



FPOA concession contract implications

by **Doug Brown**

As you may know, the California Department of Parks and Recreation (DPR) is terminating FPOA's current Cooperating Association status. To continue operations at the Peak, FPOA must become an Interpretive Concession. The concession contract will have significant financial and liability implications for FPOA, and will force changes in the way the amateur astronomy community uses the area near the observatory.

We are not alone

Because of the state's current budget woes, DPR is being forced to make large reductions in operating expenses and reduce their liability exposure. As one means of accomplishing this, other volunteer and not-for-profit organizations throughout the state will be required to become concessionaires. The concessionaire contracts require these organizations to take over operating responsibilities previously performed by park staff, and to assume liability exposure previously borne by the state.

... Where no one has gone before

DPR solicited proposals early this year for a concessionaire to provide astronomical programs at Fremont Peak State Park. FPOA was the sole respondent, becoming the first of many organizations to begin the process of converting to a concession.

The standard contract was clearly intended for a concession that sells beverages and food for profit, not for a volunteer non-profit with no employees and no revenue from its park operation. Fortunately, DPR has been flexible in modifying the contract to fit our

role. Several key areas at the heart of DPR's initiative remain under negotiation but, regardless of any agreement we may reach, it is clear they will have important consequences.

Heaven's gate

DPR has made it clear that later this year the area behind the gate will be closed to the public. We have argued as strongly as possible that it should remain open but DPR's position is immutable - they cannot afford the staff to schedule, coordinate, clean, and maintain all the facilities behind the gate. Nor can they accept liability exposure for our activities.

This means that if any astronomical activities are to occur behind the gate, FPOA will need to manage them. We will need to schedule, coordinate, clear weeds, clean (including restrooms), and so on.

Scheduling is still an open issue. DPR has proposed requiring 30 days notice for any use of the area. We have proposed 3 days, which was rejected. Discussions are continuing.

Skyrocket

The proposed change to concessionaire status will open us up to several new areas of potential liability, some of which can be managed by purchasing insurance. We currently maintain liability insurance for the observatory, but we've found no underwriters willing to fully insure the whole observing area - it is wild, remote, not flat, and often unsupervised. Nevertheless, we believe there is room to agree with DPR on a scope of responsibility that is insurable. It is clear, though, that if we insure more than the observatory, our insurance costs will skyrocket.

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Horns of a dilemma

This puts FPOA in a dilemma. We'd rather just limit our activities to the observatory, but unless we take responsibility for the entire developed area including the paved area east of the workshop (now clear of trees), the road, the patio/amphitheater, and the telescope pads this area will be completely closed to the amateur astronomy community. This would be a great loss. On the other hand, if we do take responsibility, the cost of our insurance premiums alone will immediately exceed our current revenues, requiring us to set up a special class of membership or charge access fees to defray the cost.

What you can do

Before deciding on a course of action, the Board needs comments from the Fremont Peak astronomical community - both FPOA members and non-members alike. If you have strong feeling about the right course of action for FPOA, please let us know. If you know a non-member that would be affected, ask them for input, and pass it on.

If any members have expertise in the areas of liability insurance, contract law, industrial hygiene (environmental), or workplace safety, we'd like to get your technical opinion.

[Editor's note: The full text of the proposed concession contract is available on the FPOA members' web site: <http://members.fpoa.net/rfi/>]

President's message

By Patrick Donnelly

Last Wednesday (09/24/03) I was out jogging in the very early morning air of Westchester County, New York. I had just come up a rather long hill, and upon cresting the hill I had a very good view of the eastern sky. There was a beautiful configuration of the Moon, Jupiter, and Mercury in Leo along with Regulus close by. The Moon was about two days from new, and the earthshine was quite evident. I stopped and took in the site for about a minute. I guess the sky never seems to stop impressing me with its beauty and its surprises. As amateurs I think we should spend some

time to sit and enjoy the sky rather than trying to observe specific objects all of the time.

As I write these words I am very hopeful that the last issue in the contract negotiations can be completed with an approval vote set for October 25. The new contract will then take effect on November 1, 2003. With this new contract FPOA will have additional responsibilities for the area around the observatory. If you can volunteer some time to help out with these new jobs, it would be appreciated. The first job that is necessary is to formally document a plan to implement our new responsibilities. If you would like to participate and help formalize future FPOA policy, just contact any board member.

