

**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 January 6, 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 1:34 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
Wayne Wedemeyer, 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
George Mirick (alt), on behalf of the University of Texas
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

GAATN Personnel present:

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

Agenda Item No. 2:

Citizen Communication

Chairman Jordan welcomed Heidi Cottingham from CoCom Cabling Systems to the meeting.

Agenda Item No. 3:

Approval of December 9, 2002 Board Minutes

There were no changes required in the draft minutes. Tom Lott made the motion to accept the minutes with a second from Frederick Harris. The motion passed unanimously.

Agenda Item No. 4:

Discussion of and possible action regarding the Board Chairman Update.

Chairman Jordan passed around the award given GAATN from the Best of Texas Awards presented by the Center for Digital Government. Patrick shared that he wanted to take it to the Telecommunications Council and then presented the idea to share it among participants. Official icon for the award would be on the GAATN website.

A. Discussion of and Possible Action on SLA Continuation with the City of Austin.

It was noted by Patrick that this vote was for Fiscal Years 2003-2004 and that there was no increase. Wayne asked for summaries of the evaluations which Ron stated he would put together and email to everyone. Ron added that he had gotten the evaluations back from LCRA, AISD, Travis County, and Univ. of Texas. Patrick stated that he had not filled one out due to being the Chairperson and City of Austin representative, he added that ACC and DIR should be resent the form. Patrick moved to continue the SLA with a second from Tom Lott of LCRA. The motion passed unanimous.

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 1:48 p.m and reconvened to regular session at 2:14 p.m. Wayne moved to declassify the report by Larry Sellers and was seconded by Frederick Harris. The motion passed unanimous.

Agenda Item No. 6:

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

Frederick Harris stated that AISD was closed through the holidays and had no report to distribute. Patrick stated that review of both reports would then be done at the February Board meeting.

Agenda Item No. 7:

Discussion of and possible action regarding the Technical Subcommittee Update.

Tom Lott shared that much of the discussion at the meeting had been on the report from Larry Sellers. Based on his report the decision to replace splice cases was made. Ashley stated that she had authorized replacement checking up to \$20,000 at the meeting to be done by CoCom. Condition was to be summarized and brought back on where and how to proceed. Total replacement costs were estimated at \$250,000. Heidi stated that costs were more favorable if the cases could be bought in bulk. Tom shared that Larry had volunteered to stay on examining cases but the value of this effort could not be seen by the Board. However, if there were more unexplained breaks in the network then it was recommended to seek his assistance at that time. John stated that the cases had been determined to be the incorrect type for GAATN use and also many were installed incorrectly by the various contractors at the time. Tom noted that they had been accepted already so recourse seemed a very distant prospect.

Patrick asked if the ZNET conduit had been discussed which it had per Tom. Wayne provided a spreadsheet showing how GAATN could pay for the conduit while backing out the City of Austin's portion. The spreadsheet had been reviewed by the City of Austin and deemed acceptable per Patrick. Taking out the 25.36% of the City's payment meant the conduit would cost GAATN around \$409,967.85. Patrick noted that the percentage was based on today's network right numbers-which had not changed for the city more than 1% since GAATN began. Patrick then stated that he would need a vote of intent to generate an RCA to take to the City's Telecommunication Council then a bill of sale would have to be generated, all of which would have to go to City Council for approval. Patrick estimated this would take from 60-90 days. Wayne Wedemeyer of the University of Texas moved to purchase the ZNET conduit from the city for \$409,967.85. For clarification it was stated that the actual conduit is 2 (two) one and a quarter inch conduits consisting of approximately 28,000 linear feet. Inclusive with the conduits is the purchase of 22 manholes for use by the GAATN agency. Payment is to be generated from the GAATN general fund balance for fiscal years 2002-2003 and is to be one check to the City of Austin. The motion was seconded by Walter LaGrone of Travis County and carried a unanimous vote. Patrick stated that the purchase of the conduit would prevent more street cuts and was a cost savings for GAATN.

Agenda Item No. 8:

Discussion of and possible action regarding the Network Manager's Update.

- A. Replacing Splice Cases**
- B. Treaty Oak Hardening**

Ashley began by noting that the holding account had now changed due to the vote on the purchase of the ZNET conduit from the City of Austin. She then presented spreadsheets to show how she hoped to reduce the holding account over the next 3 years. There was a lot of discussion on projects and what fiscal year they were to be completed. Patrick noted that he would like to see Treaty Oak hardened against disaster and also the BIN extension since these had both been discussed at length by the Technical Subcommittee and the Board. Walter noted that the desired reductions were feasible but that he did not see them taking place until fiscal years 2005-2006. Ashley noted that splice case repairs could also be done this year, a project the Technical Subcommittee was behind. Discussion moved to budgeting decisions and various choices to reduce the general fund while keeping adequate funds for projects. Patrick suggested setting an income level and establishing a \$900,000 threshold for projects this year, also inserting a fund balance projects line into the budget.

The network rights were then chatted up at length. Some discrepancies were noted by Gary Weseman and also Walter and Wayne. Specifically there were areas where presence was not listed but that there were sites for those participants. Wayne moved to define presence as strands or sites, seconded by Frederick Harris and passing unanimous. Ashley was then instructed by Patrick to recheck the list with Heidi's help and then email it out. The minor corrections would not have to deter a vote on the rights which had to be done as soon as possible. As it was already 4:30, Wayne voted to extend the meeting 10 minutes, seconded by Patrick and subsequent unanimous vote. Gary made a motion to approve the replacement of the splice cases not to exceed \$250,000, seconded by Wayne. Motion was unanimous. Patrick then moved to begin the first phase of the Treaty Oak Hardening, not to exceed \$105,000 in the current budget year. This was seconded by Walter and carried unanimously.

Agenda Item No. 9:

Confirm date, time and location for the next regular Board meeting as February 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 4:45 p.m.

**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.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK (GAATN)
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**625 East 10th Street, 6th Floor
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**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD March 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 1:34 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
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
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

Patrick shared that Ed Zaiontz from Round Rock School District had contacted him about possible partnership opportunities with GAATN. Patrick asked if the Board would like to extend an invitation for him to come in April, possibly add as an agenda item. Frederick requested that if he comes would it be possible to have him enumerate specifically what he is thinking about in the way of partnerships to save time. He added this may come in the form of a letter or something prior to the Board meeting. Walter asked what it meant to GAATN, another partner, part of the Board? Etc. Patrick stated that the interlocal did allow for other partnerships. Frederick and Walter expressed concern with anticipating anything yet until they could review and added that it would not be good to have someone drive in for the Board meeting only to have hopes dashed. Tom thought it reasonable to ask what opportunities Round Rock had in mind but added that LCRA had been contacted about partnerships from them and also ACC. Tom added that his conversations with Ed indicated no expectations. Patrick stated that he would get some information beforehand and invite Ed down for the April Board meeting.

Agenda Item No. 3:

Approval of February 3, 2003 Board Minutes

There was an incorrect date for the executive session noticed by Patrick Jordan. No other changes were required in the draft minutes. Gary Weseman made the motion to accept the minutes with a second from Wayne Wedemeyer. The motion passed unanimously.

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

Patrick explained that this item was postponed from last month. Steve Fogel then explained options for consideration concerning the Technical Subcommittee. He added that the By-Law changes was included to allow for flexibility only. Steve stated that two things needed to be addressed, one being the posting of the Technical Subcommittee and the other question was when alternates could vote and what weight that would carry. Walter questioned discussions between the City and AISD due to voting rights, was that a meeting? Steve explained that he had wondered the same thing and the discussion incorporated Cynthia Hill, an attorney from DIR. The discussion centered upon the types of discussions that a Board member and the GAATN network manager or project manager could have that would be legal under Government Code chapter 551, the open meetings act. The next question concerned alternates voting. Debbie noted that if Board members go to the Technical Subcommittee meetings then alternate's votes are moot. Fogel added that it may be beneficial to canvas who is attending the Tech meetings from the Board and post if a certain number of the Board wished to attend. Patrick stated that posting was not a big issue, but that he preferred official GAATN business to be done at the Board level with the directors and added that he liked recommendations coming from the Tech Committee. There was concern that posted meetings with posted agenda items would be dealt with at the Tech level. Fogel explained that it depended on the posting. Debbie expressed concerns that she feels left out on discussion when she misses the Technical Subcommittee meetings. Frederick expressed concerns that the items discussed were beyond the technical realm and involved budget issues. Tom and Martha explained that it was impossible to not consider the budget when looking at projects but that all items involving budget went through Board for vote. Fogel explained the need for specification and itemization for what the Technical Subcommittee will discuss. Wayne asked if executive session was possible at the Technical level since the meetings would now be open to the public. Patrick reminded the Board that actionable Board items have been dealt with at the Technical Subcommittee level before, in fact it was posted as a Board meeting and the alternates were given permission to vote by the directors. Debbie stated that she was hoping to just post for the Board members that want to go to the Technical Subcommittee meetings. Fogel then stated that under the By-laws the Directors appointed alternates, not the agency. Patrick noted the City of Austin's preference is that the alternates serve at pleasure of the directors who are required to get letters from their agencies every 2 years. Patrick went on to state that the alternates could handle the occasional lapse in appointments when Directors come and go so that agencies are continually represented. Appointment letters were then

discussed and the City noted that they were being tracked. The thought by the group was to send the current letters out so that all would know who needed to rewrite letters or get reappointed. Fogel added that some letters would need to be redone from the directors for their alternates.

