

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

MEETING OF THE BOARD OF DIRECTORS

August 6, 2019 at 12:30 p.m.
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 Chairman Dain Herbat called the meeting to order at 12:30 p.m.

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

Dain Herbat, on behalf of Travis County

Carlos DeMatos, on behalf of GAATN

Sarah Eichelberger, on behalf of GAATN

Frank Ammons, on behalf of GAATN

Jaime Guerra, on behalf of The University of Texas at Austin

Harold Nall, on behalf of The University of Texas at Austin

Bobby Saddler, on behalf of Lower Colorado River Authority

Steve Pyle, on behalf of State of Texas DIR

John Kohlmorgan, on behalf of Austin ISD

Gary Weseman, on behalf of Austin Community College

Bruce Hermes, on behalf of City of Austin

A quorum was established at roll call.

2. Network Management Service Level Agreement Annual Evaluation

Dain Herbat polled the members to see if they are satisfied with the frequency of the network management evaluations; most members and management agreed that they were happy with the formal evaluation once a year in August and an informal review at the six-month mark in February. Network management left the room while the Board members conducted the SLA evaluation. The FY19 score for the SLA was 4.64 out of 5.

3. Short Break

4. Updated Roll Call

Dain Herbat reconvened the meeting at 1:55 p.m. An updated roll call was taken.

Dain Herbat, on behalf of Travis County

Carlos DeMatos, on behalf of GAATN

Sarah Eichelberger, on behalf of GAATN

Syd Falk, GAATN attorney

Frank Ammons, on behalf of GAATN

Jaime Guerra, on behalf of The University of Texas at Austin

Harold Nall, on behalf of The University of Texas at Austin

Steve Pyle, on behalf of State of Texas DIR

John Kohlmorgan, on behalf of Austin ISD

Gary Weseman, on behalf of Austin Community College

Bruce Hermes, on behalf of City of Austin

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A quorum was established at the updated roll call.

Members of the public:

Wayne Wedemeyer, on behalf of The University of Texas at Austin

Chris Gonzales, on behalf of BryComm LLC

Cory Brymer, on behalf of BryComm LLC

Doug Wilson, on behalf of JC Communications

5. Citizen Communications

There were no citizen communications.

6. Review and Approve the minutes for the regular Board Meeting of July 9, 2019

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

7. Consent Agenda Items from Technical Subcommittee Meeting of July 23, 2019

Bruce Hermes moved to approve the Consent Agenda Items 7A, 7B, 7C, and 7D; Gary Weseman seconded the motion and it passed unanimously.

- A. Seeking approval for UT Existing Unassigned Fiber Acquisition Policy request to purchase 6 strands on C1N in the Blue Black buffer tube for an amount of \$31,317.18**
- B. Seeking approval for UT B1N node cables for the PRC Campus entity-specific project at no cost to GAATN**
- C. Seeking approval for new UT C2S site at the Johnson Wildflower Center entity-specific project at no cost to GAATN**
- D. Seeking approval for new UT C1N site for the PRC Campus entity-specific project at no cost to GAATN**

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

A. GAATN FY2020 Cost Avoidance Report

Sarah said the point of this exercise is to approximate the amount of money GAATN entities save by being a member of GAATN versus using third-party services. She noted that all entities responded by the requested deadline. Members reviewed the final FY20 report which illustrated a cost savings of approximately \$25 million annually for all GAATN entities combined. She noted this was down about \$5 million from the previous report in FY18, because circuit pricing is more competitive. The benchmark pricing was updated based on the AT&T contract listed on DIR and from UT. The calculation factors in each entity's annual variable budget contribution, but does not factor in equipment, employee labor, or fiber maintenance costs. John asked Sarah to provide members with the benchmark costs; Sarah said she would post it on the GAATN support website.

