

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD January 10, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

The meeting was called to order by Chair man Patrick Jordan at 1:39 p.m.

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

Patrick Jordan, 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  
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  
Tom Lott, on behalf of the Lower Colorado River Authority

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

There were no citizens present.

**Agenda Item No. 3:**

**Approval of December 6<sup>th</sup> and 15<sup>th</sup>, 2004 Board Minutes.**

Dave noted an error in item 7, change from Fom to Form in agenda Item 7 from 12-6-04 . Gary moved to accept the minutes with the change, with a second from Wayne. The subsequent vote was unanimous.

**Agenda Item No. 4:**

**Discussion and possible action regarding the Board Chairperson Update.** Wayne asked about the World Congress of Technology and if that was an opportunity to showcase GAATN. Patrick stated that the two contacts he had were now gone but saw this as a benefit to look into for GAATN. His understanding was that it was in the preparation phase and that SWBell may even sponsor. Patrick further suggested that wireless projects with GAATN could be funded this way since economic development was a focus for the World Congress of Technology.

Wayne then mentioned House Bill 2128 and shared that the legislature was looking at the funding for this item for next year. Patrick said he would ask Austin Energy and City legal about the impact to the city and noted that it affected library funding as well.

**Agenda Item No. 5:**

**Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.071, to seek legal advice 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.**

There were no issues for executive session this Board Meeting so Patrick moved to the next agenda item.

**Agenda Item No. 6:**

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

Gray distributed the November report and asked that the entities note when payments are due so that no one gets behind.

**Agenda Item No 7:**

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

Ron updated the Board that he was moving forward with getting the GAATN files at Baker into the GAIN software so that they can be stored, accessed, and destroyed as needed through Iron Mountain, the company that the city uses for record retention. Gary asked about copies of the early minutes and Ron suggested that they could be scanned and placed on the [www.gaatn.org](http://www.gaatn.org) website. Wayne noted that they could also be put on disc as well. Ron stated he would followup with Wayne for assistance from the GAATN web administrator with getting those on the website.

**Agenda Item No. 8:**

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

Ashley updated the Board on several projects : Splicing of A1N at the new City Hall on the 15<sup>th</sup> of January was still a go. The SRN final phases for the New City Hall were to go before the Utility Coordination Meeting this Thursday. B1N at Duval Road and Hwy 183 was placed. Heidi noted that B1N will be in wrap for 8-9 hours for completion. Ashley shared that the splice crews along D1N had found some deteriorated cable that would require about 8,000 feet to be replaced but will eliminate some other issues with splices along that route. SRN had some squirrel activity that worried Heidi who had the work scheduled for Jan 22<sup>nd</sup>. This would require repair from the patch cables out, a NOCC-to-reel repair. Anyone wanting to change the architecture at this location was asked to do so before the cut-in date. Ashley added that Fire 14 was going to require a pole moved and that the City will share the cost with GAATN. Ashley had no news about TxDot and Bolm Road as the gas people were still working on the area. Wayne asked for a list of these issues and questioned if some of them should not be moved up and others relocated due to the urgency that Heidi expressed for some of them. Wayne was told that the lane closures were a hassle to reschedule and John Kohlmorgan noted that GAATN had been in riskier situations before. Patrick acknowledged this and added that his sense was that it was stabilized and Dave added some concerns about the consecutive work on A1N and SRN while the Legislature was in session. After some other discussion it was decided to stick to the schedule already in place.

**A. New Budget Review for Fiscal Year 2005-2006**

Ashley covered the history of past budget amounts for GAATN and noted that the average budget would be \$2,120,486 if the proposed budget is accepted. She further noted that excess in the Holding Account had been eliminated; there was some \$700,000 in the account but that amount was now kept for emergency situations. Ashley noted a spike in the CIP account but added that the ZNET purchase had been funded with those monies and therefore skewed the results. John requested that the numbers be rounded off and this was done and the total amounts stayed the same. Patrick asked if any common equipment needed to be purchased but there were no suggestions. The Fiscal Year 2005-2006 GAATN budget amount was rounded to \$1,930,000. Wayne moved to accept the budget and was seconded by Gray. The motion was unanimously approved.

**Agenda Item No. 9:**

**Confirm date, time and location for the next regular Board meeting as February 7, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Time and location for next regular meeting was confirmed (as February 7, 2005) and the meeting was adjourned at 3:09 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD February 7, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

The meeting was called to order by Chairman Patrick Jordan at 1:34 p.m.

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

Patrick Jordan, on behalf of the City of Austin  
Martha, Riekenberg-Krische, on behalf of the City of Austin  
John Kohlmorgan, on behalf of Austin Independent School District  
Gary Weseman, on behalf of Austin Community College  
John House, on behalf of the University of Texas  
Brian Kelly, on behalf of the State of Texas  
Tom Lott, on behalf of the Lower Colorado River Authority  
Brian Kunz, on behalf of the Lower Colorado River Authority

Joining the meeting in progress:

Gray Salada, on behalf of Austin Independent School District

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator  
Ashley Caron, Project Manager  
Syd Falk, GAATN Attorney

**Agenda Item No. 2:**

**Citizen Communication**

Roland Rojas and Bill Short were on hand from SouthWestern Bell as observers.

**Agenda Item No. 3:**

**Approval of January 10, 2005 Board Minutes.**

Patrick noted an error in item 8A, Patrick was left in a sentence on the motion and needs deletion. Gary moved to accept the minutes with the change, with a second from Tom. The subsequent vote was unanimous.

**Agenda Item No. 4:**

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

Patrick stated that he had contacted Bob Kahn and Sonny Hood about legislative updates and that areas concerning telecommunications were being reviewed. He added that the PUC was deregulating some telecommunication markets, this action could impact both public and private services.

Syd noted that his law office had lobbyists that were attentive to these issues, a resource available to GAATN under the contract. Tom added that LCRA also had 'watchdog' groups and that they

were forwarding 3 bills for review which he volunteered to email to everyone. Patrick noted that there were sites on the web with information as well, he asked if there was a way to get that information out about bills and any possible impact to GAATN and stated that city legal would contact him directly. Syd added that in house counsels could review and send them forward through the Technical Subcommittee, maybe circulate the information through the list serve. Patrick asked that they be sent to Ron to circulate and Syd added that the bill number and description in the title be included. It was agreed that this needs to be a standing agenda item from now on per Syd's suggestion.

**Agenda Item No. 5:**

**Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.071, to seek legal advise about pending or contemplated litigation for:**

- A. Construction, equipment, and product warranty claims; and**
- B. Damage to GAATN Fiber Optic Cables, equipment, hardware, and other property, and**
- C. Contractual or Tort claims against GAATN.**

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

Patrick moved to executive session at 1:42 pm and back in regular session at 1:59 p.m. There were no issues to be brought forward and Patrick moved to the next agenda item.

**Agenda Item No. 6:**

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

Gray distributed the report and Ashley asked about a \$5,500 negative in the Maintenance category. John shared that the number was correct but added that it was encumbered amounts and not money that has been spent. He added that it dealt with a p.o. that was sent and that it was soon to be corrected. Tom asked if their payment had gone in and Ron shared that it had, he added that everyone was paid up at present.

**Agenda Item No 7:**

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

Ron updated the Board that he and Martha had been able to create electronic copies of the early GAATN Board Minutes and that these had been sent over for inclusion onto the GAATN website once they were converted into pdf format. Tom asked how long before the records were placed into GAIN and Ron stated that he could have them in place by late spring or early summer. The remainder of the Technical Subcommittee meeting had dealt with damages and changes to the Network, which Ashley would highlight in her report.

**Agenda Item No. 8:**

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

**A. Contract Renewal with GAATN Attorney**

Ron shared that the present 3 year agreement with Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, L.L.P. would be up on March 31, 2005. He added that there were two one year extensions under the contract and that he needed to make the Board aware of this activity. He requested a letter from the firm that outlined fee changes, if any, that would be forthcoming for the first one year extension of the contract. This item would remain on the agenda for official vote upon review of the intentions of the GAATN Attorney.

Ashley updated the Board on several projects

The SRN final phases for the New City Hall were reported incorrectly last month to go before the Utility Coordination Meeting, that action took place later and was approved.

