

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

**MEETING OF THE BOARD OF DIRECTORS**

October 1, 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)

Mark Stavis, 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)

Robert Saddler, on behalf of LCRA (on site)

Mike Lohrstorfer, on behalf of Austin ISD (remote)

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

Gunnar Seaquist, 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 arriving after roll call:

Bo Kinsey, on behalf of Travis County (remote)

GAATN Contractors:

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 September 3, 2024:**

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

**4. Consent Agenda Items recommended by the Technical Subcommittee at the September 17, 2024, Meeting:**

Gary Weseman moved to approve the Consent Agenda as presented; Jaime Guerra seconded the motion, and it passed unanimously.

**A. Seeking approval for change order for GAATN Backup NOCC Decommissioning A2N fiber re-route in an amount not to exceed \$40k**

APPROVED ON CONSENT.

**B. Seeking approval for A2N new node for UT and COA at Austin Convention Center 5th Street Garage entity-specific projects at no cost to GAATN**

APPROVED ON CONSENT.

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

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

**A. Seeking approval for the first of four possible renewals of AISD 24RFP005 GAATN Underground Locating contract with USIC for a term of February 1, 2025, to January 31, 2026, with a 3% per locate cost increase per renewal year**

Sarah reported that GAATN issued the RFP for locate services last year and USIC was awarded the agreement. She said that USIC built in a 3% increase in their locate rate for each contract year renewal. She noted that the current per-locate price is \$25, which will increase to \$25.75 for the renewal. She said that GAATN spent \$239k on locates in FY24, which was a \$10k decrease from FY23. Jaime Guerra moved to approve the first of four possible renewals of AISD 24RFP005 GAATN Underground Locating contract with USIC for a term of February 1, 2025, to January 31, 2026, with a 3% per locate cost increase; Steve Pyle seconded the motion, and it passed unanimously.

**B. Seeking approval for the first of four possible renewals of AISD 24RFP006 GAATN Property Insurance to Brown & Brown Insurance Agency with a renewal term of November 1, 2024, to October 31, 2025, and to choose one of six Hartford Inland Marine Property policy options**

The Board reviewed the six coverage level options quoted by Hartford. Dain Herbat moved to approve the first of four possible renewals of AISD 24RFP006 GAATN Property Insurance to Brown & Brown Insurance Agency with a renewal term of November 1, 2024, to October 31, 2025, for option 1 with \$6 million per occurrence and \$50k deductible for an annual premium of \$102,202; Jaime Guerra seconded the motion, and it passed unanimously.

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

Sarah noted that this has been a standing agenda item since April. She said the goal of the Board is to enter into an SLA, with compensation, for the fiscal management duties. She noted that AISD has been performing these duties without compensation since GAATN's inception. She said both AISD and COA have been looking into the level of effort or costs of these duties. She reported that CTM finance reached out to AISD to find out more about the effort involved with these duties; Paul acknowledged that he put them in touch with the correct people. Paul did not have any further update for AISD regarding this agenda item. Sarah said this will remain a standing agenda item; Dain reiterated the importance of having these duties documented in an SLA with appropriate compensation.

**D. GAATN Damage Claims Procedure**

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, Dain said that management will have GAATN legal review the draft policy.

**E. 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.

**F. Seeking approval to adopt Backup NOCC Subcommittee recommendation to pursue new GAATN Backup NOCC location at City of Austin site**

This agenda item was discussed in executive session under Texas Government Codes 551.071, 551.089, and 418.181. Upon reconvening in open session, Jaime Guerra moved to authorize network management to proceed with the Backup NOCC Subcommittee #1 relocation choice and work with GAATN's attorney to begin ILA discussions with COA, work with COA building services to begin design and begin the engineering and permitting process for the outside plant portion of the relocation; Dain Herbat seconded the motion, and it passed unanimously.

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

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.

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

### **H. Property damage claim against ABF Freight for damage to B1S at Metcalfe Road on 8/20/24**

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, Dain Herbat moved to accept the settlement offer by ABF Freight subject to a mutually agreeable settlement agreement and release; Steve Pyle seconded the motion, and it passed unanimously.

