

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD January 11, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Gray Salada at 1:33 p.m.

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

Gray Salada, on behalf of Austin Independent School District
Wayne Wedemeyer, on behalf of the University of Texas
Paul Hopingardner, on behalf of the City of Austin
Brian Kunz, on behalf of the Lower Colorado River Authority
Dave Kelly, on behalf of the State of Texas
John House, on behalf of the University of Texas
Dain Herbat, on behalf of Travis County
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District

GAATN & City of Austin Personnel present at the start of the meeting:

Martha Krischke, GAATN
Bill Bennett, City of Austin/GAATN
Syd Falk, GAATN Attorney
Frank Ammons, City of Austin

Guests:

Cory Brymer, Titus Systems, LP
Earbie Matheny, Titus Systems, LP

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Approval of the Minutes for the Board Meetings of November 2, 2009.

The December 7, 2009 minutes were reviewed by the members. Wayne Wedemeyer moved to approve them with one correction. Gray Salada seconded the motion, and it passed unanimously.

Agenda Item No. 4:

Discussion and possible action regarding the Board Chairperson Update.

A. First Citizens Bank Litigation (appeal)

Syd Falk informed the Board that his appeal brief was due to be filed with the court on January 22, 2010, and that he anticipates that he will be able to meet that deadline. Otherwise, there was nothing new to report regarding the appeal.

B. Further discussion of plans and feasibility evaluation for construction and operation of a temporary and/or permanent data center location, and the possibility of partnering with other GAATN entities for construction and operation of such facilities.

Dain Herbat told the Board that there has been no change in the status of the project since last month. Tom Lott said that LCRA has a possible interest and that he will contact Walter LaGrone to initiate a discussion and set up a meeting among interested parties. Syd Falk reminded the group that if a quorum of GAATN members are present, the meeting must be posted. The definition of quorum is twofold – a majority of the voting interest AND the numerical majority (4 of 7 entities) of entities (Board members or alternates) present. It was pointed out that other employees/consultants of GAATN entities do NOT count toward the numerical majority.

C. D & O Insurance Application

Martha Krischke explained that the insurance application requires each Board Member and Alternate Board Member to individually respond to several of the questions. Martha said that she had emailed those questions to everyone in mid-December, and that she has received only two responses so far.

The group reviewed and discussed the seven questions to be answered. Syd Falk helped by explaining the meaning of some questions. Martha requested that the group answer the questions on the handout and return it to her at the end of the meeting or as soon as possible.

As an aside, Tom Lott asked whether the Board would be willing to start the next meeting at 12:30 PM, in order to discuss the SLA Evaluation. The evaluation forms will be emailed to everyone a few days before the meeting. The group agreed to start the February 1, 2010 meeting one hour early, and it will be posted as such.

Agenda Item No. 5:

Executive Session:

There was no need for an Executive Session at this time.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

Gray Salada distributed the November 2009 Budget Report. After examining the report, there were no financial report related questions.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

Since Tom Lott had missed the Technical Subcommittee meeting, John Kohlmorgan led the discussion.

A. Waterloo Park Project (GAATN facilities relocation)

Gray Salada explained that Paul Hopingardner is in the process of setting up a meeting between Gray and an assistant City Manager. He asked Wayne Wedemeyer to attend and invited any others who wish to participate to attend as well.

Martha Krischke explained that the construction project is progressing – currently our General Permit request is pending at AULCC (utility coordinating committee). Hopefully, by the end of January we will be approved for construction. Meanwhile, we are in discussions with Time Warner on possible joint trench.

As an aside, John Kohlmorgan also mentioned that there would soon be a Bentley demo ready from Advanced.1.

B. GAATN Network Expansion Policy

Martha Krischke used a handout of the policy, explaining that the Technical Subcommittee was recommending the highlighted changes to Item 6. The change was needed to allow use of separate Maintenance and MAC contractors on the network. Wayne Wedemeyer moved that the changes to the GAATN Network Expansion Policy be approved. Tom Lott seconded the motion and it passed unanimously. The modified policy will be published on the GAATN website within a few days.

C. Waiver for AISD at Barrington

John Kohlmorgan explained that AISD had the need to relocate some fiber near Barrington Elementary School on C1N, and that the Technical Subcommittee had approved a one-time waiver to the expansion policy. John Kohlmorgan moved to approve the waiver to policy to allow AISD to make the needed changes at Barrington. The motion was seconded by Wayne Wedemeyer and it passed unanimously.

D. 2010 – 2011 Network Rights

John Kohlmorgan used the 2010-2011 Site List spreadsheet to explain the proposed 2011 Network Rights Percentages, which have been approved by the Technical Subcommittee. The proposed Network Rights are as follows:

AISD	29.8360 %
City of Austin	21.8197 %
Austin Community College	12.5595 %
Travis County	12.6201 %
State of Texas	12.9171 %
University of Texas	4.7088 %
Lower Colorado River Authority	5.5387 %

Wayne Wedemeyer moved to accept the 2010-2011 Network Rights as presented. The motion was seconded by Dain Herbat and it passed unanimously.

E. New AISD site on B2S

John Kohlmorgan told the group that the Technical Subcommittee had recommended approval for a new site for AISD on ring B2S, on south I-35, across from the XO Building. The purpose of the site is for a new Information Systems headquarters and the cost will be totally borne by AISD. John made the motion to approve the new AISD site on B2S at no cost to GAATN, and the motion was seconded by Wayne Wedemeyer. The motion passed unanimously.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke used the Damage Claims Status spreadsheet to summarize the changes since last month. There are three Fireman's Fund claims pending – the lasher damage at Braker & Pollyanna, the chain saw damage at Eberhardt near Sunstrip, and the pull-down near Bowling Green & Ohlen Road. We have received Proof of Loss forms for these three incidents – the forms must be signed by Gray Salada, notarized and returned to the insurance company for processing. After returning the forms to Fireman's Fund, GAATN will be issued a check for about \$ 97,000 as compensation for the three events. Also, the reimbursement check from Travis County for the event in July 2009 will soon be issued to GAATN in the amount of \$35,998.58.

The newest claim occurred on December 22, 2009, on Fredrich Lane, when a concrete truck snagged an AT & T cable, breaking off a pole and damaging GAATN and Time Warner fiber.

ii. Report on Pending Projects

The B1S teardown on Fredrich Lane, mentioned above, has been temporarily repaired. A permanent section replacement is proposed, and awaiting Board discussion today, item 8C below. As a year end summary of 2009, Martha said that there have been 24 projects completed, which is about equal to the past several years. Gray Salada said that the summary of the project completions (for the last several years) would make an interesting addition to the website. Martha agreed and said she could accomplish that.

Wayne Wedemeyer said that UT would soon be requesting to extend the connection at UT Southwestern/Dell Pediatric Research Institute (DPRI), to Dell Childrens' Hospital.

B. Preliminary 2011 Budget Work Session

Martha Krischke used several handouts to explain the Preliminary 2011 Budget. As in prior years, Martha has proposed to keep the budget flat at about \$ 2.1 million, which is the same level as in 2009 and 2010. The intent today is to have preliminary discussions in preparation for final approval of the budget at the February Board meeting. Several Board members recounted that their agency is likely to face budget cuts soon due to the current recessionary economic environment.

After quite a lot of discussion of the projects proposed in this budget, the consensus of opinion was to reduce the total amount budgeted to \$ 2.0 million, which represents about a 5% reduction. After discussing several possibilities, Martha said that she will redo the proposed budget to reflect a reduction to \$ 2.0 million, for presentation to the Board of Directors again on February 1, 2010.

Martha reminded all of the “value study” that was done about a year ago that reflected about a \$ 14 million annual saving cumulatively, with five of seven entities participating. Gray Salada complimented the Board for prudent financial management over the years.

C. Fredrich Lane repair project

Martha Krischke used a handout showing the immediate area of the B1S Fredrich Lane repair project. She showed the point of damage (which occurred on December 22nd), and the 800 ft. of temporary repair. Martha said that she recommended to the Board replacing the entire section for the permanent repair (the damaged section—a reimbursable cost of \$ 27,519.50 plus the section from Houston ES to William Cannon, an additional 3950 feet) which will eliminate at least 4 splices. The total cost of both sections is \$ 46,108.25. Tom Lott moved to do both sections as described above and to use the enhanced e+ fiber, if the Technical Subcommittee approves it on January 20th, at a cost not to exceed \$ 54,000. The motion was seconded by Dain Herbat and it passed unanimously.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as February 1, 2010 at 12:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 3:37 pm. The Board was reminded that the February 1, 2010 meeting would commence at 12:30 PM to discuss and complete the SLA Evaluation forms.

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1111 West 6th Street
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**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD February 1, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Gray Salada at 12:35 p.m.

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

Gray Salada, on behalf of Austin Independent School District
Brian Kunz, on behalf of the Lower Colorado River Authority
Dain Herbat, on behalf of Travis County
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District

GAATN & City of Austin Personnel present at the start of the meeting:

Martha Krischke, GAATN
Bill Bennett, City of Austin/GAATN

Others arriving at approximately 1:25 PM

Syd Falk, GAATN Attorney
Russ Rumney, on behalf of the City of Austin
Teri Pennington, on behalf of the City of Austin
John House, on behalf of the University of Texas
Frank Ammons, City of Austin

Guests:

Cory Brymer, Titus Systems, LP

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Work Session – Network Management SLA semi-annual evaluations

Tom Lott led the group discussion using the SLA Evaluation form. Numerous opinions were voiced regarding the nine Evaluation Points on the form and numeric scores were collected from the participants. Tom made notes on all comments and scores. He will summarize the comments and average the numerical scores and then distribute the resultant report to the Board by e-mail.

At this point, Chair Gray Salada introduced a new individual to the Board: Teri Pennington, Deputy CIO of Operations for the City of Austin. Then Gray called for a short break—the meeting resumed at 1:35 PM.

Agenda Item No. 4:

Approval of the Minutes for the Board Meetings of January 11, 2010.

The incorrect date of December 7, 2009 was listed for the minutes to be approved on the posted agenda. Therefore, it was necessary to postpone approval of the January 11, 2010 minutes until next month.

Agenda Item No. 5:

Discussion and possible action regarding the Board Chairperson Update.

A. First Citizens Bank Litigation (appeal)

Syd Falk reported that he filed his brief with the Third Court of Appeals on January 22, 2010. The court has the option to call for and hear oral argument; it is unknown whether that will occur. If the court chooses not to hear oral argument, the case will be submitted to a three judge panel for consideration. The three judges will render a verdict sometime in the future--it is hard to predict how long this might take. And, even if GAATN receives an affirmative decision confirming the trial court's original verdict, the bank still has the option of appealing to the Texas Supreme Court.

B. Further discussion of plans and feasibility evaluation for construction and operation of a temporary and/or permanent data center location and the possibility of partnering with other GAATN entities for construction and operation of such facilities.

Dain Herbat said that Travis County is still moving forward and that Walter LaGrone is setting up a meeting with the previously identified interested parties. AISD, LCRA, and the City of Austin repeated interest in possible participation, while UT and DIR remained neutral.

C. D & O Insurance Application

Martha Krischke explained that the questions that must be answered for the application had been e-mailed to Board Members and Alternates and that all have responded save one individual. She asked Syd Falk to explain the research he has been doing about the tax exemption status of GAATN for a question also on this application. Syd said that he preferred to discuss this matter in executive session.

Agenda Item No. 6:

Executive Session:

At 1:48 pm, Chairman Salada requested to 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;
- C. Contractual, tort or other legal or equitable claims by or against GAATN; or
- D. The procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and / or to consider matters concerning:

- F. Real property purchase, exchange, lease, easements or value;
- G. Personnel;
- H. Security devices, security personnel or security procedures or protocols; or
- I. Issues involving GAATN physical plant detail made confidential by law.

Reconvene at 1:57 pm for discussion and actions, if any, on matters considered in closed session. There was nothing further to discuss at this time.

Agenda Item No. 7:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

Gray Salada distributed the December 2009 Budget Report while some participants viewed the same information on the overhead screen. After examining the report, there were no financial report related questions.

Agenda Item No. 8:

Discussion and possible action regarding the Technical Subcommittee Update.