Returning to the Technical Subcommittee topic, Frederick noted that broad categories would be ok for the the postings. This was in response to discussion and concerns over the sensitive material sometimes brought up at the meetings. The sensitivity of locations was not covered under recent legislation, this per Cynthia Hill. Tom stated that he would like Steve Fogel to attend all Tech meetings based on this discussion.

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

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

Patrick moved to Executive session at 2:43 p.m and reconvened to regular session at 3:17 p.m. Wayne moved to accept a memo on conflict of interest from the GAATN attorney and directed John from AISD to find out parameters on hiring another attorney.

Agenda Item No. 6:

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

Frederick Harris distributed the December and January reports. Patrick asked about the insurance for the Gammon agency, was it for the entire year? Yes, per Frederick. Patrick added that the amount was pretty close and noted that it was good the budget was increased to buffer this costs.

Agenda Item No. 7:

Discussion of and possible action regarding the Technical Subcommittee Update.

Wayne noted that the CTEC discussion presented facts that the City of Austin was adding a site that required a vote. Patrick had no issue with that. Martha stated that Super Ring North needed to be added for a vote on presence at CTEC. She added that the vote needs to take place now for construction reasons. Questioned by members as to why it was not before, Martha stated that the ring cable was merely placed when an opportunity presented itself at a substantially reduced cost and added that the connection was never made. Had it been an issue then it would have been added to the cities network rights at the time and the project would not be on line until next year. Wayne agreed with that logic and added that the Board always voted on expansions. Patrick moved to approve CTEC as a node on SRN with a second from Walter LaGrone, subsequent vote was unanimous. Walter had an issue with this process and added that sometimes he would not be able to predict changes in the time frame between Board Meetings. Debbie requested an agenda item for next month so that she could discuss projects for planning.

Tom then read the recommendation from the Technical Subcommittee. He stated that the Technical Subcommittee recommended to the Board to develop the Combined Center (CTEC) as a secondary node site for C1N. Further, GAATN should take on secondary connection of SRN to replace primary C1N cable with ring size cable and keep D1N in mind for future consideration of possible extension when that project becomes clearer.

Patrick explained that he hoped to pursue this as a GAATN agency project as opposed to a sale of fiber to Travis County. He added that he 'drew a line in the sand' regarding costs that the city had already incurred and generated numbers reflecting what it would cost from this point forward to allow participants to join in the opportunity at CTEC. Walter added that it greatly benefited agency participants on C1N and added that he really wanted to see D1N considered when the city planners decide on the property usage. Patrick stated that he hoped utilities would be laid out efficiently to keep costs down but added that he could not establish specific costs at this time. Debbie stated she hoped that entities would share their goals. Tom added that the vote today would not be implemented for a year. Ashley added that there was funding in the budget for the project, about \$153,000. Martha stated the city had commitments for service. Walter worried about C1N if Reagan went down. Frederick asked about committing to D1N at this time, was reminded by Tom that it was not a commitment, only that it would be considered. Patrick added that discussion of CTEC had been ongoing for years. He added that he was comforted with the language on D1N being included in the minutes for future expansion possibilities. He then moved to accept the Technical Subcommittee recommendation with removal of the language concerning D1N. Frederick questioned the spreadsheet he was given at the Technical Subcommittee meeting and Martha went back through the numbers and explained where and how they were generated. Patrick explained that there were no cost transfers from the city, only asking for shared participation with what needs to take place from here on out. Tom and Jimmy Don questioned the reason for not voting on the recommendation since everyone except Patrick had been at the Technical Subcommittee meeting when it was drafted.

Patrick stated that his motion needed action and restated it.

His motion was for GAATN to place SRN fiber into CTEC at a \$56,000 cost, C1N to be placed at a cost not to exceed \$90,000. The vote was split with Wayne, Debbie, and Frederick in opposition. While numerically the vote was a success, Debbie did note that in the Interlocal Agreement all participants must agree on network expansion or it goes back to entity project. Patrick stated that the motion failed and that CTEC would be a city site unless others buy in. Tom questioned the change and requested a poll of participants that voted against the project. Wayne stated that his campus police saw no need to be connected so he didn't either. Debbie stated that Dave Kelly had not seen much use for the state at the Technical Subcommittee so she had that issue with the project. Frederick left the meeting and could not be polled and John stated that he could not explain his vote for him.

Tom continued that the Maintenance Contractor had completed B1N splice case replacements which was 34 sites. The next ring to be done would be C1N.

Agenda Item No. 8:

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

Ashley shared that the Grande situation concerning the gaffing incident last year had not generated a response. A certified letter was sent and received and the timeline has passed, she requested that attorneys take the issue up at this point. Gary suggested tabling this discussion until John could get back with information from AISD. Ashley went on with construction at 5th street where GAATN will go underground. She stated the cost was around \$52,000 but that most would be borne by the developer/contractor. Around \$15,000 would be up to GAATN to cover but it would provide substantial fiber to be placed underground with two additional manholes. Wayne made the motion to extend 15 minutes which was unanimous. Ashley went on that the permitting phase was ongoing for the new NOCC and that it could not be split up as was hoped. TxDot and Burleson project is on line for March 20th. Ashley then requested to meet with participants individually to discuss disaster recovery.

Agenda Item No. 9:

Confirm date, time and location for the next regular Board meeting as April 7, 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 4:35 p.m.

**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 7, 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 1:34 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
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

Agenda Item No. 2:

Citizen Communication

Heidi Cottingham and Tim Cottingham were present from CoCom for discussion of item 17B. No other citizens were present.

Agenda Item No. 3:

Approval of March 3, 2003 Board Minutes

There was a mistake on the name of the individual from Round Rock ISD which was noticed by Patrick. Ed Ingersol was incorrect, Ed Zaiontz is the correct name. There was a typo on page 4 "finer" was supposed to be "fiber". Wayne motioned to approve with corrections, seconded by Gary Weseman.

Agenda Item No. 4

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

Patrick explained that Ed Zaiontz had sent a memo to him which was distributed to all Board members. The memo outlined some possibilities for partnership with various entities. Wayne asked if they wanted to be members of GAATN but Martha explained they were looking to be hosted by a participant and that AISD had been approached before with this concept. Patrick noted this was a good way to proceed and suggested all review the document and possibly have RRISD come to the May meeting. Debbie asked if they were willing to bear costs for the construction.

A. Discussion and Possible action on Conduit Sales Agreement and Bill of Sale for ZNET Conduit Purchase. Inclusive with this will be having the Vice-Chairperson, Debbie Opdahl, sign for GAATN agency.

Patrick shared with the Board the Timeline for getting the ZNET issue completed for the City Council Agenda on April 24th. He explained that the action to be taken would be to negotiate and execute discussion on the topic, but that discussion did not have to be completed by the 24th, merely that if there is a large 'deal buster' involved that it surface before April 17th so that the item could be pulled before it goes to Council. Further discussion by the Board would then take place. Wayne questioned the verbiage on

connection to the new City Hall, wording was agreed to change to 'enable' from 'require' for connection to City Hall instead. Steve Fogel shared that this was acceptable. Patrick stated that there was no intention to insist on connectivity and would make the change known to City legal representatives. Debbie asked about the License fee and Patrick said he would work to get that waived, adding that it was waived in the Interlocal Agreement. There was a question on the number of Manholes, previously it was shared that there were 22 manholes but after Ashley reviewed the As-builts she located only 20. It was added by Martha that 2 more had already been built at City Hall that GAATN would be able to access and two more would be necessary for GAATN to get into the conduit on the north side. Patrick added that the linear feet had changed also, correct footage was in the Agreement. These items corrected in the minutes was deemed sufficient, no need to redo minutes from January. Patrick stated the drawing needed to be redone to show the 2 new manholes. Steve added that the contract would reflect what is approved by the Board. Gary noted that GAATN was purchasing 'access'. Patrick noted that he had an issue with the 20 manholes because that is what Council would note as existing, later rethought this position to include the 2 new ones at City Hall, the ones for connection to Super Ring South would be added later and at GAATN expense since no other entity would have use for them. Steve suggested that the verbiage in the agreement be changed to 'Tenet in common' concerning the manholes, implying joint ownership. Patrick and the Board appreciated this comment and the Chairman requested that Steve send him these changes in an email this week so that he can present it to the City Legal. The issue of testing the conduits was raised, Ashley shared that \$45,000 was the quote she had from the maintenance contractor. Steve stated that an affirmative section that the city knew of no defects would be good also. Martha shared that there had been two incidents where the City had had to go into the manholes but that both times the conduit was in great shape and built to spec's. Debbie asked about a warranty, Patrick stated that he was looking into that but felt it was already expired. Steve shared that the City needed to include that no liens were against the property in question either. Patrick's thought was that City Council Action accepting the conduit from ZNET as payment would be proof enough, Steve agreed. Patrick added that the Council action on the 24th was for him to get permission/approval to negotiate this agreement. Debbie asked when the Board would be bidding out for inspections, was told that it could be done after the 24th of April. Steve suggested bidding it out on contingency of Council Approval. Patrick added that he wanted to get as much ready as possible for Council and the Board so that all language was the same and all went smooth. Added that he felt GAATN should take an upper and lower conduit on the right or left side and that the City Legal wanted him to be specific about which ones. Wayne moved to direct the GAATN Technical Committee Chair to develop a procurement document and specifications for testing the ZNET conduit to be sent out through AISD and not until after the April 24th City Council Meeting. Seconded by Frederick Harris and approved unanimously. The other issue discussed was that Debbie Opdahl as Vice-Chair would need to sign for GAATN since Patrick would be signing for the city. Wayne commented that these efforts are to set the bar higher for GAATN and solidify important legal points. Patrick moved to hear item 18 B next with a second from Wayne.

