

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

**625 East 10th Street, 6th Floor
Austin, Texas 78701**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD February 3, 2003
Lower Colorado River Authority
Shapiro Building Room 517
3701 Lake Austin Blvd**

Agenda Item No. 1:

The meeting was called to order by Chairman Patrick Jordan at 1:30 p.m.

The following Board members announced as present:

Patrick Jordan, on behalf of the City of Austin
Martha Riekenberg (alt.), on behalf of the City of Austin
John Houseman, on behalf of the University of Texas
Frederick Harris, on behalf of Austin Independent School District
Tom Lott, on behalf of the Lower Colorado River Authority
Jimmy Don Havins (alt.), on behalf of the Lower Colorado River Authority
John Kohlmorgan (alt.), on behalf of Austin Independent School District
Gary Weseman, on behalf of Austin Community College
Walter LaGrone, on behalf of Travis County
Debbie Opdahl, on behalf of the State of Texas

GAATN Personnel present:

Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager
Stephen Fogel, GAATN Attorney

Agenda Item No. 2:

Citizen Communication

Chairman Jordan welcomed Robert Turner, Danny Hobby, David Lampl, Walter Leslie and Heidi Cottingham to the meeting. Motion was made by Debbie to rearrange the agenda items, moving Item 7 after 3 and item 9 after 7 while postponing item 4 until next months Board meeting. The exception being that the Technical Committee Meeting will need to be posted this month. This motion was seconded by Walter LaGrone and approved unanimously.

Agenda Item No. 3:

Approval of January 6, 2003 Board Minutes

There was a typo in the minutes under Item 7, GAATB was changed to GAATN. This was noticed by Tom Lott. No other changes were required in the draft minutes. Frederick made the motion to accept the minutes with a second from Debbie Opdahl. The motion passed unanimously.

Agenda Item No. 7:

Discussion and possible action regarding Travis County's request to add the CTECC project as a GAATN project. (LaGrone, 10 Minutes)

Walter began by stating that CTECC should be a GAATN project. There was discussion as to why this had not been fully addressed before by him, he stated that he inherited some money issues when he was appointed and only now has been able to discuss the topic.

As a background to the CTECC project he introduced Danny Hobby. Danny stated that the CTECC center was an RDMT project involving many of the agencies present on the GAATN Board. Started 8 years ago the goal was to cross jurisdictional boundaries and provide emergency communication services throughout the area. The backbone is the central command center which allows the joint operations of the various participants with the goal of protecting the citizens of our area. Danny added that since the tragedy of 9-11 the importance of this project could not be understated. Further, this is a microwave and fiber based system that GAATN needs to be a part of. Robert Turner then spoke about the CAD and radio integration, stating that all the Board members should be a part of. He added that some 1000 sq ft had been established at CTECC for GAATN and that the project is managed by the City of Austin but funded through all participating agencies. Patrick stated that the last mention of this project was in January of 2002 and that was at the Technical Committee level, if the entities wanted to participate or saw the value of it then they would have done so before now. The City of Austin had pulled in 144 strand fiber and its available to GAATN participants to purchase should the Technical Subcommittee deem it as important to do so. Patrick added that the conduit system in place at present would allow for C1N, D1N, and SRN to enter the site, with C1N coming off a city spur.

Walter asked about the 144 strand fiber and was told that it was inactive at present and had been placed by the City of Austin. Robert and Danny stated that they felt GAATN would need to be involved sooner or later and encouraged the Board to think about the future. Patrick responded that GAATN was capable architecturally to be a part but had decided that sharing bandwidth in one system was not what the Board wanted to do. There was also the issue that nearly 10 years had passed and resources and planning for GAATN had gone in another direction from what would be required now. Walter stated again that he wanted GAATN to make this a priority project. There was discussion as to what exactly he was asking to which he stated that he wanted all entities to put into CTECC and not have to pay the City of Austin by making it a GAATN location and not the City of Austin location. Walter stated that Travis County was buying 2 tubes each from the City of Austin. Debbie asked how it affected the State and was told by Patrick that the State had no presence. Martha noted that traffic management center allows for GAATN to have a presence at TxDot. Debbie asked if the Board was being asked to reimburse the City of Austin or help Travis County, the impact was unclear. Frederick noted that specific action would help clarify the presentation and what Walter was asking. He added that policy and fiscal matters were the main focus of the GAATN Board. Walter stated that he only had two weeks to get this item together and desired to meet with the City of Austin. Patrick stated that he was amenable to determining cost sharing of the site as a City of Austin participant and that as a GAATN participant he was not trying to limit participation. He added that he would meet with Walter to discuss a proposal and directed the Technical Subcommittee to discuss the issue as well. Walter stated that the urgency around CTECC was the hope to get it into the budget. Frederick stated that fiscally the project is not linked and could possibly be included later, he suggested moving on in the interest of time. Walter and Patrick stated that they would get together to specify and direct the Technical Subcommittee concerning this issue.

Agenda Item No. 9:

Discussion and possible action regarding the Network Manager's Update (COA, 10 minutes).

