

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

MEETING OF THE BOARD OF DIRECTORS

November 4, 2024, 12:30 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

Remote audio-only option for public access: (512) 831-7858, Access Code: 534 291 073#

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:

Paul Hodge, on behalf of Austin ISD (on site)

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

Dain Herbat, on behalf of Travis County (on site)

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

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

Mike Lohrstorfer, on behalf of Austin ISD (on site)

Justin Slocum, on behalf of Austin ISD (on site)

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

Jeremy Cantu, on behalf of Austin Community College (on site)

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

Syd Falk, GAATN attorney (on site)

Frank Ammons, on behalf of GAATN (on site)

Carlos DeMatos, on behalf of GAATN (on site)

Sarah Eichelberger, on behalf of GAATN (on site)

A quorum was established at roll call.

Members joining after roll call:

Chris Phillips, on behalf of LCRA (remote) – joined at 12:37pm, left at 1:32 p.m.

GAATN Contractors:

Doug Wilson, on behalf of JC Communications (remote)

Chris Gonzales, on behalf of BryComm (remote)

2. Board and Technical Subcommittee Annual Luncheon

The Board and Technical Subcommittee participated in the annual luncheon.

3. Short Break

Members took a five-minute break.

4. Texas Open Meetings Act training:

Syd Falk presented important information for appointed members regarding the Texas Open Meetings Act, Texas Public Information Act, and conflicts of interest.

5. Citizen Communications: There were no citizen communications.

6. Review and approve the minutes for the regular Board Meeting of October 1, 2024, and the Special-called Board Meeting of October 15, 2024

Gary Weseman moved to approve the draft minutes from the regular Board Meeting of October 1, 2024,

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as presented; Steve Pyle seconded the motion, and it passed unanimously. Dain Herbat moved to approve the draft minutes from the Special-called Board Meeting of October 15, 2024, as presented; Gary Weseman seconded the motion, and it passed unanimously.

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

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

Sarah stated that this had been a standing agenda item since April because the Board has determined that it is important to have the fiscal agent duties documented in an SLA with appropriate compensation. She said that AISD and COA have been looking into providing these services to GAATN via SLA. Sarah said that the only update from COA was that she was told by CTM finance that, if they were going to request additional help in their division to provide these services, they would need to put the FY26 budget request in by January or February. Dain asked about the network management SLA and if it would be modified to include the fiscal duties; Sarah said the fiscal duties would be under a separate SLA. Dain asked if they made the budget request, whether they could revoke it if AISD continued as the fiscal agent; Sarah said she would have to check, but she did think they could cancel the request up until a certain point. Paul asked whether it would be one person handling all GAATN financial duties; Sarah said, just like with AISD, it would be multiple people across multiple departments, with most of those duties falling on CTM finance. Gary asked whether there would be any issues from the city council regarding GAATN's budget and issuing purchase orders; Sarah said she didn't know but that she could ask if someone from CTM finance could attend the next Board meeting to answer some of those logistical questions. Syd said that if COA becomes the fiscal agent, they will have to follow Texas Education Code rules and statutes per the GAATN ILA. Paul said that AISD has been looking into remaining the fiscal agent and that it could bring in some revenue to the district. He said that the two major hurdles for issuing purchase orders for GAATN have been their new financial system and procurement. He said that AISD procurement has been working with their legal department to ensure that everything is being properly procured and the fact that GAATN procurement does not go through the AISD Board of Trustees, but rather the GAATN Board of Directors, has caused some pushback. Syd said that the approval for GAATN procurement and spending is the GAATN Board of Directors. Paul said that there is a lot of work on the AISD side to make the appropriate departments aware of GAATN and how beneficial it is to AISD.

B. Seeking approval for amendment to Palm Park Relocation Project associated Infrastructure License Subsurface Conduit Use Agreement between GAATN and City of Austin originally approved 1/9/24

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 Herbat moved to approve the amendment to Palm Park Relocation Project associated Infrastructure License Subsurface Conduit Use Agreement between GAATN and City of Austin; Steve Pyle seconded the motion, and it passed unanimously.

