



**GEMINI BOARD MEETING
LA SERENA, CHILE – 12 -14 NOVEMBER 2008**

**Resolutions Arising from the 12-14 November 2008
Gemini Board Meeting**

2008.B.1. The Board notes and endorses the new statement of purpose of the Gemini Observatory, “*Exploring the Universe, Sharing its Wonders; Explorando el Universo, Compartiendo sus Misterios.*”

2008.B.2. The Board notes the report of the AOC-G and thanks this committee for their efforts at identifying management issues. The Board encourages the AOC-G to focus on management issues related to Observatory operations and planning in their future deliberations.

2008.B.3. The Board commends the efforts of the Observatory Engineering and Software teams to improve the overall efficiency of the Laser Guide System (LGS) on Gemini-North and to provide the Gemini user communities with an important capability that is reliable and robust. The Board appreciated the milestones achieved.

2008.B.4. The Board approves the proposed minimum science fraction times of 85% for Gemini North and 80% for Gemini South for 2009B with goals of 90% for Gemini North and 85% for Gemini South.

2008.B.5. The Board has continuing concerns about the Data Flow project (GBOD Resolution 2005.B.8). The Board requests clarification of the current scope, including concise definitions of project objectives, milestones achieved to date, and schedule, to complete the first phase of the Data Flow project.

In response to the 2008 Gemini Science Committee (GSC) and Gemini Visiting Committee (GVC) reports, the Board also requests clarification of the extent of the data reduction tools to be provided to the user community and the timescale for their completion and release, either as a result of future phases of the Data Flow Project or other activities within the observatory.

The Board requests that the above points be addressed in a written report delivered to the Board by 01 May 2009.

2008.B.6. The Board considered the Observatory’s proposal to introduce a new “prevention of time banking” policy, whereby partner countries who under-filled the queue would forfeit their unsubscribed time. The Board regards this proscription to be too draconian an action to take in the first instance. Instead, the Board requests the Observatory facilitate time trades between partners who have significant imbalances in demand for Gemini North or South time, as the first course of action taken to maximize the science efficiencies. This activity should occur prior to the International Time Allocation Committee (ITAC) meeting. The Board also advises the Observatory to note the intent of the GBOD Resolution 2007.B.6 regarding under-subscription and advises the Observatory to continue collaborative efforts with the NGOs to rectify under-subscription and time imbalances.

The Board notes that time forfeiture should be considered only if a partner is unwilling to participate in time trades or demonstrates a clear pattern of under-subscribing the queue (by a margin of more than 5%) over consecutive or alternate semesters. In such cases, forfeiture of time will proceed at the discretion of the Board in consultation with the Observatory.

2008.B.7. The Board notes the report on Gemini Planet Imager (GPI) campaign issues provided by the Board-appointed subcommittee of Drs. Howard Yee, Isobel Hook and Megan Urry, and will ask the Observatory to eventually proceed with the GPI Call for Proposals for campaign science teams following the principles described in that report. In particular the GPI Call for Proposals should state the Board’s action to allocate up to \$0.6M USD from the existing Aspen Support Budget over a three to four year period, to hire one or more



GEMINI BOARD MEETING
LA SERENA, CHILE – 12 -14 NOVEMBER 2008

postdoctoral researchers (GPI Science Fellows) in order to help achieve the important scientific goals of the GPI campaign. Although these individuals will be employees of the Observatory, the Board notes their recruitment will be done collaboratively between the Observatory and the successful GPI campaign team. The Board expects this GPI Science Fellow opportunity and process to be widely advertised within the partnership. The individual(s) may be based either with the campaign team or at an Observatory site. However, these positions are intended to be full-time research positions to support GPI campaign science and would not involve regular Observatory support duties.

