

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

**MEETING OF THE BOARD OF DIRECTORS**

January 9, 2024 1:30 p.m.

LCRA Dalchau Service Center

3505 Montopolis Drive, Austin, TX 78744, Building A, Room A502/503

Teams Videoconference link provided 72 hours prior to meeting on homepage of [www.gaatn.org](http://www.gaatn.org)

Remote audio-only option for public access: (512) 831-7858, Access Code: 648 508 989#

**MINUTES**

**1. Call to Order and Roll Call:**

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

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

Paul Hodge, on behalf of Austin ISD (remote)

Steve Martin, on behalf of City of Austin (remote)

Gary Weseman, on behalf of Austin Community College (remote)

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

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

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

Robert Saddler, on behalf of LCRA (remote)

Mike Lohrstorfer, on behalf of Austin ISD (remote)

Mark Stavis, on behalf of City of Austin (remote)

Bo Kinsey, on behalf of Travis County (remote)

Syd Falk, GAATN attorney (on site)

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.

GAATN Contractors:

Chris Gonzales, on behalf of BryComm (remote)

Doug Wilson, on behalf of JC Communications (remote)

**2. Citizen Communications:** There were no citizen communications.

**3. Review and Approve the minutes for the regular Board Meeting of December 5, 2023 and the Special-Called Board Meeting of December 18, 2023**

Gary Weseman moved to approve the draft minutes from the December 5, 2023 Board Meeting as presented; Jaime Guerra seconded the motion and it passed unanimously. Gary Weseman moved to approve the draft minutes from the December 18, 2023 Special-Called Board Meeting as presented; Steve Pyle seconded the motion and it passed unanimously.

**4. Board Chairperson Update – Discussion and possible action regarding:**

**A. Seeking approval for Palm Park Relocation Project associated Infrastructure License Subsurface Conduit Use Agreement between GAATN and City of Austin**

Frank stated that this conduit use agreement is between the City of Austin and GAATN and is associated with a previously Board approved developer-funded project. He said that it has been reviewed and approved by both GAATN and City legal and is ready for execution; there are no fees associated with this agreement per the GAATN Interlocal Agreement. He noted this agreement is also critical to the decommissioning of the GAATN Backup NOCC. Dain asked if there will be a cost

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when GAATN installs fiber in the conduit; Frank said GAATN will pay for the fiber installation and fiber material when it chooses to use the conduit. Frank said this is part of the Palm Park and downtown area work where there are several developer projects that tie together. Gary Weseman moved to approve the Palm Park relocation project Infrastructure License Subsurface Conduit Use Agreement between GAATN and the City of Austin; Jaime Guerra seconded the motion and it passed unanimously.

### **B. Review of GAATN Site List and Network Rights Percentages calculation spreadsheet**

Sarah noted that this agenda item was requested by Dain at the last Board meeting to give new members an overview of how the network rights percentages are calculated. She noted that the network rights calculation determines each entity's annual contribution to GAATN. She reviewed Exhibit B from the GAATN Interlocal Agreement which illustrates that the calculation is based on three factors: 1) number of sites on a ring, 2) number of fibers on a ring, and 3) presence on a ring (defined as having one or more sites on a ring). She showed members the summary page of the Site List which shows how those factors get calculated into the network rights percentages. She noted that the excel spreadsheet version, which includes the formulas, is available for download on GAATN's SharePoint. Jaime said that he has used the spreadsheet version to project network rights for UT if they were to buy more fibers. Dain asked about solutions for entities that may have financial hardships; Syd said that some entities have dark fiber that is not being used and if an entity wants to reduce their network rights, they could sell some of their dark fiber to another entity. He noted that besides selling off their fiber, there isn't much else that can be done to reduce an entity's cost. Dain asked if an entity can give up fiber that remains unallocated; Syd said the interlocal is vague concerning that scenario and it probably wouldn't make much of a difference. Syd said that the interlocal does allow an entity to lease their fiber to an outside entity so long as it's used for a governmental purpose. Syd said that he would have to look very closely at possible tax exemption implications and other legal issues if an entity was to seriously pursue that avenue. He noted that an entity cannot lease fiber to a non-governmental entity.

### **C. GAATN Fiber Purchase RFP**

Frank said that GAATN issued a fiber purchase RFP for the first time in 2018 and that resulted in two agreements with Graybar and Anixter which expire on June 30, 2024. He noted that these agreements did not hold the vendors to a certain price, but rather was on a requested quote basis. He pointed out that GAATN has not used these agreements once since they've been put in place and that management recommends not reissuing the RFP. He said that GAATN goes through its contractors to purchase fiber. Chris said that GAATN currently has 66k feet of 192-count fiber in its emergency stock; Frank noted that the policy calls for at least 40k feet, so GAATN is well stocked. The Board agreed that since the agreements from the RFP were never used, there was no reason to reissue the RFP.