The 3<sup>rd</sup> street rail project has popped up again and they are asking for quotes to remove facilities from 3<sup>rd</sup> to 4<sup>th</sup> street. A quote from CoCom is being generated for this proposed work but the first quote was \$2.3 million for lowering along 3<sup>rd</sup> street.

TxDot on C2S cutover at Hwy 290 and Hwy 71 is set for February 21<sup>st</sup>.

The D1N repair will be March 15<sup>th</sup>

B1N at Duval Road and Hwy 183 is still placed but damage on SRN took precedent. Noone is in wrap and this will proceed later.

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

A1N will go into City Hall on 2/19.

B2S with activity to Del Valle for Travis and City will be on March 19<sup>th</sup>.

Ashley then passed out a sheet showing the City Hall expenditures to date as requested. She noted that ZNET was highlighted on the sheet because it could be included in this cost or not, depending. Tom asked if the expenditures were below budget. Ashley stated that she could not answer that because SRS and A2N had no stated budget but the others were slightly under budget. She added that the one leg of SRN was well under budget due to the actions of the state and she thanked them for that assistance. Patrick noted that ZNET was \$800,000 less than it would have been without the ZNET purchase. Ashley added that she wanted to go through all the billings for accuracy now that the project was done.

**Agenda Item No. 9:**

**Confirm date, time and location for the next regular Board meeting as March 7, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Time and location for next regular meeting was confirmed (as March 7, 2005) and the meeting was adjourned at 2.18 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD March 7, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

The meeting was called to order by Chairman Patrick Jordan at 1:34 p.m.

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

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

Joining the meeting in progress:

John House, on behalf of the University of Texas

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

There were no citizens present.

**Agenda Item No. 3:**

**Approval of February 7, 2005 Board Minutes.**

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

**Agenda Item No. 4:**

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

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

**Agenda Item No. 5:**

**Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.071, to seek legal advise about pending or contemplated litigation for:**

- A. Construction, equipment, and product warranty claims; and**
- B. Damage to GAATN Fiber Optic Cables, equipment, hardware, and other property, and**
- C. Contractual or Tort claims against GAATN.**

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

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

**Agenda Item No. 6:**

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

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

**Agenda Item No. 7:**

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

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

**Agenda Item No. 8:**

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

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

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

Ashley updated the Board on several projects.

CoCom is estimating costs for the 3<sup>rd</sup> Street rail project.

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

The D1N repair will be March 15<sup>th</sup>, 2005.

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

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

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

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

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

**A. Contract Renewal with GAATN Attorney**

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

**B. SLA Renewal**

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

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

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

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

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

**Agenda Item No. 11:**

**Confirm date, time and location for the next regular Board meeting as April 4, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Time and location for next regular meeting was confirmed (as April 4, 2005) and the meeting was adjourned at 3:00 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD April 4, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

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

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

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

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

There were no citizens present but Wayne took a minute to share a list of conferences which may benefit GAATN. It was suggested that Ashley and Ron look into these events in the near future.

**Agenda Item No. 3:**

**Approval of March 7, 2005 Board Minutes.**

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

**Agenda Item No. 4:**

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

Patrick stated that H.B. 789 had now gone into conference. In speaking with City legal representatives he understood that some of the possible negative impact from the bill was to be removed. Wayne asked about WCIT and Patrick stated that he had heard there were some new appointments that he would be contacting.

**Agenda Item No. 5:**

**Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.071, to seek legal advise about pending or contemplated litigation for:**

- A. Construction, equipment, and product warranty claims; and**
- B. Damage to GAATN Fiber Optic Cables, equipment, hardware, and other property, and**
- C. Contractual or Tort claims against GAATN.**

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

Patrick moved to executive session at 1:41 pm and back in regular session at 2:17 p.m. There were no issues to be brought forward for action or open discussion and Patrick moved to the next agenda item.

**Agenda Item No. 6:**

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

John distributed the report and noted that all members were caught up with payments. He asked about interest in making one payment a year to GAATN. The difference in fiscal years was a factor but the item will be revisited later. There being no other discussion on the budget report, Patrick moved to the next item.

**Agenda Item No. 7:**

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

**A. Updating and Detail of GAATN database.**

Ron, Tim, Ashley and Martha to look into other software and upgrades to increase the detail of the information on the GAATN plant. Patrick stated that ESRI was what the city used but Ron added that it would not be beneficial to share that information with ESRI groups due to aspects of privacy from GAATN members. This item would be ongoing and Tom submitted email on some upcoming GIS conferences for Ron and Ashley to attend.

**B. Future UT internet plan**

Wayne noted that UT was going to have a 2.5-gigabit connection in Austin by July/August. This will entail a completely separate provider. He shared that UT was going to an OC-48 and plans are to place this into City Hall in the future. Patrick noted that this would assist with concerns from his network security people.

**Agenda Item No. 8:**

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

Ashley updated the Board on several projects.

She stated that she just had a call about new apartments on 5<sup>th</sup> street that may involve relocating fiber. Heidi to work up a pricing as details are gathered.

Ashley then mentioned the vacant conduit at William Cannon and the fact that it had to be lowered last week to keep it viable. This same conduit is desired by Traffic and Trans for a 48-count fiber to allow cameras at intersections near there. If they are allowed to use the conduit it would require them to populate with interduct for future use. This involves two, four-inch conduits. John K had concerns because AISD is putting a new school in the area and may need the conduits, he asked for a print and to wait for the next Technical Subcommittee to pursue this matter. Wayne asked about reimbursements but Ashley stated that this was a CIP project that would not be reimbursing GAATN for the conduit lowering which was \$15,000. Ashley will be talking with Capital Excavation to ensure that the conduits are viable.

CoCom is estimating costs for the 3<sup>rd</sup> Street rail project at \$3.1 Million

SRN had some squirrel damage near Fire 14, repairs to take place April 9<sup>th</sup> of 2800-3000 feet.

C1N repair at Loyola is April 5<sup>th</sup>.

B1N at Duval Road- Ashley brought in some splice trays showing the brittle and damaged fiber. This cutover will take place April 25<sup>th</sup>.  
B1S damage at Nuckells Crossing is not scheduled yet.  
C2S cutover is still waiting on Time Warner  
Ashley had no news about TxDot and Bolm Road.  
A1N at City Hall had no update, still waiting on LCRA repeater, which is on order.  
ABIA project with Travis County and City-peds are set.  
SRN final leg into City Hall, hoping on permit soon.  
She concluded her report.

**Agenda Item No. 9:**

**Discussion and possible action regarding pending Legislative Bills.**

Patrick noted that closing time for new bills has passed and that he was in contact with Austin Energy and city legal to monitor the bills that may impact GAATN.

**Agenda Item No. 10:**

**Confirm date, time and location for the next regular Board meeting as May 2, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Time and location for next regular meeting was confirmed (as May 2, 2005) and the meeting was adjourned at 3:20 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD May 2, 2005  
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 Gray Salada at 1:32 p.m.

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

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  
Wayne Wedemeyer, on behalf of the University of Texas  
Dave Kelly, on behalf of the State of Texas  
Tom Lott, on behalf of the Lower Colorado River Authority  
Brian Kunz, on behalf of the Lower Colorado River Authority  
John House, on behalf of the University of Texas  
Walter LaGrone, on behalf of Travis County  
Martha Riekenberg-Krischke, on behalf of the City of Austin

Joining the meeting in progress:

Patrick Jordan, on behalf of the City of Austin

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

Todd Maddin and Jean Ann Ford from SBC were in attendance but had no comments.

**Agenda Item No. 3:**

**Approval of April 4, 2005 Board Minutes.**

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

**Agenda Item No. 4:**

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

Gray had no updates for this item.

**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.**

Gray moved to executive session at 1:41 pm and back in regular session at 2:30 p.m. There were no issues to be brought forward for action or open discussion and Gray moved to the next agenda item.

**Agenda Item No. 6:**

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

John distributed the financial report and noted that all members were caught up with payments. It shows Travis County as not paid but he noted that that was received. Ashley shared that there were soon to be some impacts reflected due to work on SRN. Patrick shared that he had pursued John's idea through the City concerning participants making single payments in full to GAATN rather than quarterly and the city would be able to do the annual payments. Tom stated that LCRA was looking into it stated that it could be phased in and would let AISD know when the LCRA fiscal year starts in July rather than the GAATN fiscal year. Wayne said that UT could not participate because its payments were derived from other payments to it for internet service, which dictated cash flow for the payments to GAATN, and Dave added he believed that the state would also decline. Patrick asked Ron to send out an email to participants about electing the payment changes.