The Board notes the desire of the Observatory to rapidly proceed with a GPI Call (GBOD Resolution 2007.B.10). The Board will provide additional guidance regarding the GPI Science Fellow position(s) and the GPI Call. The Board's GPI sub-committee is tasked to address these and other implementation details (as discussed during the November 2008 Board meeting) in a brief for the Board by 01 January 2009. The Board will consider this document and provide instructions to the Observatory regarding the issuance of a GPI Call for Proposals by 15 January 2009.

2008.B.8. The Board reiterates GBOD Resolution 2005.B.19 that the NICI campaign offers an opportunity for the Observatory and the partnership to learn how Aspen science campaigns will be best carried out.

The Board reaffirms the total number of hours to effect the NICI campaign shall not exceed 500 hours. The Board instructs the Observatory to request that the NICI team immediately reassess their observational strategy and target requirements based on actual instrument performance. The Observatory and the NICI team shall communicate revised observing needs in a report to the Gemini Science Committee (GSC) by 15 December 2008 for validation. The Board will review the GSC report and recommendations regarding the total number of hours necessary to conduct a successful NICI planet finding campaign by 15 January 2009.

2008.B.9 The Board determines that the NICI campaign will be charged to the major partners and the Gemini staff by the following percentages (US 46.7%; UK 23.42%; Canada 14.75%; Australia 6.09%; Gemini staff 9.0%) of the total campaign hours. The Board emphasizes unequivocally that the NICI campaign science time principles do not set a precedent for any future campaign science programs, including those related to disposition of Guaranteed Time discussed in the Observatory's 2008 NICI campaign document provided to the Board as privileged background reference material. The Board will address the Guaranteed Time as part of a comprehensive policy on campaign science during the May 2009 meeting.

2008.B.10. The Board notes that Gemini achieves acquisition times that are similar or better than those at other observatories, but is concerned that the acquisition times used in the Phase-I process are significantly longer. The Board requests the Observatory, in consultation with the Operations Working Group, to implement changes that allow proposers to use realistic acquisition times in the 2009B Phase-I process, and to alert potential users to these changes as part of the Call for Proposals. The Board tasks the Observatory to insure that these revisions are properly propagated into all web documentation and time-estimation calculators used by the community by the time of the 2009B call.

2008.B.11. The Board encourages the Observatory to work closely with the NGOs to utilize newly implemented user feedback forms, promote Observatory capabilities, disseminate Observatory successes, and inform the user community about the Gemini issues.

2008.B.12. The Board endorses the Observatory's approach and ongoing discussions with various Japanese agencies regarding WFMOS. However, the Board is concerned about the financial implications arising from these recent discussions with our Japanese colleagues.

The Board expects to be informed about the results of the WFMOS design studies in a report from the Observatory to the Board by 01 March 2009. The Board also requests that the Observatory provide by 01 April 2009 a draft of the Memorandum of Understanding between NAOJ and the Gemini Partnership describing the



**GEMINI BOARD MEETING
LA SERENA, CHILE – 12 -14 NOVEMBER 2008**

obligations and expectations of implementing and operating the WFMOS instrument on Subaru, the principles guiding the execution of WFMOS science (both campaign and PI driven) opportunities, and the mechanism for time exchange and access to the Gemini telescopes both North and South. The Board will consider both the results of the design studies and the terms of the draft MOU as part of a broad discussion regarding the overall feasibility of WFMOS in the context of the Aspen program at the May 2009 meeting.

The Board appreciates that the Aspen Program as originally conceived is not complete, but recognizes that the uncertain financial climate will be an important factor in consideration of further approvals for Aspen instruments.

2008.B.13. The Board considers the implementation of the current instrumentation suite as the highest priority of the Observatory. The Board also notes the recommendations contained in the 2008 GSC report. To enhance science opportunities for the Gemini user community the Board directs the Observatory to: (1) expedite GNIRS recovery and commissioning; (2) procure, without delay, Hamamatsu red sensitive CCDs for GMOS on Gemini-North; and (3) institute an aggressive Flamingos-2 commissioning schedule. The Board wishes to be apprised of Observatory progress no later than the May 2009 Board meeting.