A. Waterloo Park Project (GAATN facilities relocation)

Tom Lott and Russ Rumney explained to the group that the possibility of the City making a partial contribution is still uncertain. City management will make the final decision between now and February 8, 2010. A meeting is planned for the 8th that will include UT, AISD and COA personnel. It appears that the best possible outcome would be a cost split with Time Warner (TW) paying 1/3, COA paying 1/3, and GAATN paying 1/3.

Martha Krischke told the group that it is necessary for GAATN to approve this expenditure (regardless of TW's or the City's possible contributions) in order to be able to commence construction by mid-March and to complete all work by the end of August, 2010. The not-to-exceed (worst case scenario – GAATN only without any outside participants) cost is \$ 350,000. If GAATN partners with TW on joint trench, the cost to GAATN will be approximately \$200,000 and to TW approximately \$125,000.

Tom Lott moved to go forward with the Waterloo Park Project at a cost to GAATN not to exceed \$ 350,000.00, and with the funds to come from the Capital Improvements account. The motion was seconded by Gray Salada and it passed unanimously.

B. Fiber Technology

Tom Lott explained the Technical Subcommittee discussed the possibility of upgrading to the use of either SMF-28e+ or Leaf fiber as GAATN's standard cable in order to meet the continuing need to transmit bigger payloads at higher speeds over more wavelengths to more customers. Tom said that the Subcommittee had concluded that the SMF-28e+ fiber matched our needs better and would be more cost effective (20 % premium) for GAATN. Tom then suggested moving on to item C for further discussion.

C. Emergency Cable Stock

Related to the Fiber Technology discussion (Item B above), there was general agreement among the group to adopt the policy of using SMF-28e+ fiber as standard going forward. However, there is also the need to use up the current stock of SMF-28e maintenance. It was decided to use the old stock (about 40,000 ft.) for temporary and emergency repairs while using the SMF-28e+ for section (reel-to-reel) replacements and new construction.

After some discussion among the group, Tom Lott moved that GAATN adopt SMF- 28e+ fiber as our new standard fiber, and that the Network Manager shall use his best judgment regarding the use of our remaining stock of SMF-28e fiber. Dain Herbat seconded the motion and it passed unanimously.

Due to the higher cost of SMF-28e+ fiber, Tom Lott moved to increase the Network Manager's purchasing authority to \$25,000.00, in order to allow the purchase of a full reel of SMF-28 e+ fiber. The motion was seconded by Gray Salada and it passed unanimously.

D. 2010 Projects Prioritization

Tom Lott explained that the Technical Subcommittee had recommended the authorization of the expenditure of \$220,000 toward the replacement of six sections of self-support cable on ring C1N. Martha Krischke used the overhead projector to show which sections of cable that will be targeted first, using SMF-28e+ fiber.

John Kohlmorgan explained that budgeted funds for SS replacement this year plus the recent collections of insurance claims will be sufficient to cover this project. If there were to be a slight shortfall, it could be easily covered by a transfer from the holding account. After further discussions, Tom Lott moved to authorize the expenditure of \$ 220,000.00 for the replacement of six segments on C1N in BY 2010. The motion was seconded by Dain Herbat and it passed unanimously.

Agenda Item No. 9:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke told the group that one check has been received in the amount of about \$ 36,000, for the damage done by Travis County. In addition, three more claim payments from Fireman's Fund Insurance are expected soon, totaling approximately \$100,000. The claim for the pull-down on Freidrich Lane is the only damage event that is still outstanding.

ii. Report on Pending Projects

Martha Krischke reviewed the status of the Waller Creek project—it is looking good to start construction in early March as the approval process is nearly over. The latest repair project is the broken strand found on B1N in the underground on Duval Road. Titus plans to open the splice case tomorrow and determine if any other strands are damaged. The B1N self support replacement Segment 7 is scheduled for splicing tomorrow with Segment 4 scheduled for February 15 and 16th. SMF-28e fiber has been used for these replacements because the fiber has already been purchased and placed.

B. Disaster Recovery Information

Martha Krischke described the 35 page spreadsheet of Disaster Recovery information – she did not want to print the 11" x 17" sheets in view of our "green" philosophy regarding paper handouts. She has received priority strand information from all entities except ACC, but Martha feels it is now time to publish the results leaving the unknown information blank. This will make the document available to all for their use. Whenever ACC responds, their strand data can be added to the spreadsheets.

C. FY 2011 Budget

Martha Krischke used a handout to discuss the budget, explaining that based on the Board's recommendation last month, the budget has been reduced about 5 %. After some discussion, Gray

Salada moved to approve the 2011-2012 Budget as presented, in the amount of \$ 2,000,000.00. The motion was seconded by Tom Lott and it passed unanimously.

The approved budget for 2011:

2010/2011 Network Rights Percentages and Quarterly Entity Contributions

**Approved
2-1-2010**

2011 approved	2011 NTWK RIGHTS	10/11 ANNUAL CONTRIBUTIONS	10/11 Quarterly Contributions	09/10 Qtrly actuals
AUSTIN IND. SCHOOL DIST.	29.84%	\$596,719	\$149,179.79	\$155,195.08
CITY OF AUSTIN	21.82%	\$436,394	\$109,098.44	\$115,654.86
AUSTIN COMMUNITY COLLEGE	12.56%	\$251,191	\$62,797.75	\$65,588.71
TRAVIS COUNTY	12.62%	\$252,403	\$63,100.64	\$67,167.12
STATE OF TEXAS	12.92%	\$258,342	\$64,585.47	\$67,432.35
UNIVERSITY OF TEXAS	4.71%	\$94,177	\$23,544.21	\$24,902.94
LCRA	5.54%	\$110,775	\$27,693.69	\$29,058.94
TOTALS	100%	\$2,000,000.00		

**2010/2011
Forecasted Expenses**

ITEM	Notes	FY 2011 App'd
Ntwk Mgmt SLA		\$183,000.00
Travel		-
FICA		-
Health		-
Worker's Comp		-
Legal		\$100,000.00
Consultants		\$21,000.00
Continuing Fiber Contract- Mtce		\$300,000.00
Mtce Contract Bonding		\$15,000.00
Mtce and Teardown (labor only)		\$450,000.00
Mat'l/ Cable Reorder (Mtce/Repair only)		\$200,000.00
Continuing Fiber Contract- MAC		\$5,000.00
MAC Contract Bonding (Pri + Sec)		\$25,000.00
Capitol Improvements (for 2011, 2nd half of C1N)		
CIP Labor + misc material		\$250,000.00
CIP cable		\$120,000.00
Notification & Locate Services		\$115,000.00
Reproduction		\$0.00

Common Equipment	Bentley conversion- Ph4?	\$100,000.00
Supplies		\$0.00
Out of Town Travel		-
Insurance		\$100,000.00
Capital Outlay		-
Fees, Dues (SV, Pedernales)		\$14,000.00
Food/Refreshments		\$2,000.00
PROPOSED BUDGET AMOUNT		\$ 2,000,000.00
		\$ -
Proposed Total Entity Contributions		\$ 2,000,000.00

Holding Account Balance Aug 31, 2009		\$ 2,133,452.63
Fund Balance Goal		\$ 1,000,000.00
Potential Contribution from Holding Account		\$ 1,133,452.63

D. Bentley

Russ Rumney related to the group that he expects Phase 2 of the project to be completed by approximately June 2010 and that he is quite satisfied with the quality of work that Advanced.1 has performed so far. There are a few details left to work out – the most notable ones regarding training, choosing a web viewer and security concerns when using Google Earth.

Advanced.1 will be coming to the Technical Subcommittee meeting on February 17, 2010, to give the group a demo of the work accomplished to this point.

Russ told the group that he intends to relinquish the Network Manager role– handing it to Martha Kruschke. He feels that this will improve and streamline the process that is already in place. Also, Russ said that he will be assuming the role of COA Alternate Board Member, so he will continue to attend most Board and Subcommittee meetings. The group agreed that this will be a good move for both GAATN and SLA management. There was no Board action required for this change.

Agenda Item No. 10:

Confirm date, time, and location for the next regular Board meeting as March 1, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 3:48 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
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**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD March 1, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Vice-Chairman Wayne Wedemeyer at 1:30 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Brian Kunz, on behalf of the Lower Colorado River Authority
Dain Herbat, on behalf of Travis County
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District
Teri Pennington, on behalf of the City of Austin
Paul Hopingardner, on behalf of the City of Austin
Gary Weseman, on behalf of ACC
Dave Kelly, on behalf of DIR
William De Dufour, on behalf of Austin Independent School District

GAATN & City of Austin Personnel present at the start of the meeting:

Martha Krischke, GAATN
Bill Bennett, City of Austin/GAATN
Terry Dyke, COA Telecom & Regulatory Affairs Department
Rondella Hawkins, COA Telecom & Regulatory Affairs Department

Guests:

Cory Brymer, Titus Systems, LP

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meetings of January 11, 2010, and February 1, 2010.

The January 11, 2010 minutes were reviewed by the members. Tom Lott moved to approve them as written. Dain Herbat seconded the motion, and it passed unanimously.

The February 1, 2010 minutes were reviewed by the members. Dain Herbat moved to approve them as written. Paul Hopingardner seconded the motion, and it passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. Consider and take action to elect a replacement Chair and possibly a replacement Vice-Chair in response to the resignation of the current elected Chair.

Wayne Wedemeyer told the group that Chairman Gray Salada had recently left the employ of AISD, moving to a new job with the Dallas Independent School District. John Kohlmorgan presented Vice Chair Wedemeyer with a letter dated February 24, 2010 from AISD's Superintendent Meria Carstarphen appointing William De Dufour as AISD's GAATN Board Representative. This allows Mr. De Dufour to officially participate in today's meeting.

Further, Vice-Chairman Wedemeyer said that he has learned through consultation with Syd Falk that it will be necessary to elect a new Chairman, and possibly a Vice-Chairman, today to serve out the remainder of Gray's term. This action is required by the GAATN Bylaws, Article V, Section a.(1). The election will be determined by a majority vote based on network rights, and that a runoff between the two leading candidates would be used, if necessary. Those elected today will serve until the July 2010 meeting when normal Chair and Vice-Chair elections will take place.

Vice-Chairman Wedemeyer then opened the floor for nominations for the office of Chairman of the GAATN Board of Directors. Paul Hopingardner nominated Wayne Wedemeyer for Chair with Gary Weseman seconding. Tom Lott then moved that the nomination process cease and Dave Kelly seconded the motion. Board members present voted unanimously for nominations to cease. Wayne Wedemeyer was then elected (6 ayes, 1 abstention-UT) to serve as Chairman of the GAATN Board of Directors through the end of June 2010.

Wayne Wedemeyer then opened the floor for nominations for Vice-Chairman. Paul Hopingardner nominated Tom Lott as Vice-Chairman. The motion was seconded by Gary Weseman. Dave Kelly moved that the nomination process cease and Paul Hopingardner seconded the motion. Board members present voted unanimously for nominations to cease. Tom Lott was then elected (6 ayes, 1 abstention-LCRA) to serve as Vice-Chairman of the GAATN Board of Directors through the end of June 2010.

B. First Citizens Bank Litigation (appeal)

Wayne Wedemeyer related to the group that Syd Falk had filed GAATN's "response" brief with the court (responding to appellant First Citizens Bank's main brief, previously filed) and that it was timely and had been accepted. First Citizens Bank, which as appellant could have filed a "reply" brief responding to GAATN's brief, but did not do so by the deadline for reply briefs. The three-judge panel of the appeals court therefore will be making its decision based on those two briefs.

C. Further discussion of plans and feasibility evaluation for construction and operation of a temporary and/or permanent data center location, and the possibility of partnering with other GAATN entities for construction and operation of such facilities.

Wayne Wedemeyer stated that UT will not be able to participate with other entities in the (Travis County led) data center due to budget constraints. Dain Herbat stated that he had no update since last month, other than he thought that Walter LaGrone's partnering meeting had not yet occurred. Tom Lott asked Dain to be sure to include LCRA in the meeting when it is scheduled. William De Dufour added that AISD still has an interest and would also like to attend the meeting.

Wayne pointed out that Syd Falk has studied the possibility of direct GAATN participation in such a project and that Syd concluded that such participation would be prohibited by the Interlocal Agreement and the GAATN Bylaws. Both the Interlocal and Bylaws will need to be modified before GAATN could enter or participate in such a partnership.