Another thing to consider is that it is imperative that we give the rangers as much notice as possible if we are going to use the area referred to as "Rangers Row" or the observatory. When you notify the rangers in San Juan, please send your request to all three (3) of the following email addresses: cprice@parks.ca.gov, breid@parks.ca.gov, and sorgano@parks.ca.gov. This is both a help to the rangers to let them know that we will be there, and it helps you since the ranger on duty will be looking for you. *[Editors note: You may address all parties with an email to ranger-row@fpoa.net]*

Finally, I have to admit that I am not a big variable star observer. However, this time of year is the best time to observe the prototype of each of the four main types of variables. Start with Algol in Perseus. This is an eclipsing variable with one star partially eclipsing the light of the other. Then move on to Beta Lyrae, also know as "Sheliak." This star is also an eclipsing variable. After that you should head over to Delta Cephei. This star is literally pulsating in size and brightness every 5 and a third days. The last star to examine is Mira, the wonderful. This is a long period variable that oscillates in brightness about every 331 days. I, personally, prefer to watch Chi Cygni, because of its higher declination and distance from the ecliptic. Chi Cygni is visible for some period of time every clear night, and its period is around 400 days. Take some time out in the early fall evenings to observe these stars.

Observatory break-in and new procedures

by Ron Dammann

The observatory was broken into on Wednesday, August, 13th. Point of entry seems to be the south observing room shutter (garage door). There was no vandalism, but four items were taken from the lecture room: VCR machine, CD player, AM/FM receiver and cassette tape recorder. None of the telescopes were touched. They tried to get into the wooden cabinet, the lock finger was bent and the door was ajar, but remained closed.

Ranger Brett Reid made out the report and took fingerprints off the glass front of the audio cabinet and the handle areas on the shutter. Polaroid and digital pictures were taken.

Rick Morales drilled security lock holes beneath the door rollers in the garage door rails and combination locks set to the lockbox combo were installed to prevent a re-occurrence of this problem.

Point of failure seems to be the attachment point of the horizontal locking plate to the garage door.

Following these security changes, here are the basic steps for using the new roll-up shutter:

1. Slide interior safety locking bar to right.
2. Remove combination locks(2) from exterior track.
3. Operate exterior red handle lever to release shutter. Shutter should be put in fully down position, latching into detents.
4. Roof can now be moved back for observing after removing turnbuckles.
5. Closing is reverse of opening. Roof must be fully closed first. Then shutter must be lifted up and latched into upper track detents.
6. Exterior Combo locks re-installed and interior safety locking bar to left under shutter bracket.
7. Turnbuckles re-installed on holddowns.

Work party October 25

by Pat Donnelly

On Saturday, October 25, 2003, the FPOA has a work party scheduled to make preparations for the observatory for the winter. If you plan to be there please let Ron Dammann or me know. Plan to arrive by 10:00 a.m., and bring tools and work gloves, since we plan to do some painting.

The president will be providing bagels and donuts, and there will also be a Board meeting in the afternoon following the completion of the work.

If you can stay for the evening, this might be your last chance to see Mars before winter sets in, and Mars starts shrinking in size.

See You There.

Correction

Loren Dynneson also was part of the FPOA team that met with the DPR team on June 11. Loren raised important points regarding the new construction around the observatory. Sorry about the omission, Loren.

Observing area procedure

State Parks reminds us that, as mentioned in the previous *FPOA Observer*, it's still a requirement to notify the park office before using the closed observing area behind the gate.

For permission and the gate combination, please contact the park office in San Juan Bautista the day before visiting the park. You can telephone their office at (831) 623-4526, send a fax to (831) 623-4612, or send an email to ranger-row@fpoa.net.

Though it may seem harmless at the time, it's important not to give out the gate combination to other visitors and astronomers who might ask. Have them call the park office or speak to a ranger.

Observatory schedule, remainder of 2003

Saturday evening public programs:

October 4, 18, 25

For all evening programs, a slide talk is offered in the observatory classroom at 8 p.m. or after sunset, whichever is later. Weather permitting, the 30-inch Challenger telescope will be open for public viewing after the slide program until at least 11 p.m.

Solar (daytime) public programs:

October 4

Solar observing programs are offered outside the observatory from noon until about 3 p.m., weather permitting.

Board of Directors meetings:

October 25

Work party:

October 25 — Winterize the observatory

FPOA by Internet and Telephone

Home page:

<http://www.fpoa.net>

Members information page:

<http://members.fpoa.net>

Username: xxxx

Password: xxxx

Observatory reservation and event calendar:

<http://members.fpoa.net/ical.html>

Members email list signup:

<http://www.fpoa.net/mailman/listinfo/fpoa-members>

Observatory scheduling:

Email: schedule@fpoa.net

Ranger Row access:

Email: ranger-row@fpoa.net

Observatory telephone:

(831) 623-2465

Submit an article for the next Fremont Peak Observer

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The submission deadline for each issue is the 15th of the preceding month, i.e., January 15, March 15, June 15, and September 15.

Please submit all articles in plain text format (no word processor files please!) by email to editor@fpoa.net.

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