

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

MEETING OF THE BOARD OF DIRECTORS

June 6, 2023 1:30 p.m.

LCRA Service Center at 3505 Montopolis, Austin, Texas 78744

Building A, Room A502/503

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: 521 878 49#

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:

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

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

Anthony Breckenridge, on behalf of City of Austin (remote)

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

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

John Greiner, on behalf of Austin ISD (remote)

Bo Kinsey, on behalf of Travis County (remote)

Harold Nall, on behalf of UT-Austin (remote)

Syd Falk, GAATN attorney (remote)

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 of the public/GAATN contractors:

Marco Espericueta, on behalf of Austin Energy (remote)

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 May 2, 2023:

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

4. Consent Agenda Items: Operational Contract Renewals/Approval AND/OR Recommendations from the May 16, 2023 Technical Subcommittee Meeting:

Jaime asked about the contract amendment for BryComm; Syd explained it was some inserts that were statutorily required but did not change the scope or price of the contract. Jaime Guerra moved to approve Agenda Items 4A and 4B from the Consent Agenda; Gary Weseman seconded the motion and it passed unanimously.

A. Operational Contract Renewal - Seeking approval for first of three possible one-year renewals for GAATN Maintenance agreement (AISD 21RFP063), including a contract amendment, for a term of July 1, 2023 to June 30, 2024 with BryComm LLC

APPROVED ON CONSENT.

B. Recommendation from Technical Meeting - Seeking approval for AISD D1N Marshall Middle School new node install entity-specific project at no cost to GAATN

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APPROVED ON CONSENT.

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

A. Seeking conditional approval for Cap Metro license agreement for UT project

Frank reported that Cap Metro approved GAATN's final redlines and that the agreement was ready for execution with GAATN's approval. Jaime noted that UT will reimburse GAATN for the annual license fees. Jaime Guerra moved to approve the Cap Metro license agreement for the UT project; Gary Weseman seconded the motion and it passed unanimously.

B. GAATN Backup NOCC relocation from Austin Convention Center

This item was discussed in executive session under Texas Government Codes 551.071, 551.089 and 418.181. Upon reconvening in open session, no further discussion was held and no action was taken.

C. Austin ISD 2022 Bond Impact to GAATN Super node sites

Frank reported that management held a meeting with Paul and Justin from Austin ISD and that the only campus that will be a full reconstruction will be Travis HS while Northeast ECHS and Crockett HS will be phased renovations. Regarding Travis HS, AISD said they can do with just B2S at that location, and it doesn't have to be a super node site for them. However, they may build the new Travis HS behind the current campus which would make it easier. AISD does not know when GAATN will have to relocate at this time but will notify GAATN asap. Frank said that, between these super node site changes, and the relocation of the newly constructed backup NOCC, this is an unprecedented impact for GAATN. Frank urged John with AISD to ensure his staff keeps management up to date with regards to these renovations and reconstruction so there is plenty of time to plan. Frank said AISD cannot fund any future GAATN super node sites, but they are happy to facilitate GAATN funding a super node. John said he must have a meeting with construction management to confirm the funding for these sites for AISD as well as the space for GAATN. Dain said Travis County still needs a super node site in the area to jump rings. Steve said DIR jumps rings at that location as well. Dain asked if Frank had discussed an external building on the campus; Frank said they discussed it with AISD yesterday. John said Northeast ECHS would be a good example where they have the real estate to do it and he would want to get GAATN and AISD fiber pulled out into a separate structure before construction begins. He said he is still waiting for AISD to decide if they will build a new Travis HS at a separate site, because that will drive the construction dates. John said AISD has greatly reduced its need for super node sites but Northeast will most likely still be a data center for AISD. Dain said the super node were created as hubs to interconnect the super rings to the outer rings and is not related to any computing requirements in the facility itself.

D. Property damage claim against USIC for underground damage to A2N at 10th and Colorado on 4/29/23

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

E. 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 this litigation is still in the discovery phase and most likely will be for a while. He will continue to update the Board on the progress.

6. Network Manager's Update:

A. Project status report

Frank reported on the following upcoming and/or recently completed projects:

- COA B2S ACC Marshalling Yard new node install – completed 6/1
- COA C1N Fire Station 23 Temp Decommissioning – completed 5/31

Gary asked about older projects that were still not completed including ones that said they were awaiting materials. Frank said that him and Carlos would work together to update those notes and

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that management continues to work with Austin Energy (AE). He said that management is able to prioritize five jobs at a time with AE. Marco said that he would be happy to follow up with his team if Frank reaches out to him with any issues he is having with getting approvals.

B. Job budget report

Sarah reported that management is tracking 49 jobs totaling \$3.45 million. So far for FY23, 15 jobs have been completed and \$546k has been invoiced, which leaves 34 jobs pending and \$2.9 million encumbered. The fund balance bottom line is \$978k.

- 7. Executive Session:** At 2:01 p.m., GAATN Board Chairman Dain Herbat adjourned the GAATN Board Meeting for closed session, under Texas Government Code sections 551.071, 551.089, and 418.181 (“H.B.9”), 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 5B and 5D.

At 3:35 p.m. Dain Herbat reconvened the GAATN Board Meeting in open session. Agenda Items 5B and 5D were the only items discussed. Any additional discussion held or action taken on items discussed in executive session will be noted in the summary for that agenda item.

- 8. Update Roll Call (only if executive session called):** An updated roll call was taken upon reconvening in open session and all GAATN Board Members that announced as present at the initial roll call confirmed their presence at the updated roll call. A quorum was re-established.
- 9. Discussion and possible action regarding the financial report and current fiscal year budget issues:**

A. Financial Report

Sarah reported on the financial report for the month ending April 30, 2023. Dain asked how much GAATN had available to use on projects such as relocating the Backup NOCC. Sarah said that the fund balance bottom line of \$978k is what is available once the new fiscal year starts. She said that GAATN has a fund balance policy that includes paragraphs about the unplanned projects fund and the emergency reserve. She said that GAATN could use the extra \$250k for that as well, so that would be about \$1.228 million available. She said anything beyond that the Board would have to approve the use of those funds as well as anything from the emergency reserve.

10. Meeting and Action Items Summary:

Frank noted the following action items from this meeting:

- Ensure project status report notes are current.
- Review all AE projects that are pending approval and see if Marco can facilitate.
- List of requirements for Backup NOCC from the subcommittee (needs vs. wants).
- Gather information from members regarding the need of A1N and A2N to be in the Backup NOCC.

11. Confirm date, time, and location for the next regular Board meeting on July 11, 2023 at 1:30 p.m. at LCRA Service Center 3505 Montopolis Austin, TX and via Video Conference on Microsoft Teams.

The date, time, and location for the next regular Board meeting were confirmed. The meeting adjourned at 3:44 p.m.