D. Discussion of GOOGLE High-speed Network Project in Austin.

Wayne Wedemeyer introduced Rondella Hawkins of the COA Telecom & Regulatory Affairs Department, who spoke about the City's efforts to be included in Google's Ultra High-Speed Broadband Network trial. Ms. Hawkins explained that Google is planning to install and test their fiber network in several to-be-competitively selected locations across the country. These networks will deliver Internet speeds more than 100 times faster than what most Americans have access to today--over 1 gigabit per second fiber-to-the-home connections. Google anticipates offering services at competitive prices to between 50,000 and 500,000 households.

From now until March 26th, Google is asking interested municipalities to provide information about their communities through Google's posted Request for Information (RFI). Information provided coupled with nominations from the community's constituents will be used to determine where Google trials their network. The City of Austin is now preparing its response to the RFI. Ms. Hawkins said her visit today was to explain the City's response to the GAATN Board, and to encourage GAATN participants to support the City's efforts to be selected.

Wayne mentioned that Gary Chapman with UT is very interested in participation in the Google project and in supporting the COA effort. He said that it might be possible to utilize UT's membership in the LEARN statewide network to interconnect it to the Google network. Google could potentially be a great aid in solving the last mile problem for education and health care service providers.

Tom Lott mentioned that LCRA is also interested in supporting the City's Google bid, and that they currently have connections into several rural communities surrounding Austin.

Ms. Hawkins mentioned that Google was expected to make its final decisions by December 2010.

Agenda Item No. 5:

Executive Session:

There was no need for an executive session today.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

The Board viewed the January 2010 Budget Report on the overhead screen, with a few paper copies distributed as requested. There were no financial report related questions.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

A. Waterloo Park Project (GAATN facilities relocation)

Tom Lott explained that UT, AISD and City of Austin representatives had met to discuss the project. A decision is still pending, but Paul Hopingardner said that he expects that the decision will be made within a few days. It still seems that the likely outcome would be a cost split with Time Warner (TW) paying 1/3, COA paying 1/3, and GAATN paying 1/3.

B. Bentley Demo and Progress

Tom Lott reported that a progress demo was presented by Advanced.1 at the Technical Subcommittee meeting. Phase 2 of The Bentley project is progressing nicely and it is expected that wrap-up on this phase will be in June 2010. One issue yet to be addressed is that of web access. It is hoped that the backup system that the City is working on can be set up to allow read only access to the Bentley as-built information (in pdf or kmz format) for the partners. This effort might be accomplished through a third party or by using an existing Bentley product. If the existing GAATN

website is the forum to be used for displaying mapping info, Martha Krischke mentioned that she will need quite a bit more time and support from the UT website staff.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke said that we now have only one claim that has not been settled – the pull-down on Freidrich Lane. This is the first repair job on which we are using enhanced fiber, so the final repair has been slower to schedule than expected. The insurance company involved is waiting until the permanent repair is completed so that it can receive a copy of the final invoice before settling.

ii. Report on Pending Projects

Martha Krischke used the GAATN Status Page Report to discuss current business. The B1N self support replacements segments 8 and 9 awaiting material and scheduling. The permitting on our proposed trenching has been approved for Waterloo Park--construction should begin in March. Segment 6 of the B1N self support replacement is tentatively scheduled to splice on March 29th.

Meeting handouts are being placed on the city FTP site for all participants to access and download prior to each meeting. All members seemed to agree that using the FTP site worked for them. The goal is to develop the ftp capability into the GAATN website, but until that can be accomplished, the City ftp site would suffice. John Kohlmorgan remarked that this information repository needs to be in the protected area on the GAATN website. Wayne Wedemeyer noted that the UT website folks are quite busy at the moment but that they should be able to begin taking care of this by late March.

B. GAATN Website Updates

As mentioned above, Martha Krischke said that she will need further time and support from the UT staff to expand the features and uses of the GAATN website. Wayne Wedemeyer said that he will speak with the UT personnel about this in the near future. Martha requested that all members make observations and suggestions on improving the website. Please e-mail your ideas as you have them to Martha. Wayne Wedemeyer mentioned that website security will become more critical with the addition of Bentley drawing access. Further work in this area will soon be necessary.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as April 5, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 2:23 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD April 5, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:31 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Dain Herbat, on behalf of Travis County
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District
Teri Pennington, on behalf of the City of Austin
Paul Hoppingardner, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District

Arriving a few minutes late:

Jaime Guerra, on behalf of the University of Texas

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin

Guests:

Cory Brymer, Titus Systems, LP

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meetings of March 1, 2010.

The March 1, 2010 minutes were reviewed by the members. Dain Herbat moved to approve them with one correction that was suggested by Syd Falk. Tom Lott seconded the motion, and it passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. First Citizens Bank Litigation (appeal)

Syd Falk reported that there have been no changes in the status of the FCB case. The briefs have been submitted to the 3-judge panel on the (state) Third Court of Appeals (in Austin) that will decide the appeal. It is worth noting that historically, this appeals court has been slow in rendering decisions so it is hard to predict when we will have a decision.

Agenda Item No. 5:

Executive Session:

There was no need for an executive session today.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

Martha Krischke noted that she is concerned about getting the approved C1N work completed before the end of August, 2010 because delivery on our new kind of standard cable is taking longer than expected. Hopefully, this is just because the cable supplier has had to start their process over to produce GAATN's custom configuration over e+ glass. There were no financial report related questions.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

A. Waterloo Park Project (GAATN facilities relocation)

Tom Lott told the Board that the Waterloo Park conduit construction project is moving along well. Trench work has finished on Trinity Street (now pending asphalt restoration) and is underway on Red River Street. Martha Krischke added that the Red River side is about 50% complete as of today. This has been accomplished in spite of several delays due to scheduled events (UIL, Texas Relays, SXSW, etc.) during this time frame. She expects the project to be near completion by early May.

B. 2nd Street and San Antonio

During prep work for the installation of a storm sewer manhole, it was discovered that the GAATN duct bank had been bored through a storm drain when it was originally constructed in 1999. Tom Lott and Martha Krischke explained how Titus Systems' sub-contractor (Pitts) rerouted our duct bank around the COA storm drain. (Noted: the storm drain involved was not reflected on the utility prints provided during the AULCC permitting process in 1999 or in the proposed roadway restoration prints from 2003.) One of the unique aspects of this work was cutting through about 13" of concrete that forms the roadway surface in this section of San Antonio Street. This work was completed on the weekend of March 22 - 23.

C. Bentley Demo and Progress

Tom Lott reported that the transfer of Bentley drawings to the Titus server had been completed the week of the Technical Subcommittee meeting. Cory Brymer added that Advanced.1 will soon be arranging the Bentley training class that is the remaining deliverable in Phase 2 of GAATN's Bentley project. Martha Krischke added that there will be a second round of training later in the year, after the COA finishes with the installation of its Bentley server.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke told the group that the single remaining claim, concerning the damage on Freidrich Lane, is still awaiting final completion of the repair. Once the repair is complete (using the enhanced fiber), and there is a final invoice, it is expected that the culprit's insurance company will review the GAATN claim.

ii. Report on Pending Projects

Martha reported the status of pending projects. Placing will start later this week on the remaining self-support replacement sections on B1N (Segments 8 and 9). The Waller Creek tunnel project continues to move along as scheduled, with trench on Trinity Street complete and trench on Red River Street at about 50% complete. The other items on the project list are currently pending scheduling. It was noted that a new site near Highland Mall had been added to the entity specific portion of the list for Travis County.

A question was raised about the seemingly increased number of individual fiber strand breaks that GAATN is experiencing at or near splice cases. There is no reporting or record-keeping in place that systematically gathers and tracks information on individual entity fiber problems. Wayne Wedemeyer opined that it was necessary to have such information in order for the Board to decide where best to apply its maintenance dollars (i.e., self-support cable replacements versus splice case replacements). He then asked the members if any entity had a trouble reporting or ticket system currently in place. The City replied in the affirmative, referencing "Magic". It was decided that Martha will gather data on the recent strand breaks that she has knowledge of and present that info to the Technical Subcommittee for discussion. She will also investigate what it will take to create an Agency-exclusive tracking area within Magic.

Martha also mentioned that a new RFP for legal services is currently out for bids and is due back to AISD on April 22nd. Chairman Wedemeyer asked for an evaluation committee to analyze the bids. Paul Hopingardner, Dain Herbat, Bill de Dufour and Bill Bennett were named to fulfill this task.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as May 3, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 2:46 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD May 3, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:31 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Dain Herbat, on behalf of Travis County
Tom Lott, on behalf of the Lower Colorado River Authority
Paul Hopingardner, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Brian Kunz, on behalf of the Lower Colorado River Authority
Dave Kelly, on behalf of DIR

Arriving a few minutes late:

Teri Pennington, on behalf of the City of Austin

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin

Guests:

Earbie Matheny, Titus Systems, LP
Cory Brymer, Titus Systems, LP
Sam Robinson, Titus Systems, LP
Ty Runyan, Titus Systems, LP
Mike Ragain, JC Communications
John P. Chamberlain, JC Communications
Jeff Kirk, JC Communications

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meetings of April 5, 2010.

The April 5, 2010 minutes were reviewed by the members. Tom Lott moved to approve them with a second by Dain Herbat, and the motion passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. First Citizens Bank Litigation (appeal)

Syd Falk said that there was nothing new to report today.

B. GAATN Legal Services RFP, proposals and contract

Bill Bennett told the group that four proposals had been received by AISD's purchasing department and copies of the proposals have now been distributed to the three evaluators (Paul Hopingardner, William De Dufour, and Dain Herbat). Bill said that he will soon schedule a meeting of the committee to evaluate and rank the responses. In response to a query, Martha said that she will send out a copy of the evaluation criteria from the RFP to all Board members.

C. GAATN primary and secondary MAC Contractors

Continuing a discussion that had begun at the April Technical SubCommittee meeting, Cory Brymer said that Titus Systems had recently experienced some (GAATN experienced) personnel changes – Buz Brymer and Jeff Kirk have both left the firm. Cory explained that these changes will have no effect on how Titus serves GAATN: both Jeff and Buz have been working in San Antonio for at least the past year. Ty Runyan, owner of both Titus Systems and Titus Electrical, then reiterated what Cory had said, adding that Titus is “going strong” and that the consolidation of his two operations into one location translates into increased resources and flexibility in responding to any GAATN event or requirement.

Mike Ragain from JC Communications spoke next, saying that they have recently hired Jeff Kirk to strengthen their team. Mike reported that JC Communications had recently completed work on B1N Segment 6 for GAATN, and that they have addressed most of the issues encountered in doing this first project. Mike added that JC Communications had four aerial crews and 4 underground crews and was capable of handling all types of fiber work in-house with the exception of directional boring.

Wayne Wedemeyer thanked both contractors for coming today and asked the Board if there were any further questions – there were none.

Then, Chairman Wedemeyer said that he wanted to inform the GAATN Board that UT has entered into negotiations with various telephone companies to acquire rights to use certain of their conduits around the state and in Austin. This usage would be through the telephone company's cooperative sharing of resources agreements. If UT is successful, it would make the use of these conduits available to other non-profit organizations. Wayne thought that this possible acquisition of rights would prove to be beneficial for GAATN as well.

Agenda Item No. 5:

Executive Session:

There was no need for an executive session today.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

Wayne Wedemeyer thanked Bill de Dufour for supplying the financial report in electronic format. Martha Krischke explained that on page 8 of the report, the one cost overrun was due to the slight cost increase (\$ 403.05) for the D & O Liability insurance policy. The reason for this was due to the extended (about 75 days) interval that was needed to complete the insurance application—the underwriter would not hold the original price past 30 days. Next year we will increase the budgeted amount to cover this. There were no other financial report related questions.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

A. Waterloo Park Project (GAATN facilities relocation)

Tom Lott told the group that the Waterloo Park project is still running about 30 days ahead of schedule and that all construction should be complete by mid June 2010. Cory Brymer confirmed this projected schedule.