2008.B.14. The Board accepts the Gemini Visiting Committee (GVC) report and forwards it to the Gemini Observatory for a written response submitted to the Board by 01 March 2009. The Board thanks the GVC for their thorough and useful report which was promptly delivered. The GVC findings contained within the report recommendations provide an astute assessment of the Observatory's progress and maturation, as well as identifying activities which will improve scientific productivity and community responsiveness. The final consideration of the report will be made at the May 2009 Board meeting. Public release of the report will be embargoed until that time.

2008.B.15. The Board accepts the report of the Mid-term Management Review (MTR) and forwards it to AURA for a written response by 01 January 2009. This report is to remain confidential.

The Board thanks the MTR Committee for its work and for providing a succinct set of overarching recommendations for improving the scientific stature and management of the Observatory. The Board recognizes that the MTR report has also highlighted some long-standing issues related to AURA's role within the United States astronomy community and its role, under a Cooperative Agreement with the NSF, as the Managing Organization on behalf of the international partnership that established the Gemini Observatory. The Gemini Board notes that the basis of AURA's relationship with the parties supporting Gemini is defined in an Agreement reached in 1994 between the Gemini Board, AURA, and NSF representatives. The Board and the NSF, in its capacity as the Executive Agency for the Gemini Observatory, will address the recommendations of the MTR Committee through joint consultation.

The Gemini Board expresses its confidence in the ability of AURA to continue to manage the Gemini observatory following the precepts agreed to in 1994. The Board also recognizes the need to take action to ensure continued operation of the Observatory following expiration of the current Cooperative Agreement with the NSF on 31 December 2010. Because the current International Gemini Agreement ends on 31 December 2012, the Board holds that initiating a competition now to identify a Gemini Managing Organization for the post-2010 period would be impractical and detrimental to the best interests of the Observatory during a period in which the international partnership is being reconsidered.

2008.B.16. The Board notes that the Gemini Agreement requires that the partners declare their interest in continuing to support the Gemini Observatory at an Assessment Point set in 2009. The Board has resolved that this Point be fixed to coincide with the meeting of the Gemini Board in November 2009. At a minimum, some realignment of partner shares is expected to occur following the declarations at the Assessment Point, necessitating either a significantly amended or an entirely new international Gemini Agreement to be put in place. Article 4.2 of the current Gemini Agreement limits the options available to the Partnership at the



**GEMINI BOARD MEETING
LA SERENA, CHILE – 12 -14 NOVEMBER 2008**

Assessment Point to either allowing the Agreement to expire and disposing of the assets of the Observatory or extending the Agreement for a minimum of three years (to 31 December 2015). In view of the complexities involved in amending the current Agreement or negotiating a new Agreement, the Board anticipates that the current Agreement will be extended for the minimum period, i.e., to 31 December 2015 to ensure a continuity of operations over the negotiating period that will follow the Assessment Point.

Consequently, the Board believes that the best course of action is to extend the AURA Cooperative Agreement with the NSF for a period of up to five years beyond the termination date of the current Cooperative Agreement. During this time the Gemini Partnership will explore in detail new models for Observatory governance, management, time allocation process, and operation including new arrangements in partner share, with the expectation of potentially substantial changes. In the event that the current management model is found to be the best alternative, the Board intends to compete the management of the Observatory as soon as the new terms of the partnership are defined well enough to prepare a competitive solicitation.

The extended Cooperative Agreement will remain in force until a new Gemini Agreement is put in place with subsequent action to be determined by the will of the parties to the new Gemini Agreement.

2008.B.17. The Gemini Board approves the revised 2008 Operations Budget.

