

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

**MEETING OF THE BOARD OF DIRECTORS**

May 7, 2024 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](http://www.gaatn.org)

Remote audio-only option for public access: (512) 831-7858, Access Code: 802 702 253#

**MINUTES**

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

GAATN Board Chairman Dain Herbat called the meeting to order at 1:41 p.m.

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

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)

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.

Members joining after roll call:

Bo Kinsey, on behalf of Travis County (remote)

Paul Hodge, on behalf of Austin ISD (remote)

Mike Lohrstorfer, on behalf of Austin ISD (remote)

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 April 2, 2024:**

Steve Martin moved to approve the draft minutes as presented; Jaime Guerra seconded the motion and it passed unanimously.

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

**A. Seeking approval for FY24 maintenance agreement retainage payment to BryComm in the amount of \$24,800**

Frank said that this agenda item is to approve the 10% retainage payment that is part of the annual maintenance contract. He noted that management is satisfied with BryComm's performance under their maintenance contract and recommends approval. Jaime Guerra moved to approve the FY24 maintenance agreement retainage payment to BryComm in the amount of \$24,800; Dain Herbat seconded the motion and it passed unanimously.

**B. GAATN Emergency Fund**

Sarah said this agenda item was requested at the last Board meeting. She noted that the last time

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the emergency reserve was increased was in 2021; it was increased from \$1.3M to \$1.85M. She also noted that there is an additional \$250k in the emergency reserve for unplanned projects. She reviewed the GAATN Fund Balance policy with the members. She said that MAC costs have gone up between 25-50% since 2021 and while it would be ideal to increase the emergency reserve, it would be difficult at this time with the impending Backup NOCC relocation. She noted that increasing the fund balance at this time would require an amendment to the FY25 budget that would affect all entities' contributions. Dain requested that management revisit this topic before the next budget presentation and to bring options to the Board for an incremental increase.

**C. GAATN Fiscal Manager duties and formation of a Fiscal Manager service level agreement**

Sarah reported that this agenda item had been discussed at the last Board meeting. There were discussions about forming an SLA with AISD as well as the feasibility of the COA taking over the financial management duties. She said that management was tasked with creating a list of financial management duties performed by AISD; the list was created and shared with COA, AISD, and Syd. She asked Steve M. (COA) and Paul (AISD) if they had any updates from their respective entities. Steve M. said the COA is still reviewing the level of effort needed but noted that it would be a major disruption if the COA took over the duties. Steve M. said he would circle back to the Board with a final analysis of the level of effort needed by the COA. Paul said that AISD is still reviewing the level of effort as well as the possibility of an FTE that is funded by GAATN. He noted that GAATN financial manager duties require effort by several departments, so those FTE hours would likely be split between departments. Dain asked if Paul and AISD could determine the time/effort and funding required for those duties; Paul agreed to bring that information back to a future meeting for further consideration.

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

Frank reported that the subcommittee will have their first meeting on Thursday. Paul did not have any further update on this agenda item from AISD.

**E. GAATN Backup NOCC decommissioning**

Frank reported that the decommissioning is moving forward and management is working with several entities related to the Convention Center demolition to ensure that GAATN's proposed fiber re-route will not be impacted by the demolition. He noted that management met with the deputy director of the Convention Center and requested that he look into who can expedite the permits needed for the decommissioning. Jaime asked if there had been any discussions from CTM executives about concessions; Steve M. said they discussed it and CTM is in support of the concession items but he doesn't know what the odds are that they will be approved. Steve reiterated that CTM is very much in support of GAATN. Jaime asked about the next steps; Steve said they have also mentioned the concessions to the City Manager's Office while reiterating the criticality of GAATN. Steve said that Syd and Clark will need to negotiate the concessions; Syd said that they will negotiate but the decisions on whether to accept GAATN's concessions will be made by City executives rather than the attorneys.

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

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, Dain stated that the subcommittee will research further options.

**G. Property damage claim against JD Abrams/Lone Star Paving 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, there was no further discussion held or action taken.

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

**A. Project status report**

Frank reported on the following upcoming and recently completed jobs:

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- A2N splice case audit – ongoing through 6/30/24
- C2S TxDOT Oak Hill Parkway Phase 2 – scheduled to complete 5/16/24
- SRS Upgrade project Segment 5 contractor repair – to be scheduled soon
- A1N Upgrade project Segment 2 Phase 2 – completed 5/2/24
- SRS Upgrade project Segment 5 – completed 4/30/24
- D1N Temp Relocation at 1017 Springdale – completed 4/25/24
- C1N Emergency repair 817 E. Braker – completed 4/10/24
- TxDOT Cap EX Central – will be brought to upcoming Tech meeting

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

Sarah reported that management is tracking 55 jobs totaling \$3.47M. So far for FY24, 27 jobs have been completed and \$891k has been invoiced. \$2.58M remains encumbered for 28 jobs. The fund balance bottom line is \$670k. Sarah noted that the bottom line would increase with the new MAC budget for FY25 after July 1.

6. **Executive Session:** At 2:31 p.m., Dain Herbat adjourned the GAATN Board Meeting for closed session, under Tex. Gov't Code section 551.071, to seek legal advice and/or to preserve confidentiality as permitted by law (including but not limited to pending, anticipated or contemplated litigation concerning) regarding Agenda Items 4F and 4G.

At 3:25 p.m., Dain Herbat reconvened the GAATN Board Meeting in open session. Agenda Items 4F and 4G were the only items discussed. Any further discussion held or action taken in open session on Agenda Items discussed in executive session will be noted in the summary for that agenda item.

7. **Update Roll Call (only if executive session called):** Upon reconvening in open session, an updated roll call was held and all members that announced as present at the initial roll call reconfirmed their presence at the updated roll call. Additionally, Bo Kinsey, Paul Hodge, and Mike Lohrstorfer confirmed their presence at the updated roll call. A quorum was re-established.

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

Sarah reviewed the GAATN financial report for the month ending March 31, 2024. She asked members to review and send her any questions. Dain asked about the catering budget; Sarah noted that there is a \$1k budget for catering because it was requested last year for a Board luncheon. Dain requested an agenda item at the next Board meeting to discuss holding a Board luncheon later this year.

9. **Meeting and Action Items Summary:** Frank reviewed the following actions items taken from this meeting:

- AISD will determine the time/effort and costs required to perform GAATN financial manager duties. They will also confirm whether they are willing to enter into an SLA for this service.
- Management will bring options for increasing the emergency reserve balance at least one month prior to GAATN's FY26 Budget Presentation meeting in December 2024.
- Management will add an agenda item to the next Board meeting for discussing the possibility of holding a Board luncheon prior to an upcoming Board or Tech meeting.

10. **Confirm date, time, and location for the next regular Board meeting on June 4, 2024 at 1:30 p.m. at LCRA Red Bud Center 3601 Lake Austin Blvd., Rm 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 3:31 p.m.