

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

MEETING OF THE BOARD OF DIRECTORS

January 14, 2025, 1:30 p.m.

LCRA Red Bud Center

3601 Lake Austin Blvd., Rm 225, Austin, TX 78703

Teams Videoconference link provided 72 hours prior to meeting on homepage of www.gaatn.org

Remote audio-only option for public access: (512) 831-7858, Access Code: 458 053 331#

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)

Mark Stavis, 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)

Matt Molina, on behalf of City of Austin (remote)

Bo Kinsey, on behalf of Travis County (remote)

Harold Nall, on behalf of UT-Austin (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:

Doug Wilson, on behalf of JC Communications (remote)

Chris Gonzales, on behalf of BryComm (remote)

2. Citizen Communications: There were no citizen communications.

3. Review and approve the minutes for the regular Board Meeting of December 3, 2024:

Gary Weseman moved to approve the minutes as presented; Steve Pyle seconded the motion, and it passed unanimously.

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

A. Seeking approval for agreement for professional architectural and engineering services from CBRE Design Collective, Inc. for GAATN Backup NOCC Permanent location at a cost not to exceed \$65k to be funded from the GAATN fund balance

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, Dain Herbat moved to approve the agreement with CBRE and authorize the Board Chair to execute the agreement upon GAATN legal approval at a cost not to exceed \$65k; Jaime Guerra seconded the motion, and it passed unanimously.

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B. Seeking approval for GAATN FY25 Budget Line-Item Adjustment to accommodate architectural services

Sarah said that this agenda item is seeking approval to transfer \$65k from the GAATN fund balance to GAATN account 6298 for Miscellaneous Contracted Services and for the budget line-item adjustments associated with this transfer. She said that the handout also illustrates the two previously approved budget adjustments/fund balance transfers for the NOCC (\$100k to COA) and the tax professional (\$10k). She noted that the cost of the tax professional came out to \$800, and so AISD did not need to do the \$10k fund balance transfer previously approved at the 12/3/24 Board meeting. Instead, they are doing a budget transfer of \$800 from GAATN pole attachment line item (6269) to GAATN Miscellaneous Contracted Services (6298); she said that GAATN/AISD has already issued all FY25 POs for pole attachment vendors and has \$4,400 left over in this account to accommodate the transfer. She said that management is seeking Board approval to transfer \$65k from the GAATN fund balance to Miscellaneous Contracted Services and approval of the GAATN FY25 Budget Line-Item Adjustments as presented. Gary asked if management foresees any other increases to the budget before June; Sarah said he anticipates that GAATN will need to vote to transfer money from the fund balance as it does every year to supplement the MAC budget as shown on the financial forecast. She said that transfer is typically requested in March or April when the MAC contractors are better able to estimate which projects will be completed or billed on before the end of the fiscal year. Gary asked about modifying the budget to accommodate AISD's fiscal manager compensation; Sarah said that it would need to be brought back to the Board. Gary asked about the unaccounted income, such as the interest income and recoveries, and whether GAATN could redirect those funds to pay for AISD's fiscal manager fee. Paul said he would check on that with his finance department. Sarah said that regarding the interest income, that amount would change from year to year based on the balance and rate of return and it would make sense to credit the following year's budget with the previous year's actual interest income and reduce entity contribution amounts. Gary said that's something to look at for the future. Gary Weseman moved to transfer \$65k from the GAATN fund balance to increase GAATN 6298 Miscellaneous Contracted Services to fund the agreement with CBRE for the GAATN NOCC Buildout; Jaime Guerra seconded the motion, and it passed unanimously.

C. Fiscal Manager Service Level Agreement with Austin ISD

Syd reported that he has begun generating a draft service level agreement (SLA) that is based on the SLA between GAATN and the City of Austin (COA) for the network management services. He said the draft has some modest changes that may be suitable to work with AISD. Syd asked who his point of contact will be at AISD for this SLA; Paul said that he would get him in touch with Jose, who is one of AISD's general counsels. Paul said that they have made some significant changes in the workflow for GAATN purchase orders and streamlined the approval routing to himself and the Director of Business Operations/Administrative Services. He said that it should significantly speed up the processing of GAATN purchase orders. Paul said that the CFO in the finance department has come up with a calculation of 1.5 FTEs with the calculation derived from what GAATN pays the COA for FTEs. He said that GAATN transactions touch more than two hands with all the duties involved in being the fiscal manager. Paul said it's an impossible task of putting together all the value of the duties involved, and the different levels of staffing that are involved, and the software involved in the workflow process. Dain said he walked into the meeting thinking that one FTE would be sufficient, and he would like to see some data. Sarah said she drafted a list of the duties that included the average annual tasks and frequency of those tasks; Dain asked Sarah to send that list to the Board. Dain said he hopes to come to an agreement on compensation next month.

D. GAATN Backup NOCC Decommissioning

Frank reported that AISD will be working on removal of equipment from the Convention Center from February 3 – March 3. He said this should be the last contact GAATN entity contact at the Convention

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Center except for the COA which must remain while the Convention Center is operational. Management is working as a liaison between the Convention Center and AISD on the removal of equipment.