Agenda Item No. 18

B. Discussion and possible action regarding ongoing Splice Case repairs. (Maintenance Contractor, 15 minutes).

Heidi and Tim shared with the Board the condition of the splice cases that they are finding and stated that they were in worse shape than previously thought. Bolts used to hold the case together are welded and break, some require cutting off to get into the case. The point of the presentation was to make aware to the GAATN Board the issue of damaging fiber during the ongoing replacements. An improved process for notification is being put into place.

Debbie moved to modify the agenda, putting agenda items 5 and 10-15 to a work session Tuesday April 22nd and have item 16 to follow this item. Seconded by Wayne and passed unanimous. Patrick shared that the 10 year anniversary of the Interlocal Agreement was coming up and wanted all to think of some way to recognize this event.

Agenda Item No. 5:

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

Item moved to work session on April 22nd.

Agenda Item No. 16:

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

Frederick Harris distributed the reports. There were no comments.

Agenda Item No. 6:

Discussion and possible action regarding two new sites for DIR at 1700 and 1701 Congress Ave. (DIR, 5 minutes)

Wayne noted that the reroute would go through state conduit and not GAATN. This was a concern for some of the Board due to added risk. Patrick and others were in support of the additions but requested the Technical Subcommittee to review the reroute and pathways. Wayne moved to accept the additions of all the Board members on the agenda by April 15th and that they would be considered by the Technical Subcommittee. The motion incorporated Items 7 and 8 also. Frederick seconded the motion and all approved.

Agenda Item No. 7:

Discussion and possible action regarding new site for UT at 1700 Congress Ave. (UT, 5 minutes)

Approved in previous motion.

Agenda Item No. 8:

Discussion and possible action regarding new site for Travis County for county medical examiner. (Travis Co. 15 minutes)

Approved in previous motion. Concern was expressed that a precedent was being set because the site was first removed and then readded after the Network Rights were accepted. The Board recognized that this was not the intent of Travis County at all but was concerned with improving the process. Debbie suggested adding Item A to work session discussion, this was agreed by all.

A. Discussion and possible action regarding an update to GAATN policy for site additions and deletions.

Moved to Work Session discussion on April 22nd.

Agenda Item No. 9:

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 4:06 p.m and reconvened to regular session at 4:10 p.m.

Agenda Item No. 10:

Discussion and possible action 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).

Item moved to work session on April 22nd

Agenda Item No. 11

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

Item moved to work session on April 22nd

Agenda Item No. 12

Discussion and possible action 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).

Item moved to work session on April 22nd

Agenda Item No. 13

Discussion and possible action 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).

Item moved to work session on April 22nd

Agenda Item No. 14

Discussion and possible action 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).

Item moved to work session on April 22nd

Agenda Item No. 15

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

Item moved to work session on April 22nd

Agenda Item No. 17:

Discussion of and possible action regarding the Technical Subcommittee Update.

Tom stated that most of his items had been covered already on the agenda-most were moved to the work session. Wayne asked about the RFP and his changes -Ron had not received them and would follow up with him later.

Agenda Item No. 18:

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

A. Discussion and possible action regarding changes in Network Rights.

Ashley distributed a spreadsheet of Network rights reflecting amounts that would change for Travis County and UT who had left a site off that was added in September. She explained that there was little difference, the largest being the UT site which would change the dollar amount about \$1,400. All agreed that a process for adds and deletions was needed and would be a topic for the April 22nd Work Session.

C. Discussion and possible action concerning the settlement letter for damage on Riverside Drive.

Ashley was sent a check from Red Simpson's insurance agency for \$10,000 to settle the claim against him of \$19,000 from an incident last year. After some discussion there was no desire to settle for the amount and the attorney that will represent us will be asked to attend the work session on the 22nd of April.

Agenda Item No. 19:

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.

**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 D1N 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 D1N activity. The suggestion proposed by the Maintenance Contractor is to reconstruct D1N 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 D1N 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 D1N 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 D1N 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.

**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.

**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 June 2, 2003
Lower Colorado River Authority
Shapiro Building Room 517
3701 Lake Austin Blvd**

Agenda Item No. 1:

The meeting was called to order by Vice-Chair Debbie Opdahl at 1:32 p.m.

The following Board members announced as present:

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
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

Debbie noted that Robert Turner was in attendance to share info from RDMT.

Agenda Item No. 3:

Approval of May 5, 2003 Board Minutes

Steve Fogel shared that he had given Debbie some corrections to the draft of the May 5, 2003 Board meeting minutes. Debbie Opdahl shared those changes with the Board and asked Ron to correct. Tom Lott offered some corrections to the minutes of the May 5, 2003 executive session minutes. Wayne moved to accept the Board minutes, as corrected, and the executive session minutes, as corrected, Tom Lott seconded the motion, and the vote was unanimous.

Agenda Item No. 4

Discussion and possible action regarding the Board Vice-Chair Update.

A. Update on discussion with Austin Energy about A1N pole replacement.

Ashley and Ron shared that the memo to Austin Energy had gone out as was discussed in May. However, Ashley added that engineering time needed to design the metal poles was taking longer than expected. Austin Energy had decided to put in a wood pole that is 20 feet higher than the present one which would alleviate the problem for now. Ashley added that the wood pole would be placed by June 15th. There was discussion on the monies that were offered and it was noted that unless Austin Energy could get metal poles set by the end of the day then the offer was off the table for GAATN to assist with the cost.

B. Reminder of Board Elections in July.

Debbie shared that the elections were coming up next month and to think about candidates.

C. Update on Ad Hoc committee to bring forward to the Board revisions proposed to GAATN governing documents for distribution and review by GAATN entities.

The committee had nothing as yet to report back to the Board but would be bringing something forward soon.

Agenda Item No. 5:

Discussion and possible action on Conduit Sales Agreement and Bill of Sale for ZNET Conduit Purchase.

Ron shared that Patrick Jordan had asked him to mediate the finalizing of the ZNET agreement between the City of Austin Attorney Dave Petersen and the GAATN Attorney Steve Fogel. He shared that work had been done and that a meeting would take place to finalize the agreement so that it could be brought to the Board. Ron added that the RFP for conduit testing had gone out from AISD and that a selected respondent would need to report back on the conduit condition before the agreement was signed.

Agenda Item No. 6:

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

Gray Salada had no reports to distribute but would bring them the next Board Meeting. No issues were raised under this topic.

Agenda Item No. 7:

Discussion of and possible action regarding the Technical Subcommittee Update.

A. CTECC update including equipment sharing opportunities.

Tom shared that good discussion had taken place at the Technical Subcommittee on this topic and that he had asked Robert Turner to share the information with the Board as well. Robert updated six projects ongoing at the CTECC center. They included installation of the PBX and 911 equipment, the certificate for occupancy and the splicing in of Travis County and University of Texas fiber into the facility. He added that CAD was getting ready to start running and that 3700 users were being trained for that. Also, the police records and data management was on track as was operational testing. Voice recording started last month and AISD and UT had shown interest in that function. A copy of his report was given to Ron for the record. Walter added that Travis County would not start testing until October for CAD. Wayne asked about T-1 lines and was told that there would be multiple T-1's by Robert. Robert added that Southwestern Bell was a back up for GAATN. Tom stated that Robert would continue to come to the Technical Subcommittee with reports, from there pertinent information could be brought to the Board.

B. New Site Requests from AISD, DIR and COA

The agenda was changed to reflect the AISD request for a new site instead of Travis County. Tom shared that the City of Austin needed fiber into the former Texas School for the deaf, DIR needed to get fiber into DPS, and AISD needed a site added on B1S. Wayne moved to approve the site additions and this was seconded by Walter LaGrone, the vote was unanimous. Wayne asked how many fibers were in DPS and Martha said that it was a 72 cable but was not sure if additional fiber was available. She agreed to let UT know about the fibers and if there were any spare ones available for UT.

Agenda Item No. 8:

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

A. 5th Street Update.

Ashley shared that this project was canceled due to the contractor not wanting to pay to replace GAATN into the conduit. She added that over \$100,000 conduit bank had been placed by them already and that this conduit adjoined another contiguous bank of conduits that Austin Energy was placing GAATN in for no cost. Ashley then sought advise on pursuing the Contractor to see if he would be interested in allowing GAATN into the duct bank and how much that would cost if anything, possibly even having GAATN placed at its own expense. Tom and Wayne noted that it was a good idea to pursue and the Board agreed. Ashley said she would look into it and report back.

B. Update on Andrews Elementary

Ashley had nothing to add on this topic, but she did share that a check from Grande for \$19,569.60 had been received for damage that occurred last year. Debbie asked how much was budgeted to relocate the cable underground and was told that nothing had been budgeted due to the contractor

paying the cost. Ashley also shared that she had been asked to look at street paving schedules to prevent over paving of GAATN manholes. She added that the city was not updating that information on the website but that she would pursue the information in hard copy form. Wayne asked about possibly doing something for GAATN's 10 year anniversary and all agreed it was a good idea, specific funds and who would pay would need to be looked at as well as possibly contacting the press.