Wayne then said that he had received a letter dated April 30, 2010 from the COA’s Chief Financial Officer Leslie Browder, informing GAATN that the City will not be paying any additional share of the costs of this project, beyond its normal GAATN membership share. A copy of the letter had been included in the meeting handouts. Wayne applauded the COA management team for successfully engaging Time Warner in splitting costs on joint trench, resulting in a significant savings for GAATN. He thought that this effort was productive in that it was an opportunity for participants to increase exposure of GAATN and its benefits within their own organizations. Wayne indicated that he would send a letter back to Ms. Browder thanking her for the City’s consideration of the matter.

Tom Lott and Martha Krischke explained that recent financial analysis has revealed that it will not be necessary to move funds from GAATN’s Fund Balance account to pay for the added Waterloo Park and C1N projects in FY 2010. In response to a question, Martha said that we had a late projects start due to the work hold pending a decision on Waterloo Park and the decision to move to SMF-28e+ type cable. Also, we have not had as high a level of repair this year as compared to past years. The combination is allowing the two added projects to fit comfortably into the planned budget.

B. Fiber Incident Tracking System

Tom Lott and Martha Krischke used two handouts to explain the COA “Magic” trouble ticket system, the incident management system that is currently in use by COA CTM. In Magic, it is easy to create a template that allows GAATN incidents to be tracked alongside City incidents. The first handout was a copy of a sample ticket as it is entered into the system. The second printout was a summary of GAATN events that have been entered into Magic thus far. This allows easy analysis.

During the past 14 to 15 months, GAATN participants have experienced 15 individual strand breaks. Of these, 13 have been breaks of individual strands inside various splice enclosures. Over the next couple of weeks, Martha will have a simple report built, which the Technical Subcommittee can view and modify, as necessary. This data will enhance GAATN’s ability to analyze network issues and facilitate decisions on future improvements. Also, it may be possible to integrate this tracking function into Bentley.

The Board requested that the Network Manager and the Technical Subcommittee delve deeper into the splice case strand failure issue to define what is occurring and if there are any “Best Practices” in the industry that may apply. The goal is to bring back to the Board an analysis and perhaps recommendation(s) to consider.

C. Bentley Project Status

Tom Lott explained that Phase 2 of the Bentley Project is nearly finished and we are in the process of scheduling training for participants and Titus’ personnel. As approved as part of Phase 2 Bentley,

training was planned for two or three persons, each for a 5-day period (first 2 days combined classroom training, last 3 days individual one-on-one training).

Additional training can be scheduled, now or later, for 2 to 4 persons at a time at a cost of \$ 800/day, per Advanced.1 trainer. Again, Advanced.1 recommends combined training for the first two of the five days, with the last three days to be one-on-one training. However, it is possible to substitute TWO-students-at-one-site with one trainer for the last three days, if the GAATN participants desire it.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke reported that the only outstanding claim is the one at 5400 Friedrich Lane, which has now been scheduled for splicing on May 26th and testing on the 27th. Once the repair has been completed, the final invoice will be passed to Syd Falk for forwarding to the involved insurance carrier.

ii. Report on Pending Projects

Martha Krischke said that the Waller Creek tunnel project has its SRN splicing scheduled May 19th and testing May 20th. Its A2N splicing is scheduled May 24th with testing May 25th. For the chain saw damage on Buffalo Pass near Cunningham Elementary School - splicing is scheduled for May 17 with testing May 18th. The cable replacement along 51st Street is now scheduled for June 15th beginning with the placing of Maxcell flexible innerduct. It is speculated that much of the cable damage was the result of the use of excessive force on the original pull and it is hoped that Maxcell will allow the replacement cable to be pulled in more easily.

The fiber relocation on Hwy. 290 E. from Springdale and to Giles/Johnny Morris Road is not yet scheduled. For the B1N SS replacement, segment 8 & 9 along Jollyville Road, placing is underway with splicing scheduled for May 11th with testing May 12th. Martha requested for all participants to update her on their individual projects so that she can update the website.

In response to a question regarding documentation from JC Communications, Martha told the group that when she gets the as-built documentation for a completed job, test results normally arrive as a binder of PDF files. This makes it relatively straightforward to integrate it into existing related network results. Other than requiring as-built drawings in AutoCAD and Bentley format, GAATN has not defined a required format for electronic test results.

After JC Communications completed their first project for GAATN, Mike Ragain prepared the as-builts and testing documentation using his normal methods. This resulted in a 4inch notebook and a cd containing almost 500 WORD files. This was very difficult/time consuming to work with so Martha and Frank have been helping JC Communications modify their test results into PDF format, named and organized by entity. This will become their normal procedure for GAATN.

Eventually, it is hoped that all of this information will be folded into Bentley.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as June 7, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

Bill De Dufour announced that the AISD Network Systems & Support group has now officially moved into the Skyline Building, at 1949 South IH-35. Both Bill and John Kohlmorgan are now located in that office.

The meeting adjourned at 2:37 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD June 7, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Vice-Chairman Tom Lott 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
Dain Herbat, on behalf of Travis County
John Kohlmorgan, on behalf of Austin Independent School District
Paul Hopingardner, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Brian Kunz, on behalf of the Lower Colorado River Authority
Dave Kelly, on behalf of DIR
Gary Weseman, on behalf of ACC

Arriving a few minutes late:

Wayne Wedemeyer, on behalf of the University of Texas
Teri Pennington, on behalf of the City of Austin

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin

Guests:

Earbie Matheny, Titus Systems, LP
Cory Brymer, Titus Systems, LP
Carlos Reyes, Titus Systems, LP
Jeff Kirk, JC Communications

Agenda Item No. 2:

Citizen Communication

This item was skipped. See after Agenda Item 8.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meeting of May 3, 2010.

Wayne Wedemeyer arrived a few minutes late and assumed the chairmanship of the meeting at this time. The May 3, 2010 minutes were reviewed by the members and Dain Herbat moved to approve the minutes with one correction. The motion was seconded by Bill De Dufour and passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

Wayne Wedemeyer spoke about his handout suggesting several attributes that might be considered "Guiding Principles" for the Agency. General discussion ensued and several participants voiced interest in creating this document as an assist for making decisions. Members are to send Wayne their suggestions for additions and improvements to his preliminary list. The Board will discuss this subject again at the next Board meeting.

A. First Citizens Bank Litigation (appeal)

Syd Falk said that there was nothing new to report today.

B. GAATN Legal Services RFP, proposals and contract

Bill Bennett told the group that an Executive Session was needed while we discussed this RFP, and that Syd Falk would need to be excused from the room also, along with today's visitors.

At 1:49 pm, Chairman Wedemeyer requested to 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;
- C. Contractual, tort or other legal or equitable claims by or against GAATN; or
- D. The procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and / or to consider matters concerning:

- F. Real property purchase, exchange, lease, easements or value;
- G. Personnel;
- H. Security devices, security personnel or security procedures or protocols; or
- I. Issues involving GAATN physical plant detail made confidential by law.

The meeting reconvened at 2:17 pm for discussion and actions, if any, on matters considered in closed session. Chairman Wedemeyer announced that regarding the Legal Services RFP, the Board wishes to interview the Principals of the Bickerstaff Heath Delgado Acosta law firm, at either the July or August Board meeting. There was nothing further to discuss at this time.

Agenda Item No. 5:

Executive Session:

There was no further need for executive session today.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

After examining the report, there were no significant financial report related questions.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

A. Waterloo Park Project (GAATN facilities relocation)

Tom Lott told the group that the Waterloo Park Project was progressing well and asked Martha Krischke for the latest news. Martha said that as of today, this large project is finished, ahead of schedule and under budget.

B. GAATN Network Expansion Policy

Tom Lott used a handout to show the group several proposed wording changes to paragraphs #2 and #7 of the policy. These changes are being recommended by the Subcommittee to clarify this document. Syd Falk suggested that on Paragraph #2 of the policy that the last sentence should be moved to become the second sentence of that item. The participants were in general agreement with Syd. After additional discussion, Tom Lott moved that the Board accept the changes to the GAATN Network Expansion Policy with the changes as discussed. Wayne Wedemeyer seconded the motion and it passed unanimously.

C. Secondary MAC Contractor procedure

Tom Lott reported that the Network Manager is developing some standards & expectations for the MAC Contractors and is expected to present them for discussion at the next Technical Subcommittee meeting.

D. Splice Case Replacements

Tom Lott explained that the Subcommittee was asking questions and gathering information to use in future discussions. The objective is to assess the splice case situation, determine if a rehab or replacement project is warranted and if so, to what extent. This topic will be discussed further at the June Technical Subcommittee meeting.

E. Discuss Travis County addition if new node on B1N

Tom Lott said that the Technical Subcommittee had voted to recommend for approved a new node for Travis County on B1N near Highland Mall Boulevard and Middle Fiskville Road. Dain Herbat explained that Travis County was in the process of finalizing the right-of-way usage costs with the City. Tom Lott made the motion that the Board approve adding the new Travis County node on B1N. The motion was seconded by Wayne Wedemeyer and it passed unanimously.

F. Bentley Project Status

Tom Lott informed the Board that the first round of Bentley training would begin in the third week of June and that Frank Ammons, Earbie Matheny and a second (new) Titus employee were scheduled to attend. Cory Brymer explained that, after the training, Titus will have several additional employees available to help with the migration of data to Bentley.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke reported that the permanent repair at 5400 Friedrich Lane, has now been completed and that the final invoice should soon be available. It will be passed to Syd Falk for negotiations with the insurance carrier that represents the owner of the concrete truck. The total value of the repair is about \$ 47,000.00, which includes the temporary repair that was done in

December 2009. Recently, the insurance company made an offer of about \$ 6,000.00 to settle. The insurance company suggested that we should be pursuing the construction company that led the concrete truck into the construction site resulting in this teardown. Martha said that this suggestion is immaterial, since the concrete truck owner is 100% responsible, and that such discussions should be occurring between the cement contractor and the general construction contractor.

Syd Falk added that the “low-ball” offer was confusing. In response to a question, Syd said that he intends to talk to the other parties that were damaged -- Austin Energy, AT & T, and Time-Warner. It might be possible for the four parties to work together in the settlement of their claims or any ensuing legal action if that becomes necessary.

ii. Report on Pending Projects

Martha Krischke referred to the on-going project status handout and told the group that the Waterloo Park project is now complete as discussed earlier. Furthermore, C1N SS Replacement Segment 3 has been placed and will be spliced and tested on June 22-23rd. Segment 2 of C1N is scheduled to splice and test on June 29-30th. C1N SS replacement, Segments 4 & 5 will be spliced and tested on July 20-21st.

Other pending work is the cable replacement project near CTECC on East 51st Street which is scheduled to begin June 15th. This will be our second use of the new Maxcell flexible innerduct product. Martha explained that the damaged cable will be pulled out and from over another in-service cable in the existing duct. Then the new Maxcell innerduct will be inserted back in and over the existing fiber. Finally, the replacement cable will be pulled into one chamber of the Maxcell innerduct.

Agenda Item No. 2:

Citizen Communication

It was noted that this item had been skipped at the beginning of the meeting. There were no citizen communications.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as July 12, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

- i. Election of Board Chair and Vice-Chair

The meeting adjourned at 2:45 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD July 12, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:30 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Tom Lott, on behalf of the Lower Colorado River Authority
Dain Herbat, on behalf of Travis County
John Kohlmorgan, on behalf of Austin Independent School District
Paul Hopingardner, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas

Arriving a few minutes late:

Gary Weseman, on behalf of ACC
Teri Pennington, on behalf of the City of Austin

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Bill Dugat, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin

Guests:

Earbie Matheny, Titus Systems, LP
Cory Brymer, Titus Systems, LP
Mike Ragain, JC Communications

Chairman Wedemeyer said that unless there was an objection, he would like to change the order of the agenda, taking item 4-B next, to allow Bill Dugat (managing Partner of Bickerstaff Heath Delgado Acosta LLP) to leave after the Legal Services RFP discussion. There was no objection.

Agenda Item No. 4-B.

GAATN Legal Services RFP, discussion

Wayne Wedemeyer explained to Bill Dugat and Syd Falk that there were three general areas that the GAATN Board wished to discuss. They were:

- (1) continued improvements and enhancements in services delivered to GAATN by the Bickerstaff Heath Law Firm,
- (2) assistance in determining how to expedite legal matters in order to reach settlements sooner, and
- (3) monitoring and keeping GAATN apprised of proposed changes in laws and regulations regarding telecommunications and networking.

