

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

MEETING OF THE BOARD OF DIRECTORS

August 8, 2023 12:30 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: 250 817 435#

MINUTES

1. Call to Order and Roll Call:

GAATN Board Chairman Dain Herbat called the meeting to order at 12:30 p.m.

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

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)

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

Mace Royston, on behalf of LCRA (remote) – left meeting at 3:00 p.m.

Mike Lohrstorfer, on behalf of Austin ISD (remote)

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

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

Bo Kinsey, on behalf of Travis County (remote)

Syd Falk, GAATN attorney (remote)

Frank Ammons, on behalf of GAATN (on site)

Carlos DeMatos, on behalf of GAATN (remote)

Sarah Eichelberger, on behalf of GAATN (remote)

A quorum was established at roll call.

Other attendees:

Kerrica Laake, on behalf of City of Austin CTM (on site) – left meeting at 1:46 p.m.

Doug Wilson, on behalf of JC Communications (remote)

Rolando Fernandez, on behalf of Austin Convention Center (on site) – arrived at 1:15 p.m., left meeting at 1:46 p.m.

Rodney Gonzales, on behalf of City of Austin (on site) – arrived at 1:33 p.m., left meeting at 1:46 p.m.

Marco Espericueta, on behalf of Austin Energy (remote) - left meeting at 1:46 p.m.

Chris Gonzales, on behalf of BryComm (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 4.93 out of 5.

3. Short Break

A short break was taken at 12:53 p.m. and the meeting resumed at 1:00 p.m.

4. Citizen Communications: There were no citizen communications.

5. Review and Approve the minutes for the regular Board Meeting of July 11, 2023:

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

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

A. Seeking approval to amend previously adopted minutes from the GAATN Board Meeting of January 7, 2002 to correct meeting date from January 7, 2001 to January 7, 2002

Sarah explained that Wayne Wedemeyer noticed that the meeting year was listed as 2001 instead of 2002 for the January 7, 2002 minutes. Jaime Guerra moved to approve amending the previously adopted Board meeting minutes of January 7, 2002 to correct the meeting date year; Mace Royston seconded the motion and it passed unanimously.

B. GAATN awarded MAC projects that can be delayed until Backup NOCC relocation totaling \$247k

Sarah noted that, at the last Board meeting, the Board asked management to look into which awarded projects could be delayed until after the funding for the Backup NOCC relocation was secured. Sarah said that management worked with BryComm and identified six projects with encumbrances totaling \$247k that could be delayed. She explained that she had previously asked Syd if the Board needed to take any action and he said that they did not since they were not rescinding the awards, just delaying them. With the encumbrances for those six jobs added back to the fund balance, the fund balance bottom line is \$1.389 million.

C. Austin ISD 2022 Bond Impact to GAATN Super node sites and request to appoint related subcommittee

Mike said there were no updates for this item at this time. Dain asked to delay appointing a subcommittee until the upcoming Tech meeting when more members are present.

D. GAATN Backup NOCC relocation and decommissioning

Rodney Gonzales, Assistant City Manager, stated that City leadership has discussed the issue of the required relocation of the GAATN Backup NOCC with the City Manager's Office. He said, as the team has indicated before, that they are prepared to assist in the relocation as much as possible. He said they recognize that it's early into the location of the NOCC and they also recognize that it was contemplated that the Convention Center would be demolished. He said they are at that juncture but they don't want to make it seem like they are not a partner; he said the City is certainly a partner in this as they have been with GAATN from the very beginning and the team is ready to be creative as to how they might be able to make this happen for the benefit of all parties. Dain said GAATN didn't predict that it would be in this situation so soon; he said GAATN has a five-year term but certainly thought it would go much longer than that. Dain noted the site that GAATN vacated, the old Austin ISD headquarters, had previously housed GAATN for 25 years. Dain said this will be impactful to GAATN if it can't get the second NOCC operational in time, as the network will be down to a single point of failure which is a risk. Dain said the other impact is the financial one and that GAATN will be short; GAATN spent years of project funds to pay for the Convention Center NOCC. Kerrica Laake noted that is a shared risk and the City wants to make sure that there is a primary and secondary NOCC at all times. She said the City needs to dig down and figure out what they can provide in kind and what creative things they can do in order to make sure there is a backup NOCC in place to provide continuity for many years to come. Rodney said the City is not looking at terminating the agreement, but they wanted to provide the one-year notice of the demolition of the Convention Center per the terms of the ILA. He reiterated that the City is a partner of GAATN and they fully intend to work with everyone at the table to make the relocation a success; he said they want to minimize the cost as much as possible, so it's not just a burden for the partner agencies. He said they are prepared and ready to do whatever they can to make the relocation happen before the demolition and to make sure the relocation is as low cost as possible. Dain thanked the City representatives for their input and partnership. Dain asked Frank if there were any subcommittee updates about this agenda item; Frank said that Carlos sent out power requirements polling to all members and asked members to please get that information back to management so it can be reviewed in the August Tech meeting. Jaime said the subcommittee echoes the intention to keep the cost down and has reviewed multiple possible locations that will provide longevity for the

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secondary NOCC. The remainder of this agenda item was discussed in executive session under Texas Government Code 551.071, 551.089, and 418.181. Upon reconvening in open session, no additional discussion was held and no action was taken.