Agenda Item No. 9:

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

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

Debbie noted that there was no need for executive session this month.

Agenda Item No. 10:

Confirm date, time and location for the next regular Board meeting as July 14, 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 2:30 p.m.

**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 July 14, 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
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
Dave Kelly (alt), 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:

Election of Board Chair and Vice-Chair

Patrick opened the nominations up to the Board. Gray Salada nominated Patrick Jordan to continue as Chairman. Patrick nominated Debbie Opdahl to continue as Vice-Chair. There was no more nominations from the Board. Patrick made a motion to close the elections and vote, seconded by Tom Lott. Debbie and Patrick were elected unanimously by the Board.

Agenda Item No. 3:

Citizen Communication

There were no citizens present. But Patrick recognized GAATN's 10 year anniversary and invited the Board members to enjoy some cake.

Agenda Item No. 4:

Approval of June 2, 2003 Board Minutes

Steve Fogel shared that he had handed out some corrections to the draft of the June 2, 2003 Board meeting minutes. Patrick noted that his changes had already been made to the ones handed out by Ron. Debbie asked about item 4A concerning the metal or wooden poles. It was noted that at the time they were believed to be wood, but it has been determined now that they are indeed metal poles. Gray asked if GAATN incurred a cost and Ashley answered that GAATN had because Austin Energy had been able to get the poles in place by the time limit. The cost to GAATN was \$5,000 but Patrick noted that it was less than the \$35,000 expected if the fiber had needed to be rerouted. Wayne moved to accept the Board minutes as corrected, Tom Lott seconded the motion and the vote was unanimous.

Agenda Item No. 5

Discussion and possible action regarding the Board Chair Update.

A. COA attachment to GAATN Poles.

Patrick shared that Traffic and Transportation had requested to attach to 2 GAATN poles at a railroad crossing near Slaughter. GAATN presently has a Pole Attachment Agreement in place that requires a \$1,500 administrative fee and Patrick asked if this could not be waived for another city department. Wayne asked about the urgency and was told by Patrick that they needed something from this meeting. Wayne shared that the Technical Subcommittee should review this issue and others noted that similar situations had arisen with conduit but that poles had not been addressed. Martha added that no formal policy was in place but BICSI standards needed to be followed. Tom considered this a policy decision for the Board but added that the Technical folks could assist. Steve Fogel shared that he thought it would be acceptable legally. Patrick noted that the interlocal agreement was created for this type cooperation. Gray shared concerns on liability and Martha noted that in the interlocal they were 'at your own risk'. Wayne moved to waive fee but did ask that they sign the agreement, he added that the Technical Subcommittee should come back with a policy, this was seconded by Gray and voted unanimous.

Wayne requested Chair to contact Ed Zaiontz with RRISD, he noted this had been an issue before but that he had been contacted again by Ed. A discussion of this followed and Patrick asked Ron to send Gray the letter/memo from RRISD and the rest of the Board to get input on specific items that Ed can speak to or explore when he comes to the Board.

Agenda Item No. 6:

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 Adjourned to Executive Session at 2:05 pm and returned at 2:30 p.m.

Debbie made a motion to draft a policy for GAATN concerning the process to be followed when contacted by outside agencies, groups or individuals. This was seconded by Wayne and voted unanimously. Debbie added that she and Ron could address this in conjunction with their meeting on the By-laws and policy/procedures. Patrick asked that they report back in August or September with that information.

Agenda Item No. 7:

Discussion and possible action on Conduit Sales Agreement and Bill of Sale for ZNET Conduit Purchase and RFP for Conduit Testing of ZNET.

Ashley and Ron shared with the Board the process of the Bid on the ZNET conduit testing. J.B. Cox had returned a bid of \$16,850 and CoCom had returned one for \$49,740. Wayne commented on the impressive comments from J.B. Cox references which Ron distributed and Patrick moved to accept the low bid with a second from Tom. Patrick asked that Ron and Ashley notify J.B. Cox and communicate a schedule back to the Board. Concerning the Bill of Sale Ron shared that he had met with the GAATN and City Attorney. Steve added that there was some minor housekeeping items concerning insurance requirements and time frame for conduit payment to work out but anticipated nothing major. Patrick asked that the most recent be sent out to everyone.

Agenda Item No. 8:

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

Gray Salada distributed the April and May reports. He noted that some entities payments were due and asked about an early payment that the City had sent in. Patrick stated that the city was ahead on payments due to their budget. Gray had concerns over spending and noted that GAATN was overspent with 3 months left to go. Ashley and John noted that teardowns were a big part of this increase, specifically squirrel damage. Martha added that there had also been a desire to spend money from the holding account and as such the budget was shorted so that money could be pulled from the holding account per AISD's request. Gray asked what could be adjusted for next year and Ashley added that the armored cable going up would hopefully help with the squirrel damage and John noted that locate costs were going down due to Ron's

efforts last year. Patrick shared that a lot of cable had been purchased this year but that account should level off as well. Gray acknowledged that the budget was purposefully shorted to reduce the holding account.

Agenda Item No. 9:

Discussion of and possible action on Wireless Feasibility Study.

Gray asked what was the proper process that should be followed to proceed with the AISD proposal to conduct a feasibility study to overlay GAATN with a wireless network. Patrick replied that it should start with a discussion among the board members. A discussion ensued. Gray outlined a proposal to broaden the functionality of the GAATN consortium to include a metropolitan wireless network. Wayne and Debbie shared a great deal on issues that they had encountered including one issue that GAATN could not serve private citizens lest it fall under the Public Utilities Commission. Patrick noted that his legal wanted to avoid 'selling' it as that would conflict with the Interlocal. Tom stated LCRA could not participate at all with private use of the fiber due to policy. Gray stated that he saw a great deal of good in it for the community and AISD. Wayne shared that the issues he ran into concerned 'authentication' for users and added that before a study began it would be best to get as much legal advice possible on what they could and could not look at. Walter noted that some of the entities would benefit from wireless. A comment was discussed concerning whether or not access should be limited to GAATN members or the entire population. Patrick added that entities interested should get together more and communicate ideas and problems they encounter. It was agreed that Steve would review the legal implications of GAATN operating a community wireless network and report at the next meeting

Agenda Item No. 10:

Discussion of and possible action regarding the Technical Subcommittee Update.

A. New Site Requests from DIR, Travis County and COA

Debbie expressed concerns over listing site names. Wayne added that the use of the site names was for other entities to review possible participation, but added that a lot of that was done at the Technical Subcommittee level. Tom mentioned that DIR was adding two sites to SRN, the county had one, and the city was adding one. It was agreed that contacting the Network manager for specific site locations would be best. Debbie and Steve noted that there was some possible new protection in place through the legislature concerning privacy and Steve added that he would report back with that. Wayne motioned to approve the sites with a second from Walter and the vote was unanimous.

Ashley and Tom mentioned the 5th avenue reroute and shared the cost as around \$24,500. There was some discussion on bidding the job but it was noted that only the Maintenance Contractor could handle the GAATN cable. Ashley noted that the easement is being pursued for the relocation at 5th into the conduit and that she would like the contractor to have some assurance that GAATN intends to do the work. Wayne motioned to pursue easement and commit fiber to the job and look at doing the job in the near future. This was seconded by Debbie and passed unanimously.

Agenda Item No. 11:

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

Ashley added that the attorney contracted to pursue the Andrews Elementary claim was still waiting on information from Austin Energy. She also distributed a budget of projects as it relates to the holding account.

Agenda Item No. 10:

Confirm date, time and location for the next regular Board meeting as August 4, 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 4:06 p.m.

**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 August 4, 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
Gray Salada, on behalf of Austin Independent School District
Tom Lott, on behalf of the Lower Colorado River Authority
Jimmy Don Havins, on behalf of the Lower Colorado River Authority
Gary Weseman, on behalf of Austin Community College
Walter LaGrone, on behalf of Travis County
Wayne Wedemeyer, on behalf of the University of Texas

GAATN Personnel present:

Heidi Cottingham, Maintenance Contractor
Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager
Stephen Fogel, GAATN Attorney

Agenda Item No. 2:

Citizen Communication

There were no citizens present.

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Agenda Item No. 3:

Approval of July 14, 2003 Board Minutes

Steve Fogel shared that he had handed out some corrections to the draft of the July 14, 2003 Board meeting minutes. The Board reviewed the corrections, a couple of spelling errors and Gray asked about Agenda Item 9. Ron shared that Steve's version did not have the corrections he had and pointed them out to Gray. Wayne moved to accept the minutes with the corrections and this was seconded by Gray, passing unanimously.

Agenda Item No. 4:

Discussion and possible action regarding the Board Chair Update.

Patrick shared that Traffic and Transportation had requested to attach to 2 GAATN poles at a railroad crossing near Slaughter and had now signed an agreement to do so. Ashley added that the work was completed. Patrick shared that the State had contacted him about a meeting to discuss a Long Range Strategic Plan for GAATN but he had not heard further on it. He stated that he would eagerly enjoy such a meeting and advised Gray and others to keep him posted. If an update was required, Patrick asked Gray to contact Ron with an agenda item for that subject.

Wayne asked the Chair if contact with Ed Zaiontz of RRISD had taken place. Patrick stated that Ron had sent the information to all the Board and most recently Gray for further analysis. Gray stated he had not had an opportunity to yet but would review the memo and get in touch with RRISD. Patrick added that an agenda item would be added for Ed to come in September and offered to get in touch with him.