A. Revise Network Rights for Fiscal Years 2003-2004

B. Approve Fiscal Year 2003-2004 GAATN Budget

Tom stated that the Network Rights had been approved at the Technical Subcommittee meeting after some changes to it, which were done by Ashley. He added that the holding account balance had also been discussed. The goal was to bring it down over the next three years and subsequently some of the numbers changed slightly. Debbie asked if Broadwing and Qwest pops had been removed. Ashley stated that 6 strands had been transferred to LCRA. Gary asked about site and fiber as it related to the equations in the network rights. Patrick and Martha answered that the sites had more 'weight'. Martha added that the strands were constant and had less impact in the 6 ways used to compute the network rights. Patrick added that this year the rights had really been looked at and stated that he hoped the improvement would continue. Frederick moved to approve the network rights with a second by Debbie Opdahl.

Ashley stated that the Technical Subcommittee had prioritized projects over the next 3 years and that she had added \$100,000 to the TxDot project. Her sheet showed a zero balance by 2005-2006. There was then general discussion about changes to certain categories such as legal and insurance. Patrick stated that the net contributions would be \$2,166,100. John expressed concern that the terminology and format of the sheets were misleading. Patrick suggested that a standard format be established. Patrick noted that there had been discussion on all these items already and that a vote was needed. Frederick raised concerns about the projected numbers and how they were figured. Patrick stated that the Network Manager update given monthly was a time in which these numbers were 'tweaked' to reflect more accurately what projects would

cost. Discussion continued on other areas, the legal fees were bumped up \$10,000 from \$40,000, insurance went up to \$150,000, a 10% increase. Steve stated that the legal fees had been higher based on lab reports and the Corning issue, could not anticipate next years numbers but stated that it would up to damage to the network. Debbie asked if Steve's firm monitored legislation pertaining to telecommunications, he responded in the negative but added that they could. Steve added that his rates and other rates were locked based on a question from Patrick. John stated that he preferred a realistic budget and that transferring from the holding account was not easy to deal with at AISD. Tom stated that \$700,000 for contingency fund was self insurance for catastrophe. And not meant to cover budget expenses. Gary expressed concern over drastic decrease, as did others. Frederick added that it was important to show fiscal responsibility this year. John Houseman asked what the UT quarterly contributions were and was told that they were 4.56%. Gary made a motion to approve the 2003-2004 budget with a total of \$2,001,100 with contributions staying as is. The motion was seconded by Debbie and passed unanimously. Patrick directed that Ashley reissue spreadsheets with the revisions.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairman Update. (Jordan, 5 minutes)

The Board will call agenda items A through F as a group.

A. Discussion and possible action regarding role, authority, and appointment of alternate Board Members. (Fogel, 15 minutes).

B. Discussion and possible action regarding written notice, if any, applicable to technical committee meetings. (Fogel, 15 minutes).

C. Discussion and possible action regarding a uniform term of office for Board Members and a uniform term of office for alternate Board Members. (Fogel, 5 minutes).

D. Discussion and possible action regarding confirmation and status of current appointments to the Board and current appointments of alternate Board Members. (Fogel, 5 minutes).

E. Discussion and possible action regarding use of standard letter to appoint Board Members and use of standard letter to appoint alternate Board Members. (Fogel, 5 minutes).

F. Discussion and possible action to amend or adopt agency bylaws. (Fogel, 10 minutes).

- 1. Article I.k, definition and appointment of an alternate Board Member (amendments to bylaws).**
- 2. Article II, membership and dispute resolution (amendments to title).**
- 3. Article II.a, II.b, and II.c, appointment of Board Members and alternates, and terms of office (amendments to bylaws).**
- 4. Article II.d, standard letters to appoint Board Members and alternate Board Members (adopt new bylaws).**

Article IV, Quorum and Voting (amendments to bylaws).

This topic was postponed by Board vote until March 3, 2003. The Technical Subcommittee Meeting will be posted in the interim. Executive Session was requested by Steve to follow agenda item 8.

Agenda Item No. 6:

Discussion of and possible action regarding the Financial Report and budget issues from AISD.

Frederick Harris stated that AISD would distribute the December and January reports next month.

Agenda Item No. 8:

Discussion of and possible action regarding the Technical Subcommittee Update.

Tom mentioned the hardening of the NOCC and that it would take a couple of months of permitting to complete the work. He then shared that the splice enclosure replacements were being done and that 26 had been replaced. A shipment of 200 more were on the way and that 75 additional would be needed beyond that. All original enclosures are to be replaced, even on the spurs. Heidi added that the cases were redesigned even before they were put on the GAATN Network.

Agenda Item No. 5:

Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.071, to seek legal advise about pending or contemplated litigation for:

- A. Construction, equipment, and product warranty claims; and**
- B. Damage to GAATN Fiber Optic Cables, equipment, hardware, and other property. but not limited to:**

Greater Austin Area Telecommunications Network v. Ascension Health and Gonzalo Portillo, Jr., No. 265725, Travis County Court at Law (teardown at Andrews Elementary on May 31, 2002); and

Greater Austin Area Telecommunications Network v. Oakwood Mobile Homes, Inc. d/b/a Oakwood Homes, and Paredes, Inc. d/b/a Superior Services, No. 266774, Travis County Court at Law (teardown at Daffan Lane on September 6, 2002).

Reconvene for discussion and decisions, if any, on matters considered in closed session.

Patrick moved to Executive session at 4:23 p.m and reconvened to regular session at 4:29 p.m.

Agenda Item No. 10:

Confirm date, time and location for the next regular Board meeting as March 3, 2003 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 at 4:30 p.m.