**Agenda Item No. 7:**

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

Tom shared that the new UT internet connection was discussed and Wayne added that it would be in place in July. Patrick noted that CTECC and Security engineering at the City were reporting outages of 30 minutes every other month. Wayne stated that this new dual connection would eliminate that altogether.

**A. Updating and Detail of GAATN database.**

Tom added that Heidi and Ashley were compiling a list of brittle installed cable that could be used for future updates to the GAATN database. Tom added that Ron and Ashley were still looking into GIS, Aperture, and Autocad as a base for the database. Martha noted that any change from the current Autocad base would be a major operational change affecting access for users.

**Agenda Item No. 8:**

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

Operations:

3<sup>rd</sup>/4<sup>th</sup> Street Light Rail-Ashley stated this was a Cap Metro project so if it stays that way the utilities will be compensated, but if it becomes a CIP project they may not be compensated. Patrick asked if 3<sup>rd</sup> or 4<sup>th</sup> street was preferred and Ashley shared that 4<sup>th</sup> street was cheaper with less impact (GAATN is installed along 6 blocks of 3<sup>rd</sup> Street, but would only cross 4<sup>th</sup> Street twice). Patrick suggested putting together a cost analysis to indicate GATTN's preference for, and encourage the 4<sup>th</sup> street decision. Ashley stated that it was \$65 million for

all utilities to relocate at 3<sup>rd</sup> street and \$29 million for 4<sup>th</sup> street. She added that the issue was soon to go before City Council.

C2S@290 was still in the design phase waiting on Time Warner to move.

B1N @Amherst would be on 5/19

A1N City Hall was scheduled for 5/28 but Dave noted that the Legislature was still in session that day and interruption of service might be an issue.

TxDot & 183 @Bolm Road would be in January

SRN into City Hall final leg would be 5/14

B2S exp. TC/COA-waiting on Jeff Kirk at CoCom to schedule the aerial installation.

Use of Conduit by Traffic and Transportation-they are going aerial.

SRN damage cutover completed

TxDot@ 183 and Springdale Road will be in August.

B1S repair complete

C2S strands unexplainable break, was one or two fibers but now is 6; Heidi indicated she thought this meant there is continued degradation. This run to be scheduled

Huntland @Twin Crest-this is a pole line move so no down time.

William Cannon-abandoned conduit move and repair-it's a 'do it now and avoid boring under a six lane road later at greater expense' choice.

Handhole reinforcement- Installed holds were originally rated for traffic reinforcement but that type have been de-rated by the manufacturer and are no longer rated for traffic. This will require redoing some existing installed covers which will proceed soon.

A2N @ Barton Springs will be 5/19-this is only a City spur cable, but was part of the original GAATN construction and so technically is a GAATN spur.

#### **Agenda Item No. 9:**

##### **Discussion and possible action regarding pending Legislative Bills.**

Noone had heard of any relevant new activity on legislation. It was noted that the regular session will be over on 5/29 so this item will not be necessary for the June meeting unless a special session is called.

#### **Agenda Item No. 10:**

##### **Confirm date, time and location for the next regular Board meeting as June 6, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Time and location for next regular meeting was confirmed (as 1:30 p.m. on June 6, 2005) and the meeting was adjourned at 3:20 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD June 6, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

The meeting was called to order by Chairman Patrick Jordan at 1:32 p.m.

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

Patrick Jordan, 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  
Brian Kunz, on behalf of the Lower Colorado River Authority  
John House, on behalf of the University of Texas  
Walter LaGrone, on behalf of Travis County  
Martha Riekenberg-Krischke, on behalf of the City of Austin

Joining the meeting in progress:

Gary Weseman, on behalf of Austin Community College  
Dave Kelly, on behalf of the State of Texas

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present so Chairman Jordan moved on to the next agenda item.

**Agenda Item No. 3:**

**Approval of May 2, 2005 Board Minutes.**

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

**Agenda Item No. 4:**

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

**A. Board Elections in July**

Patrick stated his intentions to run for Chair again and encouraged anyone interested to discuss it with their respective entities and move forward with nominations if they so choose.

Patrick then asked if everyone had had a chance to consider the once a year GAATN payment to AISD. He added that the ones that did not want to participate needed to email Ron so he would have a record.

Patrick added that he would not be able to attend the August Board meeting and asked that the vice-chair cover the meeting.

Executive Session: Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advise about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concernin g

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or
- G. security devices or security personnel.

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

Patrick moved to executive session at 1:37 pm and back in regular session at 2:42 p.m. There were no issues to be brought forward for action or open discussion and Patrick moved to the next agenda item.

#### **Agenda Item No. 6:**

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

Gray distributed the financial report and noted that the agency was getting close to the end of the year and there were still good numbers in the budget, and it didn't appear there would be any shortfall. Patrick asked if there would be funds to carry forward and Ashley added that some recent project costs were not represented. Gray noted that even with those projects there probably would be some excess. Patrick added that the carry over will be clearer once preparations begins on the 2007 budget.

#### **Agenda Item No. 7:**

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

###### **A. New COA node.**

Tom shared that the committee had voted to recommend approval of a new site on the network for a COA site at Ridge Oak. There was a motion to approve made by Gary and seconded by Tom, to approve the new site; the subsequent vote was unanimous.

Tom added that there was a request from the State to add a node at Smith School Road. This was a previous approved site that had been taken off, but the State now wants to add it back on. Patrick asked about joint opportunities and was told by Martha that this was an old site for which that everyone had been offered a chance to participate long ago. Tom made a motion to approve and was seconded by Patrick and the subsequent vote was unanimous.

Tom finished his report by adding that the Technical Subcommittee had approved the purchase of manhole locator equipment by CoCom. Heidi added that the locator was around \$6,700 but would pay for itself quickly. There is still price research being done regarding the kind of detectable marker for the manholes that will be used.

**Agenda Item No. 8:**

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

Ashley began her report by sharing that the C1S repair was completed with no problems. She went on to say that the A1N repair would be on Wednesday June 8<sup>th</sup> and the C2S repair would be Thursday June 9<sup>th</sup>. The SRN into City Hall was holding to the date of June 18<sup>th</sup> and the A1N City Hall project was still aiming for June 25<sup>th</sup>. The C2S@ Highway 290 was waiting on SWBell to move, and the TxDOT project at US 183 and Bolm Road was going to move up but she was unsure when it would take place. The B2S Project, a joint venture between Travis County and COA, began on June 1<sup>st</sup> and was still in progress at this time. The TxDOT project at US 183 and Springdale Road was set for August but she had not heard anything further at present. There was a project underway as of Friday, June 3<sup>rd</sup> that involved conduit at William Cannon but she had not heard about progress yet. The handhold reinforcement project was in the progress of getting a comprehensive list together of where these will need to be changed because those installed were no longer deemed traffic-worthy. The last item that she had was the 3<sup>rd</sup>/4<sup>th</sup> street light rail project that has seen no change or word as of yet.

**Agenda Item No. 9:**

**Confirm date, time and location for the next regular Board meeting as July 11, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Time and location for next regular meeting was confirmed (as 1:30 p.m. on July 11, 2005) and the meeting was adjourned at 3:00 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD July 11, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

The meeting was called to order by Chairman Patrick Jordan at 1:33 p.m.

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

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  
Brian Kunz, on behalf of the Lower Colorado River Authority  
John House, on behalf of the University of Texas  
Walter LaGrone, on behalf of Travis County  
Martha Riekenberg-Krischke, on behalf of the City of Austin  
Gary Weseman, on behalf of Austin Community College  
Dave Kelly, on behalf of the State of Texas  
Wayne Wedemeyer, on behalf of the University of Texas

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present so Chairman Jordan moved on to the next agenda item. Due to a fire drill the meeting was halted but reconvened at 1:53 p.m.

**Agenda Item No. 3:**

**Approval of June 6, 2005 Board Minutes.**

There was an insert left in item 7 that needed to be deleted. Wayne moved to accept the minutes with the deletion, with a second from Gary. The subsequent vote was unanimous.