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 Adjourned to Executive Session at 1:44 pm and returned at 1:48 p.m, no Board action required.

Agenda Item No. 6:

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

Gray Salada distributed the June report with nothing specific to share. Ashley noted there was more money in the budget, Gray answered that payments had come in from several agencies. Walter asked about the budget numbers, specifically the holding account. Ashley shared how she was reducing from the holding account with some upcoming projects.

She also noted that t teardowns were a big part of this increase, specifically squirrel damage.

Agenda Item No. 7:

Discussion of and possible action regarding the Technical Subcommittee Update.

Tom began by discussing the DIN reroute, a project initiated through a teardown at Manor by Southwestern Bell. He explained that the splice would be moved along Airport Blvd and a spur left for the city to a site at the airport. Patrick added that they would spur off of Firestation 14 to the location. Tom added that the GAATN fiber would remain in place and Heidi commented that some 8,000 feet and several splices would be eliminated which would improve attenuation on this ring. Ashley responded to the 'jog' of the fiber path down Airport by sharing that an easement would have to be purchased to comply with the Technical Subcommittee's request. She also added that Heidi had been able to secure SWBell's pole assignment which would raise the GAATN fiber another foot and would no longer be on the bottom. Patrick asked that an easement be pursued. Tom noted that the cost to do all this would probably come in under the \$20,000 cap for the Network Manager and not require a Board vote. Patrick added that the reroute was cheaper than the repair would have been.

Tom also shared that a decision on the pole policy requested last month was delayed pending a report from Martha. Tom and Ashley then mentioned the 5th street reroute. Ashley noted that the conduit did not terminate at the poles and would require being extended and then riser up. She added that the conduit was in the city right of way and would not require an easement. The project is set to be completed in September and would come in under the \$20,000 cap as well so as soon as the work was priced from the Maintenance Contractor she could proceed. Patrick expressed the benefit to GAATN as 700 feet of buried cable in a very populated area and asked that it remain on the Tech agenda for follow up.

Tom then noted that the hardening of the NOCC project had gone over this year by \$50,000 in the budget but that the overall cost had been reduced \$13,000 per Heidi. Tom shared that a Board vote was needed to approve the completion of the project this year and adjusting the increase in the budget this year and decrease for next year to officially correct the issue. Wayne moved to do so with a second from Patrick, the vote was unanimous.

Tom moved onto the Splice enclosures and shared that they were done with the exception of A2N. Tom then asked that the Board approve the Maintenance Contract which came in at \$295,000 but could be \$280,000 without the bond requirement. There was discussion on the bond issue but Gray stated that he needed to find out more on the requirement for the contract and if it could be eliminated and save some money. Patrick agreed that with a little effort at AISD, GAATN could drop this requirement because it had never needed or required it before and the work that it covers is not one large project but rather a series of small projects all averaging under \$20,000. Gray agreed to pursue the issue and report back.

Patrick explained then that the city council was in need of approving the maintenance contract today and moved to accept the recommendation of the Technical Subcommittee to approve CoCom as the successful bidder of the GAATN Maintenance Contract. The motion was seconded by Walter LaGrone and passed unanimously. Wayne added that UT had requested a periodic review of work and all agreed that for audit reasons the Network Manager would spot check activity and report back. Tom made a point that the cost for the contract had been reduced in price with over 95% of the items coming down in price. Ashley added that the cost savings, were it in place from March to June, would have saved \$16,000. Patrick added that the price break was great for entities that had individual contracts with CoCom because it extended to them as well. Patrick moved to update the policies and procedures of GAATN to reflect CoCom as the Maintenance Contractor effective today through 2008, this was seconded by Gary and passed unanimously.

A. GAATN Insurance Bid

Ashley explained that Ron had gone out to bid on Insurance policy for GAATN, a decision based on inquiries to him by companies. Its an opportunity to save some extra money for GAATN.

Agenda Item No. 8:

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

Ashley stated that the claim for SWBell damage was ongoing and she and Heidi were working on letters to get GAATN refunded for the damage at Manor. TxDot is widening 183 at Bolm Road, Qwest has contacted her about a joint trench, an opportunity for savings to GAATN.

Intel building will now be the new federal building and that project may start up again but no idea on whether GAATN would be refunded.

Ashley reminded the Board to check the website and get contact information updated, Wayne shared that he would get his folks on it as well.

Agenda Item No. 9:

Confirm date, time and location for the next regular Board meeting as September 8, 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 2:46 p.m.

**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 September 8, 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 1:31 p.m.

The following Board members announced as present:

Patrick Jordan, on behalf of the City of Austin
Martha Riekenberg, on behalf of the City of Austin
Gray Salada, on behalf of Austin Independent School District
John Kohlmorgan, on behalf of Austin Independent School District
Tom Lott, on behalf of the Lower Colorado River Authority
Jimmy Don Havins, on behalf of the Lower Colorado River Authority
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
Dave Kelly, on behalf of the State of Texas

GAATN Personnel present:

Heidi Cottingham, Maintenance Contractor
Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager
Stephen Fogel, GAATN Attorney

Agenda Item No. 2:

Citizen Communication

There were no citizens present.

Agenda Item No. 3:

Approval of August 4, 2003 Board Minutes

Steve Fogel shared that he had handed out some corrections to the draft of the August 4, 2003 Board meeting minutes and noted that Ron had made the changes already. Wayne noted that 5th Street was in Austin and 5th Avenue was in New York, a correction would be needed and rather than replace the street signs and change all the maps, Ron stated he would simply correct the minutes. Gary moved to accept the minutes with the corrections and this was seconded by Wayne, passing unanimously.

Agenda Item No. 4:

Discussion and possible action regarding the Board Chair Update.

Patrick asked Gray about any conversations with Round Rock ISD and Ed Zaiontz. Gray stated that nothing was resolved but some issues did come up concerning interconnection locations and possible partnerships with ACC. Wayne added that he had talked with Ed as well about Internet II possibilities. Patrick noted that Gray should discuss these points with RRISD and keep the Board informed on this topic.

A. Feedback and Discussion on entities' CIO meeting

Patrick asked Gray if the Board would be needed to assist with any issues from this meeting and added that he had been asked to discuss a Policy Board creation for GAATN and also transferring the voting rights to his manager, Pete Collins. Patrick also asked Steve to check the interlocal agreement for any problematic issues related to this topic. Tom noted that he already reported back to his superiors on all pertinent issues. Gray noted that it was a short meeting and that it was difficult for him to understand the motivation behind

it all. Gray added that DIR and the City of Austin seemed to lead the meeting about the creation of a policy board and the reason stated was concerns over the Board diverting from its set path. Gray stated that mention of discord was also brought up but he added that he was unaware of any disharmony since he has been involved. He shared that this board would continue, based on the meeting, but would deal with operations issues. Gray also added that equal voting was also discussed as opposed to the present share voting. Gray added he failed to see Carolyn Purcells (representing the State and DIR) point of another Board creation for GAATN. Dave Kelly added that Carolyn was no longer with DIR, she has retired and wondered if the drive to do this was still there. Patrick noted that the one entity, one vote was a surprise to him but added that if the cost of the network was also divided equally then that would be a great savings for the City of Austin. Gray and Patrick also noted that the creation of the Policy Board would not be a regularly scheduled meeting monthly but would meet as needed. Patrick stated that he had been asked to put together a report on the cities perspective in this and would await information from GAATN legal and others to proceed. He added that if this Board continued on as an operational board then he saw definite possibilities to achieve requested goals adding that budget, claims, routing, etc would go on with policy being deferred to another group. Gray added that the discussion was largely nebulous and no specifics were given at the meeting or since. Walter expressed dismay at what was sounding like further bureaucracy. Gray noted that from AISD's standpoint it made no difference, he or John would vote the same in any situation. Wayne added that the CIO from the city could be appointed to the GAATN Board any time, technically already has the voting rights of the Chair anytime he chooses to come. Wayne added that his superiors ask him to vote on things all the time. Steve shared that he would provide a report at the next meeting on this topic from a legal perspective.

Agenda Item No. 5:

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

Gray Salada distributed the July report noting everyone was paid up with only August remaining for the year. He added that the budget appears to be balancing out exactly. Ashley asked when the final statement would be completed, John stated they were working on it but no promises. Patrick suggested starting the budget process a little earlier and asked for site lists and project lists to begin circulating.

Agenda Item No. 6:

Discussion of and possible action regarding the Technical Subcommittee Update.

Tom stated that he had the exact addresses for the Travis County sites approved at the Tech committee. He added that policy and procedure issues on emergency repairs needed to be addressed. Who makes the call to stop work? When? If there are costs associated, who pays? What factors will need to be considered? Public Safety, architecture? What other criteria should be used? These type issues needed attention, presently done by Ashley, Martha and Heidi but something in writing is needed. Wayne added that it was emergency issues and situations that needed addressing. All agreed to add "Policy input and discussion on repairs and emergency cut procedures" for next meeting. Questions and issues on this topic will need to be distributed as soon as possible so that the Tech Committee can start going through it.

Ashley asked to change agenda numbers 8 and 9 to come before 7 so that she could let Clint Harbor in the meeting. All agreed.

Agenda Item 8:

Discussion and possible action regarding changes to public information and open meeting requirements under House Bill 9.