Tom Lott said that Syd has done a great job for GAATN and that progress has been made in these three areas. The discussion continued with numerous questions from the Board. Mr. Dugat assured the Board that if Syd were to leave the firm, that there are several experienced replacements among their 32 practicing attorneys who could step in. At the conclusion of the discussion, Wayne Wedemeyer thanked Mr. Dugat for attending the meeting.

The meeting then continued with Item 2 on the agenda.

Agenda Item No. 2:

Citizen Communication

There were no citizen communications today.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meeting of June 7, 2010.

The June 7, 2010 minutes were reviewed by the members and Paul Hopingardner moved to approve the minutes as written. The motion was seconded by Bill De Dufour and passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. Board Chairman and Vice-Chairman's Election

Vice-Chairman Wedemeyer opened the floor for nominations for GAATN Board Chairman for the upcoming year. Paul Hopingardner nominated Wayne Wedemeyer for Chairman and the motion was seconded by Gary Weseman. There were no other nominations, and Wayne Wedemeyer was elected unanimously.

Chairman Wedemeyer opened the floor for nominations for the position of Vice-Chairman of the Board of GAATN. Paul Hopingardner nominated Tom Lott to serve another term as Board Vice-Chairman. The motion was seconded by Dain Herbat. There were no other nominations. Tom Lott was elected unanimously as Vice-Chairman.

B. GAATN Legal Services RFP, proposals and contract

This item was discussed previously in the meeting. Chairman Wedemeyer expressed the feeling that the Bickerstaff firm had answered the Board's questions and has done an admirable job of representing GAATN. Tom Lott moved to accept the quotation for legal services from the Bickerstaff Heath Delgado Acosta law firm in response to RFP10-082. The contract will be for one year, beginning September 1, 2010 and carries three one-year renewal options. The motion to accept the Bickerstaff quotation was seconded by Bill De Dufour and it passed unanimously. Bill Bennett was instructed to notify AISD of the Board's decision.

C. Agency Guiding Principles

Wayne Wedemeyer used the handout on the draft GAATN Policy Directives (Guiding Principles) to express the importance of this document and the need to “flesh out” the bullet points into statements. Wayne volunteered to undertake this task himself and stated that he would provide the results to the Board for further discussion.

D. First Citizens Bank litigation (appeal)

Syd Falk told the Board that the next two agenda items needed to be discussed in executive session. At 2:10 pm, Chairman Wedemeyer requested to 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;
- C. Contractual, tort or other legal or equitable claims by or against GAATN; or
- D. The procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and / or to consider matters concerning:

- F. Real property purchase, exchange, lease, easements or value;
- G. Personnel;
- H. Security devices, security personnel or security procedures or protocols; or
- I. Issues involving GAATN physical plant detail made confidential by law.

The meeting reconvened at 2:47 pm for discussion and actions, if any, on matters considered in closed session.

There was no action in open session regarding Item 4-D.

E. Ironhorse Concrete (Friedrich Lane) teardown; settlement issues

There was no action in open session regarding Item 4-E.

Agenda Item No. 5:

Executive Session:

There was no further need for executive session today.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

After examining the report, there were no significant financial report related questions. It was mentioned that the fund balance is higher than in previous years and that this difficult to explain to each participant's management in light of current budgetary circumstances. Martha Krischke explained that the accumulation has resulted from two factors:

(1) we did not make the customary \$ 400,000 bulk cable purchase for FY 2010 (had been included in the budget approved in February 2009) due to the change in procedure from stockpiling material to ordering cable per project, and

(2) the delay of the planned project work for FY 2010 due to the uncertainty in the cost and timing on the Waterloo Park relocation project. Start on all capital project work was delayed until after February 1, 2010.

It was mentioned that in the future we might wish to establish a budgetary item entitled “Long Term Capital Fund” that would allow for encumbered expenses that could span over the fiscal year end. These encumbered expenses could be for projects with long term durations or perhaps stockpiled funding for a future upgrade in network technology. Chairman Wedemeyer commented that we want to be prepared for the future, rather than reacting when it arrives.

Bill De Dufour told the group that AISD’s financial systems do not accept this type of budgeting very well. He cautioned that AISD looks at everything on a year-to-year basis, with about 75% of its annual spending being for salaries. Also discussed was the possibility of drawing on the expertise of a third party firm or the UT MBA program to assist GAATN in setting up an accounting procedure appropriate for a utility with long term maintenance and upgrading needs. Syd was requested to provide the Board with the names of several firms that have familiarity with utility budgeting and accounting systems.

It was agreed to put this subject on the agenda of the August Board Meeting for further consideration.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

A. Bentley Project Status

Cory Brymer reported that the Bentley training class is now complete and that the workprint update process is underway. In response to a question, Martha Krischke said that there is not yet a “quality control” or audit feature built into Bentley workprint process. The reason for this is that the updates to the master workprints at Titus (made during the 18 month AutoCAD to Bentley conversion interval) have not yet been completed and therefore have not been copied to the backup workstation at COA CTM. The Technical SubCommittee was tasked with discussing and formulating an appropriate audit procedure for the new as-built system.

Earbie Matheny added that currently Titus keeps Bentley off-line for security reasons, but that they will soon be able to furnish participants with “red-line” drawings either via the GAATN website or through a secure ftp process.

B. Contractor procedures

Tom Lott explained that the development of a document summarizing technical construction guidelines for our MAC contractors’ use is underway and that discussion/review will continue at the next Technical Subcommittee meeting.

C. Splice Case Replacements

Tom Lott said that proposal(s) are being prepared for the initial 10 cases (a representative section) on the BIN ring. Data accumulated will be analyzed and returned to the Technical Subcommittee for further discussion and action.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke said that the only pending claim is the one on Friedrich Lane, which is still in the negotiation process.

ii. Report on Pending Projects

Martha Krischke used the GAATN Status Page to describe the status of current projects. The C1S repair on Davis Lane is scheduled to splice July 13th, with testing on July 14th, and the C1N segment 4 & 5 self-support cable replacement is scheduled to splice July 20th with testing on July 21st. Martha mentioned that segments 4 & 5 are the final FY 2010 approved portions of C1N and that they should be invoiced in time to be included in FY 2009-10 expenses.

The next item, SRN repair near E. 51st at IH-35, was caused by a large sign scraping against the bottom of our aerial cable. The scope of work for the repair is under assessment and will be discussed at the next Technical Subcommittee meeting. Network Management was requested to pursue a complaint with COA Code Compliance to try to force the sign owner to quickly remove it, pending Syd's office issuing a demand letter on the actual cable damage.

The duct clearance/cable replacement project between Dell Pediatric and CTECC was started on June 15th, but is still pending due to a blocked section of TXDOT conduit – resolution and completion has not been scheduled at this time.

The C2S Blarwood Forest Subdivision conversion from aerial to underground project is on hold, due to lack of payment and we are awaiting further direction from the developer. The three new re-termination projects near Crockett HS, on SRS, C2S and C1S, are tentatively planned from July 28th through late September. These will be scheduled so as to not conflict with the opening of AISD classes.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as August 2, 2010 at 1:00 p.m. at LCRA.

A. Add any agenda topics for next month.

- i. SLA semi-annual evaluation -- meet at 1:00 pm
- ii. Discuss Status of Time Warner Franchise – Rondella Hawkins
- iii. Accounting/budgeting system

The meeting adjourned at 4:06 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD August 2, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:06 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas

Arriving a few minutes late:

Paul Hopingardner, on behalf of the City of Austin
Dave Kelly, on behalf of DIR
Teri Pennington, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin
Rondella Hawkins, COA Telecom & Regulatory Affairs Department

Guests:

Cory Brymer, Titus Systems, LP
Mike Ragain, JC Communications

Chairman Wedemeyer said that he would like to move to item 4-A on the agenda next. There was no objection.

Agenda Item No. 4-A

SLA semi-annual Evaluation

Wayne Wedemeyer led the group discussion using the SLA Evaluation form. Various opinions were voiced regarding the ten Evaluation Points, and numeric scores (5 being highest) were collected from the participants. Tom Lott made notes on all comments and scores. He will summarize the individual category scores and comments onto an overall evaluation form and furnish this as feedback to the City.

The meeting then moved on to Item No. 2 on the agenda.

**Agenda Item No. 2:
Citizen Communication**

There were no citizen communications today.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meeting of June 7, 2010.

The July 12, 2010 minutes were reviewed by the members and Tom Lott moved to approve the minutes with one change. The motion was seconded by Jaime Guerra and it passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

Since Item 4-A had been discussed, Chairman Wedemeyer moved to Item B.

B. Discuss Status of the Time Warner Franchise

Rondella Hawkins, Director of the City's Telecom & Regulatory Affairs Department, spoke to the group about the upcoming changes that GAATN participants will see when the current Time Warner franchise ends in August 2011. At that time, Time Warner will be eligible for a State of Texas issued franchise. This change was created by legislative action in 2005, under SB-5, in the Texas Utilities Code. Rather than local governments issuing and controlling cable franchises, the State now has that power. Under State control, franchised cable providers have fewer obligations – there are no buildout requirements (cable providers are not supposed to discriminate) and there are no set customer service standards.

Discussions continued with several points:

- 1) the number of Public, Education and Government (PEG) access channels were preserved at September 1, 2005 levels,
- 2) any build requiring more than 200 feet will have to be paid for
- 3) all current PEG programming on the institutional network (I-Net) will need to be migrated off
- 4) Austin City Hall will become the central hub for all PEG programming signals. This is where the hand-off of out-bound content will be made to the cable providers (Time-Warner, AT&T/U-Verse, and Grande)
- 5) Specification and purchase of the equipment needed at City Hall is currently under consideration and the purchase is expected to be finalized by the end of 2010 or early 2011. It was noted that GAATN has not yet committed to the purchase of any equipment
- 6) Inbound programming broadcasts will continue to be available to GAATN participants without cost--in the current analog format, but not as HD

Several questions were raised:

- 1) Can we, as GAATN, redistribute content from a cable service provider to our members for legitimate business purposes?
- 2) Are we facing an eminent cost increase? If so, how much?
- 3) Do we need to unify?

The participants agreed that a small informal work group should explore the subject further. Perhaps Gary Wilkerson and/or Russ Rumney could be invited in again to give a video update. The group would then report back to the Technical Subcommittee in the next two to three months.

C. First Citizens Bank litigation (appeal)

Syd Falk told the Board that there was nothing new to report. The briefs were formally submitted on July 23rd and the three judge panel of the Third Court of Appeals will be considering the case for the next few months.

D. Agency accounting/budgeting system

John Kohlmorgan and William De Dufour explained that AISD is investigating whether their accounting system can accommodate the carry-over type of budgeting and account balancing that GAATN is requesting.

E. Agency Guiding Principles

Wayne Wedemeyer showed the group the first draft of the GAATN Policy Directive (Guiding Principles) statements that he had created. He stated that he thought that it is important for the Agency to have such principles in a written form. Wayne asked that all Board members review and return their edits or comments for inclusion in the next draft. Syd Falk requested that the Word version of the draft be sent out to the Board to facilitate the editing process.

Agenda Item No. 5:

Executive Session:

There was no further need for executive session today.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

After examining the report, there were no significant financial report related questions. John Kohlmorgan noted that all participants are paid in full.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

A. Contractor procedures

Tom Lott explained that the drafting of this document is still under way. This document will summarize the GAATN technical construction guidelines for our fiber contractors. Martha said that she will be sending out the second draft to the Technical Subcommittee for review in the next couple of days.

B. Splice Case Replacements

Tom Lott reported that this subject also is still under discussion. A cost estimate is being prepared for the initial 10 splice cases that are to be surveyed. In response to a question, Martha Krischke said that she will prepare a decision process timeline for this project to give the Technical Subcommittee a better idea of how the project might proceed.

C. Bentley

Tom Lott told the group that we are working with Bill McMillan of UT to trial accessing the Bentley workprints via the GAATN website. Martha said that the files will be placed in a directory behind the secure area of the website. Once the appropriate viewer software and authorization have been loaded, a member will be able to select the file they need from the website and download it for viewing. It is possible that we will have the trial up and working by the next Technical Subcommittee meeting.