### **D. Austin ISD 2022 Bond construction impact at GAATN super node sites**

Regarding the rebuild of Travis High School, Paul said that they shrunk the design down a bit after seeing what Austin Energy had at their Decker Power Plant. He said there will be about three racks for GAATN entities, so each entity will have access to half a rack. He said they are hoping to start construction summer of 2025.

### **E. GAATN Backup NOCC decommissioning**

Frank reported that the professional engineering design will be submitted for the AULCC and DAPZ process, which takes about 90 days. He said the general permit program takes about four to five months. He said the Astound/Grande is on hold pending them providing approval documentation from Cap Metro. He noted that the Convention Center has requested that GAATN be vacated by Spring 2025. He feels confident that GAATN can meet that timeline.

### **F. GAATN Backup NOCC relocation, associated agreement, and subcommittee update**

Frank said everything is going well and that GAATN has received approval from City of Austin Real

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Estate and the City of Austin Strategic Facilities Governance Team. He said that there are some internal discussions about possible additional approvals that may be needed before the City can officially give the green light to GAATN. Frank said that management will provide a preliminary room layout and site design at the upcoming Technical meeting. Dain asked if the neighborhood association approval is required; Frank said he is trying to ascertain that information from the fire department. Steve Martin said that Chief Teliha asked Chief Davis about the requirement of the additional approvals and everyone is waiting on Chief Davis to make that determination. Frank said the footprint will be 1k square feet. Carlos said he worked with the COA Data Center Operations team to create the design. He sent the design out to the subcommittee yesterday and they will meet prior to the next Tech meeting to give feedback to management.

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

Syd reported that the attorney for Lone Star Paving (the first subcontractor) that their attorney sent an indemnification demand letter to the subcontractor that caused the damage.

## **5. Network Manager's Update:**

### **A. Project status report**

Frank spoke to the upcoming winter weather and noted that management and GAATN's maintenance contractor will be monitoring the network, especially the areas that have potential brittle fiber. Frank reported on the following upcoming and recently completed projects:

- A1N upgrade segment 1 – scheduled to complete 1/10/24
- SRN brittle fiber damage – completed 12/21/23. He said these tubes are brittle but management believes they will be okay for now. He noted that management is bringing a fiber age analysis to the upcoming Tech meeting so the Tech committee can make a recommendation to move forward with replacing these segments. He said it is in GAATN's best interest to go ahead and replace them asap.
- A1N upgrade segment 4 – completed 12/7/23
- A2N 4<sup>th</sup> and Sabine proposed boring – Astound agreement approved 12/5/23
- COA B1S Fire Station 53 Goodnight Ranch new node site – completed 1/4/24
- UT B1N/C1N JJ Pickle new redundant node install – completed 12/4/23

### **B. Job budget report**

Sarah reported that management is tracking 45 jobs totaling \$3 million. So far for FY24, 12 jobs have been completed and \$430k has been invoiced. There is \$2.64 million encumbered for the remaining 33 pending jobs. For FY24, GAATN has received \$161k in project reimbursements and damage claims. The fund balance bottom line is \$1.08 million. She noted that management is meeting with the contractors to estimate which projects will be completed in FY24 and to determine whether their purchase orders will need to be supplemented with a fund balance transfer. She anticipates bringing a fund balance transfer request to the February Board meeting, which is typically done every year around this time.

### **C. GAATN FY24 Cost Avoidance Report Notification**

Sarah reported that it is time to start the FY24 Cost Avoidance Report and that she will be sending the spreadsheet out to entities to complete by the end of January. She anticipates finalization in February and presentation to the Board in March or April. She noted that management added a link to the most recent Cost Avoidance report to the homepage of the GAATN website ([www.gaatn.org](http://www.gaatn.org)) under the "About GAATN" video.

## **6. Executive Session:** There was no executive session.

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7. **Update Roll Call (only if executive session called):** There was no updated roll call.
  
8. **Discussion and possible action regarding the financial report and current fiscal year budget issues:**  
Sarah reviewed the report from AISD for the month ending November 30, 2023. She asked members to send her any questions they may have.
  
9. **Meeting and Action Items Summary:** There were no actions items from this meeting.
  
10. **Confirm date, time, and location for the next regular Board meeting on February 6, 2024 at 1:00 p.m. at LCRA Dalchau Service Center 3505 Montopolis Drive, Building A, Room A502, Austin, TX 78744 and via Video Conference on Microsoft Teams.**  
The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 2:30 p.m.