**Agenda Item No. 4:**

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

**A. Board Elections**

Patrick stated his intention to continue as Chair again and Gray stated that he was willing to continue on as Vice-Chair. Patrick asked if there were any more nominations; being none,

Wayne moved to close nominations and vote. The vote in favor of Patrick and the vote in favor of Gray were unanimous. Patrick and Gray will continue on as GAATN Chair and Vice-Chair respectively.

**Agenda Item No. 5:**

**Executive Session:**

Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advise about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concerning

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or
- G. security devices or security personnel.

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

Patrick moved to executive session at 1:57 pm and back in regular session at 2:29 p.m. There were no issues to be brought forward for action or open discussion and Patrick moved to the next agenda item.

**Agenda Item No. 6:**

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

Gray distributed the financial report and noted that all entities were up to date with payments. Ashley asked if the negative balance of \$5,500 on page 7 could be removed as it is incorrect. She added that it also affected the balance on the last page. Gray said he would look into it. There was no other discussion so Patrick moved on to the next item.

**Agenda Item No. 7:**

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

**A. GAATN Insurance**

Ron shared that he had contacted Gammon Insurance about the upcoming renewal for the GAATN agency. He shared that he had gotten back a statement from Gammon that the rate would not be going up and that they also desired to continue to cover GAATN. Syd stated a vote would be appropriate for the official record. Patrick asked if there were any major changes to the value of the network that might affect the amount of coverage which was appropriate, and was told no. Gary made the motion to approve the continuation of the contract at the same rate, Wayne seconded and the vote for approval was unanimous.

Tom shared that the committee had voted to recommend approval of a tie cable for UT. Martha explained that it was in the GAATN right of way and that no other entity would be using the plant so it required Board approval. There was a motion to

approve made by Tom and seconded by Walter. UT abstained from the vote which was unanimous.

Tom added that the technical subcommittee had recommended doing 2 more sections of D1N at a projected cost of \$82,000. The first section would be \$8,000 and would be done as soon as possible since AISD was having some issues due to the section in question. Walter asked if this was on the project list and was told that it was not by Ashley, who added that extra funds were available in the budget and this project was deemed important enough to use the extra money on before the end of the GAATN fiscal year. Even though this was not formally on the project list, it was a project that had been contemplated along with the initial \$8000 part of the D1N replacement, and there was money in the budget. Ashley added that a vote on the remaining project was needed by the Board to proceed with the \$74,000 portion. Wayne moved to approve the continuation of D1N replacement and was seconded by Walter, and the motion passed unanimously.

Tom finished his report by adding that the manhole locator equipment that CoCom had considered purchasing on behalf of GAATN did not work as intended and that the \$6,700 appropriated will not be spent on that equipment.

#### **Agenda Item No. 8:**

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

##### **A. Operations**

Ashley began her report by sharing that GAATN had been charged \$1250 extra on the B1N repair due to a last minute schedule hold-up by a Participant, and that there was a question about the policy that GAATN had concerning last minute stoppages like this. Ron stated he would look into the policy.

Ashley stated that SRN was completed into City Hall and A1N would be going in there this weekend. Also completed was the C2S repair at Manchaca. There were no changes reported by Ashley for the C2S at 290, 183 at Bolm Road or TxDOT and 183 at Springdale.

Ashley stated that the quote for handhole reinforcements with the original build issue is \$144,000 and does not include the ones located in the sidewalks, just the ones in the streets. This item, she said, would be placed in the budget for next year.

She added that the only update for the 3<sup>rd</sup> and 4<sup>th</sup> street light rail project was that there was some activity for Seaholm Power plant and that she would be meeting with the project managers soon. Ron reported that he was still waiting on a print for the Slaughter Lane and Mopac duct bank easement.

##### **B. Card Access Procedure for City Hall GAATN room**

Ashley distributed a memo about times and dates for getting access to the GAATN room at City Hall. Patrick added that he thought it would be appropriate for the directors of the GAATN board to have access, and stated that he would like to see a requirement that a director approve any other personnel approved for access personally and send that information to the point of contact, Ken Murphy. Wayne asked if others, not on the list, could accompany someone with access and all agreed that that was acceptable. Wayne asked about a sign in or logbook in the room which was considered a good idea. Patrick directed that a procedure related to the logbook be considered by the Technical Subcommittee.

**Agenda Item No. 9:**

**Confirm date, time and location for the next regular Board meeting as August 1, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

Patrick shared that he would henceforth like to add agenda items for the next meeting under this section. He asked that the language be changed to allow for topic submittals for future meetings, such as goals for the network. Gray desired to add wireless integration as a topic for future Board discussion, and Patrick thought it wise to add 20 minutes to meetings toward discussion of challenges that the Board may want to take on in the future.

Time and location for next regular meeting was confirmed **as 1:30 p.m. on August 1, 2005** and the meeting was adjourned at 3:06 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD August 1, 2005  
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 Gray Salada at 1:34 p.m.

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

Gray Salada, on behalf of Austin Independent School District  
Tom Lott, on behalf of the Lower Colorado River Authority  
Brian Kunz, on behalf of the Lower Colorado River Authority  
John Kohlmorgan, on behalf of Austin Independent School District  
Walter LaGrone, on behalf of Travis County  
Martha Riekenberg-Krischke, on behalf of the City of Austin  
Gary Weseman, on behalf of Austin Community College  
Dave Kelly, on behalf of the State of Texas  
Wayne Wedemeyer, on behalf of the University of Texas

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present and Gray moved onto the next agenda item.

**Agenda Item No. 3:**

**Approval of July 11, 2005 Board Minutes.**

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

**Agenda Item No. 4:**

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

Vice-chairman Gray Salada had no updates but Wayne added that Cap Metro was again looking into wireless projects and Vice-Chairman Salada stated that he would set up a meeting with them soon to discuss opportunities.

## **Agenda Item No. 5:**

### **Executive Session:**

Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advise about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concerning

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or
- G. security devices or security personnel.

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

Gray moved to executive session at 1:42 pm and back in regular session at 2:16 p.m. There was a motion by Wayne to move agenda item 6 to follow agenda item 8 and continue with pertinent discussions in open session. The motion was seconded by John and passed unanimously. There were no actions required from executive session.

## **Agenda Item No. 6: Formerly 7**

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

Ashley stated that the AISD projects to the 2 new schools could come from the unidentified projects, from the consultant allocation, from other projects that look doubtful to occur and also from a savings on the insurance. Wayne asked about risk of using the unidentified project funds and was told by Ashley that there was no risk. Heidi added that there was a great benefit in securing the position should the developers force utilities to go buried, that benefit being that, once its in place, the they have to pay. Heidi also noted that there was a section that was self-support and that it would be eliminated by the new proposed route. Ashley commented that the city may choose to take up that particular section of cable to both preserve the position and also as a back up for the equipment should the added length become an issue. Wayne motioned to approve the new fiber path and school but discuss leaving the fiber up at another time and Tom added that the money would come from unidentified projects. This was seconded by John and passed unanimously. There was an additional school that AISD desired to add on B1S and Tom motioned to approve the new addition with a second from Walter, this too was approved unanimously. AISD also requested a reroute of C2S to allow for the addition of a new school. This reroute would benefit the City of Austin as well who has a fire station in the area that has been on a long spur for years. The Board reviewed the reroute and it was accepted. One aspect of the reroute was that GAATN could get an assignment on the poles in place and should the developers decide to relocate that plant it would be at their expense.

#### **A. GAATN Room Access**

Tom stated that GAATN Participants needed to get this done and Ashley added that the card reader had become a problem over the weekend. John was very concerned about not being able to get access and also with access problems that the maintenance contractor had experienced over the weekend. Gray asked about the malfunction and was it software or other but Ashley was unclear of the reason. John asked that Patrick report back to the GAATN Board about the issue. Gray added that a back up plan was needed beyond Ashley's

suggestion to call Ken Murphy who has a key. Ashley added that she would pursue a key as well and Wayne suggested investigating a secondary entrance option for GAATN, such as a secondary card reader.

