

**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 April 22, 2003
Lower Colorado River Authority
Shapiro Building Room 517
3701 Lake Austin Blvd**

SPECIAL MEETING

Agenda Item No. 1:

The meeting was called to order by Chairman Patrick Jordan at 1:34 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 House (alt), on behalf of the University of Texas
John Kohlmorgan, on behalf of Austin Independent School District
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
Gary Weseman, on behalf of Austin Community College
Walter LaGrone, on behalf of Travis County
Debbie Opdahl, on behalf of the State of Texas
Wayne Wedemeyer, on behalf of the University of Texas

GAATN Personnel present:

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

Debbie made a motion to change the agenda item order and move numbers 4 and 5 to come before 2. This was seconded by Frederick Harris.

Agenda Item No. 4:

Discussion and possible action regarding routing, reengineering, and relocation of A1N. (Network Manager, 5 minutes).

Heidi Cottingham and Tim Cottingham were present from CoCom for discussion of item number 4 and 5. Ashley began by noting the urgent need to address the A1N crossing over MoPac at 45th street. A teardown occurred last week and the pole is now in need of replacement. Austin Energy owns the pole. She stated that the fiber could be rerouted but that it would cost around \$45,000 which would have to come from contingency funds slated for fiber purchase. Martha added that engineering analysis was going on at Austin Energy and could result in pole replacement soon. Heidi added that there was 100% chance the west side pole would be replaced but could not say when this would occur. Patrick suggested that he might could call Austin Energy management and get something going on this soon. Wayne added that it an offer to financially assist could also be used. This being the will of the Board Patrick stated that he would pursue. The Network Manager can approve up to \$20,000 for projects without Board vote, it was understood that any assistance would come in well under that figure. Patrick was then handed the facts and particulars so that he could initiate conversation with Austin Energy and effect the west pole change as needed without the reroute of A1N.

Agenda Item No. 5:

Discussion and possible action regarding reengineering opportunities for DIN and using maintenance contingency funds to purchase additional fiber. (Lott, 5 minutes).

Tom shared that the Technical Subcommittee was recommending armored fiber purchase to take advantage of low costs at present and to get the level of fiber in reserve higher for DIN activity. The suggestion proposed by the Maintenance Contractor is to reconstruct DIN to original specifications as teardowns and reroutes occur. This would be done to original design and would eliminate many problems on that ring. Ashley added that the redesign was in the budget already and any efforts now to repair would only have to be torn down in the future. The proactive replacement now will save money for the future project. Wayne had concerns about reroutes but the fiber will follow the same path, any reroutes will come before the Board for approval. Wayne also mentioned UT wanting fiber along DIN and Heidi stated that she would be using the 114 strand fiber which would make that available for them to buy in later. Tom added that the Technical Subcommittee sought approval from the Board for 50,000 ft of fiber at \$2.50 a foot. John K. looked at some budget numbers and noted that \$125,000 available in the account plus some in contingency fund to purchase the fiber. Wayne made the motion to purchase the fiber from the contingency fund and the materials fund with a second from Frederick. Motion passed unanimously. Ashley stated she would need a motion to reengineer DIN as opportunities arise. Heidi added that the one needed currently involved 11,500 ft run with only 50 foot of slack available and would eliminate 14 reel to reel splices, or the alternative was to duplicate what is there which is not what was originally designed. The consensus was that this is an important project and should be done. The motion to approve improved engineering on DIN as damage occurs came from Wayne and was seconded by Frederick and passed unanimously.

Agenda Item No. 2

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 2:38 p.m and returned the Board at 2:49 p.m.

Patrick made a motion to accept the offer by Parades, Inc as a result of the default judgement and instructed legal counsel to take all necessary steps, including attaching property, to collect the judgement. Seconded by Travis County and approved unanimously.

Agenda Item No 3.