### **I. 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.

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

### **A. Proposed GAATN Backup NOCC Decommissioning Cutover Schedule**

Frank noted that Carlos sent an email on September 25 surveying each member on their readiness to vacate from the current backup NOCC. Frank reported that management brought a proposed GAATN Backup NOCC Decommissioning Cutover schedule to the September Tech meeting, but the Technical Subcommittee did not take it up for a vote. Frank noted that when the Board approved the outside plant portion of the Backup NOCC decommissioning on February 4, they noted that the cutover schedule must be approved separately. Frank said that, considering the Technical Subcommittee did not take this proposed schedule up for a vote, management is requesting direction from the Board on how to proceed with the permitting and what to tell Convention Center representatives in the decommissioning planning meetings. Frank reviewed the proposed schedule with the Board, which was updated to include the planned decommissioning of the AE Chiller by crane on December 26; he noted they also offered to bring the GAATN generator down on the same day. He said that the Convention Center requested final dates as to when GAATN will be vacated at a decommissioning planning meeting on September 25. Frank said management has already heard from two GAATN entities that they will be vacated by November 30, which is the deadline that management has communicated for all entities to be vacated to meet the planned demolition timeline. Dain said he's written a letter to the City Manager requesting an extension to remain in the current backup NOCC, and he expects for him to receive it this week. He reiterated that if the current backup NOCC is decommissioned before the new site is ready to go, then Travis County will be down to only one site that interconnects between SRS and SRN; he said is not in a position where he can accept that risk on behalf of Travis County. Frank said he is not trying to put the network at risk in any way, but if the wrecking ball comes at the Convention Center, and GAATN is not decommissioned, then that would be a major risk of having an opening on those four rings. Frank said the Convention Center has publicly said that it will close on April 1 for demolition and that is the timeline management is working with in these meetings and with this proposed cutover schedule. Robert asked about a mitigation plan for a second interconnect between the two super rings. Mark asked if there was enough time to get relocated before the current scheduled demolition; Frank said it would be cutting it very close, but the Board will review the permanent and temporary relocation options in executive session. Dain told Frank to direct the Convention Center representatives to their Assistant City Managers if they have further questions about GAATN's timeline of vacating the current backup NOCC. Jaime recommended that management add a schedule for the relocation to the decommissioning so the Tech and Board can see how the dates might overlap or where there might be gaps. Jaime also recommended that management add to the email that Carlos sent out on September 25 and ask entities if there are any rings that they are currently ready to decommission.

### **B. Project status report**

Frank reported that management is currently managing 55 jobs in the active or planning phase, 31 of which are developer driven. So far for FY25, 15 jobs have been completed. Frank provided an update on the following upcoming and recently completed jobs:

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

Upcoming – GAATN:

- A2N splice case audit – ongoing through 1/31/25
- SRS upgrade project segment 1 – scheduled to complete 10/17/24

Upcoming – Entity:

- COA A2N Fire Station 1 node repair – scheduled complete 10/1/24
- COA A1N EMS #5 node replacement – scheduled to complete 10/3/24

Completed – Developer:

- CapEx South TxDOT temporary relocation – completed 9/25/24

Completed – GAATN:

- SRS upgrade project segment 3 – completed 9/23/24
- A1N upgrade project segment 11 – completed 9/18/24
- C1S emergency repair at 6800 blk Congress Ave – completed 9/4/24
- C1S emergency repair at 5300 blk St. George’s Green – scheduled to complete 10/1/24

Completed – Entity:

- COA UT A2N 5<sup>th</sup> Street Garage node relocation – completed 9/19/24

### **C. Job budget report**

Sarah reported that management is tracking 34 jobs totaling \$2.98 million. So far for FY25, 3 jobs have been completed and \$99k has been invoiced. The fund balance bottom line is \$1.987 million.

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

Sarah thanked members for completing the TOMA and TIPA training; she said 15 of 17 members completed the training and she will follow up individually with those two members.

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

Sarah reminded members to let her know if they plan to attend the meeting and luncheon in person by October 18.

- 7. Executive Session:** At 2:13 p.m., GAATN Board Chairman Dain Herbat adjourned the GAATN Board 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 5D, 5E, 5F, 5G, 5H, and 5I. At 3:24 p.m., Dain Herbat reconvened the GAATN Board in open session. Any additional discussion held, or action taken, on items discussed in executive session is noted in the summary for that agenda item.
- 8. Update Roll Call (only if executive session called):** An updated roll call was taken and all members that announced as present at the opening roll call re-confirmed their presence at the updated roll call. Additionally, Bo Kinsey confirmed his presence. 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 provided by AISD for the month ending 8/31/24. She asked members to review and send her any questions.
- 10. Meeting and Action Items Summary:** There were no action items taken from this meeting.
- 11. Confirm date, time, and location for the next regular Board meeting on Monday, November 4, 2024, at 12:30 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 3:30 p.m.