### **Agenda Item No. 7: Formerly 8**

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

Ashley stated that she was adding the handhold reinforcements into the budget at the \$144,000 quoted price. She then discussed the Cap Metro project concerning the train/trolley being discussed along 3<sup>rd</sup> or 4<sup>th</sup> street. The quote for all utilities to accommodate the project on 3<sup>rd</sup> street was \$190 million and if it went down 4<sup>th</sup> street then it would cost \$65 million for the utilities to relocate. If the project becomes a CIP project then GAATN would have to pay or a reroute could be developed should GAATN not be financially able to comply. The quoted amount for GAATN to comply with the project was \$3 million dollars which is twice as much as all of last years budget. Wayne asked Ashley and Heidi to look at options.

Ashley then shared that a city resolution had been adopted to bury 42 miles of utilities throughout Austin. This would be a 20 year project. She added that Austin Energy had estimated (without right of way) that it would cost close to \$180 million dollars. This is not an ordinance yet, just a resolution and Ashley stated that she would monitor any activity.

She then discussed the CSC repaving and Martha explained the circumstances around the permit and her efforts to correct. Martha is still in contact with Dale French and hopes for the outcome to be positive for GAATN.

John raised a concern that GAATN needed to contact personnel at the higher levels of city government to explain who and what GAATN is and how important it is to so many departments and agencies. He expanded his comments to note that GAATN is non-profit and not a multimillion dollar company. He further added that a spokesperson, or a group of GAATN advocates, should talk with the city and see if there was a way of reducing red tape and unnecessary costs to GAATN. As far as meetings go, Toby Futrell was suggested as well as Mayor Wynn, he then requested that Ron make this a formal agenda item and to pursue channels to find out who can go and when.

### **Agenda Item No. 9: Formerly 6**

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

John explained the accounting irregularity from last month. Walter asked about ending balance for GAATN and was told that the figure of \$972,000 was going to be very close per John. Gray reminded the Board that the final budget numbers would not be available until the October meeting.

### **Agenda Item No. 9:**

#### **Confirm date, time and location for the next regular Board meeting as September 12, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

##### **A. Add agenda items for next month.**

Time for next regular meeting was confirmed as **1:30 p.m. on September 12, 2005** but Tom added that he may try and pursue another meeting room to avoid the new rule concerning the number of cards granted for access. He added that he would let Ron know if this was accomplished. The meeting was adjourned at 3:46 p.m.

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

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

**MINUTES OF THE WORK SESSION FOR THE BOARD OF DIRECTORS  
MEETING HELD August 9, 2005  
625 East 10<sup>th</sup> Street, 9<sup>th</sup> Floor  
Austin, Texas 78701**

**Agenda Item No. 1:**

The meeting was called to order by Chairman Patrick Jordan at 1:10 p.m.

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

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  
John Kohlmorgan, on behalf of Austin Independent School District  
Martha Riekenberg-Krischke, on behalf of the City of Austin  
Wayne Wedemeyer, on behalf of the University of Texas  
John House, on behalf of the University of Texas

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator  
Ashley Caron, Project Manager

CTM CIO Pete Collins joined the meeting in progress.

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present and Patrick moved onto the next agenda item.

**Agenda Item No. 3:**

**Executive Session:**

Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advise about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concerning

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or

G. security devices or security personnel.

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

There was no council present or need for executive session so Patrick moved on to the next agenda item.

**Agenda Item No. 4:**

**Discussion on issues with the GAATN agency and existing procedures affecting utility projects.**

Martha gave some background information on processes with permitting through the city. She noted that engineering and then going into the Utility Coordinating Council (UCC) can be costly because if it not approved then there are reengineering costs. Preliminary drafts brought beforehand avoid this expense but there are still delays. Projects take 3 weeks to be put on the agenda and then there are 2 weeks for the utilities to respond. It is not uncommon to be well into the second month before you have discussions. She noted that joint opportunities and other benefits do come out of the process. The bottom line is to minimize street cuts and there is encouragement to joint trench. Along with the good there are heavy delays in the process. Patrick added that GAATN is present at these meetings through both its maintenance contractor and sometimes even the Network Manager.

Martha further noted that the process was not 'guaranteed' and, in fact, can lead to instances where unknown utilities are present once the work starts. These, unfortunately, lead to setbacks if reengineering is required to work around them. John Kohlmorgan asked if there were real dollar amounts that illustrate the impact to GAATN and were savings possible in the process. Martha answered that, as an example, the City Hall project had cost \$18,000 in permitting cost from Alexander Engineering between September to May until final approval was accepted. Patrick noted that permitting fees are waived but that traffic control was not. Martha noted that barricading and traffic control engineering were more commonplace. John asked if the fees were applied equally. Wayne noted that there was little expectation for equitable treatment compared with everyone else and cited the issue on Colorado and Cesar Chavez as an example. He added that the handout Martha had given them at the beginning of the meeting did not indicate similar treatment when reading through numbers one to three on the handout. Martha added that the rules change sometimes and continuity was difficult to follow through some of the processes. Wayne noted that there was no way to figure the budget and predict costs if there are issues with varying costs to GAATN. He asked if there was a way to do permitting and traffic control in advance, maybe even a year ahead. Martha added that engineering could be done but that it would be subject to change should something occur in the interim timeframe. She added that permitting and traffic control had to be done when construction was imminent because the objective was to make construction palatable to drivers. John Kohlmorgan asked if it was enforced equally but no one could say but Martha felt that things were difficult for GAATN at times but added that Austin Energy and others may just have the process down and are more familiar with the various changes in the process that can occur. John then asked if public works had leniency and Martha said that GAATN was considered an outside utility.

Patrick noted that there was a general consensus that a 'one stop shop' would be advantageous to the process which exists to encourage participation and also to minimize street cuts. Wayne added that a central place for that 'one stop shop' could stay current on rules and methods. It was suggested that Pete Collins speak with Bill Gardner about these issues.

There then became a differentiation between the long and short-term objectives. The short-term objectives entailed addressing the problem of the permit at Colorado and Cesar Chavez. Martha explained that GAATN was the first one into the street and that others followed, in fact Austin Energy was extremely close, within 2 feet, and went in after GAATN did. A mix up in the paperwork created a denial for a permit a few weeks ago to Will Pitts, one of the GAATN subcontractors. The demand from public works was that the road had to be repaved. This is a permit left open from 1999 and would require a ROW to ROW repave at a cost between \$200,000 to \$300,000 dollars and GAATN is the only utility shown as responsible. Patrick noted that it was a good job of engineering that kept GAATN avoid damage, but that being first and proactive seems to have backfired on GAATN. Pete stated that he would get on this matter and asked for a week to report back.

Patrick then shared that another concern was the 42 miles of underground being considered by council, presently it is a resolution. He added that GAATN forecasts projects over a year in advance. Pete asked about being a part of the planning for this project and Ashley noted that she and Austan Librach had discussed the 42 mile, 20 year project for underground utilities but that he could not answer her questions on budgeting for the project. Pete then asked about Cap Metro and Ashley stated that it was a council decision and that she could not predict the budgetary impact either.

Pete addressed the Board members concerns on the costs and red tape that they were having to deal with by noting that he had the same problems with CTECC and had made some connections that could favor a positive outcome for the GAATN agency. Patrick noted that Pete would assist with items number one and two on the handout and he shared that Ashley would be directed by the Board concerning the budget. The consensus was to not budget for the projects at all at this time as it was impossible to budget based on guesswork.

Gray asked if there was a way to educate or influence the light rail and Pete said he would look into it and exited the meeting.

John Kohlmorgan noted that he would push for a meeting with Cap Metro soon and possibly go at the topic from that angle. There was general discussion on getting the word out about GAATN to the City Council and others both internal and external to the city. John Kohlmorgan summed up the discussion by noting that visibility was possible without going public. Ashley suggested that there might be partnerships available for the 3<sup>rd</sup>/4<sup>th</sup> street Cap Metro project, but John added that he preferred for them to pay GAATN to move.

#### **Agenda Item No. 5:**

**Confirm date, time and location for the next regular Board meeting as September 12, 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.**

#### **A. Add agenda items for next month.**

Time for next regular meeting was confirmed **as 1:30 p.m. on September 12, 2005** The meeting was adjourned at 2:16 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD September 12, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

The meeting was called to order by Chairman Patrick Jordan at 1:35 p.m.