E. Underground damage at B1N Hwy 183 and Technology Blvd on 8/1/23

Frank reported that on 8/1, GAATN fiber was damaged at Highway 183 and Technology Blvd by a contractor working for TxDOT on the 183 Mobility Project. The fiber was located in a TxDOT duct bank when it was damaged. Frank said that GAATN fiber will have to be relocated and management is scheduled to have a meeting with the parties on Friday to review the plans and discuss options for relocation. Dain asked if the GAATN claim policy is being followed. Frank said management is still gathering information but would follow the claim policy once they have the information needed to proceed.

F. Property damage claim against Wright Tree Services for damage to C1S at 405 Eberhart Lane on 6/27/23

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

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, 551.089, and 418.181. Upon reconvening in open session, no additional discussion was held and no action was taken.

7. Network Manager's Update:

A. Update on GAATN Disaster Recovery Plan

Frank reported that the finalized GAATN DR plan was sent to the DR subcommittee on 7/13, the Technical Subcommittee on 7/17, and was reviewed by the Technical Subcommittee at the 7/25 meeting. On 7/26, management sent out the finalized DR plan to all Board and Tech members and also sent the Ring Restoration Priority Rankings by Entity to each member for their review and ranking with responses due on 8/16. Management will compile all of the rankings to complete that attachment. The final attachments and plan will be reviewed for recommendation to the Board at the 8/22 Tech meeting. The plan and attachments are also posted on the GAATN SharePoint.

B. Project status report

Frank reported on the following upcoming and recently completed projects:

- C2S TxDOT Oak Hill Pkwy phase 1 – scheduled to complete 8/10
- B2S emergency repair at 6010 E. Riverside – completed 7/12
- C1N emergency repair at Berkman Dr. & Hwy 290 – completed 7/26
- B1N emergency repair at Hwy 183 and Technology Blvd. – completed 8/3
- 183N Mobility Project – this is related to the damage repair. GAATN will have to be relocated from the TxDOT conduit and this will be a standing agenda item until the project is approved by the GAATN Board.

C. Job budget report

Sarah reported that management is tracking 32 jobs totaling \$2.6 million including the six jobs marked for delay. There were \$1.88 million in project encumbrances carried over from FYs 20-23. GAATN is expecting reimbursement for \$912k in project encumbrances from TxDOT projects. The fund balance bottom line is \$1.389 million.

D. RFP for GAATN Property Insurance (AISD 24RFP006) closing August 22, 2023

Sarah reported that the RFP for GAATN Property Insurance will close on August 22 and a recommendation for award is expected to be brought to the September 5 Board meeting.

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- 8. Executive Session:** At 1:46 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 6D, 6F, and 6G.

At 2:59 p.m. Dain Herbat reconvened the GAATN Board in open 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.

- 9. Update Roll Call (only if executive session called):** An updated roll call was held upon reconvening in open session. All Board members that announced as present at the start of the meeting announced as present at the updated roll call with the exception of Mace Royston, who left the meeting at 3:00 p.m. A quorum was re-established.

- 10. Discussion and possible action regarding the financial report and current fiscal year budget issues. (AISD, 10 minutes):**

A. Financial Report

Sarah reviewed the final FY23 financial report for the month ending June 30, 2023. Overall, the GAATN fund balance increased by \$50k. GAATN took in \$2.087 million in revenue and expended \$2.036 million. GAATN ended the fiscal year with a total fund balance of \$3.845 million, which includes the \$2.1 million in emergency set aside.

- 11. Meeting and Action Items Summary:**

Frank noted the following action items taken from this meeting:

- Updated decommissioning/relocation costs
- Approach City of Austin regarding Fire Station 4 (real estate, fire, EMS) for Backup NOCC
- COA memo for use of Fire Station 4 for Backup NOCC
- COA in-kind contributions for Backup NOCC relocation

- 12. Confirm date, time, and location for the next regular Board meeting on September 5, 2023 at 1:30 p.m. at City of Austin Permitting and Development Center 6310 Wilhelmina Delco Dr, Room 1202, Austin, TX 78752 and via Video Conference on Microsoft Teams.**

The date, time, and location for the next Board meeting were confirmed; the meeting adjourned at 3:09 p.m.