

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

MEETING OF THE BOARD OF DIRECTORS

MEETING HELD August 8, 2017 12:00 p.m.

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

MINUTES

1. Call to Order and Roll Call

Board Chairperson Dain Herbat called the meeting to order at 12:15 p.m. The following announced as present at the start of the meeting:

Dain Herbat, on behalf of Travis County
Frank Ammons, on behalf of GAATN
Carlos DeMatos, on behalf of GAATN
Jaime Guerra, on behalf of the University of Texas
Wayne Wedemeyer, on behalf of the University of Texas
Gary Weseman, on behalf of Austin Community College
Jay Graves, on behalf of State of Texas DIR
Bruce Hermes, on behalf of City of Austin
A quorum was established at roll call.

Arriving after roll call:

John Kohlmorgan, on behalf of Austin ISD
Steve Pyle, on behalf of State of Texas DIR

2. Service Level Agreement Semi-Annual Evaluation

The Board participated in the service level evaluation. Network Management was given an overall score of 4.63 out of 5.

3. Short Break A short break was taken.

4. Updated Roll Call At 2:00 p.m., Dain Herbat reconvened the GAATN Board of Directors meeting. The following announced as present at the updated roll call:

Dain Herbat, on behalf of Travis County
Frank Ammons, on behalf of GAATN
Steve Pyle, on behalf of State of Texas DIR
Syd Falk, GAATN attorney
Sarah Eichelberger, on behalf of GAATN
Carlos DeMatos, on behalf of GAATN
Jaime Guerra, on behalf of the University of Texas
Wayne Wedemeyer, on behalf of the University of Texas
Gary Weseman, on behalf of Austin Community College
Mike Gibbons, on behalf of Lower Colorado River Authority
Jay Graves, on behalf of State of Texas DIR
John Kohlmorgan, on behalf of Austin ISD

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A quorum was established at roll call.

Members of the public:

Harold Nall, on behalf of the University of Texas

Chris Gonzales, on behalf of BryComm LLC

Cory Brymer, on behalf of BryComm LLC

Charles Ross, on behalf of JC Communications

5. Citizen Communications

There were no citizen communications.

6. Review and Approve the minutes for the Special Board Meeting of July 25, 2017

Dain Herbat asked members to review the draft minutes from the Special Board Meeting of July 25, 2017. Gary Weseman moved to approve the draft minutes as presented; Mike Gibbons seconded the motion and it passed unanimously.

7. Board Chairperson Update (60 minutes) – Discussion and possible action regarding:

A. Seeking approval for second of three (3) possible extensions of the GAATN Property Insurance agreement (AISD RFP P16-066) with Alamo Insurance Group through Hartford Insurance for a one-year term of November 1, 2017 – October 31, 2018

Frank stated that Hartford quoted a flat rate renewal for the property insurance policy. Gary Weseman moved to approve the second extension of the GAATN property insurance agreement (AISD RFP P16-066) with Alamo Insurance Group through Hartford Insurance for a one-year term of November 1, 2017 – October 31, 2018 in an amount not to exceed \$50k; Bruce Hermes seconded the motion and it passed unanimously.

B. GAATN Backup NOCC facility

Frank stated that he has worked with convention center staff on the ILA and management and Bruce Hermes are currently waiting for a response from the convention center. Bruce said he believes they will have a draft ready the next week. Jaime Guerra asked if the Convention Center had received the final design; Frank said that the COA data center expert found some elements missing from the final design and he has asked TTG to address these missing items before sending to the Convention Center. Bruce said that CTM is still working out details of the ILA with the Convention Center and the main concern is the possibility of future expansion that may displace the GAATN room. Dain Herbat said he is not concerned about the displacement of the room, because he thinks it is unlikely. Jaime Guerra said he would like to see a guarantee that GAATN will not have to move for a certain length of time.

C. Austin Energy policy impact to budget and project timelines

Frank reported that Austin Energy (AE) has responded to him on a few follow-up items from the July 11, 2017 GAATN Board Meeting. First, overlapping will not be allowed on existing GAATN infrastructure which does not meet new AE requirements or which has any National Electric Safety Council (NESC) violations. Second, AE is

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required to treat all attachers in a non-discriminatory manner and any questions about that policy would need to be directed to the AE legal team. Frank stated that there are new AE pole attachment applications and timelines. Previously, there was a 60-day timeline; now AE has 45 days to review and return the initial application, then the applicant has 30 days to respond after which AE then has an additional 120 days to grant final approval. Frank said that Tina Little from AE sent him a spreadsheet illustrating the GAATN in-kind contribution from AE which was approximately \$40k in 2017; this figure includes waived pole attachment and Right-of-Way fees. From 2013 to 2017, AE's in-kind contribution to GAATN was approximately \$241k. Frank said that network management recommends that GAATN consider the potential impact to the budget that these new timelines will cause and as a result, GAATN may want to approve projects for future fiscal years during each current fiscal year. Frank said with the new AE requirements, GAATN will need engineering services for every project, which will also have an effect on the open-bid system for GAATN projects.