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

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

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator  
Ashley Caron, Project Manager

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present and Patrick moved onto the next agenda item.

**Agenda Item No. 3:**

**Approval of August 1<sup>st</sup> and 9<sup>th</sup>, 2005 Board Minutes.**

There were some corrections to the minutes that included a change from B2S to B1S in the minutes, an extension proposed by AISD for a new school, and a spelling error in the August 1<sup>st</sup> minutes. There was a location error for the August 9<sup>th</sup> minutes.

Gray moved to accept the minutes with the corrections, with a second from Tom. The subsequent vote was unanimous.

**Agenda Item No. 4:**

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

**A. Report back from the GAATN Meeting of 8-9-05**

Patrick explained that there were four principle issues identified, the first being the activity on Colorado Street and the repaving and permit withholding by public works against GAATN. The result was that a memo was sent that cleared GAATN from the cost of repaving. A CIP is in place to do repaving for next year and GAATN will not be charged and the permit that caused the

problem has been cleared up for good. The second issue dealt with manhole coverings for GAATN. Patrick noted that the best practice was to put the ring on and pave, smoothing afterwards. However, it's cheaper to place the ring and pave. This issue is not completely resolved and he noted that the GAATN employees will have to watch for opportunities with this concern. Patrick noted that Ashley is attending the Austin Utility Location Coordination Committee (AULCC) meetings and can stay on top of paving activity. He further noted that GAATN is a minor player in this issue as it has only about 90 manholes in the CBD where there are probably close to 10,000 manholes existing. The issue is how is public works going to deal with this. Patrick has been in contact with Bill Gardner and Leon Barba, the Chief Engineer and ex-Chief Engineer respectively and they are aware of the concerns. The AULCC personnel report to Bill Gardner so presence at the AULCC meetings will, hopefully, allow for improvements.

The third issue was the rebuild Austin plan that involves participation in creating improved performance and coordination with Public Works . Unfortunately, the Hurricane Katrina refugees have taken a lot of personnel and time from CTM so this has been place on hold for the time being. A related topic of coordination is the meeting with Cap Metro to discuss the 3<sup>rd</sup> and 4<sup>th</sup> street concern. Gray had a meeting with Denise Ducharm to discuss the fact that GAATN would prefer the lesser economic impact that the project would have if constructed along 4<sup>th</sup> street. To her knowledge 3<sup>rd</sup> street was the only one being considered at present. Patrick noted that it was not only GAATN that had good reasons to plead for 4<sup>th</sup> street over 3<sup>rd</sup>.

The fourth topic was the overhead to underground project throughout Austin that had come up in resolutions by the City Council. Patrick noted that this was too far out to predict at the moment, some 20 years out, and could not be addressed at this time as it is largely conceptual at the moment with no specific budget, timeline or plan in place.

Tom asked about the improved exposure of GAATN to the upper echelons of the City Council and City Management and was told by Patrick that the Telecommunications Committee has three council members at present that do know about GAATN and on several occasions he has given tours and presentations in the past. He invited the use of a 'refresher' presentation to the committee by another entity other than the City and pledged assistance with that effort should another entity choose to do such an activity. However, his solo effort was to involve his immediate superior, Pete Collins, at the present time to assist with heightened awareness for GAATN.

#### **Agenda Item No. 5:**

##### **Executive Session:**

Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advise about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concerning

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or
- G. security devices or security personnel.

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

There was no need for executive session to discuss any litigation and counsel was not present. There would be a need to discuss specific sites and projects protected under House Bill 9 but that would take place under agenda item 8.

**Agenda Item No. 6:**

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

Gray stated that AISD was close to the final year end report and all was looking very good. He reported that \$933,000 was left at present and Ashley added that at worst there may be a \$50,000 to \$60,000 project remaining but she doubted it. She explained that it was on her laptop so a precise account could not be done. However, even with that amount GAATN had stayed within budget. Patrick added that the City payment of \$447,000 had been processed for next year and was just waiting on the City fiscal year to begin to be sent to AISD. Gary stated that he had paid the quarterly payment but that ACC could pay the remaining 3 quarters upon receipt of a bill from AISD and Ron stated that he would make sure that was sent. Wayne noted that the Roadway case had cost over \$13,000 so far and asked if that amount was correct and was told it was. John added that this topic had come up at the Technical Subcommittee. Tom added that he would expand upon the discussion from the Technical Subcommittee under his section.

**Agenda Item No. 7:**

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

Tom stated that 2 questions arose from the Technical Subcommittee concerning legal aspects of the meetings. The first dealt with executive sessions and documentation thereof. Patrick suggested asking around the legal offices of the entities to get a consensus of opinions. Wayne asked what the exposure was if GAATN did not have complete records of executive session, which Ron stated did not exist. The awkwardness and confusion surrounding executive sessions has created a desire for simplification. Opinions on the subject will be sought through the counsel of the participating entities and also explored when GAATN's own counsel is present.

There was also a topic brought up by Tom of the back taxes that the Maintenance Contractor has been asked to pay for work performed on behalf of GAATN, a non-profit and tax exempt entity. Ron stated that he had sent over the tax exemption status for GAATN about 3 weeks ago for another issue. Ashley stated that the Maintenance Contractor could use that to deny payment based on her previous experiences. Wayne noted that some federal taxes had to be paid but Tom noted that this was not the case and explained that the Comptroller had audited Inline, a road closure company, who in turn has passed their error to the GAATN Maintenance Contractor. Ashley stated that it was the end customer that mattered and Patrick asked her to pursue the resolution with Heidi and report to the Technical Subcommittee next week.

Tom then stated that the claims process was discussed at the Technical Subcommittee and added that the process was put in place but that the financial report looks as if the process has bogged down. He further cited examples noted by the Technical Subcommittee and also the Maintenance Contractor. Patrick reminded the Board that the intended desire for legal activity was to pursue claims and develop a reputation of strength and determination, which has been the Board's wish and intention for years. John Kohlmorgan and Wayne both felt that the process seems to have faltered and Gary added that the chart and policy developed last year was not being followed. Wayne added that there was an efficiency concern that may be aided by the addition of a written legal report every month, to which John added that the Project Coordinator could be given the

power to make certain calls on the behalf of the Board and better expedite proceedings. There was further dismay from the Technical Subcommittee members to learn that present counsel was not the litigator should activity escalate. This meant that more money would have to be spent to inform and 'bring up to speed' another attorney in instances where trial activity would be involved.

There was discussion on whether the processes were clearly defined and also a desire to ask for suggestions to improve the functionality of the claims process. Patrick asked Ron to resend the policy and flow chart to the participants for review and John K asked that this be an agenda item at the next Board meeting.

**Agenda Item No. 8:**

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

Ashley explained that Ron had negotiated a joint easement with Austin Energy in the Circle C area that would have required a reroute. Tom asked how much the reroute would have cost and was told around \$34,000. Patrick noted that some projects were sensitive in nature and under the rules of House Bill 9 moved the Board to executive session to discuss the Project Manager's report at 2:55 p.m. The Board returned from executive session at 3:22 p.m, no actions were required. Ashley distributed individual site lists in advance of the budget preparation and asked for feedback as soon as possible.

**Agenda Item No. 9:**

**Confirm date, time and location for the next regular Board meeting as October 3, 2005 at 1:30 p.m. in Board Room of the Hancock Building at LCRA on Lake Austin Blvd.**

**A. Add agenda items for next month.**

The meeting was adjourned at 3:26 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD October 3, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

The meeting was called to order by Chairman Patrick Jordan at 1:31 p.m.

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

Tom Lott, on behalf of the Lower Colorado River Authority  
Brian Kunz, on behalf of the Lower Colorado River Authority  
John Kohlmorgan, on behalf of Austin Independent School District  
Walter LaGrone, on behalf of Travis County  
Patrick Jordan, on behalf of the City of Austin  
Martha Riekeberg-Krischke, on behalf of the City of Austin  
Gary Weseman, on behalf of Austin Community College  
John House, on behalf of the University of Texas  
Dave Kelly, on behalf of the State of Texas

GAATN Personnel present at the start of the meeting:

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

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present and Patrick moved onto the next agenda item.