Patrick stated that this Bill had come to his attention for protecting the network and he asked Steve to look into it from a legal standpoint. Steve had two handouts which he addressed and went over. He stated that it outlined documents that you could make public and ones you could not. Any document with technical information can be shielded under this bill and that goes for the Board or Technical Subcommittee. Wayne suggested defining items to disclose and stick with it. Patrick stated that a policy would also be needed to be drafted for this topic. Ring interconnections, splice cases, cable routing and site addresses should be withheld from open records. Steve added that closed meetings will need to be recorded. Wayne expressed that documents should also be accounted for when they are distributed, Patrick suggested obtaining signatures and asked Ron to work on some type of issuance procedure for the next meeting, possibly some non-disclosure agreement.

Agenda Item 9:

Discussion and possible action regarding preliminary legal analysis of Interlocal Agreement and wireless technology.

Steve shared his report with the Board. Issues for consideration are network expansion and interpreting description of the network. Who pays for expansion? Steve also shared that non-participants can use the network rights but they cannot be a common carrier or utility. He added that he did not foresee this issue as falling under PUC regulations. He added also that if this is considered then advanced meetings with pertinent folks would help as would specifying purpose. Wayne suggested only allowing access to one entity for connections, such as AISD. Steve agreed that would help with the success. The technical subcommittee will consider this further.

Agenda Item No. 7:

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

Ashley shared that developers of Robert Mueller airport have been in contact with her. It will be necessary to relocate DIN and SRN sometime in April or May 2004.

The 5th Street project is being looked at by CoCom for pricing and feasibility, as soon there is an opening it will move forward.

Qwest and her were in discussion for a joint trench for the TxDOT relocation, she is waiting on pricing and possible reimbursement from TxDOT.

Ashley then shared that the ZNET conduit inspection had turned up an issue. She explained that there was a blockage in one of the conduits on the west side and also 3 ninety degree bends that needed to be addressed. A couple of the manholes needed extenders also. Patrick was asked about conditions of the purchase and he stated that they were sold as-is. Ashley was looking into getting a camera to check it out, suggested a new manhole to fix the nineties and also the blockage. After discussing the issue it was noted that GAATN could stay in its own conduit through this section. Other discussion on costs and repairs were left open until a later date so the Technical Subcommittee could study the prints. Wayne moved to consummate the sale of the conduit with a second from Tom Lott, Travis County abstained but the vote was unanimous. Patrick noted that Debbie Opdahl would need to sign for GAATN as vice-chair, he signed for the City of Austin. Steve asked for the exhibits mentioned in the document and Martha was asked to help him get those together.

A. GAATN Insurance Bid

Ron explained that he had gone out to bid on Insurance policy for GAATN and gotten the responses back. He had just received the bid packets and would check them out and report back. He added that the ones he had seen indicated a \$10,000 savings to GAATN.

Agenda Item No. 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 Adjourned to Executive Session at 4:06 pm and returned at 4:23 p.m, no Board action required

Agenda Item No. 11:

Confirm date, time and location for the next regular Board meeting as October 6, 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 4:25 p.m.

**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 September 17, 2003
CoCom Cabling Systems 16021 N IH35
Pflugerville, Texas 78660**

Agenda Item No. 1:

The meeting was called to order by Chairman Patrick Jordan at 1:37 p.m.

The following Board members announced as present:

Patrick Jordan, on behalf of the City of Austin
Martha Riekenberg, on behalf of the City of Austin
John Kohlmorgan, on behalf of Austin Independent School District
Tom Lott, on behalf of the Lower Colorado River Authority
Jimmy Don Havins, on behalf of the Lower Colorado River Authority
Gary Weseman, on behalf of Austin Community College
Earbie Metheny, on behalf of Travis County
John House, on behalf of the University of Texas
Dave Kelly, on behalf of the State of Texas
Debbie Opdahl, on behalf of the State of Texas

GAATN Personnel present:

Heidi Cottingham, Maintenance Contractor
Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager

Agenda Item No. 2:

Discussion and Possible Action regarding the purchase of fiber optic cable.

Ashley began by stating that there was a cost savings to GAATN to purchase a bulk order of fiber that Heidi had located. She stated that the fiber could be bought for \$2.05 a linear foot and added that the pricing was good through the 20th of September. This price was not available for smaller amounts. She added that GAATN paid \$2.75 last year, \$2.45 this year per linear foot of fiber purchased. The fiber is 114 strand, stamped GAATN, and includes the color buffers of the participants. The 144 strand fiber is .45 to .65 cents more per foot. Patrick asked about the historical basis for purchasing this much fiber, and Ashley shared that GAATN had used close to this amount last year and noted the DIN reroute and other projects that were being planned for next year would require more fiber. She added that this is armored fiber from Comscope. Dave asked if the money was in the budget, John noted that there was \$250,000 allotted this year. Patrick made a motion to purchase the 100,000 linear feet of fiber from Comscope and the motion was seconded by Gary Weseman from ACC. The motion passed unanimously.

Agenda Item No. 3:

Discussion and Possible Action on GAATN peering with Internet providers.

This topic had been suggested by Wayne Wedemeyer from UT who could not attend the meeting. Patrick stated that he welcomed the topic and stated that the peering could increase performance for GAATN but was unclear as to exactly how Wayne envisioned it being set up. Debbie had questions about access to the peering router which John House could not address. Patrick recognized that UT may have an issue with ownership for purposes of control. Tom stated that he would like to see an overview of what Wayne specifically wanted to do and Patrick added that was a good idea since UT were the only participants in GAATN to have experience with peering. John Kohlmorgan thought Wayne could make a pro and con list for the Tech Committee to look at but did support the idea. Patrick stated that no action was required and that a benefits/issues report on this should come from Wayne.

Agenda Item No. 4:

Confirm date, time and location for the next regular Board meeting as October 6, 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 2 p.m.

**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 October 6, 2003
Lower Colorado River Authority
Shapiro Building Room 517
3701 Lake Austin Blvd**

Agenda Item No. 1:

The meeting was called to order by Vice-Chairman Debbie Opdahl at 1:32 p.m.

The following Board members announced as present:

Martha Riekenberg, on behalf of the City of Austin
Gray Salada, on behalf of Austin Independent School District
John Kohlmorgan, on behalf of Austin Independent School District
Tom Lott, on behalf of the Lower Colorado River Authority
Jimmy Don Havins, on behalf of the Lower Colorado River Authority
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
Dave Kelly, on behalf of the State of Texas
Debbie Opdahl, on behalf of the State of Texas

GAATN Personnel present:

Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager

Agenda Item No. 2:

Citizen Communication

There were no citizens present.

Agenda Item No. 3:

Approval of September 8th & 17th, 2003 Board Minutes.

Changes submitted from the GAATN Attorney earlier had been incorporated into the minutes submitted at the Board. There were no other changes to the minutes and Wayne moved to approve with a second from Gary Weseman. The minutes were unanimously approved.

Agenda Item No. 4:

Discussion and possible action regarding the Board Vice-Chairperson Update.

Debbie commented on the discussion from last month on the meeting that was held by the CIO's about having more involvement on the Board. She prefaced this by stating that she was not at either meeting but focused on an aspect from Steve Fogel's report concerning the voting rights. Debbie noted that Eddie Esquivel had been at the CIO meeting and stated there had been a discussion on how the network rights and voting rights were determined, but there was no discussion at the meeting on changing these rights. Debbie will talk to Patrick about why the subject of voting rights was included in the report Steve Fogel was asked to develop for the CIO's.

To accommodate Gray Salada Debbie requested to take item 6 up next.

Agenda Item No. 6:

Discussion of and possible action regarding the Technical Subcommittee Update.

A. Confidentiality Agreement for GAATN. Tom asked Ron to speak to this topic. Ron began by sharing that he and the GAATN Attorney had discussed verbiage for the prints that would be distributed and also an Agreement that could be utilized to illustrate the GAATN commitment to privacy of the secure network and also for possible legal recourse against those that may attempt to distribute documentation without Board approval. This was generally considered a good practice by all and a desire to establish a set policy will be needed. Tom mentioned that LCRA had received a public information request for technical details regarding telecommunications infrastructure and that he will report back on LCRA's response to that request. He noted, however, that LCRA has in the past disclosed this type of information, but that GAATN had not. He will provide a copy of the AG's informal letter ruling or open records decision when it is issued.

D. Maintenance policy regarding formal communications between network management, entities and maintenance contractor for a planned cable cut.

Tom stated that this was a large discussion at the technical Subcommittee level and needed to be addressed at the Board as well. He stated that his feel for the meeting was that the Network Manager (or back up) made the initial call on whether to call off a planned cut or not with escalation to be through the GAATN Chair and then Vice-Chair. Noting that it would probably be political decision by that point anyway, Debbie thought that was the order of contact and decision and mentioned that part of the discussion was tying the decision to terminate a planned cut late into some sort of monetary disincentives, i.e. , the entity responsible would have to pay for repermitting, etc. Tom questioned whether a monetary disincentive was unclear how that could be enforced. There was also discussion on using a scale of some type starting 2-3 months out all the way down to 48 hours. Debbie favored the monetary cost burden being put on the agency responsible and stated that it seemed simplistic compared to having a Chair or Vice-Chair decide for another entity that their business is critical or not. Gary added that most of this work is planned well in advance and the Maintenance Contractor does a good job with considering the effects of both planned and emergency activity. Wayne agreed with Gary and stated that a fixed policy for emergency over ride for planned events was important. Debbie stated that a fixed policy would help all and Ashley added that it would help her as well, any decision would be the one from the entire Board with all knowing the consequences beforehand. Debbie mentioned a 'best practices' solution whereby all entities would check strands and equipment to be affected 72 hours beforehand. Wayne added that consideration both ways should be done, protect GAATN and protect each other. With these issues open the Board thought it would be a good idea to have the GAATN attorney at the next Technical Subcommittee meeting.

