

**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 May 5, 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 1:32 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
Gray Salada, 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
Joe Harlow, 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

Agenda Item No. 2:

Citizen Communication

Heidi Cottingham was present from CoCom. Peter Collins, Robert Turner, and Danny Hobby were present to represent RDMT for discussion of item 6. No citizens were present.

Agenda Item No. 3:

Approval of April 7, 2003 Board Minutes

Steve Fogel shared that he had given Ron some corrections but they were minor. Debbie Opdahl moved to accept the Board minutes of April 7th, and the work session minutes from April 22nd along with corresponding executive session minutes for those dates, including Steve's corrections. Wayne seconded the motion and the vote was unanimous.

Agenda Item No. 4

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

A. Chairman update on discussion with Austin Energy about A1N pole replacement.

Patrick shared that he had contacted Austin Energy shortly after the last meeting and that they had moved the fiber up about 2 feet. It was measured today and was at 23 feet 4 inches, which is 2 inches short for the approved height over the rail. He was not sure when Austin Energy would change to the metal poles but was aware they were being engineered. The Board expressed concern in pushing the change out along and asked Patrick to write a letter to George Martinez to encourage the change. Patrick stated that he would do so and also asked to offer \$5,000 towards the new metal pole if Austin Energy would place the new pole by months end.

Agenda Item No. 5:

Discussion and possible action on Conduit Sales Agreement and Bill of Sale for ZNET Conduit Purchase (Jordan, 10 minutes)

Patrick shared that City Council had given authority for the sale to proceed. Patrick stated that he needed the Board to direct GAATN legal to begin discussions with City legal to draft a final document for everyone on the sale, a draft of which would be given to the entities. Wayne asked if inspection could proceed and was told yes by Patrick who shared the timeline sheet with everyone. Tom shared that the scope was done and the vendors would get copies of the RFP soon. Patrick had hoped that the inspection could be done by June but Ashley shared that the permitting and work would take longer. Target date for concluding the sale was set for July. Steve asked if GAATN wanted to own the manhole covers and also about liability issues. He also mentioned aspects of the tenets in common aspect of the agreement. Patrick noted that the legal staff could work out these differences and also the Technical Committee could work on it and bring it back to the Board.

Agenda Item No. 6:

Discussion and possible action on GAATN participation in the Combined Center (CTECC) based on modified proposal from RDMT (Jordan, 10 minutes).

Patrick asked what the intention of the Board was on this topic. Gray stated he wanted more information about CTEC. Gary asked what had changed since the last vote. John and Debbie questioned the projects importance to their organizations and where the money would come from for funding. Peter Collins spoke to the Board representing RDMT. He stated that the 80,000 sq feet of the CTEC building was focused on various entities and public safety. He added that 1,000 sq feet had been included for GAATN during construction and assumed that the agency would want to be apart of CTEC. Wayne asked what GAATN brings to the city and was told that the city portion was already done. Wayne then stated that a T-1 line could handle the UT traffic and Pete said that was true but that there was no protection for that line. Debbie asked about the status of things going in and was told that radio would be done by June or July and CAD by 2004. John asked why the city was going to stop allowing the radio traffic through Treaty Oak and was told that the 7-10 seconds of delay was a liability that the city no longer wanted. Gray asked if GAATN proceeded with the super ring would it require the C1N and D1N rings in the future and was told that it depended in the agencies around the table. Pete shared that he was in a position to forget about the \$23,000 for bringing in the super ring if GAATN could vote to partner in CTEC today. Patrick added that a vote to approve spending the \$56,601 today would get SRN into and out of CTEC and that the room was already there waiting, all that was needed was a motion. Debbie moved to approve the \$56,601 for SRN to provide primary and secondary access and that the city will furnish the fiber and handle the distribution of the fiber to the light guide while also providing rack space with no future costs to the GAATN participants for maintenance of the building. She added that the funding will come from the \$1.1 million in capital improvements fund in the budget and that C1N and D1N could be evaluated in the future for possibly using CTEC as a supernode site. This motion was seconded by Tom Lott and the vote was unanimous.

Agenda Item No. 7:

Discussion and possible Chairman appointment of ad hoc committee to bring forward to the Board revisions proposed to GAATN governing documents for distribution and review by GAATN entities. (Opdahl, 10 minutes).

Patrick stated that the goal of the committee should be to produce draft documents in a prepared state for consideration by the Board. Debbie stated that she and Ron could work on it and Patrick volunteered as well. He went on to add that the goal would be to review procedures and by laws to strengthen GAATN agency procedures regarding project management reporting, network manager reporting, project planning, budget planning, and strategic planning. Debbie added that the hope was to improve the SLA, by laws and policy documents. Patrick stated that they needed to meet at least once before the next meeting and get something to the Technical Subcommittee to review.

Agenda Item No. 8:

Discussion and possible action regarding the financial report and budget issues. (AISD, 10 minutes).

Ashley asked about a \$16,000 payment to the city and was told it was for conduit. Wayne noted that legal only had about \$6,000 left for the year and what 6319 was for. John shared that 6319 was for cable only and 6244 was for teardowns and locates.

Agenda Item No. 9:

Discussion of and possible action regarding the Technical Subcommittee Update.

Tom stated that he had nothing new to share since the work session.

Agenda Item No. 10:

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

Ashley shared that the 5th street project would put A2N and SRN into a conduit for 2 blocks and that the contractor was paying for it. Wayne asked if Ashley could contact RDMT folks for getting together equipment standards for the CTEC room. Tom thought they should come to the Technical Committee meeting.

Agenda Item No. 11:

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 3:43 and returned at 3:45, no action required.

Agenda Item No. 12:

Confirm date, time and location for the next regular Board meeting as June 2, 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 3:50 p.m.