C. Seeking approval for updated GAATN Damage Claims Policy & Procedure

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, Jaime Guerra moved to approve the updated GAATN Damage Claims Policy & Procedure; Gary Weseman seconded the motion, and it passed unanimously.

D. New GAATN Backup NOCC ILA agreement negotiation

This agenda item was discussed in executive session under Texas Government Code 551.071. Upon reconvening in open session, there was no further discussion held or action taken.

E. Seeking approval to relocate GAATN Backup NOCC to temporary and permanent locations 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 approve the

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relocation of the GAATN Backup NOCC to temporary and permanent locations at a City of Austin site discussed in executive session; Gary Weseman seconded the motion, and it passed unanimously.

F. Seeking approval to pay up to \$100k to City of Austin to prepare GAATN Backup NOCC temporary location at City of Austin site

This agenda item was discussed in executive session under Texas Government Codes 551.071. Upon reconvening in open session, Gary Weseman moved to approve the payment of up to \$100k to City of Austin to prepare GAATN Backup NOCC temporary location at the City of Austin site; Jaime Guerra seconded the motion, and it passed unanimously.

G. 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, there was no further discussion held, or action taken.

H. Seeking approval for Proposed GAATN Backup NOCC Decommissioning Cutover Schedule

This agenda item was discussed in executive session under Texas Government Codes 551.089 and 418.181. Upon reconvening in open session, Jaime Guerra moved to approve the GAATN Backup NOCC Decommissioning Cutover Schedule as proposed; Gary Weseman seconded the motion, and it passed unanimously.

I. Seeking approval for GAATN Backup NOCC decommissioning equipment removal

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

J. 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, there was no further discussion held, or action taken.

8. Network Manager's Update

A. Project status report

Frank reported on the following upcoming and recently completed projects:

- A2N splice case audit – ongoing through 1/31/25
- A1N DIR TXDOT Camp Hubbard Node re-route – scheduled to complete 11/12/24
- SRN DIR TXDOT Camp Hubbard Node re-route – scheduled to complete 11/13/24
- C1S Emergency repair at Circle S Road – attempted cable theft – completed 10/30/24
- C1S Emergency repair at 12000 blk Menchaca – vehicle damage – completed 10/25/24
- B1S Emergency repair at Banister Ln – vehicle damage – completed 10/25/24
- B1S Emergency repair Nuckols Crossing – attempted cable theft – completed 10/22/24
- SRS Upgrade project segment 1 – completed 10/17/24
- C1S Emergency repair St. George's Green – attempted cable theft – completed 10/1/24
- A1N COA EMS #5 node replacement – completed 10/3/24

Paul asked Frank about whether management pursues damage claims for entity node fiber; Frank said no, entity node fiber is the responsibility of the entity that owns it. Paul asked about whether the damage policy includes reporting to AISD police if an incident happens on campus; Sarah said yes that management would report to the authority having jurisdiction if the incident involves damage to GAATN ring cable, but the entity would be responsible for reporting any damage to their node cable.

B. Job budget report

Sarah reported that management is tracking 40 jobs totaling \$3.36 million. So far for FY25, 6 jobs have been completed and \$205k has been invoiced. Also, for FY25, GAATN has received \$127k in

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project reimbursements from TxDOT and damage recovery.

- 9. Executive Session:** At 2:27 p.m., GAATN Board Chairman Dain Herbat adjourned the GAATN Board of Directors 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 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, and 7J.

At 3:41 p.m., Dain Herbat reconvened the GAATN Board in open session. Any further discussion held, or action taken on agenda items discussed in executive session will be noted in the summary for that agenda item.

10. 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, except for Chris Phillips, re-confirmed their presence at the updated roll call. A quorum was re-established.

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

Sarah reviewed the monthly financial report from AISD for the month ending September 30, 2024. She asked members to review and send her any questions.

12. Meeting and Action Items Summary:

Frank noted the following action item taken from this meeting:

- Invite CTM finance representative to attend the December Board meeting if possible.

13. Confirm date, time, and location for the next regular Board meeting on Tuesday, December 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 3:49 p.m.