B. Seeking approval to execute GAATN Network Management Service Level Agreement with City of Austin with an initial term of September 1, 2019 through August 31, 2020 for an initial term amount of \$422,000 with four (4) possible one-year renewals

Frank noted that the current SLA for network management expires on August 31 with no remaining renewals. He said the initial term amount of \$422k for three FTEs was approved by the Board in the FY2020 GAATN budget on January 8, 2019. He noted this item was discussed at the July 9 Board Meeting and he emailed the draft to members on July 16. He said there were no substantial changes to the SLA, and the yearly contract amounts are now clearly stated in Attachment B. Frank noted that at the July Board meeting, members discussed the

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desire for the SLA to include flexible language, and it was pointed out in comments on the redlined draft that the SLA already included language for future flexibility to negotiate additional duties or resources down the line. Frank said that members discussed and requested minor changes at the July 23 Tech Meeting. He said Sarah made those changes and sent the revised draft to members on July 24 with a request for comments by July 31. He mentioned that Bruce Hermes noticed a mistake in the date for the initial term year and Sarah made the correction. Frank said this item will be on the August 22 City Council agenda, and must be approved/executed by the GAATN Board before going to Council. John asked why the dates didn't align with GAATN's fiscal year and noted that he meant to bring that point up before. Dain said he doesn't think it's a requirement to align with the fiscal year and Travis County has contracts that don't coincide with their fiscal year. Bruce said he was inclined not to change it since it had already been sent up to Council. John said it's not critical but he thinks it should be aligned at some point in the future, perhaps with a renewal. Frank said it would have to go back to Council if it is changed. Bruce said he would like to leave it as is. Dain Herbat moved to approve the GAATN Network Management Service Level Agreement with City of Austin for an initial term of September 1, 2019 through August 31, 2020 for an initial term amount of \$422k with four possible one-year renewals; John Kohlmorgan seconded the motion and it passed unanimously.

C. Seeking approval for funding of TxDOT 183 Direct Connect Project reimbursable at 100% at an amount not to exceed \$152k

Frank noted the recent media coverage about the 183 project. He said that this project was originally approved by the Board at the July 2018 Board Meeting, but since approval, TxDOT determined they could not pay GAATN's contractor directly, but would have to reimburse GAATN at 100% of project costs. Frank noted that GAATN already paid \$70,763 towards this project out of the FY19 MAC budget and there is \$81,065 encumbered project costs remaining to be paid out in FY20. Frank said GAATN can pay the \$81,065 out of the FY20 MAC budget but could also choose to pay it out of the CIP fund. Frank said management will invoice TxDOT for the \$70,763 paid out in FY19, and then will invoice TxDOT for the remaining \$81,065 once the project is completed. Dain said he doesn't think that the funding needs to be approved since the project was already approved. Gary said he thinks the funding should be approved since GAATN is expending money. John said that, when AISD builds the budget and issues the purchase orders, they do not build anything out of the CIP budget unless they are instructed to do so based on previous approval. He said the unplanned project/CIP budget is a bucket of money that is only there for unplanned projects that will cause GAATN to overspend its MAC budget. He noted that if GAATN wants an annual CIP budget, then that needs to be approved with the annual budget and noted as such. Gary Weseman moved to approve funding of TxDOT 183 Direct Connect Project reimbursable at 100% at an amount not to exceed \$152k from the GAATN MAC budget; Bruce Hermes seconded the motion and it passed unanimously. Dain Herbat stated that the Board would delay Agenda Items 8D and 8E to executive session and move to Agenda Item 9 next.

D. Seeking approval for new COA D1N site for the Govalle Pool entity-specific project at no cost to GAATN

This item was reviewed in executive session under Texas Govt. Code 418.181. Upon reconvening in open session, Gary Weseman moved to approve the COA D1N site for the Govalle Pool entity-specific project at no cost to GAATN; Jaime Guerra seconded the motion and it passed unanimously.

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E. C1N Willamette Drive property damage claim against Asplundh Tree Expert Co.

This item was reviewed in executive session under Texas Govt. Code 551.071. Upon reconvening in open session, no further action was taken.