2008.B.18. The Gemini Board approves the 2009 Operations Budget. However, in approving this 2009 Operations budget the Board recognizes the recommendation of the Gemini Finance Committee (GFC) to the Board as part of the November 2008 deliberations. To wit, the GFC advises that “... in recognition of the uncertainties in the global financial situation and the impact that this could have on the budgets of the funding agencies, the GFC recommends that the Board instruct the Observatory to compile contingency plans that would be brought into operation should the agencies be forced to reduce contributions to Aspen and non-Aspen funding. The GFC recommends that two scenarios be prepared involving reductions of 5% and 10% in current planned expenditures for 2009 and 2010. Given the short term and immediate impact of such a material change, the Observatory should be requested to identify both cash flow measures and reductions to specific programs or activities. The GFC urges the Board to convey any priorities among current or planned programs and activities.”

The Board therefore directs the Observatory to develop contingency budget scenarios by 31 January 2009 that are commensurate with a 5% and 10% reduction in planned expenditures for 2009 and 2010. These budget scenarios should be delivered to the Executive Agency and the Board Chair for consideration. As part of this process, the Board instructs the Observatory to focus their priorities on key activities that maintain basic operations and improve the current instrument suite following GBOD resolution 2008.B.12. The Observatory is urged to eliminate non-essential expenditures, for example, curtailing management training, minimizing travel, instituting controls on utility expenditures, and deferring capital construction projects. The Observatory should be aware that the partner countries do not foresee the possibility to finance a ramp of more than 2.5% after 2011.

The Designated Board members are directed to notify the Executive Agency as soon as they can as they receive budgetary information that impacts the schedule or amount of 2009 partner contributions for operations or the Aspen program.

The Board also instructs the Observatory to identify core staff needed for mission critical projects, so that staffing priorities are clearly prioritized in the event that a hiring pause is deemed necessary, in recognition of the deteriorating fiscal situation that the Partnership faces as a result of the global economic downturn, which may lead to further downward budgetary pressures.

2008.B.19. The Board notes that Dr. Kepler de Souza Oliveira Filho of Brazil has agreed to serve a two-year term as the Board representative on the CONICYT Gemini Fund for Chile, after consultation with our Chilean colleagues.



**GEMINI BOARD MEETING
LA SERENA, CHILE – 12 -14 NOVEMBER 2008**

2008.B.20. The Board warmly welcomes Dr. Eileen Friel as the Executive Agency's Designated Member of the Board.

2008.B.21. The Board warmly thanks Dr. Sally Oey for her three years of service to the Gemini Board and to the Gemini community. The Board wishes also to thank Dr. Oey for her participation as the Board representative on the CONICYT Gemini Fund for Chile.

2008.B.22. The Board warmly thanks and commends Dr. Joe Jensen for his dedicated service to the Gemini Observatory and exemplary leadership with regards to the Gemini instrumentation program.

2008.B.23. The Board warmly thanks Dr. Jean-René Roy for his dedicated service to the Gemini Observatory. His long association with the Observatory, as a member of the GSC, Gemini Board member, and as a leader with senior management, have left an indelible mark of success oriented culture and advanced the scientific opportunities of all the Partners who utilize the world-class Gemini 8 m telescopes.

2008.B.24. The Board warmly thanks Simon Morris for his tireless commitment, passion, and exemplary service to the Partnership as Chair of the GSC.

2008.B.25. The Board deeply thanks Dr. Wayne van Citters for his decade long public service, leadership, and vision as a Designated Member of the Gemini Board and his participation on the Gemini Finance Committee. His significant and tireless advocacy for a truly collaborative Gemini Partnership with international scope, exemplary scientific productivity, and effective education and public outreach engaging our collective communities has helped engender a true sense of Partnership among the international agencies that support Gemini, the Gemini staff who implement our vision, and our users of the facilities. His thorough knowledge of the history of the Gemini partnership has greatly aided the Board's deliberations and his ability to forge consensus among the Partners have enabled the Observatory to progress and achieve transformative science accomplishments. Dr. van Citters mentoring of Gemini staff and management, leadership within the Partnership, and advocacy of the Observatory will have a lasting legacy affecting the conduct of international scientific endeavors for decades.