

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

MEETING OF THE BOARD OF DIRECTORS

August 6, 2024, 1:00 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

Remote audio-only option for public access: (512) 831-7858, Access Code: 271 370 083#

MINUTES

1. Call to Order and Roll Call:

GAATN Board Chairman Dain Herbat called the meeting to order at 1:00 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)

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

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

Carlos DeMatos, on behalf of GAATN (remote)

Sarah Eichelberger, on behalf of GAATN (remote)

A quorum was established at roll call.

Members arriving after roll call:

Mace Royston, on behalf of LCRA (remote) – joined at 1:12 p.m.

Mike Lohrstorfer, on behalf of Austin ISD (remote) – joined at 1:26 p.m.

Bo Kinsey, on behalf of Travis County (remote) – joined at 1:28 p.m.

Syd Falk, GAATN attorney (on site) – arrived at 1:27 p.m.

Gunnar Seaquist, GAATN attorney (remote) – joined at 2:34 p.m., left at 2:58 p.m.

GAATN Contractors

Chris Gonzales, on behalf of BryComm (remote)

Doug Wilson, on behalf of JC Communications (remote)

2. Annual evaluation of network management SLA

The Board held the annual evaluation of the SLA between GAATN and the City of Austin for network management. Overall, the network management team scored a 4.95 out of 5.

3. Short Break

A short break was taken at 1:22 p.m. and the meeting resumed at 1:27 p.m.

4. Citizen Communications: There were no citizen communications.

5. Review and approve the minutes for the regular Board Meeting of July 9, 2024:

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

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

A. GAATN FY24 Budget Recap and FY25 Budget Forecast

Sarah provided an FY24 budget recap. Overall, GAATN spent 96.5% of its \$2.4 million FY24 budget; \$491k was added to the fund balance at the end of FY24. Sarah reviewed a financial forecast for FY25-29 which showed a projected budget of \$2.5M for FY26 and \$2.6M for FY27-29. The forecast also modeled the scenario of increasing the emergency reserve by \$125k annually for years FY26-29.

B. GAATN Fiscal Manager duties and formation of service level agreement

Sarah said this has been a standing agenda item since April and that the Board has identified the need to have the fiscal manager duties solidified in an SLA. She said that both AISD and the COA have been looking into the costs and level of effort associated with these duties. Paul from AISD said that he's scheduled a meeting with the interim CFO and legal at AISD to discuss this subject. He said that his CTO intends to follow through and provide the superintendent with the information needed for him to make a final decision. Steve M. said COA is waiting for direction from the Board, and an accounting of man hours from AISD, before diving any deeper with finance staff. Paul said it would be a challenge for AISD to provide an accounting of man hours because GAATN funds touch so many hands; he said a proposal would more likely be for a lump sum amount of compensation. Paul said that AISD is fine with continuing in this role, but they are also fine with letting it go to another entity. Jaime noted that it may be more efficient for the COA to perform those duties since they already perform network management duties. Steve said that he will take the list of fiscal manager duties that Sarah put together and ask CTM finance to come up with an estimate of man hours and report back on the progress at the next Board meeting. Dain asked about next steps with regards to the SLA; Sarah said that she will work with Syd to draft a fiscal manager SLA using the network management SLA as a template. Dain said he thinks it's important to have this function documented in a written agreement with metrics and compensation in place.

C. GAATN Backup NOCC decommissioning

Carlos said that the permitting for the re-route of the four rings is moving along and management expects to have the permitting in place to commence the decommissioning of the four rings in the December 2024 – February 2025 time frame. He reminded entities that any entity equipment at the Austin Convention Center will need to be relocated; he said that management would be happy to assist the entities in facilitating the removal of their equipment. Dain asked about a new segment of underground pathway across Cesar Chavez that Carlos is working on to assist with the decommissioning; Carlos said it's in the final stages of permitting and should be completed in the next six to eight weeks. Steve asked Carlos about the equipment at the Austin Convention Center; Carlos said that the Convention Center has requested a list of the GAATN equipment, if any, that will be abandoned in place. Carlos said that the Convention Center has offered to coordinate the crane removal of GAATN's generator from the roof along with the Austin Energy chiller. He said that network management and BryComm will facilitate a vehicle to pick up and take the generator to storage. Carlos said that decommissioning the GAATN-owned equipment at the Convention Center will require specialists to disconnect them from the system. Steve asked about the ownership of the equipment and depreciation of value; Dain said that is a good question because this is the first time that GAATN has owned equipment, and he is not sure what laws and policies it would need to follow to decommission that equipment. Syd said that it is collectively owned by all the entities in the share of their network rights percentages and the entities are co-tenants at law, or joint owners. He said local governments, and the state as well, are subject to the same rules about getting rid of unusable or defunct equipment or supplies. He said there is a process where the Board would determine that a piece of property is no longer useful and then there are options for getting rid of the equipment such as auction or donation to other local governments under certain circumstances, but not giving it away to the public. Syd said he would research more and come up with a process GAATN would