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

A. Treaty Oak Decommission project status update

Frank stated that all rings have been removed out of Treaty Oak, but the LIUs and associated cabling still need to be removed from inside the facility. He said management will get that scheduled in the future, but there will not be any GAATN alerts sent out for that because it's inactive with the exception of AISD which will be handled separately. Carlos said he sent out an emergency notice for this Friday for work on strands that were damaged. Gary said that ACC has some fibers that were crossed and asked what caused that issue; Carlos said he would look into it. Dain requested a Technical agenda item to review the Treaty Oak Decommissioning and any issues that were incurred during that project in order to identify a root cause analysis for those issues.

B. Convention Center GAATN NOCC status

Frank said management held a meeting with Public Works (PW) yesterday and learned that they will allow GAATN to sole source this project and alleviate the time it would take to go through the City's RFP process. Frank said that PW received a consulting proposal from IMEG for approximately \$14k but they had some questions for IMEG. Frank will look to meet with IMEG by the end of the week if PW doesn't get those questions answered before then. Frank noted that he has worked with Dain and Bruce to refresh the GAATN declaration of emergency letter which will be sent to the City Manager. Frank said this letter also copies the division managers of the City departments that will be relevant to this buildout. Concerning the sole source contractor for the buildout, Frank said he will reach out to members and Cyrus One for contractor references. Once he builds a list of recommended contractors, Frank will work with the Technical Subcommittee to rank them and give that list to PW. Dain asked if the stamped designs had been turned in to PW; Frank confirmed they have been turned into PW and the Convention Center. Frank said one of the things he's concerned about is the not-to-exceed amount of \$1 million that is going to the City Council, and he thinks it should be NTE \$1.5 million since management has shown estimates totaling \$1.2 million inclusive of the PW management fee. Bruce said the Council agenda item is based on using PW's rotation, so if GAATN is doing a sole source, then the Council agenda item needs to be changed asap. Frank said management will refresh the total project cost estimate for review at the next Technical meeting. John also asked for the history on the project. Gary asked for it to be added to the job budget report.

C. Project Status Report

Frank reviewed the following upcoming/completed projects:

- SRN Re-route at Mueller – re-scheduled per COA request to complete on 8/18
- COA City Hall UPS Replacement Phase 1 & 2 – Frank said this is not set to impact any entities, but it's always possible with replacement of UPSes so the Board is being notified. Phase 1 is scheduled to complete 8/17 and Phase 2 is scheduled to complete on 9/7.
- Carlos noted that the C1N US 183 Direct Connect project will involve a highway crossing at 183 and Rutherford to put DOM in TxDOT ROW across the highway on 8/18; he will be onsite. Carlos said the highway will be shut down for approximately 15 minutes.

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D. Job Budget Tracking Report

Sarah reported that there are four jobs totaling \$210k in the FY20 MAC budget, leaving \$500k remaining for additional FY20 jobs.

E. GAATN Property Insurance RFP Update

Sarah said that the GAATN property insurance RFP will be issued by AISD on August 20 and will close on September 10. A recommendation will be brought to the October 1 Board meeting. John asked when the current policy expires; Sarah said October 31.

- 10. Executive Session:** At 2:40 p.m., Dain Herbat announced that the GAATN Board was adjourning 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 for Agenda Items 8D and 8E.

At 3:01 p.m., Dain Herbat announced that the GAATN Board was reconvening in open session for discussion and actions, if any, on matters considered in closed session. Agenda Items 8D and 8E were the only items discussed.

- 11. Discussion and possible action regarding the financial report and current fiscal year budget issues.**

A. Financial Report

John said there is no report for today, but he got one last night and he will send it to Sarah for distribution.

- 12. Meeting & Action Items Summary:**

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

- Post benchmark cost for cost avoidance report to GAATN support site
- Look to align GAATN NM SLA to fiscal year and avenues for doing so possibly with a renewal
- Technical Agenda item for Treaty Oak Decommissioning issues and root cause analysis
- Set up times for entities to meet with management at Treaty Oak to look at LIUs and cabling
- Determine Council agenda item for Backup NOCC and sole source or rotation
- Review Convention Center buildout costs and track on job budget report

- 13. Confirm date, time, and location for the next regular Board meeting on September 3, 2019 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 3:04 p.m.