

**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 May 6, 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
Debbie Opdahl, on behalf of the State 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
Stephen Fogel, GAATN Attorney

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 April 1st, 2002 Board Minutes

There was a minor correction in the minutes, agenda item 6 in April 1 minutes requires a capitalization of 'State' in the paragraph. There were no other changes to the minutes, Gary Weseman moved to accept them with a second from Steve Zoromsky; the motion passed unanimously.

Agenda Item No. 4:

Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.071, to seek legal advise regarding contemplated litigation for construction, equipment, and product warranty claims. Reconvene for discussion and decisions, if any, on matters considered in closed session.

Chairman Jordan moved to executive session at 1:36 p.m. Patrick reconvened from Executive Session at 1:46 p.m.

Agenda Item No. 5:

Hear report and discuss/consider Board Chairman Update.

Chairman Jordan stated that the last Board Meeting had raised the issue of Travis County Payments to GAATN, there was a desire to again assist them with getting the necessary paperwork to bring them up to date with payments. Patrick stated that he had talked to John at AISD and with Walter at Travis County about the matter and to establish exactly what is due. This activity arose from a question Walter had had about amounts, he was in possession of two different invoices and desired clarification. Martha added that no payments by Travis County had been made in 1999 and that this had precipitated a fall behind that has yet to be resolved. Debbie asked why different invoices were sent and John shared that he believed that a credit to their account had probably gone through causing a reissue of another invoice with the different amount. Debbie reminded the Board that She and John had worked on this several times before while she was at AISD. Together they had compiled information for Travis County to get caught up but that those efforts had gotten little result from the Travis Commissioners. She added that part of the

issue had been a difference, or change rather, in Network Rights that year which contributed to confusion. Additionally, all AISD efforts and paper work gathered and sent had not resolved the matter. Patrick suggested that Martha, Ron and John work to identify an accurate number and as much history as possible in order to resolve the issue which has carried on far too long. Debbie stated that this has been done 2 or 3 times before with no success. Patrick suggested doing something as a group such as a vote or agreement included with the history and documentation and, if necessary, come up with a negotiated settlement amount, this coupled with involvement and approval from Walter should help resolve the issue. He directed the work effort from GAATN staff and also that it be included in next month's agenda. That stated he moved onto next item.

Agenda Item No. 6:

Further discussion and possible action regarding analysis of fiber optic cable approved during April 1, 2002

GAATN Board Meeting.

Wayne moved to reconsider the fiber optic cable analysis voted on at the last Board meeting to be performed by an independent lab through the GAATN Maintenance Contractor, seconded by the Debbie Opdahl with the State. Motion passed unanimously with no discussion.

Wayne further moved to rescind the purchase order for the independent contractor analysis of the fiber optic cable through CoCom, seconded by Frederick Harris. Again the motion was unanimous with no discussion.

Agenda Item No. 7:

Discuss/consider Financial Report from AISD

John distributed the Financial Report and commented only on increased costs of locates. Ron explained that he had been working with this for months and updated the Board on meetings that had taken place with SM&P, our local locator and with communication to and from TESS, who sends the tickets to SM&P. He explained frustration with the process and in continually shaving the grids down in an effort to reduce costs by reducing the number of tickets sent, making coverage a bare minimum. SM&P had reduced their costs to a flat rate of \$10 a ticket but the overall costs was analyzed to be around \$150,000 this year alone. Ron explained that he had been in contact with other companies as he was trying to create options. The test, he said would be the April bill from SM&P because that would reflect the last changes made in March with TESS. He added, however, that prior to the meeting he had just received a fax from TESS and it showed no decrease in ticket numbers, a bad sign that SM&P will also be high again. Patrick suggested that the Technical Committee examine this and bring it back next month with some ideas about how to deal with this rising expenditure. Ron added that he did not have his file on this with him but would definitely take it to the Tech Committee on May 22nd to get their assistance and advice on the best way to proceed with resolving this problem. Several members noted that they were anxious to see the numbers for April as that was clearly the deciding point and Ron stated that he usually receives them in the next few days. Other questions about this were answered in the background that Ron shared. Basically, the tickets started increasing when GAATN switched to TESS. SM&P is legally responsible to respond to tickets they receive from TESS and despite all his efforts the number of tickets generated by TESS has not diminished, he added that he was to receive a list of addresses soon so that he could begin tracking exact locations to see if they were valid-he hoped to complete this by the Technical Committee meeting on the 22nd of May.

