

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

**1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD April 1, 2002**

Agenda Item No. 1:

The meeting was called to order by Chairman Patrick Jordan at approximately 1:33 p.m.

The following Board members announced as present:

George Mirick (alt.), on behalf of the University of Texas
Tom Lott (alt.), on behalf of the Lower Colorado River Authority
Patrick Jordan, on behalf of the City of Austin
Wayne Wedemeyer, on behalf of University of Texas
John Kohlmorgan (alt), on behalf of Austin Independent School District
Martha Riekenberg (alt), on behalf of the City of Austin
Dave Kelly (alt), on behalf of Department of Information Resources
Frederick Harris, on behalf of Austin Independent School District
Steve Zoromsky, on behalf of the Lower Colorado River Authority
Gary Weseman, on behalf of Austin Community College

GAATN Personnel present:

Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager

Agenda Item No. 2:

Citizen Communication

There being no citizens present, Chairman Jordan moved on to the next agenda item.

Agenda Item No. 3:

Approval of March 4th, 2002 Board Minutes

There were no corrections to the minutes Wayne moved to accept them with a second from Frederick; the motion passed unanimously.

Agenda Item No. 4:

Executive Session

Chairman Jordan noted that there were no subjects brought forward for discussion in executive session and therefore no need to adjourn to it. That stated he moved forward with the next agenda item.

Agenda Item No. 5:

Hear report and discuss/consider Board Chairman Update.

A. Discuss Internet Bandwidth

B. Bandwidth Utilization Problem

Patrick noted that in February this year the City of Austin moved online application processes to the Internet. Resumes and applications can now be submitted on line, additionally voter registration and other functions have also been added with the result being an increased demand for bandwidth. He noted that Travis County, AISD, ACC, and COA are participants in the switch at UT and noted that all of them were also in need of increased bandwidth. He also shared that this discussion had taken place less than a year ago when bandwidth was increased at that time and added that moving forward together would be good. Other increases to the city bandwidth has been telecommuting through the added VPN server and being noted for best municipal website. He then confirmed with UT that they had added an OC-12 connection, a significant increase over the 5 DS3's he imagined. Wayne added that it had just gone on line Friday, but John noted that AISD was still having some issues and stated he would retest their equipment. Patrick added that an OC-12 was commercial grade and that there had been good pricing through UT. Patrick requested that the

Technical Committee take this subject up and examine the best way to approach, adding that he volunteers any of his personnel at the city if they are needed.

Wayne added that increasing ports to 100 megabits is a possible solution, this action would precipitate a need to arrange how to 'share' both the cost and bandwidth that this change would make. Patrick suggested a special called meeting if necessary to examine the issue but the feeling was that the Technical Committee is meeting April 17th already and could handle the issue at that time.

Patrick's other item was the inquiries by Capital Metro into GAATN. He stated that they only had one site that he knew of. Steve stated that they had two locations now. Patrick noted that the interlocal certainly provided for expanded membership and if their needs were such that being a GAATN partner would be of benefit to them then he welcomed the opportunity. He then asked if any participants had an interest in Capital Metro sites and to give that option some thought.

Agenda Item No. 6:

Discuss/Approve Bickerstaff, Heath, Smiley, Pollan, Keever, & McDaniel, L.L.P, as the new GAATN Attorney.

A. Distribute Attorney Agreement letter and meet Stephen Fogel, the new GAATN Attorney.

Patrick asked Ron to speak to this topic. Ron stated that the new Attorney had been approved at the last meeting and was here today for the first time. Stephen Fogel was then introduced to the group and then Ron shared that the Attorney Agreement letter was among the information in front of them. He added that provisions requested by the State were included into the agreement letter and encouraged everyone to read through the document and have their various entities do the same. Patrick added that any changes can be sent directly to Ron who would work with the new Attorneys to accommodate, if possible, everyone's requirements. Stephen stated that he felt GAATN was a good agency and he looked forward to working with everyone.

Agenda Item No. 7:

Discuss/consider Financial Report from AISD

Frederick passed out the Financial Report from AISD with little comment. Ashley asked about the Heritage Title Company, but was reminded about the house move last fall. Patrick asked if GAATN had recovered total cost on that to which Martha stated that it did not. She added that the amount received reflected a negotiated settlement that was done primarily because the network benefited by having slack inserted at 5 different locations. Patrick then asked about the Travis County issue and it was noted that it was still unresolved, basically, they are still behind on some payments. Patrick asked if he needed to do anything as Chairperson, adding that he would like to talk to Walter first since he is not present. He then asked Ron to remind him to initiate some calls to see if he could assist with clearing up the issue.

Agenda Item No. 8:

Hear Report and discuss/consider Technical Subcommittee Update

A. Distribute copies of the letter to Corning from the GAATN Board to investigate the condition of GAATN Fiber.

B. Distribute Pole Attachment Agreement for participant review.

Tom noted that Ron had included a copy of the letter that was to be sent to Corning to request assistance in examining some problem fiber. Ron added that he had spoken with several representatives from Corning over the last few days. He stated that there was renewed interest in cooperation, perhaps being spurred by several phone calls to find someone high up at Corning in which to send the letter to request the help. The letter will still be sent out and should help document the many requests from the Maintenance Contractor and the GAATN Board concerning this issue.