**Agenda Item No. 3:**

**Approval of September 12, 2005 Board Minutes.**

There was a change to the Board Minutes concerning the "UCC meeting." The organization is actually called the Austin Utility Location Coordination Committee (AULCC). Gary made the motion to approve the minutes as corrected, which was seconded by John Kohlmorgan and adopted with unanimous approval.

**Agenda Item No. 4:**

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

Patrick noted that the City was looking at wireless opportunities and initiatives at present and added that Gray had suggested discussions on that topic before as well. Tom asked if it was internet only and was told that the City was looking at everything. Patrick then raised the

possibility of common equipment as it related to wireless and encouraged the Technical Subcommittee to examine the issue further especially with the budget considerations beginning in the next month for GAATN. John K noted the importance of shared solutions in this realm of technology because of the limited channels in the spectrum available. Patrick noted that parks were a target for wireless internet, libraries, and noted that Gray was considering campuses at AISD. The item will be included at the next Technical Subcommittee meeting for a round table discussion.

**Agenda Item No. 5:**

**Executive Session:**

Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advise about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concerning

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or
- G. security devices or security personnel.

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

Patrick moved the Board to Executive Session at 1:50 pm and back to regular session at 2:08 pm. There was no action required in open session.

**Agenda Item No. 6:**

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

John K stated that GAATN was real close to where the Board had wanted to be at year end. He noted that the target closing balance was \$700,000 and the report will close out with about \$150,000 over that mark. Patrick noted that the overrun issue was solved but that close fiscal choices would be necessary in the next year. Tom wondered if the build up would be an important asset in the next year as a 'catastrophic capital event' category considering some of the recent activity and discussion. Patrick noted that he would speak to that later in the agenda. John closed by adding that the final budget report will be next month.

**Agenda Item No. 7:**

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

Tom started by sharing that Ron and some of the personnel at CoCom were looking into the AutoCad solutions at present for documenting the GAATN physical plant condition, configuration and history data, instead of revamping with a GIS database. This will be ongoing as an item until a solution is chosen. Tom went on to say that the Technical Subcommittee had recommended cable replacement for the super ring, the location and particulars being protected under House Bill 9.

**Agenda Item No. 8:****Discussion and possible action regarding the Network Manager's Update (COA, 10 minutes).****A. Operations Report**

Ashley shared that Heidi had completed a lot of projects and noted that the C2S South expansion was going in. She also noted that her report on the fiber due in November would probably be late due to work on the budget.

**B. Downtown light rail**

John K noted that the information that Gray had gotten from Cap Metro last month conflicted with Ashley's report. In actuality she had the information backwards and that the impact to GAATN on 3<sup>rd</sup> street was much greater than on 4<sup>th</sup> street. Patrick had an update on this issue through his interactions with Pete Collins, which suggested the downtown project might be more like a trolley system than a light rail. Basically, the issue seems to be evolving into one that may not require the trenching and plant rework that was first reported to the Board through conversations that Ashley had with Austin LaBrach.

Patrick added that a trolley was being considered and the focus was 4<sup>th</sup> street for that project with Capital Metro to pay for the project. This new information had come from Pete Collins and conversation with other directors about the topic. Patrick closed out by adding that he had discussed the issue as it related to the GAATN budget and, based on that discussion, could not foresee adding this cost anywhere in the GAATN budget for the 2006-07 fiscal year. He then adjourned to Executive Session at 2:31 pm to discuss specific locations and projects, a discussion protected under House Bill 9. Patrick moved back into open session at 2:40 pm and made a motion to approve a recommendation by the Technical Subcommittee of a splice-to-splice rework of a section of the Super Ring, with a cost not to exceed \$31,000. The motion was seconded by Gary Weseman and approved unanimously.

**Agenda Item No. 9:****Discussion and possible action regarding GAATN claims procedures. (All, 60 minutes.)**

John opened the discussion by reminding the Board of the Claims policy that was adopted in December of 2004. The stated goal was to streamline and accelerate the process of claims. He added that the longer the time frame before a resolution, the less likely that GAATN was going to succeed. Heidi added that the new method hadn't really had any tests yet but agreed that the existing claims were way overdue for resolution. She added that she was working on 2 new claims at present and hoped for a quick resolution for these. John K suggested using small claims court as an alternative for some of the claims and having GAATN personnel file thereby saving on legal expenses. Ron stated that the cap on claims that may be brought in Small Claims Court is \$5,000. John spoke to the spreadsheet on the outstanding claims and amounts spent so far and noted that a system of categorizing claims and identifying a correspondingly appropriate course of action needed to be in place. Syd commented that he received some mixed signals about how to proceed. He also suggested that categorization of claims based on damages alone might be too simplistic, since the cost of a legal action doesn't necessarily correspond to the level of damages claimed, and there are other factors the Board likely would want to consider. Patrick shared his observation of claims recovery as being historically around 50% of the damage and added that if that was a trend then a \$10,000 case might also be considered for small claims court. Walter expressed his concern with cost considerations alone versus the consideration of making a statement on behalf of the agency, and Gary added that once the process started it needed to be pushed through to a conclusion. John K suggested that certain kinds of claims were historically difficult to pursue (for example, ones involving disputes about cable height, versus ones where the liability was less open to question, for example, cable cuts by a backhoe or during tree trimming) and suggested that as a consideration as well. Additionally, John K also stated what he

saw as the five major options and stated them as 1. do nothing 2. small claims court 3. mediation 4. trial and 5. letters. Syd added that there were separate issues for trial involving the degree of preparation, such as depositions and other discovery. Syd further stated that he understood two motivations from the Board, the first being economics and the second being aggressiveness and 'setting an example'.

Patrick shared that the individual entities of GAATN each did have the capabilities to 'throw their weight around' but stated that the Board has recognized GAATN as an entity with a set legal budget and its role as a 'small player'. Patrick suggested looking at the individual situation, including damages, anticipated costs and the nature of the liability issues in determining how a lawsuit should proceed. There was a lot of debate over the possible analysis process and classifications of categories which might be used in an effort to establish the appropriate course of action for a particular claim, and that such a decision may or may not require direct Board vote for every instance of teardowns. John K was fairly adamant on establishing a classification and category system lest the same topic reappear again on down the road, and Walter and Gary agreed. In the end the consensus was that a system of classifications for claims be established and added to the claims policy to assist with establishing a direction and guidelines for the Board to apply to specific claims, and to provide guidance to legal counsel for how to proceed. The GAATN staff said they would draft a few concepts for consideration and bring it to the Technical Subcommittee meeting.

Heidi added that she would continue with her efforts with claim background research and demand letter writing before sending the information over to the GAATN staff, possibly through a general synopsis of the situation which would help identify the best course of action.

There was also a concern about Syd not necessarily being the litigation attorney and the resulting costs of bringing a different litigating attorney up to speed should a trial be necessary. Syd stated that this expense likely would be minimal, and that costs clearly related to pure "learning curve" of another attorney generally would be absorbed by the firm; he also pointed out that, as a practical matter, trial preparation involved detailed review of such things as written discovery and depositions by whatever attorney, regardless of whether that attorney had been the one developing the case from the outset, so the costs of trial preparation in that sense were not substantially increased by involving a different attorney. Patrick moved the meeting into executive session at 3:57 pm to conclude the directions to Syd regarding existing litigation in light of the general policy discussion about claims, and came back into open at 4:31 pm; there were no items brought forward from this session as it related to direction for the GAATN attorney and was case specific.

**Confirm date, time and location for the next regular Board meeting as November 7, 2005 at 1:30 p.m. in Board Room of the Hancock Building at LCRA on Lake Austin Blvd.**

**A. Add agenda items for next month.**

The meeting was adjourned at 4:31 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD November 7, 2005  
Lower Colorado River Authority  
Shapiro Building Room 517  
3701 Lake Austin Blvd**

**Agenda Item No. 1:**

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

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

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

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator  
Ashley Caron, Project Manager  
Syd Falk, GAATN Attorney  
Buzz Brymer, Maintenance Contractor

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present and Patrick moved onto the next agenda item.

**Agenda Item No. 3:**

**Approval of October 3, 2005 Board Minutes.**

There were no changes to the minutes and Wayne made the motion to approve the minutes and was seconded by Gary. The vote was unanimous.

