



GEMINI BOARD MEETING

LA SERENA, CHILE – 15-17 NOVEMBER 2006

Resolutions Arising from 15-17 November 2006 Meeting of the Gemini Board of Directors

2006.B.1 The Board thanks the working group led by Chick Woodward for developing a policy on conflict of interest for the Gemini Board. The Board accepts this statement of principles and adopts the recommended process for disclosure, review, and resolution of conflicts of interest for members of the Gemini Board. This policy takes effect immediately and will be in force for all future actions of the Board..

2006.B.2 The Board thanks the subcommittee, consisting of Warrick Couch, Claudia Mendes de Oliveira, and Wayne Van Citters, for their development of a statement of policies and practices to govern the representation of a partner under default conditions on Board and Observatory activities and committees. The Board agrees with the guiding principles they established and accepts their recommendations for partner participation, namely that defaulting parties may continue to send representatives to meetings of Gemini committees and activities that would normally seek involvement or representation from partner communities, but only under the conditions that they have limited ‘observer’ status with no voting rights. A party in default will not be permitted to have representatives attend meetings of the Gemini Visiting Committee or the Gemini Staff TAC. (Annex B).

The Board notes that these conditions on representation in Gemini activities do not alter, and are in addition to, the terms and conditions that apply to partners in default with regard to loss of telescope time and status in the partnership, should the deadlines for operations payments not be met as prescribed in the Administrative Guidelines under the International Gemini Agreement.

2006.B.3 The Board strongly supports the concept of providing bHROS to SALT in exchange for observing time on SALT for the Gemini partnership. The Board encourages the Director to pursue this possibility in discussions with the SALT partnership, and develop terms for such an exchange that can be discussed with the GSC and brought to the Board for future action.

2006.B.4 The Board welcomes the progress that has been made in defining and proceeding on the DataFlow System and Products project, and looks forward to hearing about further progress on the project at future meetings.

2006.B.5 The Board notes the discussion and recommendations of the GSC on the operational changes that would alter the current sizes of observing allocation bands and



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endorses those changes (from its current values of bands 1=20% 2=30% 3=50%, to bands 1=30% 2=30% 3=40%). The Board welcomed the report of suggestions from Dennis Crabtree and the Ops WG for addressing the partner time allocation imbalances. It looks forward to a report on their balancing procedure and progress be made at the May 2007 meeting.

2006.B.6 The Board thanks the GSC for their careful assessment of instrumentation priorities and endorses the prioritization as presented in their report.

2006.B.7 The Board congratulates the Gemini staff on the rapid recovery from the recent earthquake that struck Gemini North. The Board is impressed with the creation and execution of a protocol for evaluating all observatory subsystems and for bringing the facility back to full operation in a safe and timely fashion.

2006.B.8 The Board approves the recommendations of the GSC and the Observatory of a minimum of 90% science availability for Gemini North and a minimum of 75% with a goal of 80% science availability for Gemini South in semester 2007B. The Board welcomes the involvement of the GSC in evaluating and endorsing the Observatory's recommended fractions of science availability and looks forward to this interaction continuing in the future.

2006.B.9 The Board considered the request by Chile to allow their application for observing time that is available to the partnership under the current time exchange arrangements with the Keck and Subaru Observatories. The Board considers that for semester 2007A, applications of time by Chile on the Subaru telescope are allowed; however, this action does not establish any precedent. The issue of access to time exchanges with Gemini presents a complex situation that must be examined closely. The Board recognizes that it is important in the future to have clarity on what observing time can be applied for by each party under each time exchange arrangement, commensurate with the framework of the Gemini Cooperative Agreement and adopted amendments. Issues of access, proportionality, band ranking, and instrument balance requirements, among other considerations, must be addressed strategically by the partnership as a whole and be clearly stipulated in all future arrangements that provide the partnership with access to other observing facilities and/or capabilities. Consensus principles outlining expectations and conditions will be developed by the Board Chair in concert with the Observatory and the Designated Members in time for consideration by the Board at the May 2007 meeting. The Board requests that future calls for proposals state clearly the conditions under which each party can apply for observing time, including that on facilities other than Gemini, based on such guidelines.



