

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

MEETING OF THE BOARD OF DIRECTORS

July 11, 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: 260 408 576#

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)

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

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

Leslye Conoley, on behalf of City of Austin (remote)

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

Anthony Breckenridge, on behalf of City of Austin (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.

John Greiner, on behalf of Austin ISD (remote) – joined at 1:34 p.m.

Members of the public/GAATN contractors:

Marco Espericueta, on behalf of Austin Energy (remote)

Chris Gonzales, on behalf of BryComm LLC (remote)

Doug Wilson, on behalf of JC Communications (remote) – joined at 1:44 p.m.

2. Citizen Communications: There were no citizen communications.

3. Review and Approve the minutes for the regular Board Meeting of June 6, 2023:

Gary Weseman 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. GAATN FY24 Board and Technical Subcommittee Chair and Vice-Chair elections

The FY24 GAATN Board and Technical Subcommittee Chair and Vice-Chair elections were held. The four current officers were all re-elected to their positions for FY24.

• **GAATN Board Chair – Dain Herbat re-elected for FY24**

○ Gary Weseman moved to nominate Dain Herbat as GAATN Board Chair; Steve Pyle seconded the nomination.

○ Steve Pyle moved to close nominations for GAATN Board Chair; Dain Herbat seconded the motion and it passed unanimously.

○ Jaime Guerra moved to re-elect Dain Herbat as GAATN Board Chair; Gary Weseman seconded the motion and it passed unanimously.

• **GAATN Board Vice-Chair – Gary Weseman re-elected for FY24**

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- Steve Pyle moved to nominate Gary Weseman as GAATN Board Vice-Chair; Leslye Conoley seconded the nomination.
- Steve Pyle moved to close nominations for GAATN Board Vice-Chair; Dain Herbat seconded the motion and it passed unanimously.
- Dain Herbat moved to re-elect Gary Weseman as GAATN Board Vice-Chair; Steve Pyle seconded the motion and it passed unanimously.
- **GAATN Technical Subcommittee Chair – Jaime Guerra re-elected for FY24**
 - Gary Weseman moved to nominate Jaime Guerra as GAATN Technical Subcommittee Chair; John Greiner seconded the nomination.
 - Dain Herbat moved to close nominations for GAATN Technical Subcommittee Chair; Gary Weseman seconded the motion and it passed unanimously.
 - Dain Herbat moved to re-elect Jaime Guerra as GAATN Technical Subcommittee Chair; John Greiner seconded the motion and it passed unanimously.
- **GAATN Technical Subcommittee Vice-Chair – Steve Pyle re-elected for FY24**
 - Jaime Guerra moved to nominate Steve Pyle as GAATN Technical Subcommittee Vice-Chair; Gary Weseman seconded the nomination.
 - Dain Herbat moved to close nominations for GAATN Technical Subcommittee Vice-Chair; Gary Weseman seconded the motion and it passed unanimously.
 - Dain Herbat moved to re-elect Steve Pyle as GAATN Technical Subcommittee Vice-Chair; John Greiner seconded the motion and it passed unanimously.

B. GAATN Backup NOCC relocation from Austin Convention Center

This agenda item was discussed in executive session under Texas Government Codes 551.071, 551.089, and 418.181. Upon reconvening in open session, Dain announced that Steve would be replaced by Paul Hodge with Austin ISD on the Backup NOCC Subcommittee. The revised Backup NOCC subcommittee is Bo Kinsey, Jaime Guerra, and Paul Hodge.

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

John Greiner said there were no significant updates for this meeting. AISD is onboarding architects in August, and he hopes to have more information around that timeframe. Frank said this will continue to be a standing agenda item at the tech and board meetings.

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

Sarah reported that USIC paid the full claim amount of \$5,878 on July 7, 2023. She noted this is the last update on this claim. Dain thanked management and legal for a quick resolution on this claim.

E. 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, no additional discussion was held and no action was taken.

5. Network Manager's Update:

A. Project status report

Frank reported on the following recently completed projects:

- C1S Emergency repair at 405 Eberhart Lane – damage caused by Wright Tree Trimming – completed 6/27
- B2S/D1N Longhorn Dam pedestrian bridge relocation – completed 6/15

B. FY23 and FY24 Job budget reports

Sarah reviewed the final FY23 and preliminary FY24 job budget reports.

- FY23 – GAATN completed 23 jobs in FY23 and paid out expenses on 35 jobs. The total MAC expenses paid out in FY23 was \$880k. 32% of expenses paid out in FY23 were for developer-

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initiated projects and 24% were for GAATN-driven projects. 68% of expenses paid out in FY23 were for jobs approved in FY23; this included temporary repairs and a couple of large developer-driven projects.

- FY24 – GAATN is starting the new fiscal year tracking 32 jobs with \$2.6 million encumbered. 45% of those encumbrances are for developer-driven projects and GAATN is expecting to be reimbursed for most of that cost from TxDOT. GAATN carried over \$1.88 million of project encumbrances from FYs20-23. The fund balance bottom line with all projects awarded is \$1.143 million.

Dain asked about putting a moratorium on projects until GAATN is able to fund the Backup NOCC relocation. Frank said that management is working with the contractors to identify which projects have not incurred expenses and can be delayed.

C. Notification of GAATN Property Insurance RFP to be issued July 2023 and request for evaluation subcommittee volunteers

Sarah reported that the GAATN Property Insurance RFP will be issued on July 25, 2023 and will close on August 22, 2023 with a goal to bring the recommendation to the September 5 Board meeting for approval. She asked for two volunteers to serve on the evaluation subcommittee along with Frank. Leslye and Gary volunteered to participate.

6. **Executive Session:** At 2:01 p.m., 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 5E.

At 3:22 p.m., Dain Herbat reconvened the GAATN Board meeting in open session. Agenda Items 5B and 5E were the only items discussed in executive session. Any additional discussion held or action taken 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):** An updated roll call was taken upon reconvening in open session. All members that announced as present at the initial roll call, announced as present again at the updated roll call. Additionally, John Greiner with Austin ISD, who joined the meeting after the initial roll call, announced as present at the updated roll call. A quorum was re-established after executive session.

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

A. Financial Report

Sarah reviewed the AISD/GAATN overall financial report for the month ending May 31, 2023. She asked members to review and send any questions to her via email.

9. Meeting and Action Items Summary:

Frank noted the following action items for management and/or legal from this meeting:

- Send GAATN Teardown and Damage policy link to members as well as the GAATN Technical Guidelines.

10. Confirm date, time, and location for the next regular Board meeting on August 8, 2023 at 12:30 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 3:27 p.m.