D. New Travis County Node on A1N & A2N

Tom Lott explained that the Technical Subcommittee is in favor of allowing Travis County to establish a new node on A1N and A2N near 700 Lavaca. Also, Wayne Wedemeyer said that UT would like to join Travis County on the A1N access point at this location. Tom moved to approve

the new Travis County/UT nodes on A1N & A2N, as described. The motion was seconded by Dave Kelly and it passed unanimously.

E. New AISD Node on B1S

Tom Lott said that AISD was seeking a new node on B1S at the Gardner-Betts facility, and that the Technical Subcommittee had voted to recommend it for approval. Tom moved to approve the new node on B1S as described and his motion was seconded by Dave Kelly. The motion passed unanimously.

F. Election Work Hold, Oct. 17 – 30th and Nov. 2, 2010

Tom Lott said that Travis County had requested that all GAATN participants refrain from all non-emergency ring work during the upcoming early voting and the general election periods. Martha confirmed that she has those periods blocked out on her scheduling calendar to ensure compliance with this request.

G. SRN Repair Project on 51st Street

Tom Lott and Martha Krischke reviewed this project which has been recommended by the Technical Subcommittee for approval by the Board. The original estimate of about \$ 68,000.00 that was discussed at the Subcommittee meeting has now been revised to \$ 66,240.75. Martha used a plat of the Cameron Road/Reagan High School area to explain the project. The original damage at 5203 Cameron Road was caused by a non-permitted sign that was so tall that it scraped against the underside of our cable. Martha assured the group that the sign will be removed, per COA Code Compliance orders, before we begin our repair. [Note: sign was removed 8/3/2010]

The plan is to harden the design at Reagan High School by separating the two SRN cables as they near the school. This eliminates the risk of having a single incident that could isolate SRN. Tom Lott moved to approve the project as described. Dave Kelly seconded the motion and it was approved unanimously.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke said that the Ironhorse Concrete claim is still pending. Syd Falk and Brad Young have made a settlement offer of about \$ 36,000.00 (90%) to the insurance carrier, and are awaiting a response.

ii. Report on Pending Projects

Martha Krischke used the GAATN Status Page to describe the status of current projects:

- C2S re-connectorization at Crockett HS was completed as of 7-29,
- C1S re-termination at Crockett HS reschedule is pending; we need to add a section replacement prior to this work,
- C1N SS replacement, segments 4 & 5, was completed as of 7-21,
- SRN damage on Cameron Road is pending permits and approvals, with no schedule at this time,
- SRN cable replacement between Dell PR and CTECC, work was started June 15th, is still pending the clearing of a blocked section of duct, no change,

A2N & SRN connection to the new Federal Courthouse on San Antonio Street is pending
GSA revised design prints

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as September 13, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 3:23 pm.

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

1111 West 6th Street
Austin, Texas 78703-5399

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS
MEETING HELD August 18, 2010
Lower Colorado River Authority
LCRA Service Center, Room A504
3505 Montopolis Blvd.
Austin, Texas**

Agenda Item No. 1:

The meeting was called to order by Chairman Wayne Wedemeyer at 12:00 p.m.

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

Tom Lott, on behalf of LCRA
Dain Herbat, on behalf of Travis County
Wayne Wedemeyer on behalf of the University of Texas
John Kohlmorgan, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Paul Hopingardner, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District

GAATN & City of Austin Personnel present at the start of the meeting:

Martha Krischke, City of Austin
Frank Ammons, City of Austin
Chris Coppola, City of Austin Attorney
Bill Bennett, City of Austin/GAATN
Syd Falk, GAATN Attorney

Guests:

None

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Consider and take possible action on the appeal or other litigation matters in the First Citizens' Bank vs. GAATN lawsuit, including but not limited to the decision by the Third Court of Appeals regarding GAATN's plea to the jurisdiction.

Wayne Wedemeyer announced that he wished to adjourn for executive session at 12:02 p.m., under one or more of Texas Government Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advice about any 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;
- C. contractual, tort or other claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and/or to consider matters concerning

- E. real property purchase, exchange, lease, easements or value;
- F. personnel matters;
- G. security devices, security personnel or security procedures or protocols; or
- H. issues involving GAATN physical plant detail made confidential by law.

The executive session paused at 1:27 p.m. in order to allow participants to take part in the regularly scheduled Technical Subcommittee meeting. The closed session remains in effect.

The executive session reconvened at 1:50 p.m. to continue the previous discussions.

The regular open session reconvened at 2:55 p.m. for discussion and actions on matters considered in the closed session. There were no items from executive session to discuss further or to take action on. It was decided to schedule another Special Board Meeting on August 25, 2010, at 1:30 p.m. at the LCRA Montopolis facility, room A-504.

Agenda Item No. 4:

Executive Session:

There was no further need for executive session today.

Agenda Item No. 5:

Confirm date, time, and location for the next regular Board meeting

The next (regular) Board meeting is on September 13, 2010, at the usual place and time, 1:30 p.m. in the Redbud Center Building, at LCRA on Lake Austin Blvd.

Final adjournment was at 2:56 pm.

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

1111 West 6th Street
Austin, Texas 78703-5399

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS
MEETING HELD August 25, 2010
Lower Colorado River Authority
LCRA Service Center, Room A504
3505 Montopolis Blvd.
Austin, Texas**

Agenda Item No. 1:

The meeting was called to order by Chairman Wayne Wedemeyer at 1:30 p.m.

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

Tom Lott, on behalf of LCRA
Dain Herbat, on behalf of Travis County
Wayne Wedemeyer on behalf of the University of Texas
John Kohlmorgan, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Paul Hopingardner, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District
Dave Kelly, on behalf of DIR
Walter LaGrone, on behalf of Travis County
Brian Kunz, on behalf of LCRA

Arriving a few minutes late:

Teri Pennington, on behalf of the City of Austin

GAATN & City of Austin Personnel present at the start of the meeting:

Martha Krischke, City of Austin
Frank Ammons, City of Austin
Chris Coppola, City of Austin Attorney
Bill Bennett, City of Austin/GAATN
Syd Falk, GAATN Attorney

Guests:

Tracy Cotton, UT Attorney
Mel Waxler, AISD Attorney

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Consider and take possible action on the appeal or other litigation matters in the First Citizens' Bank vs. GAATN lawsuit, including but not limited to the decision by the Third Court of Appeals regarding GAATN's plea to the jurisdiction.

Wayne Wedemeyer announced that he wished to adjourn for executive session at 1:32 p.m., under one or more of Texas Government Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advice about any 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;
- C. contractual, tort or other claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and/or to consider matters concerning

- E. real property purchase, exchange, lease, easements or value;
- F. personnel matters;
- G. security devices, security personnel or security procedures or protocols; or
- H. issues involving GAATN physical plant detail made confidential by law.

The regular open session reconvened at 2:59 p.m. for discussion and actions on matters considered in the closed session. Paul Hopingardner moved that the Board authorize GAATN legal counsel to take prepare and file a Petition for Review in the Texas Supreme Court, from the decision handed down by the Texas Third Court of Appeals reversing the district court's grant of GAATN's plea to the jurisdiction based on governmental immunity in the First Citizens Bank vs. GAATN lawsuit. The motion was seconded by Dave Kelly and it passed unanimously with no abstentions.

Agenda Item No. 4:

Executive Session:

There was no further need for executive session today.

Agenda Item No. 5:

Confirm date, time, and location for the next regular Board meeting

The next (regular) Board meeting is on September 13, 2010, at the usual place and time, 1:30 p.m. in the Redbud Center Building, at LCRA on Lake Austin Blvd.

Final adjournment was at 2:56 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD September 13, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:31 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Dave Kelly, on behalf of DIR
Teri Pennington, on behalf of the City of Austin
William De Dufour, on behalf of Austin Independent School District
Gary Weseman, on behalf of ACC

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN

Guests:

Earbie Matheny, Titus Systems, LP
Mike Ragain, JC Communications

Agenda Item No. 2:

Citizen Communication

There were no citizen communications today.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meeting of August 2, 2010.

The August 2, 2010 minutes were reviewed by the members and Dain Herbat moved to approve the minutes as written. The motion was seconded by Dave Kelly and it passed unanimously.

Approval of the Minutes for the Special Board Meeting of August 18, 2010.

The August 18, 2010 minutes of the special Board Meeting were reviewed by the members and Tom Lott moved to approve the minutes as written. The motion was seconded by Dain Herbat and it passed unanimously.

Approval of the Minutes for the Special Board Meeting of August 25, 2010.

The August 25, 2010 minutes of the special Board Meeting were reviewed by the members and Tom Lott moved to approve the minutes with one correction. The motion was seconded by Bill de Dufour and it passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. First Citizens Bank litigation (appeal)

Syd Falk said that he received a list of disputed invoices from the attorney that represents First Citizens Bank. Syd has forwarded the list to Martha Krischke and to Norm Self, who is the Director of the AISD Financial Services Department. Syd explained that Mr. Self has been working in conjunction with Brent Droll, the AISD comptroller, and Candy Moore, AISD's accounts payable manager, to examine and characterize the invoices on the list. Last week Syd had a meeting with Bill de Dufour, Martha Krischke, Mr. Self, Mr. Droll and Ms. Moore. At the meeting, the matter was discussed in great detail and Syd emphasized that he wanted to allow sufficient time for the AISD financial staffers to make an accurate analysis on the invoices before beginning negotiations with the bank's attorney. Syd thought that he would be able to begin negotiations toward a settlement in about two weeks.

Also, Syd reported that he has drafted (but not yet filed) a request to the Texas Supreme Court to grant a 60-day extension to the previous deadline for the appeal. This request has the concurrence of the bank's attorney and if granted, would give additional time for negotiations before having to commit to the appeal.

B. Agency accounting/budgeting system

Bill de Dufour told the group that he has been working to modify the AISD accounting process to allow the encumbrance of funds across budget years for designated accounts and/or projects. The intent of this effort is to prevent the rollover of designated but unexpended funds into the Reserve Account every August 31st. Project designated monies will retain designation, allowing easier tracking year to year and offering a clearer picture of account balances.

C. Agency Guiding Principles

Tom Lott explained that the Technical Subcommittee had not been able to discuss the draft document since the last meeting was truncated to allow the Board to continue their session. This item will be put on the next Subcommittee agenda. Wayne Wedemeyer reiterated that he believes it is important for GAATN to have these fundamental principles in written form.

Agenda Item No. 5:

Executive Session:

There was no need for executive session at this time.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

After examining the report, there were no significant financial report related questions. Tom Lott mentioned that having a catastrophic reserve fund is essential to GAATN. Such a fund, usually equivalent to 6 months worth of operating expenses, is required by major financial institutions to ensure a utility's continued operation in times of emergency.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update.

A. UT Node on A1N at 7th St. and Lavaca

Tom Lott explained that the Technical Subcommittee has recommended Board approval of this new node for UT. Tom then moved to approve addition of the node for UT on A1N at 7th Street and Lavaca. The motion was seconded by Dain Herbat and it passed unanimously. Wayne Wedemeyer mentioned that the City of Austin is partnering with UT on the node (which joins A1N to A2N) and that other Participants are also welcome to join.

B. Shibboleth presentation courtesy of UT scheduled for Tech on 9-22-2010

Tom Lott told the group that there will be a Shibboleth presentation at the upcoming Technical Subcommittee meeting on September 22, 2010. Wayne Wedemeyer added that the 30-40 minute presentation will be by Paul Caskey, a renowned expert on Shibboleth systems. Wayne briefly explained how Shibboleth Federated Authentication Systems work and summed up saying that Shibboleth offered greater security combined with easy network access.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke said that there are three pending claims:

- 1) The Freidrich Lane teardown involving the Ironhorse Concrete truck which is in the settlement negotiation stage -- Ironhorse is claiming that the General Contractor (Joe Bland Construction) is to blame and should pay all or part of the cost. The matter is pending.
- 2) The sign on Cameron Road which damaged a GAATN cable (and three others) – the building management company is saying that the sign was built before the ordinance was passed; therefore, it is “grandfathered” with respect to the ordinance. More investigation and discussion will be required to settle this.
- 3) The MasTec dump truck teardown is temporarily repaired at this point, with the permanent repair pending. The insurance adjuster stated that they will pay full damages after a release has been executed by GAATN and returned.