Tom again noted that Ron had included a complete copy of the Pole Attachment Agreement with attachments for everyone to review. He also shared that the Technical Committee had seen this document as had legal but that this was a completed packet being handed out for everyone to read through. Patrick asked how many potential licensee's will this effect and was told 2 or 3 by Martha. Asked if SWBell was one that was to be approached she stated that it was possible but that there agreement was much more pervasive and surely GAATN would be requested to sign theirs if we were to hand them ours. Currently we are on some 700-800 poles owned by SWBell, Martha stated. Wayne asked if this was something that needed to be solved to avoid future issues. Martha noted that new poles are agreed to but that original poles are not covered. She explained that they were attached to SWB poles during the original construction, hence, no agreement at that time was necessary. She added also that currently permission is granted and

given for SWBell to attach to our poles. Steve asked what risk there was in proceeding without agreements. He was told by Martha that it depended on the entity in question and stated that with Austin Energy and SWBell there was little risk, but with Grande or Time Warner then it was greater because they had consistently shown a lack of care or concern around the GAATN plant. Wayne asked if we were on Time Warner or Grande poles and was told no by Martha. He then asked if, from an equity and just perspective we were on grounds that we could justify. He was again told yes by Martha. Wayne then stated that from a defensible position that GAATN needed to be just and fair. Martha stated that it was a defensible position. The discussion then centered around the aspect of requiring Time Warner and Grande to sign the agreement and based on the discussion and input from the new Attorney, if that was the route GAATN wanted to take they could proceed.

Patrick then asked about the state of the Pole Agreement. Tom noted that it had been around already for some time and the next activity would be for the Board to vote and approve. John asked if GAATN was prepared to force action on those in non-compliance. Martha noted that, if necessary, Austin Energy would certainly would and since the few GAATN poles are within and around their poles they would be a 'larger stick to swing'. She added that Right of Way issues could also come into play. Stephen suggested that should another issue arise with Time Warner or Grande then the Pole Attachment Agreement could be good leverage. Tom added to the discussion by noting that this was not a big revenue for GAATN but was instead extra protection in case of damage. Patrick reiterated the knowledge and protection portion of the network as important and asked whether GAATN needed to own any poles at all, maybe giving them over to Austin Energy. Wayne had concerns on privatization but this was noted as an issue that would be outside of any privatization deals if, indeed, they ever surfaced. Patrick again stated that it may be advantageous for GAATN not to own any poles. John suggested leaving it alone. Tom stated it would be good to have if we are damaged. Patrick stated that agreements mean paper trail. John stated that the issue was do we enforce, not do we need. Tom said that we could enforce on a case by case basis. Patrick then asked how this came up in the first place and suggested that everyone review it, refered it back to the technical committee, and suggested that we leave it on agenda for now for further discussion.

Agenda Item No. 9:

Discuss/consider B1N extension.

Martha explained the map that was handed out showing the routes and present situations. She explained that the City placed 96 strand fiber into TxDot conduit along 183. This was based on an opportunity and good dealings that Martha was able to take advantage of. She added that the poles for the proposed route were fairly open but that expansion by others was evident and Austin Energy was on a first come basis. She noted that it was some \$200,000 to string fiber the remainder of the way from the TxDot conduit to 620, the amount to go all the way back around was around \$390,000 per our Maintenance Contractor. To 'lock down' a good pole assignment GAATN would have to string a single strand at a cost of \$80,000 which would protect the placement. Wayne went through various scenarios that he had studied concerning splitting the costs but the issue was, to him, whether this was a GAATN project or a participant project and if it was participant project then who and how much were the factors. Patrick stated that he could see a need for this in the near future, especially with all Round Rock is doing. Frederick asked if this was something planned but was told no, that it was an opportunity. There was much discussion on who would be willing to participate and how the route could be done. The overlying factor was protecting an assignment on the poles currently owned by Austin Energy. Patrick asked if any participant saw this as unnecessary but got no response. There was then discussion about Bergstrom which had been a similar issue but one the city did and then resold to participants. Wayne asked if a motion was needed to decide if it was a GAATN or a participant deal. This topic obviously required some more discussion but the immediate need was to secure a route. Wayne then put forward the motion that a strand be placed to protect the assignment on the poles, not to exceed \$80,000 which would come out of the GAATN Maintenance Budget. This was seconded by Frederick Harris and passed unanimous. Wayne noted that who participates and how is for future discussion.

Agenda Item No. 10:

Discuss Benefits Analysis of GAATN

Patrick stated that he asked Ashley to provide the Gartner Study to everyone. He added that as it is reviewed the participants may want to model their own analysis after it. Ashley noted that she has not heard from participants on this issue yet. Wayne stated they were working on it and John commented that it was a significant undertaking that AISD was working on also. Patrick noted that it was a good resource to have for government entities that may be challenged, it allows defensible explanations for activity based on cost savings. He added that the analysis was based on Texan costs and was a conservative comparison.

Agenda Item No. 11:

Hear report and discuss/consider Network Manager's Update

Ashley added to the previous discussion on Corning by stating that an independent lab had been contacted to run tests on fiber and that the cost was somewhere around \$ 4,000. She also stated that the Carver dates had been pushed up to June to accommodate entities that had projects during July. She stated that the new dates were June 22nd for the Super ring and June 29th for D1N. Patrick asked if she had checked with operations at the city and was told that she had approved those dates with them as well. Email notification will go out as it gets closer to the scheduled work time frame.

Agenda Item No. 12

Confirm date, time and location for the next regular Board meeting as May 6, 2002 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.

Time and location for next meeting was confirmed and the meeting was adjourned.