E. GAATN Backup NOCC Relocation

Frank reported that the fiber re-routes are in the permitting process and that management is working with COA Right-of-Way to reiterate the importance of these permits. He said that the pole application for the poles on Barton Springs was approved. He said that the Board has received the architectural proposal from CBRE for the permanent NOCC, and once that is approved then the design and buildout of the permanent NOCC can progress. Once CBRE is given the notice to proceed, then it will take about 4-5 weeks to complete their design at which point the design will be given to the general contractor who will provide a proposal to complete the buildout. If the CBRE proposal is approved today, then management hopes to receive the proposal for the buildout by the March 11 Board meeting. Dain asked Frank what the biggest hurdle is at this time; Frank said getting the CBRE proposal approved and the mechanisms of funding in place. Frank said that the building, including the GAATN permanent NOCC buildout, should be completed sometime between August and December of this year. He reported that great progress has been made on the temporary NOCC and the only thing that remains is the fiber placement which involves the AE pole applications and the ROW permitting. He said HVAC is going to be a mini-split and the subcontractor is waiting on the electrical permits. Also, the fiber placement inside the facility, along with patch panels and terminations. The EMT conduit is in place.

F. New GAATN Backup NOCC ILA agreement negotiation

Syd said that he has touched base with the two attorneys at the COA who he will be working with. He said they have tentatively agreed that using the existing ILA is the best place to start. Syd said he needs to have a call with them to discuss some items that may have longer lead time. He said they will work on the site documentation needed to attach to the agreement.

G. Seeking approval of settlement agreement in Lone Star Paving lawsuit for damage to C1N at IH-35 and Rutherford on 9/20/21

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, Dain Herbat moved to accept the settlement and authorize the Board Chair to execute the settlement agreement upon approval of GAATN legal; Gary Weseman seconded the motion, and it passed unanimously.

H. Property damage claim against Gordon Foods Services for damage to C1S at 12115 Menchaca on 10/25/24

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, there was no further discussion held, and no action was taken.

5. Network Manager's Update:

A. Project status report

Frank reported on the following upcoming and recently completed projects:

- A1N ACC Backup NOCC Decommissioning – scheduled to complete 1/29/25
- SRS ACC Backup NOCC Decommissioning – scheduled to complete 2/5/25
- A2N Splice Case Audits – ongoing through 1/31/25
- A1N 3rd and Pressler relocation – completed 12/19/24
- C1S Permanent repair at Eberhart Lane – completed 1/8/25
- C1N Emergency repair at 6200 Loyola Ln – completed 1/2/25
- B1N Emergency repair UT strands at B1N43-45 – completed 12/12/24
- B2S Emergency repair ACC strands B2S33-34 – completed 12/10/24
- AISD C1N Pecan Springs Elementary decommissioning – completed 1/13/25

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- COA A2N Parmer Events Center node replacement – completed 12/17/24
- COA B1S EMS #1 node replacement – completed 12/5/24
- COA C1N Fire Station #23 node replacement – completed 12/4/24
- COA B1N Fire Station #25 node replacement – completed 12/3/24
- Total jobs tracked = 90; 55 active/planning and 35 completed in FY25

B. Job budget report

Sarah reported that management is tracking 46 budget-impacting jobs totaling \$3.4 million. So far for FY25, 14 budget-impacting jobs have been completed and \$476k has been invoiced. \$2.94 million remains encumbered for the remaining 32 pending jobs. She noted that GAATN has so far committed \$1.04 million to the decommissioning and relocation of the Backup NOCC - \$513k for the decommissioning and \$528k for the relocation. Of that \$1.04 million, \$262k has been expended and \$779k remains encumbered. She noted that this includes the cost of the architectural services that are being considered in today's meeting. Dain asked if funds approved for the decommissioning could be used for the relocation if the decommissioning is less than expected; Sarah said there would not be an issue with that if the Board approves. Robert asked about the expected reimbursement column for the TxDOT projects; Sarah said that the TxDOT projects span over multiple years and that management submits for reimbursement as expenses are incurred.

6. **Executive Session:** At 2:07 p.m., Chairman Herbat adjourned the GAATN Board of Directors Meeting for closed session, under Tex. Gov't Code section 551.071, to seek legal advice or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning): regarding Agenda Items 4A, 4G, and 4H.

At 2:38 p.m., Chairman Herbat reconvened the GAATN Board Meeting in open session. Any additional discussion held, or action taken on items discussed in executive session is noted in the summary for that agenda item.

7. **Update Roll Call (only if executive session called):**

Sarah took an updated roll call. All members that announced as present at the meeting start roll call reconfirmed their presence in the updated roll call. A quorum was reconfirmed.

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

Sarah reviewed the overall GAATN financial report, provided by Austin ISD, for the month ending November 30, 2024. She asked members to review and send her any questions they may have.

9. **Meeting and Action Items Summary:**

Frank noted the following action items taken from this meeting:

- Review of power requirements with GAATN NOCC Subcommittee and in upcoming meetings with CBRE
- Find out if any entities require conduit going up to the roof of the new NOCC in the next Technical Subcommittee meeting
- Any members interested in doing a walk-through of the new NOCC site should reach out to management to arrange

10. **Confirm date, time, and location for the next regular Board meeting on Tuesday, February 4, 2025, at 1:00 p.m. at LCRA Red Bud Center 3601 Lake Austin Blvd., Room 225, Austin, TX 78703, and via Microsoft Teams Videoconference.**

The date, time, and location for the next regular Board meeting were confirmed; the meeting adjourned at 3:02 p.m.