Chairman Wedemeyer announced that he wished to adjourn for executive session at 2:03 p.m., under one or more of Texas Government Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advice about any 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;
- C. contractual, tort or other claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and/or to consider matters concerning

- F. real property purchase, exchange, lease, easements or value;
- G. personnel matters;
- H. security devices, security personnel or security procedures or protocols; or
- I. issues involving GAATN physical plant detail made confidential by law.

The regular open session reconvened at 2:29 p.m. for discussion and actions on matters considered in the closed session. Dain Herbat moved that the Board authorize Syd Falk to accept

the full cost settlement (\$ 44,024.50) offer from the MasTec's insurance carrier and to review/process the release. Chairman Wedemeyer is authorized to sign the release form on behalf of GAATN. Dave Kelly seconded the motion and it passed unanimously.

ii. Report on Pending Projects

Martha Kruschke used the GAATN Status Page to describe the status of current projects:

C2S, the Blarwood Forest townhomes, being converted from aerial to buried in 300' of developer provided utility trench. Construction on the trench should start 9/13/10, with cable placing to be scheduled soon thereafter.

C1N SS segment 9, input & output cables at Pearce ES – placing complete w/splicing scheduled for 9/14/10.

D1N teardown by MasTec truck has been temporarily repaired; placing for permanent repair will be scheduled soon.

Hwy 290 East relocation with crossings at Springdale & Giles/Johnny Morris -- TxDOT expects utilities to relocate in early 2011; meetings later in September to finalize plan and scheduling.

The Board then discussed the logic and philosophy that the Network Manager uses to integrate possible "plant betterment" into accommodation work being requested and paid for by non-GAATN third parties (agencies, companies or individuals). Several participants had questions regarding this subject. Martha Kruschke agreed to draft a procedure document which describes the process she uses for accommodation requests and decisions.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as October 4, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 2:50 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD October 4, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:32 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Dave Kelly, on behalf of DIR
Teri Pennington, on behalf of the City of Austin
Dain Herbat, on behalf of Travis County

Arriving a few minutes late

William de Dufour, on behalf of Austin Independent School District
Gary Weseman, on behalf of ACC

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin

Guests:

Cory Brymer, Titus Systems, LP

Agenda Item No. 2:

Citizen Communication

There were no citizen communications today.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meeting of September 13, 2010

The September 13, 2010 minutes were reviewed by the members and Dain Herbat moved to approve the minutes as written. The motion was seconded by Dave Kelly and it passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. Agency accounting/budgeting system

Bill de Dufour said that AISD has been able to modify GAATN's budgeting and financial reporting process to allow maintaining designated but unexpended funds in their designated capital accounts across year end (instead of rolling over into the Reserve Account every August 31st). He said that he expects to show the Board the modified account schema beginning with the first report from the new fiscal year. This will allow easier funds tracking from year to year and show a clearer picture of GAATN's fund balance.

B. First renewal of current property insurance policy

Bill Bennett explained that the renewal of the property insurance policy with Alamo Insurance Group is under way. The renewal is for the second year option (of 3 on the contract) and will be effective on November 1, 2010. There will be no change in premium for year 2.

C. Discuss Recent E-Rate Changes

Wayne Wedemeyer called attention to an FCC News Bulletin (handout) that described changes to USAC's E-Rate program, particularly the expansion allowing connections through existing state, regional and local networks. The E-Rate program provides discounts to schools, libraries and rural health clinics on the costs of telecommunications and Internet service, including installation and upgrades of internal networks. It is one of four programs supported through the Universal Service Fee that is charged to companies that provide interstate and/or international telecommunications services. AISD schools, City of Austin libraries, and possibly some Travis County health clinics could be eligible to receive E-Rate discounts. The question is whether GAATN was interested in becoming a service provider under E-Rate. Chairman Wedemeyer stated that the University of Texas is already established as an E-Rate service provider under this program.

Bill de Dufour stated that for GAATN to become an E-Rate Provider would be highly desirable: USAC E-Rate funds would then pay some portion of each eligible entity's annual GAATN expenses. In other words, those eligible entities would be reimbursed for a part of their variable GAATN costs. Teri Pennington moved that the Board authorize GAATN management to begin the process to make GAATN a USAC authorized E-Rate Provider. Bill DeDufour seconded the motion and after further discussion, it passed unanimously.

D. First Citizens Bank litigation (appeal) and possible settlement

Chairman Wedemeyer announced that he wished to adjourn for executive session at 1:54 p.m., under one or more of Texas Government Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advice about any 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;
- C. contractual, tort or other claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and/or to consider matters concerning

- F. real property purchase, exchange, lease, easements or value;
- G. personnel matters;
- H. security devices, security personnel or security procedures or protocols; or
- I. issues involving GAATN physical plant detail made confidential by law.

The regular open session reconvened at 3:04 p.m. for discussion and actions on matters considered in the closed session.

Wayne Wedemeyer moved to authorize Syd Falk to enter into settlement discussions with First Citizens Bank. Bill DeDufour seconded the motion and it passed unanimously

Additionally, regarding item 8-A (i) on today's agenda, Dain Herbat moved that the Board authorize Syd Falk to accept the settlement offer (\$ 36,252.97) from Ironhorse Concrete's insurance carrier on GAATN's behalf. Further, Syd will modify the wording of the release document as he sees fit and get it to Chairman Wedemeyer, who is authorized to execute the release on behalf of GAATN. Bill de Dufour seconded the motion and it passed unanimously.

Agenda Item No. 5:

Executive Session:

There was no further need for executive session at this time.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

After examining the report, there were no significant financial report related questions.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update

A. Agency Guiding Principles

Tom Lott said that members will review the draft document the next Technical Subcommittee meeting and have a final edited copy to bring to the next Board meeting for approval.

B. Shibboleth presentation

Tom Lott told the group that the Shibboleth presentation given by Paul Caskey (UT Systems Office) at the Technical Subcommittee meeting was very interesting. Wayne Wedemeyer stated that if a follow-up workshop (approximately 1.5 day hands-on session) is desired, he can arrange it. It was noted that currently we are looking at enabling Shibboleth on an entity-by-entity basis. Once the entities become Shibboleth capable, then we would be able to discuss upgrading the GAATN website to Shibboleth authentication. Martha Krischke remarked that, in the mean time, the GAATN website is being changed from the common anonymous login to individual assigned userids and passwords to increase security.

C. Bentley Update

Tom Lott noted that the Bentley project is now essentially complete and working well. As-built drawings have been uploaded to the website and that all seven entities will soon receive instructions to download the Bentley viewer needed to access them. The next phase will be the addition of splicing configurations and case details. Some of this information will come from records and some will be added from the splice case audit work. John Kohlmorgan requested an approximate schedule for the gathering and addition of splicing details in terms of cost as well as time.

D. Accommodation Policy

This policy is the formalization of GAATN's process for accommodating third party requests for cable rearrangements or removals. Several changes had been suggested at the September Technical Subcommittee meeting and the revised draft will be discussed again at Tech in October.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Update of Pending Claims

Martha Krischke reported on the following claims that are pending:

- 1) The Ironhorse Concrete claim is in settlement.
- 2) The MasTec dump truck teardown is settled, the release has been signed and a check should be received in the near future.
- 3) The cable damage on Cameron Road is still pending.

The amount reimbursed to GAATN in the next month will be just short of \$ 90,000. Martha thanked GAATN's legal team for their efforts in making this happen.

ii. Report on Pending Projects

Martha Krischke used the Status Page to describe several new or current projects:

- 1) The C1S re-termination at Crockett HS - cable is placed with splicing & testing scheduled Oct. 14th and 15th
- 2) The D1N teardown by the MasTec truck - permanent repair is in progress with splicing scheduled Oct. 12th
- 3) The C1N SS replacement of segment 1 - JC Comm, tentative splicing/testing on Nov. 3rd and 4th
- 4) The C1N SS replacement of segment 10 - JC Comm, tentative splicing/testing on Nov. 9th and 10th
- 5) The C1N SS replacement of segment 8 - Titus, placing begins Oct. 18th; no splicing schedule at this time
- 6) The Hwy. 290 East relocation of AE pole line - the worst case cost is approximately \$ 50K, tentatively scheduled for first quarter 2011
- 7) The C2S Blarwood Forest aerial to buried conversion - waiting for trench completion

Cory Brymer described an incident over the weekend on SRS, where a dump truck cut snagged our cable near a residential construction site. The cable height was approximately 18'2" above the road where the damage occurred. The temporary repair was completed Saturday Oct 2nd. The permanent repair plan is pending final design and quoting.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as November 1, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 3:38 pm.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD November 1, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:30 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Teri Pennington, on behalf of the City of Austin
William de Dufour, on behalf of Austin Independent School District
Gary Weseman, on behalf of ACC

By Proxy:

David Kelly (State DIR) gave proxy to Wayne Wedemeyer (UT Austin)

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin

Guests:

Cory Brymer, Titus Systems, LP
Mike Ragain, JC Communications

Agenda Item No. 2:

Citizen Communication

There were no citizen communications today.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meeting of October 4, 2010

The October 4, 2010 minutes were reviewed by the members and Gary Weseman moved to approve the minutes as written. The motion was seconded by Bill de Dufour and it passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. Agency accounting/budgeting system

Bill de Dufour explained to the participants that the modifications to GAATN's accounting system at AISD are complete with the exception of one or two small items that need to be reconciled. The changes will allow unused capital encumbrances to roll over each September into the next fiscal year. Chairman Wedemeyer noted that the Board is interested to see the new accounting system which will present a clearer picture of GAATN's fund balances year-to-year-to-year.

B. First Citizens Bank litigation (appeal) and possible settlement

Chairman Wedemeyer announced that he wished to adjourn for executive session at 1:37 p.m., under one or more of Texas Government Code sections 551.071, 551.072, 551.074, and/or 551.076, to seek legal advice about any 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;
- C. contractual, tort or other claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and/or to consider matters concerning

- F. real property purchase, exchange, lease, easements or value;
- G. personnel matters;
- H. security devices, security personnel or security procedures or protocols; or
- I. issues involving GAATN physical plant detail made confidential by law.

The regular open session reconvened at 2:30 p.m. for discussion and actions on matters considered in the closed session. There was no action in open session regarding Item 4-B.

Agenda Item No. 5:

Executive Session:

There was no further need for executive session at this time.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

Bill de Dufour said that the beginning fund balance (September 2010, FY 2011) is off by about \$24,000 (not in GAATN's favor) relative to the final fund balance for August, FY 2010. However, he believes that the September journal entries are correct. He noted that the report will be revised and reissued at a later date.

After examining the report, the group had no other significant questions.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update

A. SRS Damage 10-2-2010

Tom Lott used a handout to discuss the proposed permanent repair work at La Mesa near Cumberland. Total cost is \$32,782.00 and the Technical Subcommittee is recommending it for Board approval. After discussion, Tom Lott made a motion to approve the permanent repair on SRS in the amount of \$32,782.00. Teri Pennington seconded the motion and it was approved unanimously.

