:

- B1N Perm repair Cedar Bend and MOPAC – scheduled to complete 6/14
- Supernode connector alignment – scheduled to complete 6/19
- D1N AISD Alternative Learning Center splice out – scheduled to complete 6/25
- A1N Travis County Ronald Earle Building node – scheduled to complete 6/6
- A2N Travis County Ronald Earle Building node – scheduled to complete 6/4
- A1N Segment 8 non-armored replacement – completed 6/4
- D1N splice case audits – completed 5/31
- Pole profiles and tagging – completed 5/15
- Maint hole audit Colorado – completed 5/15
- A1N Segment 10 non-armored replacement – completed 5/9
- C1N Perm repair Braker Ln and Walnut – completed 5/2
- B1N AISD splice out Doss ES – scheduled to complete 6/21

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3. Job Budget Tracking review

Sarah reported that management is tracking 38 jobs for FY18 totaling \$741k, leaving \$53k for additional FY18 jobs.

4. GAATN Utility Locates RFP Update

Sarah stated that GAATN will be issuing a RFP for Utility Locates through Austin ISD in either July or August.

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 overview of the financial report for the FY18 through the end of May.

9. Meeting & Action Items Summary:

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

1. Respond to Convention Center by memorializing what GAATN can and cannot provide as per the Convention Center's requests in relation to the ILA
2. Clarify language in draft ILA about best efforts for GAATN to exist beyond the five-year guarantee and six-month notice being after the five-year guarantee and not during
3. Members should send network management any site options they may have for the backup NOCC
4. Expand current list of alternative NOCC sites from four to six
5. City will not go back to Council until GAATN makes a decision about the Convention Center
6. Add Treaty Oak Decommissioning discussion as agenda item to Technical Subcommittee meeting and start coordinating individual entity moves

10. Confirm date, time, and location for the next regular Board meeting on July 10, 2018 at 1:30 p.m. at the LCRA Service Center, 3505 Montopolis Blvd., Room A502/503, Austin, Texas.

The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:58 p.m.