B. Pole attachment policy regarding use by non-GAATN entities. The submitted policy from Martha was discussed with changes suggested. The wording was changed to 'Attachment Audit' and it was decided to incorporate more information on the Pole Attachment process and how it is set up. This was deemed a good preface to the submitted policy. There was a concern that Board approval would be an issue due to the time frame for requests. Debbie added that a small Board could take place at the Tech level if need be, this gives no more than a 2 week lapse which would be fine since payment is required under the agreement, plus other factors also require time from both GAATN and those applying. Tom and Martha agreed to make the changes.

C. Maintenance contractor security policy and procedures. (Handout) Tom simply handed out copies of the procedures and personnel that deal with the GAATN material from the Maintenance Contractors office. A suggestion to get these folks to sign the agreement came from Debbie. It was clear that due diligence has been done by CoCom in this regard.

Agenda Item No. 5:

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

Gray Salada distributed the August report which is reflective of the end of the fiscal year for GAATN. He stated that it looked good, all planned spending was done and noted a few overages on the last page. Ashley noted that the new armored cable should help GAATN to cut down on repair costs. Tom noted that we planned to spend more than we took in to which Ashley explained a few of the projects on track and how they would affect the budget. Jimmy Don questioned an encumbrance from the sheet and John K. added that its best to look at what was budgeted as encumbrances are hard for them to track. John K. did acknowledge a mistake on page 6 of 8 but stated the fund balance remains the same. Ashley will be bringing back drafts of the budget next month.

Agenda Item No. 7:

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

Ashley passed out the site sheets to those present and instructed them to check the sites and return corrections by October 20th. She added that she had forgotten Treaty Oak but would resend an electronic copy with the corrections to everyone. Ashley stated that she had not received the pricing yet on the ZNET manhole, the Maintenance Contractor is waiting on a price from a subcontractor. She also shared that she had walked 183 with Jeff Kirk and that plans were to joint trench with Qwest. The 5th street conduit is done, GAATN now underground between Shoal Creek and Rio Grande. Dave Kelly asked about interduct and also that any open conduits be capped. Ashley also went through a running budget of this year that she had distributed, noting that the fiber order included 5th street and was still under the budgeted amount. She then spoke about the projected projects sheet and stated that she would send it out electronically, it includes the approved and proposed. John K. stated that this would be good to have every month to know where things stand. Gary asked about costs at City Hall and what can be done now. Martha added that part of this issue was routing concerns for the conduit. Debbie asked all to reflect on this and John K. asked that the information be given out beforehand so that the participants could be better informed. Wayne added that UT had looked at overlaying with new fiber between Pickle and UT campus, a new fiber designed to handle more traffic. He had no idea on costs but stated that if anyone was interested to let him know. Debbie summed up the discussion by stating that the projects, associated costs and funding information be provided and reviewed for the budget.

Agenda Item 8:

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.

Debbie stated there was no need to hold an executive session

Agenda Item No. 9:

Confirm date, time and location for the next regular Board meeting as November 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 2:54 p.m.

**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 November 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 1:33 p.m.

The following Board members announced as present:

Patrick Jordan, on behalf of the City of Austin
Martha Riekenberg, on behalf of the City of Austin
Gray Salada, on behalf of Austin Independent School District
John Kohlmorgan, on behalf of Austin Independent School District
Tom Lott, on behalf of the Lower Colorado River Authority
Jimmy Don Havins, on behalf of the Lower Colorado River Authority
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
Dave Kelly, on behalf of the State of Texas
Debbie Opdahl, on behalf of the State of Texas

GAATN Personnel present:

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

Agenda Item No. 2:

Citizen Communication

There were no citizens present.

Agenda Item No. 3:

Approval of October 6, 2003 Board Minutes.

Changes submitted from the GAATN Attorney and Board members were incorporated into the minutes. There were no other changes to the minutes and Wayne moved to approve with a second from Walter LaGrone. The minutes were unanimously approved.

Agenda Item No. 4:

Discussion and possible action regarding the Board Chairperson Update.

Patrick shared that he had met with Gray about wireless but since it was an agenda item he would wait to discuss.

Agenda Item No. 5:

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

Gray shared there was an adjustment to the fund balance from last month. He explained that some bills had come in that required being paid from last year's budget. He anticipated at least one more coming in that would require similar effort. Gray then shared that the annual audit was underway at AISD and results would be published in December. Patrick asked if this affected GAATN, was told by John that he usually got questions on some items but no problems from his responses to the auditors had ever occurred. Gray noted the purchase of the conduit and the insurance.

Agenda Item No. 6:

Discussion of and possible action regarding the Technical Subcommittee Update.

A. Pole attachment policy regarding use by non-GAATN entities.

Tom shared that the Technical Subcommittee had approved this item. Tom moved to approve and was seconded by Wayne. Discussion followed with some minor suggestions to the policy. The issue of 'case by case' was brought up with suggestions to improve the language. Steve suggested criteria include engineering capacity and legitimate use. Martha noted that it had to be safe as well as consistent with the pole attachment agreement. John K. also suggested that these be 'considering but not limited to.' Gray suggested adding approval dates to the agreement, which will be Attachment A to the policy. Policy was approved with these changes unanimously. Copies will be sent out of the completed packet to the Board.

B. Update on Internet Connections to Treaty Oak.

Wayne shared that equipment changes had taken place. Now there is dedicated 100 megabit capabilities in place for all entities. He added that old connections were still in place and desired to schedule dates for migration with individuals as soon as possible. John K inquired about the connections, requested more detail. Wayne added that 2 routers were being taken out of the existing path and stated that new IP addresses will have to be done. Wayne requested the Board to email contact information to him and to schedule the migrations.

Tom added points of interest to the Technical Subcommittee which included; ZNET repair, Project Cancellation Policy, and UT fiber proposal. Ashley added that she would have the cancellation policy next month.

Agenda Item No. 7:

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

A. Distribution of GAATN Site list.

Ashley noted that all participants had reviewed this and responded to her with changes. She added that a vote was needed on the fiscal year ("FY") 2004-2005 network right, but that some definitions needed clarification.

B. Defining definitions for the Master Site List.

There was a lot of clarification on the definitions and the application of those definitions for developing the FY 2004-2005 network rights. Ashley stated that the definitions and formulas were the same as those used in prior years, but that the rigorous application of those definitions and formulas for developing the FY 2004-2005 network rights causes some shifting in the network rights versus the FY 2003-2004 percentages. The vote was delayed due to a request that by UT that ACC review the new changes. A vote will take place at a special called session of the Board prior to the Technical Subcommittee on November 19th.

C. Distribution and discussion of project list.

Ashley shared a spreadsheet that correlated the budget with the year's projects. She noted that Intel was out of the plan. She also noted that the Technical Subcommittee would need to prioritize the project list for capital expenditures at the next meeting. She also

submitted a draft budget for consideration but noted that changes would occur based on the prioritizations of the list. John K. asked for a complete breakdown of what City Hall is costing and Ashley agreed to provide the information. She wrapped up by reminding all about the A2N and SR cutover Saturday.

Agenda Item 8:

Discussion and possible action on Wireless Networking.

Wayne and Gray related that they had met with Capital Metro and others concerning wireless testing in the Mendez neighborhood. UT has obtained a grant for this project. Patrick asked to be included in future discussions so he could look at the opportunity from a City of Austin angle. Wayne stated that digital canopy over this area was exciting and that several frequencies would soon be open for next year and that GAATN should possibly pursue them.

Agenda Item 9:

Discussion and possible action on adding Capital Metro to GAATN or selling fibers to Capital Metro.

During the meeting discussed above Capital Metro expressed great interest in GAATN, possibly as a participant, Board membership, and voting rights. It was noted that any offers to sell unused fiber capacity to Capital Metro would mean that any right of refusal must come from a participant first. Wayne emphasized that Capital Metro was mainly interested in wireless and suggested partnerships in that venture.

Agenda Item No. 10:

Discussion and Possible Action on next generation fiber overlay.

Wayne explained that UT had received a grant for this and was pursuing a route between UT and Level 3 and also between UT and Pickle Research. He added that this new fiber could be placed with 50-60 miles between amplifiers. He also expressed urgency with this topic as UT had to show operation by May of 2004. If anyone was interested they could simply 'upsized' the fiber to accommodate their needs. Patrick noted that level 3 was an internet service provider and he did not see the need to change providers at this time. He added that he was interested but that the route could not, at this time, justify the cost. John K. stated that he would like to see GAATN look into this more in the future, possibly build over Super Rings at some point but noted that it was not budgeted and therefore should not be done at this time. Wayne stated that UT would only be using 4 of the 24 strands going up so the possibility to 'buy in' was there for some. Patrick and others encouraged the construction but chose not to participate at this time. He added that no motion was required since it was not GAATN fiber. The only issue is the lashing but Heidi noted that in the event of a teardown, GAATN would be restored first.

