

**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 March 7, 2005
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 1:34 p.m.

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

Patrick Jordan, on behalf of the City of Austin
John Kohlmorgan, on behalf of Austin Independent School District
Gary Weseman, on behalf of Austin Community College
Wayne Wedemeyer, on behalf of the University of Texas
Dave Kelly, on behalf of the State of Texas
Tom Lott, on behalf of the Lower Colorado River Authority
Brian Kunz, on behalf of the Lower Colorado River Authority

Joining the meeting in progress:

John House, on behalf of the University of Texas

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager
Syd Falk, GAATN Attorney
Heidi Cottingham, Maintenance Contractor

Agenda Item No. 2:

Citizen Communication

There were no citizens present.

Agenda Item No. 3:

Approval of February 7, 2005 Board Minutes.

Wayne moved to accept the minutes, with a second from Gary. The subsequent vote was unanimous.

Agenda Item No. 4:

Discussion and possible action regarding the Board Chairperson Update.

Patrick stated that he had no updates but did note that Walter LaGrone had been appointed as GAATN Director from Travis County and that Russell Hahn would be the alternate.

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

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

Patrick moved to executive session at 1:36 pm and back in regular session at 1:50 p.m. There were no issues to be brought forward for action or open discussion and Patrick moved to the next agenda item.

Agenda Item No. 6:

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

John distributed the report and noted that the date was wrong on the first page, the budget report was from the end of January and not December. There being no other discussion on the budget report, Patrick moved to the next item.

Agenda Item No. 7:

Discussion and possible action regarding new site approval for the University of Texas and AISD.

John shared that AISD wanted to add a site on GAATN at a location on 6th Street. In discussions at the Technical Subcommittee meeting Wayne had noted that UT also had a site at the same location and a joint entrance was discussed from AIN into the location. Tom added that the Technical Subcommittee had given its consent for the new site which would not impact any other GAATN Participants. Patrick moved for approval with a second from Gary, and the vote approving was unanimous.

Agenda Item No. 8:

Discussion of and possible action regarding the Technical Subcommittee Update.

Ron updated the Board that he was still going through the original GAATN files and reorganizing them to be loaded into the GAIN system. This is an ongoing project as was the updating of old tech minutes to the GAATN Website. Ron stated that Jennifer Coast was in the process of loading that information to the website and that he was still finding some old minutes in the files that he intended to scan in and send to her once she gets caught up. He added that it was a tedious process for her to put them on the website and acknowledge her great efforts for this project. The remainder of the Technical Subcommittee meeting had dealt with fiber types and the ability of the GAATN fiber to carry CWDM. The possibility of hyper rings was also discussed as was replacing brittle fiber. Ashley added that she and Heidi were looking into creating some prints that would show areas that have been replaced along the network. Wayne added that data was going to be of greater need in the future, areas such as fiber type, trends in the damage and teardowns, etc, would be of huge importance in decision making for the Network. Patrick noted that the maintenance inspections could be used for gathering the data type of the fiber. Heidi agreed to start that data collection but added that she has not added fiber type previously to her records. John K added that it would be good to come up with a database form that could be utilized for this data collection. Heidi added that self-support cable versus lashed is already depicted on the network diagram prints. Wayne stated that the Technical Subcommittee should discuss this more. Ron added that he would put it on the agenda. Patrick added that the last 5 years has seen much improvement in the GAATN data collection. Tom added that the Technical Subcommittee should also estimate costs for various record-keeping approaches as well, including GIS-based data records. John added that it may take awhile to build it but as long as it is in progress it would be a huge improvement.

**Agenda Item No. 9:
Discussion and possible action regarding the Network Manager's Update (COA, 10 minutes).**

Ashley updated the Board on several projects.

CoCom is estimating costs for the 3rd Street rail project.

TxDot on C2S cutover at Hwy 290 and Hwy 71 is set for 3/20/05.

The D1N repair will be March 15th, 2005.

B1N at Duval Road and Hwy 183 ran into more bad fiber so Ashley is looking into replacing more than initially anticipated, around 8,000 feet, in order to get rid of some brittle fiber.

Ashley had no news about TxDot and Bolm Road as the gas people were still working on the area and no one has called GAATN to move forward.

A1N at City Hall had no update, still waiting on LCRA repeater, which is on order.

ABIA is postponed, primarily because of wet ground due to recent rains.

SRN final leg into City Hall became an issue this week when the City's street and bridge people pushed for road paving. Ashley was able to make some calls and stave them off due to some impending work still to come at this location, for which necessary permits were being obtained.

A. Contract Renewal with GAATN Attorney

Ron shared that he had heard from Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, L.L.P. that there would be no rate increase this year and that they desired to continue the contract. Patrick made the motion to renew the contract for this year with no rate increase. The renewal term will be from April 1, 2005 to March 31, 2006. Wayne seconded the motion; the approval vote was unanimous among the Board.

B. SLA Renewal

The Service Level Agreement with the City of Austin was also up for its yearly review and renewal. Tom made the motion to renew the contract and was seconded by Wayne Wedemeyer. The subsequent vote was unanimous. The continued contract will run from March 1, 2005 to February 28, 2006.

**Agenda Item No. 9:
Discussion and possible action regarding pending Legislative Bills.**

Wayne noted that this item should be left on the agenda until the end of the legislative session, and Ron stated he had intended to have it be a standing agenda item for the duration of the session.

Patrick expressed concern about the wireless access franchise fees, elaborated saying that municipalities may be required to pay penalties for wireless service. He is in contact with City attorneys and keeping an eye on the bill. Syd noted that Ron had identified to him possible concerns that the 501(c)(3) status of GAATN might be affected by HB 332, and on the basis he understood that he was not being asked to perform general bill analysis and monitoring, and in being sure legal bills were minimized, he encouraged specific questions to be posed about particular legislative bills he was to respond to, to prevent unfocused and open-ended review of these bills. Wayne stated that his attorneys at UT were also looking at the bills. John K. pondered what might be a reasonable recourse if there were issues of concern to GAATN identified, since GAATN could not engage in lobbying., Wayne pointed out that AISD and the libraries can go before the Legislature and added that this review was important to GAATN. Wayne added that the legislative website allowed you to get updates via email to bill changes. Patrick noted that Syd should continue to get the specific requests from the GAATN managers via the Technical Subcommittee, he felt this was a good approach. He added that specific concerns did also need to come to the Board. Syd noted that SBC and other telecom providers had put forward bills limiting municipal ability to provide WiFi and other commercial-type services in many states to prevent

adverse impact to their profit and potential customer base. He added that as long as you were a not-for-profit entity then many of the concerns that underlie the deregulation and services-limiting proposals likely did not affect GAATN's existing services, which are provided to and for its Participants and are not a for-profit function in the usual sense. Syd further noted that, for legislative monitoring purposes, each Participant entity had a vested interest in GAATN that should permit the legal departments of the entities to identify and consider legislative concerns from GAATN's point of view as well as the entity's. Patrick encouraged this agenda item to bring those concerns forward. Patrick then added that the City of Austin wanted to add a high capacity Internet port and asked that the Technical Subcommittee discuss possible GAATN participation.

Agenda Item No. 11:

Confirm date, time and location for the next regular Board meeting as April 4, 2005 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 (as April 4, 2005) and the meeting was adjourned at 3:00 p.m.