Agenda Item No. 8:

Hear report and discuss/consider Technical Subcommittee Update. (Lott, 20 minutes)

- A. Information from Corning visit to investigate the condition of GAATN fiber.**
- B. Increased Bandwidth Considerations and options.**
- C. Discuss/consider Pole Attachment Agreement.**
- D. Discuss/Consider initial implementation of Pole Attachment Agreement.**

A. Tom began by discussing the Corning visit and their presentation to the Technical Committee. He explained that the two representatives from Corning had discussed at great length their results from samples gathered last year. Their conclusion was mechanical failure post installation, their claim of external cause was the basis of their entire discussion with the Technical Committee. The samples they used were destroyed during the testing process. Tom added that the two reps, Jim McNelis and Fletcher Lane had also gathered additional samples to take back for more testing. Patrick asked if there had been additional follow up but Ron shared that he had requested their presentation and an update and had received a minor update which he would send out. Patrick added that any calls or contacts need to be kept up with so that everyone could see what the results were and how things were progressing.

B. Patrick and Wayne shared that a 3rd port for the city of Austin had been added at the UT router, pricing will change accordingly and Wayne has already sent an email with that information. Patrick added that the City is seeing 34-36 Mbs at the router and that it is not exceeding 45Mbs, he encouraged continued discussion at the Tech level with this topic. John added that AISD would need 45 Mbs by August. Wayne added that he is bringing in an OC-3

and studying various connections because Travis County will not need much and a few other entities won't either so UT is planning multiple switches with different capacities to accommodate GAATN participant needs. Patrick requested a proposal from UT on costs and architecture when its available and stated that the Tech Committee will need to discuss it and bring something to the Board soon. He also asked if there was opportunities for common equipment, and Wayne said that there may be and would let the Board know.

C. Tom noted that the Tech committee had forwarded this back to the Board with recommendation to approve. He added that GAATN may not choose to implement it with everyone due to existing relationships and agreements. The GAATN attorney had noted that this was not a problem. Tom noted that GAATN could implement it with companies where past problems have developed or exist. He surmised the two issues with the Pole Attachment Agreement to be 1) Does the Board wish to approve and 2) Who do they wish to implement it with. Patrick asked if all the legal departments of the entities had had a chance to look over. Steve noted that he had not looked at it, Katherine Mudge had when she was Counsel. Some of the Board members felt our new counsel should take a look so Patrick requested that this item be included next month. Additionally he thanked the Technical Committee for their efforts, citing them as a 'good backbone' for the GAATN Board.

Agenda Item No. 9:

Discuss Benefits Analysis of GAATN

Ashley noted that UT had provided their information for this topic but, she noted that a few others had not gotten back with her on this. Patrick asked if anyone had questions on the Gartner report that he shared last month. He added that he welcomed input and questioned how best to pursue a goal for the Board concerning this topic. Debbie added that she was working on several similar reports for DIR and welcomed any interest in checking them out, several participants did express said interest. Wayne noted that he had been contacted by a company looking to do an analysis for a GAATN type project in San Antonio and that they would love to get a breakdown like Gartner's to study. Ashley requested AISD to provide this information and was told that they were working on it and would hopefully send her something soon.

Agenda Item No. 10:

Hear report and discuss/consider Network Manager's Update

Ashley began by questioning everyone about DIN; did they have problems, etc? She added that Carver was still going along. John asked about an article he saw in the Austin American Statesman concerning the City assisting to relocate other utilities but no one else had seen it. Patrick asked Ron to track it down and post an agenda item to resolve it for the next meeting.

Agenda Item No. 11:

Confirm date, time and location for the next regular Board meeting as June 3, 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.