**Agenda Item No. 4:**

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

Patrick noted that the World Technology Conference was going to be in Austin on May 6<sup>th</sup> and asked that the Technical Subcommittee consider a GAATN presentation. He asked that this item be included on the agenda for the Technical Subcommittee.

**Agenda Item No. 5:**

**Executive Session:**

Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advise about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concerning

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or
- G. security devices or security personnel.

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

Patrick moved the Board to Executive Session at 1:38 pm and back to regular session at 2:31 pm. There was no action required in open session.

**Agenda Item No. 6:**

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

John K stated that the report fro august was the final report as there was no further activity through September of any note. He added that we are now in month one and that it has been fairly uneventful. Tom asked if the \$921,000 figure is final and was told yes by John but he added that he was not sure what budget items would be brought forward and Ashley said she would get those figures for next month.

**Agenda Item No. 7:**

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

**A. Claims Evaluation Form**

Tom stated that this item had been dealt with in executive session.

**B. AutoCad Database.**

Ron shared that he had ordered AutoCad 2006 for his and Ashley's computers and that he had spoked with CoCom who were also upgrading soon to 2006. John Asked if the functionality of AutoCad would allow for the ability to link to spreadsheets, pictures and other data. Ron shared that he had spoken with representatives from DC CADD and that they shared that it would be able to hyperlink and that the use of MAP with the AutoCad would be able to provide the functions that the Board desired. Ron added that this database already existed in Aperture thanks to Martha and that he hoped to utilize that effort to reproduce a similar updated tool for the participants. Ron also stated that he did not have AutoCad at present but that the paperwork to get it was going through. He anticipated training sessions in February or March for the MAP component but expressed desire to actually learn to use the base software first. He also stated that trial samples had been sent in but that he could not try them until he was set up with the AutoCad on his PC. Ron then stated that he would bring more detail to the Technical

Subcommittee in December for a better analysis, by then he anticipated that the licenses would be in place and installed.

John then updated the Board on 3 new schools that AISD was putting in place and shared a desire to build out a ring to one of the new schools on B1S. he asked participants to review this area for opportunities for their own uses. Martha added that the city did have some sites in the area but Patrick shared that he wished to review these first before asking for a vote pertaining to city use. Patrick then made the motion to approve the new AISD sites based on the recommendation of the Technical Subcommittee and this was seconded by Walter. The subsequent vote was unanimous.

**Agenda Item No. 8:**

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

**A. Operations Report**

Ashley shared that the new email notification for street and bridge was doing well. This would eliminate the problems of buried manholes that have burdened GAATN previously. There was little change from last months report. Ashley shared that she needed the site list from ACC and LCRA so that she could start working on the budget.

Gary requested a work sheet for the next Board Meeting that would contain information on projects, proposed budgets, money expended and fiber allocation to assist with projects and cost association discussion. John K. requested an hour at the Technical Subcommittee meeting to review projects and Ashley added that Heidi would be integral to that discussion. Wayne asked what year the CoCom contract was in and Ron stated that it was in the 3<sup>rd</sup> year. Wayne suggested an audit of some type. John K. noted that AISD, as fiscal agent, was audited every year and that the purchasing department was especially tough. Gary and others all noted that audits were very common and after eleven years it may be good to be proactive in this regard and move forward with hiring an outside auditor. The consulting fund was suggested as a source for funding an auditor. Patrick stated that in preparation for such an audit an RFO would be needed and he requested that the Board members send Ron an email with requests for a GAATN audit so that he could put together the RFO.

Concerning audits, Tom was reminded that LCRA will be increasing their security audits by 2007.

**Confirm date, time and location for the next regular Board meeting as December 5 , 2005 at 1:30 p.m. in Board Room of the Hancock Building at LCRA on Lake Austin Blvd.**

**A. Add agenda items for next month.**

The meeting was adjourned at 3:18 p.m.

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

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

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS  
MEETING HELD December 5, 2005  
Lower Colorado River Authority  
Hancock Building, Board Room  
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 at the start of the meeting:

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

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator  
Ashley Caron, Project Manager  
Syd Falk, GAATN Attorney

**Agenda Item No. 2:**

**Citizen Communication**

No citizens were present and Patrick moved onto the next agenda item.

**Agenda Item No. 3:**

**Approval of November 7, 2005 Board Minutes.**

There were no changes to the minutes and Wayne made the motion to approve the minutes, which was seconded by Gray. The vote to approve was unanimous.

**Agenda Item No. 4:**

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

Patrick had two points to bring up and the first was announcement of Walker Guthrie having gotten his RCDD and his future involvement with GAATN projects through the city side. He added that he would try to have Walker at the next meeting.

The second issue he brought forward was the discussion to have an auditor come in for an evaluation of GAATN. Patrick had spoken with his superiors at the city and the consensus was that the processes were going well. He added that the financial review AISD is put through every

year and the audit of other entities was deemed more than sufficient. The financial impact was also a concern. Wayne and Tom both added that they had discussed the matter with the LBJ school of business and a Master's program in the College of Engineering that expressed interest. Wayne added that the cost would be minimal, maybe \$500-\$1,000 for supplies. Patrick requested that the entities put forward suggestions in an email to Ron who could then summarize the anticipated efforts of a study. Wayne noted that the class was a Spring Semester class.

**Agenda Item No. 5:**

**Executive Session:**

Adjourn for closed session, under one or more of Tex. Gov't Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advice about pending, anticipated or contemplated litigation concerning:

- A. Construction, equipment, and product warranty claims;
- B. Damage to GAATN fiber optic cables, equipment, hardware, and other property; or
- C. Contractual or tort claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization; and/or

to consider matters concerning

- E. real property purchase, exchange, lease or value;
- F. personnel matters; or
- G. security devices or security personnel.

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

Patrick moved the Board to Executive Session at 1:41 pm and back to regular session at 2:02 pm. There was no action required in open session.

**Agenda Item No. 6:**

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

John K noted that the payment from the city had not yet arrived and Patrick stated he would check on that. Ashley noted that the SLA was underbilled and stated that she would call finance and see what had happened. Wayne asked if there would be more cable purchases soon and was told by Ashley that she had ordered two rolls to replace the maintenance cable used for the C2S expansion project. She added that she had misunderstood her directions from the Technical Subcommittee in committing to purchase the fiber and that the new fiber will be funded from 6244 in the budget per John K. Gray asked about the current price for cable and Ashley responded that Heidi had told her to budget for a 30% increase in pricing. There followed discussion about whether the projects should include the maintenance cable or if the cable for projects should be ordered. Examples of past projects where maintenance cable was used and where it was ordered special were noted but Martha noted that excess cable was not designated and was working stock. Some large and anticipated projects had been planned and completed with specifically ordered fiber but, some large projects (unplanned at the start of construction) had utilized maintenance fiber. A consistent process was desired concerning the use of the fiber for projects and the trigger for fiber orders was also noted as being a set policy of 40,000 feet. At that point of the maintenance cable inventory, 40,000 feet, the process to order fiber is to be initiated.

**Agenda Item No. 7:**

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

Tom had three items to discuss and the first one was the audit which Patrick had already brought forward in the Chairman's report. The other was the project summary report which did not get discussed at the Technical Subcommittee as planned. Heidi assisted Ashley with putting this information together on the 15<sup>th</sup> of November and it would be discussed at the next technical subcommittee meeting on December 14<sup>th</sup>. The last item that Tom had was the discussion of internet connectivity. John K stated that a lot of detailed technical issues needed to be fleshed out before realistic options could be brought forward. Wayne shared that his staff was putting a listserv group together to handle and facilitate the process. Patrick added that once the goal was summarized then it would be brought to the technical subcommittee in executive session since the previous meeting had taken place under the protection of government code 551.076.

**Agenda Item No. 8:**

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

**A. Operations Report**

Patrick adjourned to executive session at 2:35 p.m. and returned at 3:35 p.m. No action in open session was required.

Wayne asked if GAATN was interested in a presentation for the WCIT and Ashley volunteered to apply.

**Agenda Item No. 9:**

**Confirm date, time and location for the next regular Board meeting as January 9, 2005 at 1:30 p.m. in Board Room of the Hancock Building at LCRA on Lake Austin Blvd.**

**A. Add agenda items for next month.**

The meeting was adjourned at 3:45 p.m.