Discussion and update regarding possible Conduit Sales Agreement and Bill of Sale for ZNET Conduit Purchase. (Jordan, Lott, Fogel: 10 minutes)

Patrick shared with the Board that only one question had been asked from Councilman Wynn and it concerned whether the conduit had been offered to anyone else. Patrick stated that his response shared that the value of the ducts for city and GAATN use were greater than anything that a sale would generate. Currently the issue is still scheduled for council and the city will then authorize him to negotiate the sale. Tom added that he was still working on the inspection and scope of the services for testing the ducts and would get it to AISD. The Board opted not to review it and preferred that it get there as soon as possible. Patrick added that it could not go out until after the council approval.

WORK SESSION:

Agenda Item No. 6:

Discussion and possible action regarding Interlocal Agreement, Amendment 3, section 5. (Fogel, 3 minutes)

Steve stated that this was a housekeeping matter concerning the network rights. The interlocal requires an attached update to the 3rd amendment. Patrick noted that the Network rights were attached to the budget every year. Steve stated that this was a defensible solution and if the Board wished to continue then that was fine-just wanted to note the change. Debbie noted that verbiage in the interlocal included definitions previously discussed that the Board meetings. Patrick requested Ron to check minutes and compare and report back in May. John K suggested that the Network Rights be labeled exhibit B on the spreadsheet as well.

Agenda Item No. 7:

Discussion regarding an update to GAATN policy for site additions and deletions

Page 3 of Debbie's handout outlines this possible addition. Labeled Article X in the handout there was discussion of whether to make this a policy/procedure change or put it into the By-laws. There was discussion also to require termination of connections within 90 days of the entities removing them from the Network Rights. Verification and monitoring would be done between the Maintenance Contractor and Network Manager.

Agenda Item No. 8:

Discussion regarding adoption of proposed Subarticle V.e of the GAATN By-Laws regarding a committee to develop and publish a proposed annual Strategic Plan for GAATN and procedures for adopting the plan. (DIR, 10 minutes).

In Preface to the following items Debbie stated the need to 'firm' up issues and as such produced the document that was presented to the Board. Concerning the Strategic Plan she added that the need to get projects into that plan was important. She added that entities needed to forecast annually with all contributing. The outline for the process would be an explanation of GAATN and some basic facts. The yearly additions would then need to be placed into the document each year. Planning meetings were discussed with committees appointed by the Chair. These will need to be posted as well. Tom thought most of these items were policy and procedure changes. Debbie thought it would be of benefit to nominate a planning committee.

Agenda Item No. 9:

Discussion regarding distribution of meeting agendas and supporting documents (proposal to amend the GAATN By-Laws by relettering subparts b and c as c and d, amending subpart a, and adding a new subpart b). (DIR, 10 minutes).

Debbie wanted more advanced distribution of documentation of the GAATN Board meetings.

Agenda Item No. 10

Discussion regarding notification about network expansion (proposal to amend the GAATN By-Laws by adding a new Article X). (DIR, 10 minutes).

This item placed for consideration and would fall to the Network Manager or Network Administrator for notification.

Agenda Item No. 11

Discussion regarding interpretive rulings of the Interlocal Agreement, the By-Laws, and technical policies and procedures (proposal to amend the GAATN By-Laws by adding a new Article XI). (DIR, 10 minutes).

This item placed for consideration and future discussion.

Agenda Item No. 12

Discussion regarding directions to the Service Provider under the GAATN Service Level Agreement with the City of Austin (proposed directions regarding paragraphs 5.2.1, 5.2.2, 5.4.6, 5.7, 5.7.5, and 5.7.6. (DIR, 10 minutes).

Criteria for Network Manager should include providing detailed information prior to the Board meetings per Debbie.

Agenda Item No. 13

Discussion regarding motion for Chair, Vice Chair, and the chair of the Technical Subcommittee to develop and document duties of the Technical Subcommittee. (DIR, 10 minutes).

Debbie stated that the Technical Subcommittee should develop and detail their activities. Debbie explained that her handout dealt with procedures, SLA and by-laws. Patrick asked that all entities review her worksheet and that an agenda item be placed to address this issue in May. Debbie asked that comments or changes be made more than specifically criticizing the items. All noted that her efforts were appreciated and that it would be redressed in May. Patrick shared that an item will be included for RDMT to come and talk with the Board.

Agenda Item No. 14:

Confirm date, time and location for the next regular Board meeting as May 5, 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.