

## Summary of Contract Negotiations with Calibre

For the past few years the company in charge of operating Canyon of the Eagles on behalf of the LCRA, Calibre, has adopted policies that to many members (including myself) seem calculated to discourage our use of the Eagle Eye Observatory and viewing field. AAS owns the telescopes and all associated equipment. As demonstrated in this memo, Calibre's assault on AAS access has reached a new high.

Currently we are operating under an agreement with Calibre that is too restrictive but does at least allow us one night a month for our Members Only Star Parties, two nights for CTSP and access at any time to the observatory and the viewing field.

### Timeline of Negotiations

Significant information highlighted in red.

August 31<sup>st</sup>, 2017 (email) Cindy Bower, the CEO of Calibre, wrote that "...we are interested in making some changes to our contract for 2018" and should meet in late September to discuss these proposed changes.

September 23<sup>rd</sup>, 2017 Meeting with Cindy at COE.

Participants from AAS were David Mathias, Joyce Lynch, Jim Lynch and Tim Brown, Joi Chevalier. Calibre attendees: Cindy Bower and Jim Sheets.

Discussion covered many topics, but the upshot was that Cindy emphasized that Calibre HAD to maximize service to her guests. The only way to accomplish this, was for AAS to relinquish our right to a monthly **Saturday night Members-Only Star Party "Members-Only Star Party"**.

She suggested that we chose another day— she suggested Sunday.

No agreement was reached except to continue discussions.

November 7<sup>th</sup>, 2017 – (email) from Cindy asking for response from AAS

November 8<sup>th</sup>, 2017 – (email) Tim Brown

Cindy,

"When we met last in September you proposed that the AAS give up our once a month, Saturday "Members Only Star Party".

Such a radical proposal demands that we carefully consider our response.

If you withdraw your proposal regarding AAS's Saturday "Members Only Star Parties" we can easily reach agreement."

....

Tim

November 15<sup>th</sup>, 2017 – (email) from Cindy with demands for alterations to our Agreement

".. If an AAS committee cannot be formed for this topic as promised and have some options presented to us by December 1, 2017, then the following recommendations, based on input from some AAS members, will be in effect as of March 1, 2018.

- 1.) Members can only access the observatory and viewing field "any time the observatory gate is open (typically Wednesday through Sunday)."

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- 2.) The **member's use of observatory Telescopes will be integrated with Canyon guests** in a shared environment
- 3.) The **responsibility of opening and closing the observatory will belong to COTE** unless otherwise designated.
- 4.) The entry gate will no longer need to be closed behind each passage as it will remain open for guests during viewing hours. Special arrangements for locking for late departure will be available **on an individual member basis**.
- 5.) Canyon of the Eagles will **no longer require a published Public Night** from AAS

These restrictions would end our right to freely access **our** observatory telescopes and essentially eliminate all AAS privileges.

**The deadline for our proposal was extended to December 15<sup>th</sup> - at my request with Cindy's agreement.**

November 17<sup>th</sup>, 2017 (email) Cindy's Response to my request to extend deadline to December 15<sup>th</sup>.

"Tim,

Sorry to hear about your wife's illness. No problem on moving the deadline to December 15, 2017; we agree to this extension.

Thanks,  
Cindy"

December 15<sup>th</sup>, 2017 (email) to Calibre with attached counter-proposal for discussion

"Cindy,

I've attached the AAS proposal for contract revision for your consideration. Our intent is to work with you, as far as possible, to strengthen and maintain our long-standing association.

I'm available to discuss our proposal by phone or in person at your convenience. When we talk we can setup a meeting with the full EC COTE team. "

Tim

### **Important**

**We have NOT received 90 days' notice and therefore the existing contract renewed on January 1, 2017**

## Highlights of AAS's Counter Proposal

### **"Members – Only Nights"**

AAS prefers that the "Members Only Star Party" arrangements remain unchanged from the present contract.

- 1.)
- 2.) AAS is willing to work with COTE to reach a mutually acceptable alternative. We proposed the following alternatives:  
On "Members Only Nights" AAS and COTE will share the field in the early evening with dark sky protocols enforced two hours after sunset.
- 3.) **On "Members Only Nights" relocate the public observing to another location on the COTE property. We can discuss the ways in which AAS might be able to assist.**
- 4.) On "Members Only Nights" relocate the AAS Private Star party to another site on the property with assistance from COTE

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Note: in our January meeting none of these alternatives for members only nights were discussed.

### No Special AAS Access

Our members have requirements that differ from the public's needs. To fully enjoy our hobby, we need late night access, early morning access, dark sky protocols and clear skies.

(For full details see AAS Proposal to Calibre dated December 15, 2017)

<https://austinastro.wildapricot.org:443/resources/Documents/AAS%20Proposal%20to%20Calibre%20-Dec%2015.pdf>

### Public Star Party

It's in our mutual interest to conduct public star parties on a regular basis. We offer an established and effective infrastructure in support of these parties as well as experienced observers and their telescopes.

Therefore:

- 1.) We propose that the arrangements under the current contract be continued as before.
- 2.) For full details see AAS Proposal to Calibre dated December 15, 2017.

As you can see except for expressing our willingness to work toward a compromise on "Members-Only Nights" our December 15<sup>th</sup> counter proposed that the arrangements stay as under the current contract"

### January 6, 2018 - Meeting at COE

Participants from AAS were Ron Carman, Joyce Lynch, Jim Lynch, Terry Phillips, Greg Rohde and Tim Brown. Calibre attendees: Cindy Bower, Jim Sheets and Matthew Wayland

Cindy continued to insist that we not continue Saturday night "Members-Only" parties as provided under the existing contract.

It was agreed that:

- 1.) We would explore the cost of erecting a light fence protecting the saucer field from the upper field and observatory, so we could continue to enjoy a modified "Members-Only" night.
- 2.) Public night and AAS participation in public nights would remain the same
- 3.) We would assist Calibre in light pollution mitigation efforts.
- 4.) Calibre and AAS will agree on a procedure to ensure AAS members easy access at all times and assure that Calibre is aware of who is on the field at any time.

The 90-day option to terminate was NOT exercised by either party.

Since our January meeting Terry Phillips has had obtained an estimate of the cost for building the light fence.

The bid from Jarett Lingle is in for the light fence: Materials and labor for a 170' ft fence with 90' @ 6' tall and 80' @ 8' tall, is \$4,400.

Jarett also gave a bid of \$1,150 to augment the observatory floor with a new layer of 3/4" plywood glued and screwed down on top of the existing floor and sealed.

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