

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

**MEETING OF THE BOARD OF DIRECTORS**

September 3, 2024, 1:30 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](http://www.gaatn.org)

Remote audio-only option for public access: (512) 831-7858, Access Code: 499 822 619#

**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:

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)

Syd Falk, GAATN attorney (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)

Mike Lohrstorfer, on behalf of Austin ISD (remote)

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

Harold Nall, on behalf of UT-Austin (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 and/or GAATN contractors:

Wayne Wedemeyer, on behalf of himself (remote)

Chris Gonzales, on behalf of BryComm (remote)

Cory Brymer, on behalf of BryComm (remote)

**2. Citizen Communications:**

Wayne Wedemeyer gave a speech about the history and importance of GAATN, including the cost savings that its members realize annually. He stressed the importance of ensuring that future GAATN contractors are guided by a Central Texas focus, even as they are acquired by companies farther away from Austin. He said this should be a priority of all GAATN members and that GAATN will suffer if it allows more decisions about the daily operations of its contractors to be made by entities outside of Central Texas.

**3. Review and approve the minutes for the regular Board Meeting of August 6, 2024:**

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

**4. Consent Agenda Items recommended from Technical Subcommittee Meeting of August 20, 2024,**

**A. Seeking approval for change order for A1N segment 11 in the amount of \$30,780 to be funded from the FY25 MAC budget**

Jaime Guerra moved to approve the change order for A1N segment 11 in the amount of \$30,780 to

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be funded from the FY25 MAC budget; Dain Herbat seconded the motion, and it passed unanimously.

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

#### **A. Acquisition of BryComm LLC**

Cory Brymer spoke about the recent acquisition of BryComm by Cook & Boardman. Dain asked what it means for GAATN in terms of response time, service delivery, and personnel dedicated to GAATN. Cory said that it shouldn't change anything with GAATN contracts regarding response time, service delivery, and personnel. Cory said this acquisition is allowing them to provide better benefits to their employees and hopefully retain good employees and recruit talent. Cory said their goal is to continue to grow across the state. Cory said there should be no operational changes aside from having a new W-9 and EIN. He said their headquarters would remain at the same location. He said that he would provide a new org chart that shows the level above BryComm in case members need that information.

#### **B. Seeking approval for GAATN 183N Mobility project agreement between GAATN and Central Texas Regional Mobility Authority (CTRMA) and Great Hills Constructors (Design Build Contractor)**

Sarah reported that the project associated with this agreement was approved at the June 4, 2024, Board meeting; it is a fully reimbursable project totaling \$179k. She said the final agreement presented today was negotiated between Syd and CTRMA/GHC. Syd said that this agreement is very similar to previous CTRMA agreements and that most of the negotiations were minor timing questions. He said one thing he wanted to ensure was that the reimbursement process through the DB contractor was as foolproof as possible. Dain Herbat moved to approve the GAATN 183N Mobility project agreement between GAATN and Central Texas Regional Mobility Authority (CTRMA) and Great Hills Constructors; Jaime Guerra seconded the motion and it passed unanimously.

#### **C. Seeking approval for GAATN 2025 Meeting dates**

Sarah noted that the dates would be amended for September; the September 2025 Board and Tech meetings are now rescheduled for September 9 and September 23. Jaime Guerra moved to approve the GAATN 2025 Meeting dates as amended; Dain Herbat seconded the motion, and it passed unanimously.

#### **D. GAATN Fiscal Manager duties and formation of service level agreement**

Sarah reported that this agenda item has been discussed since April. The Board has determined that there is a need to have these duties documented in a written agreement with compensation. Both AISD and COA are reviewing the list of duties that Sarah drafted to determine the feasibility of performing these duties under an SLA. Sarah said that the COA Board member requested she meet with CTM finance to discuss the feasibility of COA taking those duties over; she met with them the week prior, and they are working on estimating the level of effort. Paul with AISD said he met with their legal counsel, and they are in favor of continuing to provide fiscal management duties for GAATN. He said they have a meeting scheduled with their interim CFO next week to discuss it as well.

#### **E. GAATN Damage Claims Procedure and GAATN Teardown Damage and Repair Policy**

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

#### **F. GAATN Backup NOCC decommissioning**

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

#### **G. GAATN Backup NOCC relocation, subcommittee update, and agreement negotiation**

This agenda item was discussed in executive session under Texas Government Codes 551.071,

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

### **H. 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 Codes 551.071, 551.089 and 418.181. Upon reconvening in open session, no additional discussion was held, and no action was taken.

## **6. Network Manager's Update:**

### **A. Project status report**

Frank reported on the following upcoming and recently completed projects:

- Presidential election maintenance moratorium reminder: 10/19/24 – 11/8/24
- B1S/SRS Cap Ex South TxDOT temp relocation – scheduled to complete 9/11/24
- A2S splice case audit – change order pending, ongoing through 10/1/24
- A1N upgrade project segment 11 – scheduled to complete 9/5/24 – this is the last A1N upgrade segment aside from the REB building projects
- SRS upgrade project segment 3 – scheduled to complete 9/9/24
- B1S emergency repair at Metcalfe Rd – completed 8/21/24
- B2S emergency repair at 2900 blk IH35 NB – completed 8/16/24
- B2S emergency repair at Riverside Dr – completed 8/15/24

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

Sarah reported that management is tracking 33 jobs. So far for FY25, two jobs have been completed and \$97k has been invoiced. There is \$2.8 million encumbered for the remaining 31 jobs and the fund balance bottom line is \$2 million.

### **C. Texas Open Meetings Act training requirements due October 1 reminder**

Sarah reminded members of the one-time requirement to complete the Texas Open Government training videos and to send her both of their certificates for GAATN's records by October 1. She said this was originally discussed in the July 9 Board meeting.

### **D. GAATN November 4, 2024, Board meeting & luncheon**

Sarah said that she sent out an email and updated Outlook invite regarding the November Board meeting. It was rescheduled from Tuesday, November 12 to Monday, November 4, and will now include a luncheon for all Board and Tech members who attend in person. She noted that there will still be a remote attendance option for members if they prefer. She said that Syd will give an open meetings act training after the luncheon. She asked members to let her know if they plan to attend in person and if so, what they want for their boxed lunch.

- 7. Executive Session:** At 2:15 p.m., GAATN Board Chairman Dain Herbat adjourned the GAATN Board of Directors Meeting for closed session, under Tex. Gov't 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 5E, 5F, 5G, and 5H.

At 3:59 p.m., Dain Herbat reconvened the GAATN Board Meeting in open session. Any additional discussion held, or action taken on items discussed in executive session will be noted in the summary for that agenda item. Dain Herbat moved to extend the Board meeting by 30 minutes if needed; Jaime Guerra seconded the motion, and it passed unanimously.

## **8. Update Roll Call (only if executive session called)**

Upon reconvening in open session, an updated roll call was held. All members who announced as present

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at the initial roll call except Steve Martin (COA), Gary Weseman (ACC), Robert Saddler (LCRA), and Mike Lohrstorfer (AISD) reconfirmed their presence in the updated roll call. A quorum was re-established.

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

Sarah reviewed the financial report for the month ending July 31, 2024; she asked members to review and send her any questions.

**10. Meeting and Action Items Summary:**

Frank reviewed the following action items taken from this meeting:

- Get updated W-9 from BryComm and send it to AISD
- Update GAATN policy to include reporting certain types of damage incidents to law enforcement

**11. Confirm date, time, and location for the next regular Board meeting on October 1, 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 4:03 p.m.