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need to follow. Paul said that Austin ISD is willing to take whatever equipment GAATN does not want to reuse at the Travis High School Data Center which will include available space for all GAATN members. Dain asked the Backup NOCC subcommittee and the Technical Subcommittee to discuss the equipment and to make a list of what should be reused at the new Backup NOCC.

D. GAATN Backup NOCC relocation, subcommittee update, and agreement negotiation

Carlos said he will send out Carlos discussed the status of the possible city sites for the new Backup NOCC. He said that he met with COA Real Estate, and they discussed Toomey Road and Town Lake Center; he said Real Estate is currently looking into the viability of Town Lake Center. Steve M. said that he met with COA Finance regarding Toomey Road, and there is a good possibility that the COA will allow GAATN to place a stand-alone structure somewhere on the Toomey Road property. He also said that they should be able to guarantee a ten-year agreement. Dain asked management to provide an update at the next Technical Subcommittee meeting.

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 for attorney consultation. Upon reconvening in open session, no additional discussion was held, and no action was taken.

7. Network Manager's Update:

A. Project status report

Carlos reported on the following upcoming and recently completed projects:

- A2N Maintenance splice case audit – awaiting change order and ongoing through 10/1/24
- A1N Project Upgrade Segment 11 – awaiting change order, scheduled to complete 8/22/24
- B2S Emergency Repair Burleson Rd/McKinney Falls – completed 7/30/24
- COA B1S Entity project APH Dove Springs Community Ctr – completed 7/25/24
- AISD B1N Entity project Wooten Elem node decommissioning – completed 7/18/24
- AISD C1N Entity project Harris Elem node decommissioning – completed 7/16/24

B. Job budget report

Sarah reported that GAATN carried over 31 jobs with \$2.85 million encumbered. Of that, GAATN will be reimbursed \$1.36 million or 48%. The fund balance bottom line for the beginning of FY25 is \$2.1 million.

C. Network Management SLA update

Sarah notified the Board that the new network management SLA, that was approved by the Board on 12/5/23, was approved by City Council on 7/18/24 and executed by City of Austin and GAATN. She noted that it begins on 9/1/24.

D. Texas Open Meetings Act training requirements reminder

Sarah reviewed the required Texas Open Government training that was discussed at the July Board meeting. She said that five members had completed and sent her the certificates. She asked all members to complete the two one-hour trainings and send her their certificates by October 1.

8. Executive Session: At 2:34 p.m., GAATN Board Chairman Dain 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 Item 6E.

At 2:58 p.m., Dain Herbat reconvened the GAATN Board meeting in open session. Agenda Item 6E was the only item discussed. Any additional 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.

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9. 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 opening roll call re-confirmed their presence at the updated roll call. Additionally, Mace Royston, Mike Lohrstorfer, and Bo Kinsey confirmed their presence. A quorum was re-established.

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

Sarah reviewed the final FY24 financial report. For FY24, GAATN began with a fund balance of \$3,845,435; it took in \$2,809,846 in revenue and expended \$2,317,958. This left an end of fiscal year fund balance of \$4,337,322, an increase of \$491,887 from the beginning of FY24.

11. Meeting and Action Items Summary:

Sarah noted the following action items taken from this meeting:

- COA will determine level of effort for GAATN fiscal agent duties. Management will work with Syd to draft fiscal agent SLA using network management SLA as a template.
- Backup NOCC subcommittee will meet to determine which equipment to use at the new NOCC location; management will bring the COA site options to next Technical Subcommittee meeting.

12. Confirm date, time, and location for the next regular Board meeting on September 3, 2024, at 1:30 p.m. at LCRA Dalchau Service Center 3505 Montopolis, Bldg. A, Room A502, Austin, TX 78744, 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.