D. Contractor performance issues and contractual considerations

This item was moved to executive session for attorney consultation. Upon reconvening in open session, there was no further discussion and no action was taken.

E. GAATN contractor project assignments – processes and budgetary consideration

Frank said that network management would like to discuss the process for assigning jobs to vendors and how that is hindering management's ability to accurately project amounts for GAATN MAC purchase orders. Frank stated that previously, the MAC budget was split evenly between the two vendors, but now that GAATN has asked management to open bid each project, it cannot determine how the purchase orders should be issued. John Kohlmorgan stated that Austin ISD issues blanket POs with dollar amounts, but that it is typical business to have to adjust the PO amounts later in the year. Frank said one of the risks to GAATN with the open bid system is that one vendor will consistently bid lower and get awarded all of the jobs. Frank stated that management does not recommend the open bid per project system, since vendors have already been through a RFP process. Gary Weseman said this should be discussed by the Technical Subcommittee, because he doesn't see anything that the Board needs to act upon. Frank said that with the new AE requirements and the open bid system, GAATN will possibly need to hire an engineering firm to engineer each job, whereas if management was allowed to assign jobs to vendors based on their strengths, the vendors would have the engineering done as part of the proposal. Frank said that, in order to submit a proposal now with the new AE requirements, vendors will have to pay for engineering services during the proposal process before they are even awarded a job. Frank said that the other option is for GAATN to issue an RFP for engineering services. Dain Herbat said the Board does not want vendors to invest money prior to being awarded a job. Frank said the third option is for GAATN to go back to the old way of doing business where network management asks particular vendors for proposals based on their strengths. John Kohlmorgan said that he thought the intention of the Board was for network management to utilize both contractors as fairly as

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possible and get the work done in the best interest of GAATN with regard to time and cost, but management does have some lead way in judgement. Dain Herbat requested an agenda item for the Technical Subcommittee to discuss the need for engineering services going forward.

F. Senate Bill 1004, deployment of Network nodes in Public Rights of Way

This agenda item was postponed for discussion after agenda item 11. Frank stated that this bill is in regards to wireless network nodes in public ROWs. Wayne Wedemeyer said this is a state law that sets a fixed annual price for wireless access points. Wayne said his concern is if a telecom above or below GAATN chooses to put one of those wireless access points on their cable, then it could impact GAATN.

G. Texas Transportation lease and potential impacts

Wayne Wedemeyer reported that UT was in lengthy discussion with TxDOT and finally went to the Texas Highway Commission to be considered a public entity and be granted access to be in the easement in places such as the 51st Street duct bank. Wayne wanted members to be aware of this solution.

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

A. Seeking approval for reassignment of D1N Splice Audit to GAATN Maintenance Contractor

Jaime Guerra moved to approve the reassignment of the D1N Splice Audit to the GAATN Maintenance Contractor in an amount not to exceed \$52k; Bruce Hermes seconded the motion and it passed unanimously.

B. Seeking approval for reassignment of A1N Segment 8 Non Armored Replacement Project

Jaime Guerra moved to approve the reassignment of the A1N Segment 8 Non-armored replacement project to another GAATN MAC Contractor in an amount not to exceed \$42k; Bruce Hermes seconded the motion and it passed unanimously.

C. Seeking approval for reassignment of A1N Segment 10 Non Armored Replacement Project

Jaime Guerra moved to approve the reassignment of the A1N Segment 10 Non-armored replacement project to another GAATN MAC Contractor in an amount not to exceed \$49k; Mike Gibbons seconded the motion and it passed unanimously.

9. 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. Pending projects

Frank noted the updates to the formatting of the project status report. Frank reported on the following completed projects:

- SRN Emergency repair at DIR Clements Building – completed 7/13
- IH35 Woodland to Woodward – completed 7/13
- Austin ISD A2N New node at Via West – completed 8/7

2. Job Budget Tracking review

Sarah reported that Management is currently tracking 15 jobs totaling \$317,164 or 40% of the FY18 MAC budget, leaving \$488k for additional FY18 jobs.

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3. GAATN Cable Procurement Request For Proposals (RFP) Update

Sarah reported that Network management sent the final RFP to AISD a couple of weeks ago, but the issuance has been delayed until at least August 22 because AISD is having issues with their new RFP system. Management now anticipates bringing a recommendation from the evaluation subcommittee to the October Board meeting.

- 10. Executive Session:** At 2:25p.m., Board Chairperson Dain Herbat announced that the GAATN Board was adjourning to executive session under Texas Government Code 551.071 for discussion on agenda item 7D.

At 2:59 p.m. Dain Herbat announced that the GAATN Board was reconvening in open session. Agenda item 7D was the only item discussed.

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

A. Financial Report

John Kohlmorgan reviewed the June 2017 GAATN Financial report. He reported to the Board that approximately \$435k was being added to the fund balance from FY17.

- 12. Meeting & Action Items Summary:**

Frank noted the following action item for management:

- Send financial report to members.

- 13. Confirm date, time, and location for the next regular Board meeting on September 5, 2017 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 4:00 p.m.

A. Items for next Board meeting agenda:

Gary Weseman requested the following agenda item – Board meeting organization optimization.