B. New Node for Travis County at DPS HQ Building, on B1N

Tom Lott told the Board that the Technical Subcommittee has reviewed and is recommending the approval of a new B1N node for Travis County at the DPS Headquarters Building. After some

discussion, Tom made a motion for the approval of the new Travis County node on B1N. John Kohlmorgan seconded the motion and it was approved unanimously.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Discuss E-Rate Application

Martha Krischke said that at the last meeting, she was instructed to begin the application process to have GAATN established as an E-Rate service provider. To date she has done the following:

- 1) Obtained GAATN its own EIN number (IRS Employer Identification Number). Martha mentioned that we will receive a letter from the IRS inquiring why GAATN has no direct employees. Syd will likely have to explain the situation to the IRS--that the necessary employees are provided by one of the participants.
- 2) Obtained GAATN its own DUNS number (Dunn and Bradstreet business identification number). This is required by the Federal Government to apply for grant money and is the second identifier required on the E-Rate application.
- 3) The E-Rate application itself is complete with the exception of Block 11. This section requires submission of ACH information (electronic banking information for automated transfer of funds) to be used for direct deposit of E-Rate remittances to GAATN. A separate bank account must be set up by AISD for GAATN's use in receiving E-Rate funds. Bill de Dufour is working with his accounting folks to make this happen. As soon as the account information is available, the application will be ready for signing by Wayne Wedemeyer and submission to USAC for consideration.

ii. Update of Pending Claims

Martha Krischke explained the recent claims that are pending:

- 1) The Freidrich Lane settlement is expected soon in the amount of approximately \$ 36K

iii. Report on Pending Projects

Martha Krischke used the Status Page to describe the status of current projects:

- 1) C1N segment 1, at Reagan HS is scheduled to splice this week, by JC Comm
- 2) C1N segment 10, near Pecan Springs ES is scheduled to splice 11-9-2010 and test the following day, also by JC Comm
- 3) C2S Blarwood Forest has placing complete & splicing scheduled 11-16-2010, by Titus
- 4) A2N & SRN Federal Courthouse project is pending review by the Utility Coordinating Committee
- 5) C1S re-termination at Crockett HS is complete as of 10-15-2010
- 6) the SRS re-termination at Crockett is awaiting cable evaluations and scheduling
- 7) the connection for Travis County at DPS Headquarters will be under way asap.
- 8) the new node for Travis County to 700 Lavaca is in permitting, construction should begin mid-November, by JC Comm.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as December 6, 2010 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 3:38 pm.

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

1111 West 6th Street
Austin, Texas 78703-5399

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS
MEETING HELD November 15, 2010**

Lower Colorado River Authority
Redbud Building, Room 108S
3601 Lake Austin Blvd
Austin, Texas

Agenda Item No. 1:

The meeting was called to order by Chairman Wayne Wedemeyer at 10:15 a.m.

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

Tom Lott, on behalf of LCRA
Dain Herbat, on behalf of Travis County
Wayne Wedemeyer on behalf of the University of Texas
William De Dufour, on behalf of Austin Independent School District Jaime
Teri Pennington, on behalf of the City of Austin

By Proxy:

David Kelly (State DIR) gave proxy to Wayne Wedemeyer (UT Austin)

GAATN & City of Austin Personnel present at the start of the meeting:

Martha Krischke, City of Austin
Frank Ammons, City of Austin
Bill Bennett, City of Austin/GAATN
Syd Falk, GAATN Attorney

Guests:

None

Agenda Item No. 2:

Citizen Communication

There were no citizen communications.

Agenda Item No. 3:

Consider and take possible action on the appeal or other litigation matters in the First Citizens' Bank vs. GAATN lawsuit, including but not limited to a possible settlement offer on the suit and/or filing of the appeal of the decision by the Third Court of Appeals regarding GAATN's plea to the jurisdiction.

Wayne Wedemeyer announced that he wished to adjourn for executive session at 10:17 a.m., under one or more of Texas Government Code sections 551.071, 551.072, 551.074, and/or

551.076, to seek legal advice about any 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;
- C. contractual, tort or other claims by or against GAATN; or
- D. the procedures and operations of the Board or the organization;
- E. GAATN Management and Operation

and/or to consider matters concerning

- F. real property purchase, exchange, lease, easements or value;
- G. personnel matters;
- H. security devices, security personnel or security procedures or protocols; or
- I. issues involving GAATN physical plant detail made confidential by law.

The regular open session reconvened at 10:44 a.m.. for discussion and actions on matters considered in the closed session.

Wayne Wedemeyer moved to authorize Syd Falk to accept the settlement offer with First Citizens Bank (FCB) based on a total GAATN cost of \$ 195,004.20, which includes partial compensation for FCB's attorney's fees. Also, the GAATN appeal to the lawsuit will cease upon settlement of the lawsuit. Chairman Wedemeyer is authorized to sign the settlement on GAATN's behalf. William De Dufour seconded the motion and it passed unanimously.

Agenda Item No. 4:

Executive Session:

There was no further need for executive session today.

Agenda Item No. 5:

Confirm date, time, and location for the next regular Board meeting

The next regular Board meeting is on December 6, 2010, at the usual place and time, 1:30 p.m. in the Redbud Center Building, at LCRA on Lake Austin Blvd.

Final adjournment was at 10:48 am.

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK INTERLOCAL AGENCY (GAATN)
1111 West 6th Street
Austin, Texas 78703-5399**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING HELD December 6, 2010
Lower Colorado River Authority
Redbud Bldg, Room 108N
3601 Lake Austin Blvd**

Agenda Item No. 1:

Call to Order

The meeting was called to order by Chairman Wayne Wedemeyer at 1:30 p.m.

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

Wayne Wedemeyer, on behalf of the University of Texas
Tom Lott, on behalf of the Lower Colorado River Authority
John Kohlmorgan, on behalf of Austin Independent School District
Jaime Guerra, on behalf of the University of Texas
Teri Pennington, on behalf of the City of Austin
William de Dufour, on behalf of Austin Independent School District
Dain Herbat, on behalf of Travis County
David Kelly, on behalf of DIR

GAATN & City of Austin Personnel present at the start of the meeting:

Syd Falk, GAATN Attorney
Martha Krischke, GAATN
Bill Bennett, GAATN
Frank Ammons, City of Austin

Guests:

Earbie Matheny, Titus Systems, LP
Mike Ragain, JC Communications

Agenda Item No. 2:

Citizen Communication

There were no citizen communications today.

Agenda Item No. 3:

Approval of the Minutes for the regular Board Meeting of November 1, 2010

The November 1, 2010 minutes were reviewed by the members and Dain Herbat moved to approve the minutes as written. The motion was seconded by Bill de Dufour and it passed unanimously.

Approval of the Minutes for the Special Board Meeting of November 15, 2010

The November 15, 2010 minutes were reviewed by the members and Tom Lott moved to approve the minutes as written. The motion was seconded by Teri Pennington and it passed unanimously.

Agenda Item No. 4

Discussion and possible action regarding the Board Chairperson Update.

A. Agency accounting/budgeting system

Chairman Wedemeyer requested that we delay this discussion, stating that he is confident that AISD is working steadily on the resolution of the discrepancy in the new system.

B. Resolution of Appreciation to AISD, regarding FCB litigation

Chairman Wedemeyer requested that a Board member who had experience in writing such a resolution to volunteer his or her services in the creation of this document. Tom Lott volunteered in response and stated that he will have a draft Resolution for Board consideration shortly. It was noted that AISD Financial Services Department personnel that especially deserve recognition are Brent Droll, Norman Self, and Candy Moore. Bill de Dufour said that he has already extended verbal thanks to these people and that they were very appreciative.

C. Approve First Extension of SM & P Utility Locate Contract

Bill Bennett said that it is time to approve the second year of the four year contract RFP10-021, for Underground Locate Services. The current contract year ends Jan 27, 2011. After some discussion, Bill de Dufour moved to approve the second year (Jan 28, 2011 thru Jan 27, 2012) of the contract at the fixed rate of \$ 10.00 per locate. The motion was seconded by Dave Kelly and it passed unanimously. It was noted that the performance of SM & P was satisfactory at this time.

D. First Citizens Bank litigation (appeal) and possible settlement

Syd Falk told the group that settlement agreement with the First Citizens Bank (FCB) has been signed by the bank and now by Chairman Wedemeyer. The only item that remains is for the settlement check to be generated by AISD so that it may accompany the settlement agreement. After some discussion, Wayne Wedemeyer moved to instruct AISD to issue a check to First Citizens Bank in the amount of \$ 195,004.20. The check will be picked up by Syd Falk, who will then deliver it and the agreement to FCB's attorney. Dave Kelly seconded the motion and it passed unanimously.

Agenda Item No. 5:

Executive Session:

There was no further need for executive session at this time.

Agenda Item No. 6:

Discussion and possible action regarding the financial report and current fiscal year budget issues.

Bill de Dufour explained that AISD is still working on the new format of the GAATN accounting system. As there is still one item to be resolved, AISD has chosen to wait until next month to distribute the new fiscal year financial report.

Agenda Item No. 7:

Discussion and possible action regarding the Technical Subcommittee Update

A. Site List Review

Tom Lott said that at the last Technical Subcommittee meeting, all participants were requested to review their listed sites and notify Martha Krischke of any additions or deletions. Martha said that she has just received the final entity's changes and that she will finalize the list for consideration on 12/15 at the Technical Subcommittee meeting.

B. Christmas Luncheon at Tech Meeting on 12-15-2010 – 12:00 noon

Tom Lott reminded everyone that they are invited to a Christmas luncheon prior to the Technical Subcommittee meeting on December 15, 2010.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's Update. This item may necessitate an executive session due to protection provided by Government Code 551.076. This will be at the discretion of the Chairperson.

A. Any existing network operations, repairs, or maintenance issues, including any that have occurred since the last Board Meeting;

i. Discuss E-Rate Application

Martha Krischke told the group that little has changed since the last Board meeting. Bill de Dufour is working to get a GAATN bank account set up at Bank of America for the receipt of E-Rate funds. This account will be set up with the GAATN Chairman and Vice-Chairman as the signatories. Martha thinks that AISD (GAATN's fiscal agent) will also have to be set up as a signatory in order for this process to work. AISD will need to designate the person to fill that role – likely it will be either Norman Self or Debra Fleming.

Several of the problem areas that could arise with the IRS were discussed, and it was agreed that further consideration will be needed. Dain Herbat said that he will check with Travis County to see whether they have interest in or qualify for participating in the E-Rate program.

ii. 2012 Budget

Martha Krischke said that we are close to finalizing the 2012 site list, which will set Network Rights percentages for 2012 and is the first step in the 2012 Budget process. The assumption in this initial budget draft is that spending will maintain at the same level as in 2011, a total of \$2,000,000.

John Kohlmorgan requested that the portion of the budget that segments the bonding, labor, and materials for the Maintenance and MAC contracts into multiple line items be simplified by combining items. The reason for this request is that from an accounting standpoint, it is almost impossible for AISD to differentiate between these activities.

Dain Herbat requested that Martha also develop an alternative proposal recommending an overall 10% reduction for 2012.

iii. Update of Pending Claims

Martha Krischke told the group that there has been little recent activity on claims. Frank Ammons has been working with the private investigator regarding the SRS teardown that occurred in early October. Syd Falk added that the detective has interviewed several surrounding neighbors (and has more to see), but has not developed any meaningful leads at this point. Further investigation will follow to eliminate confusion regarding the timing and number of dirt deliveries to the location.

Syd also said that the Liberty Tax Service teardown on Cameron Road is still active, but he has further research to do before recommending possible courses of action.

iv. Report on Pending Projects

Martha Krischke reported the status of current projects:

- 1) A new teardown occurred last week on MoPac (on C2S), near Convict Hill and Brush Country. Our cable, contained in dom, fell across the freeway without GAATN losing connectivity. At this time, it is uncertain whether the span across MoPac will be replaced aerially – Austin Energy owns the poles and there is the possibility of going underground, partnered with Time Warner.
- 2) The SRS re-termination at Crockett is awaiting scheduling for cable placement.

- 3) SRN on feeder of IH-35 north of E. 51st Street; cable placed to Reagan HS –completion scheduled for late December.
- 4) US Hwy. 290 East on C1N; looking for alternatives to avoid boring 290 to get to TC's Starflight hanger; proposal will be submitted to TxDOT.
- 5) Federal Courthouse on A2N & SRN at 3rd to 5th Streets is awaiting design approval for cut-arounds; completion time is uncertain.
- 6) C1N SS Replacement Segment 8; splicing and testing completed 11/30 and 12/1/2010.
- 7) C2S Blarwood Forest; splicing and testing completed 11/16 and 11/17.
- 8) SRN 51st Street Cable Replacement; the conduit was cleared and replacement complete 11/13.
- 9) C1N SS Replacement Segments 1 & 10; splicing and testing completed 11/9 and 11/10.
- 10) Travis County placing underway at 700 Lavaca, with splicing and testing scheduled for 12/20.

Agenda Item No. 9:

Confirm date, time, and location for the next regular Board meeting as January 10, 2011 at 1:30 p.m. at LCRA.

A. Add any agenda topics for next month.

The meeting adjourned at 3:38 pm.