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

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

Steve stated there was no need to hold an executive session

Agenda Item No. 12:

Confirm date, time and location for the next regular Board meeting as November 3, 2003 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.

A special called Board meeting will take place on November 19th prior to the Technical Subcommittee Meeting to vote on the Network Rights.

Time and location for next regular meeting was confirmed and the meeting was adjourned at 3:54 p.m.

**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 November 19, 2003
Co Com Cabling Systems
16021 N. IH 35
Pflugerville, Texas 78660**

Agenda Item No. 1:

The meeting was called to order by Vice-Chair Debbie Opdahl at 1:33 p.m.

The following Board members announced as present:

Martha Riekenberg, on behalf of the City of Austin
John Kohlmorgan, on behalf of Austin Independent School District
Tom Lott, on behalf of the Lower Colorado River Authority
Walter LaGrone, on behalf of Travis County
Earbie Metheny, on behalf of Travis County
John House, on behalf of the University of Texas
Dave Kelly, on behalf of the State of Texas
Debbie Opdahl, on behalf of the State of Texas
Gary Weseman, on behalf of Austin Community College

GAATN Personnel present:

Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager
Heidi Cottingham, Maintenance Contractor

Agenda Item No. 2:

Citizen Communication

There were no citizens present.

Agenda Item No. 3:

Discussion and Possible Action on the Vote for the Network Rights.

Ashley distributed the Network Rights for approval. This was delayed at the last Board meeting to allow ACC to review and make changes. Gary Weseman had made some minor changes, which were now reflected in the updated Network Rights. Some questions were raised about the percentage changes and a previously distributed copy was brought out for comparison. The motion to approve was made by Tom Lott and seconded by Walter LaGrone. The Network Rights for 2004-2005 passed unanimously.

Agenda Item No. 4:

Discussion and Possible Action on the purchase of in-place conduit at TxDOT and Montopolis.

Ashley shared that Austin Energy had contacted CoCom and her about GAATN fiber being left on the pole at this location. TxDOT is apparently widening the lanes and the poles are going away, there is conduit available for purchase. There is actually two conduits available but only B2S will populate one conduit. Cost for the conduit is \$11,811 a piece. Ashley added that conduits were usually sold in pairs and Martha noted that GAATN traditionally purchased conduit by pairs. Martha noted that usually a sub-ring and a super ring would go in each conduit which was not the case here. She added that recovery would be faster if something were to happen to one conduit. Ashley added that the new toll road would be a mile down the highway and that growth was expected. She added that the cost to bore under would be in the \$70,000 to \$80,000 range, far from the cost of the conduit charge that Austin Energy is asking. Martha addresses concerns on the condition of the conduit by noting that historically the conduit that Austin Energy has is in very good condition. She could not think of a time that an issue arose from Austin Energy's sale or use of conduit. She also explained the cost factor and how Austin Energy derives the amounts proposed, it is a division of the participants to the cost. Ashley added that there were around a dozen conduits at this location belonging to other entities.

John Kohlmorgan noted that the cost should come out of the maintenance item bucket and not the scheduled projects.

Tom moved to purchase the conduit out of the maintenance item balance with a 'not to exceed' amount of \$36,000. This was seconded by John Kohlmorgan and passed unanimously.

Agenda Item No. 5:

Discussion and Possible Action on the Official Phone contact for GAATN.

Ron stated it had been brought to his attention that a phone contact for GAATN was never formalized. He explained that Heidi had noted the need for this after a tear-down in which noone could locate anyone for GAATN. The result was damaged fiber that could have been avoided. The thought here is to have a listed phone number that could possibly route callers to specific information that will assist in a variety of proactive plant protection in the field. Several avenues were discussed and the Technical Subcommittee favored it, the decision was made to research specifics and take it to the Board in December.

Agenda Item No. 6:

Discussion and Possible Action on the Confidentiality Agreement for GAATN.

Ron began by noting that the Confidentiality Agreement has been discussed at several meetings but had never been approved by a vote. He added that the GAATN Attorney had approved a draft version for present use and that some had been sent out for review and approval for signing with some of the various companies GAATN is involved with at present. The Agreement will benefit the present policy of GAATN to screen requests. Ron submitted a copy to the Maintenance Contractor for review and signature. He stated that he would email a copy out to the Board and Technical Subcommittee to review. It was requested that the Confidentiality Agreement appear as an agenda item for the regular Board meeting on December 1st.

Agenda Item No. 7:

Confirm date, time and location for the next regular Board meeting as December 1, 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 2:15 p.m.

**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 December 1, 2003
Lower Colorado River Authority
Shapiro Building Room 517
3701 Lake Austin Blvd**

Agenda Item No. 1:

The meeting was called to order by Vice-Chair Debbie Opdahl at 1:35 p.m.

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

Martha Riekenberg, on behalf of the City of Austin
Gray Salada, on behalf of Austin Independent School District
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
Debbie Opdahl, on behalf of the State of Texas

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

The following Board members arrived after the meeting began:

Patrick Jordan, on behalf of the City of Austin
Tom Lott, on behalf of the Lower Colorado River Authority
John House, on behalf of the University of Texas
Dave Kelly, on behalf of the State of Texas

Agenda Item No. 2:

Citizen Communication

There were no citizens present, but Wayne mentioned that an RFP was going from UT for bids on connecting various cities throughout Texas via a fiber optic network.

Agenda Item No. 3:

Approval of November 3 and November 19, 2003 Board Minutes.

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

Agenda Item No. 4:

Discussion and possible action regarding the Board Chairperson Update.

There was no discussion under this item.

Agenda Item No. 5:

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

There were no questions for Gray, but Wayne asked Ron about the expense entries for Lonestar and SM&P. Ron explained that the two entities were separate companies and performed different functions. No other issues were raised.

Agenda Item No. 6:

Discussion of and possible action regarding the Technical Subcommittee Update.

A. Confidentiality Agreement with non-GAATN entities

Ron explained that SM&P had signed the confidentiality agreement and that Ashley had also been contacted by another outside entity (and its consultant) for prints. Ashley has forwarded a copy of the confidentiality agreement to the outside entity and its consultant for signature with the GAATN Attorney's approval. Wayne moved to accept the signed confidentiality agreement with a second from Gray, the vote was unanimous.

B. GAATN Cancellation Policy for scheduled cuts.

In order to allow discussion on the policy, Wayne motioned to accept the proposed draft, with a second from Walter. Wayne noted that the document needed some revision and asked that there be some requirement to document the timing of a request to cancel a scheduled cut within the 72 hours of the scheduled start time, possibly through confirmation email. Debbie mentioned that the verbiage sounded like all the numbers on the contact list were to be called. John K asked what the contacted person was tasked to do. Debbie noted that the Maintenance Contractor was to be called in answer to John's question, but agreed it needed to be stated clearly. She added that the person contacted was to contact all the GAATN participants as well. Tom noted that the phone contacts will need revision as personnel changes. Steve noted that the cost attachment was not included and, after some discussion, the cost attachment was viewed as unnecessary. Other suggestions were to include pager and email contacts, to notify the Board and Tech committee via email, adding an approval date to the policy, and some spelling and grammatical changes.

Ron stated that he would make the changes and bring it back to the Board.

C. Phone Contact for GAATN

Ron and Ashley discussed their research about establishing a telephone number for GAATN and obtaining a listing in the phone book.

Several Board members asked Ron and Ashley to continue their research. Ron and Ashley said they would check out some other sources and report back.

D. Laptops for Network Managerial Staff.

This issue was raised at the last Board meeting and later at the Technical Subcommittee meeting. Everyone agreed that this equipment (laptops and a projector) would help with presentations, budget preparation, and the network rights calculations. Debbie mentioned that the budget contains a 'common equipment' category with \$10,000, which could be used to purchase this equipment. The Board members discussed various features and capabilities that the equipment should have and some features and capabilities that were unnecessary. AISD was determined to have the best pricing for the equipment. The Board gave Ron and Ashley permission to purchase two new laptops and a new projector from AISD's approved list.

At this point, Debbie turned the meeting over to Patrick.

Agenda Item No. 7:

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

A. Fiscal Year 2004-2005 GAATN Budget

Ashley distributed various sheets reflecting the current and previous budgets as well as a draft proposed budget. Wayne noted that some graphs would be helpful showing trends over time. Ashley stated that she would create graphs showing expenses, holding accounts, and projects and then present the graphs at the January 2004 Board meeting. The official vote on the budget is scheduled to occur at the February 2004 Board meeting (the 2004-2005 budget must be approved and provided to the participants before March 1, 2004) . Ashley added that Heidi was meeting with some officials to discuss using ductbanks downtown, a move that could save some money for GAATN. She added also that the city hall project should be done by 2005. Ashley is also seeking to raise the unidentified project list from \$50,000 to \$100,000. Ashley stated that SBC had sent a check for damage repair in the amount of \$2,662.00.

B. December 2, 2003 Cutover B2S at Montopolis and Hwy 71.

Ashley reminded the Board that this was to take place tomorrow and that a signature was needed from Patrick as GAATN Chair to proceed with the Board approved conduit purchase. She also stated that she was proceeding with the ZNET project.

Agenda Item 8:

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 2:51 p.m. and returned at 3:17 p.m. No action in open session was required.

Agenda Item No. 9:

Confirm date, time and location for the next regular Board meeting as January 12, 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 3:54 p.m.