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2006.B.10 The Board appreciates the interest of the Director and the GSC in restructuring that committee to enhance its effectiveness and usefulness to the Director. The Board also values the independent input of the GSC and considers it an important part of its decision-making process. The Board is concerned, however, that not all Gemini stakeholders have been involved in the proposed committee restructuring. The Board would prefer to see a restructuring plan that clarifies the mandate of the GSC while meeting the goals of providing long-term strategic advice, tactical advice, and an effective conduit for two-way communication with the Gemini community. In consultation with the Director, the Board has appointed a working group to develop a revised plan for restructuring of the GSC, and asks that it consider at a minimum the following issues: the size and constitution of the committee, the process for selection of members, the interface with the user community (whether that is to be a part of GSC activity or through another conduit), consultative mechanisms to enable partner NGO communication, input from the Observatory on its needs, and incorporation of feedback from the Designated Members. The Board invites membership on this working group from each of the parties and the Gemini Director. The Board asks that a revised plan for the GSC and any other committees judged necessary to provide the Observatory with appropriate advice and user input be presented to the Board in time for consideration at its May 2007 meeting.

2006.B.11 In recognition that the Observatory staff are its most valuable resource, the Board commends the Director for proactively addressing staff morale, which by all accounts has improved dramatically under his leadership.

2006.B.12 The Gemini Board approves the revised 2006 Operations Budget.

2006.B.13 The Gemini Board approves the 2007 Operations Budget.

The Board reaffirms its commitment to the Aspen program and its highest priority instruments. However, it also recognizes the different funding scenarios that exist around the partnership and hence the need to develop a flexible plan that is able to respond to the emerging situation.

The Board noted the statement of concern of the Finance Committee of the ability of the parties to commit to the full \$75M planning envelope for the Aspen instrument program. The Board considered that the 2007 budget including provision for increased management of the Aspen program and for PRVS construction, while fiscally possible, “may exceed the Board’s ability to make long-term commitments and limit their flexibility in responding to eventual funding realities and scientific priorities expressed by the community,” as characterized in the GFC report.



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Therefore the Board approves the 2007 budget as an overall envelope for spending and commitment subject to the following conditions:

Hiring of new staff to support the management of the Aspen instrumentation program may go forward as required to support Board-approved activity.

The Board is deferring a decision on PRVS construction until mid-2007, but expects the Observatory to continue with its procurement activity to the point of being prepared to execute a contract.

The Board urges the Observatory to proceed as expeditiously as possible to finalize contracts for the WFMOS design studies, considering reallocating resources as necessary to accelerate progress. The Board continues to recognize the completion of these studies as a crucial step towards the realization of the Aspen science goals.

In considering the 2007 budget and the Long Range Plan, the Board also took note of the increased cost of a number of elements of the Aspen program, most recently PRVS, the uncertainties in the cost for WFMOS and GLAO, and the possible extension of the Aspen program beyond 2012. The Board noted that contingency has been built into the Aspen estimates but could not ignore the fact that the projected cost for the Aspen suite currently exceeds the \$75M planning envelope by \$10.4M. Over the next six months, therefore, the Board, in cooperation with the GSC, will develop a flexible program which, so far as possible, is able to adapt to the financial situation while maintaining the integrity of the currently planned Aspen program.

2006.B.14 The Board acknowledges the terms and conditions, investment portfolio objectives and distribution guidelines for the Chilean Gemini Fund developed cooperatively by CONICYT, the Executive Agency, and the Chilean astronomical community as presented by AURA. The Board is pleased to see that CONICYT has inaugurated the Program for the Development of Chilean Astronomy based on this fund and that a Call for Proposals for 2007 has been issued. Sally Oey has been appointed to serve as the Gemini Board representative on the board for the administration of the fund. The Board anticipates that this resource to advance Chilean astronomy and closely related fields will yield productive outcomes and benefit the partnership over the lifetime of the fund and beyond.