

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

**625 East 10<sup>th</sup> Street, 6<sup>th</sup> Floor  
Austin, Texas 78701**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING held on April 5, 2004 at  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd  
Austin, Texas**

**Agenda Item No. 1:**

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

The following Board members announced as present at the start of the meeting:

Martha Riekenberg, on behalf of the City of Austin  
John Kohlmorgan, on behalf of Austin Independent School District  
Gary Weseman, on behalf of Austin Community College  
Walter LaGrone, on behalf of Travis County  
Wayne Wedemeyer, on behalf of the University of Texas  
John House, on behalf of the University of Texas  
Tom Lott, on behalf of the Lower Colorado River Authority  
Brian Kunz, on behalf of the Lower Colorado River Authority  
Patrick Jordan, on behalf of the City of Austin,

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator  
Ashley Caron, Project Manager  
Heidi Cottingham, Maintenance Contractor  
Steve Fogel, GAATN Attorney  
Sydney Falk, GAATN Attorney

**Agenda Item No. 2:**

**Citizen Communication**

There were no citizens present.

**Agenda Item No. 3:**

**Approval of March 8, 2004 Board Minutes.**

Tom Lott moved to approve with a second from John Kohlmorgan, motion passed unanimously.

**Agenda Item No. 4:**

**Discussion and possible action regarding the Board Chairperson Update.**

Patrick stated that he had nothing for this item but had some comments for Agenda Item 8 when the time came.

**Agenda Item No. 5:**

**Discussion and possible action regarding the financial report and budget issues.**

John had no comment on the report.

**Agenda Item No 6:**

**Discussion of and possible action regarding the Technical Subcommittee Update.**

**A. Network Manager Policy**

Tom explained that the Network Manager was responsible for coordinating projects and making the flow of information clear and concise. This policy arose due to a need for further clarification about business dealings among entities and the Maintenance Contractor. He further stated that the Technical Subcommittee had reviewed the policy and given their input to the document, which was now before the Board. Patrick stated that he would like to see legal look it over now and return this item on the agenda for vote in May, pending legal approval.

**Agenda Item No. 7:**

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

**A. Request for 5 year forecast from entities**

Ashley began by sharing that she had initiated contact with the Technical Subcommittee about gathering information concerning expansions for the next five years. She was now bringing that request to the Board members as well. The goal is to be proactive in ring building and to avoid long spurs. She noted that it was better for the budget as well to anticipate where such things as schools were going to be built. John stated that there were several schools slated by AISD and that he would participate with her request. Other entities stated they would do the same.

Ashley then updated the Board about new conduit that was placed between the Civic Center and the Hilton. Wayne was interested in the project due to University of Texas participation in the project. Wayne added that the World Congress of Information Technology (WCIT) was coming to Austin in 2006, and that Internet 2 would be here in Austin in September as well. Patrick remarked that these were wonderful opportunities and asked that updates continue back to the Board. Patrick noted that some wireless grants had already been put into place for some of these events and asked if AISD was participating. John stated that there was great interest in Internet 2.

Wayne asked about the B1N expansions and was told by Ashley that this was budgeted for next year. She then shared that the above ground portion of the Bolm Road and Hwy 183 TxDOT project was in place. She added that the underground was yet to be done due to an issue of Rights of Way which TxDOT has now overcome. She was hoping to partner with Quest at this location on a joint trench and would report back to the Board later. The underground area in question is about 400 feet in length.

Ashley reported that the Mueller project was due to take place in May and would be around \$15,000 to \$20,000 for the project.

Ashley then updated the Board about the ZNET ductbank. Previously, discussions had begun about the possibility of relocation an area of this 30 ft north of 1<sup>st</sup> street due to a waste water project in the area. After meeting with the folks, she noted that this project was for beautification and not for widening and therefore GAATN would not be required to pay for the project. The financial responsibility would have been 2/54<sup>th</sup> of the whole project anyway with ZNET picking up most of the expense. Patrick noted that it was the disruption that concerned him the most. Ashley noted that City Hall was supposed to be completed in the same time frame and this project could be a problem and that she could not guarantee completion of the fiber through ZNET if this other project were to take place. She added that the architect was now looking to work around the area and that she had looked at potholing around the area to allow for storm drainage, the GAATN Maintenance Contractor would do the work.

**Agenda Item No. 8:**

**Discussion and possible action regarding a third-party's use of the GAATN network or GAATN Network Rights and rules governing that use.**

Patrick stated that no one had gotten back with information about this topic yet. He asked Ron to call around to the Board members to gather data about what each entity's interest in this topic was and also any problems that may be created. He asked that Ron compile a list of questions and get that back to the Board in May. Tom wanted to clarify that as long as an entity gets back something in return for the use of GAATN then that was still considered governmental business. Steve affirmed that it did but that it was for traffic going through and did NOT include dropping off to a third party along the GAATN system. Patrick noted that a drop off was a common carrier issue and needed to be avoided. Tom asked if a majority vote would confirm this issue and was told by Patrick that this was a good first question to the list Ron was compiling. Steve referred this to section 10 in the interlocal agreement. Patrick noted that the questions and answers from counsel and last month's discussion on the topic were good reference material as well.

**Agenda Item No. 9:**

**Discussion and possible action regarding the Service Level Agreement.**

Tom desired to discuss the mechanics of the SLA and the possibility for increasing the GAATN employee salaries. This was an issue that he had taken up with Steve and Patrick earlier. Steve noted that the GAATN staff worked for GAATN but were City of Austin employees. The Board's wishes for employee compensation could be communicated, but that any adjustments to salary or benefits would have to take place within the City and would be tied to the Service Level Agreement. Patrick stated that more information would be available in the executive session for this item.

**Executive Session: Services Level Agreement.**

**Executive Session: Adjourn for closed session, under Tex. Gov't Code subsection 418.183(f), to deliberate about information regarding the prevention, detection, or investigation of acts of terrorism, risk assessments regarding property, and technical details of particular vulnerabilities of critical infrastructure as described in Tex. Gov't Code sections 418.177 and 418.181.**

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

Patrick and Steve confirmed that there were no issues to discuss under this executive session agenda item.

**Agenda Item 10:**

**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, and**
- C. Contractual or Tort claims against GAATN.**

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

Patrick moved the Board to executive session at 2:12 p.m. and returned at 2:29 p. No actions were required.

**Agenda Item No. 11:**

**Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.074, to deliberate about the evaluation and duties of the Network Manager and Network Coordinator**

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

Patrick moved the Board into this executive session at 2:31 and returned at 2:55. No actions were required.

**Agenda Item No. 12:**

**Discussion and possible action regarding update on legal services.**

Patrick noted that the contract with Bickerstaff Heath et al: had been in place for almost two years exactly. He shared that Steve Fogel would be leaving and then Steve introduced Sydney Falk, also of that law firm. Sydney explained his past experience to the Board and he was welcomed. Patrick and the other Board members noted that Steve Fogel had been exceptional in his performance over the past 2 years. He will be missed by all, but the Board wished him well and welcomed the continuation with the present legal firm with Sydney Falk taking over as counsel.

**Agenda Item No: 13**

**Confirm date, time and location for the next regular Board meeting as May 3, 2004 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Time and location for next regular meeting was confirmed and the meeting was adjourned at 3:04 p.m.