

**BOARD OF DIRECTORS**

*Dorothy P. Harris, Chairperson  
Conchita S.N. Taitano, Vice Chairperson  
Fe R. Valencia-Ovalles, Board Secretary*



**Resolution No. 2025-03**

**RELATIVE TO APPROVING LEASE RATES FOR REAL PROPERTIES LOCATED AT THE JOSE D. LEON GUERRERO COMMERCIAL PORT FOR COMPLIANCE WITH PUBLIC LAW 30-19.**

**BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO COMMERCIAL PORT:**

**WHEREAS**, the duties of the Board of Directors of the Port Authority of Guam, as described in 12 GCA § 10104(f), include that the Board of Directors shall control, manage, and have jurisdiction over all government of Guam lands within the boundaries of Cabras Island and Drydock Island, except for any United States or Territorial Parks System land therein; and

**WHEREAS**, the Board of Directors of the Port Authority of Guam has historically tasked the General Manager to determine the best and highest use for parcels of Port real property that may or may not be essential to Port functions, and to enter into, manage, and maintain lease agreements with any person, firm, association, or corporation for various real properties as would serve the best interests of the Port Authority of Guam; and

**WHEREAS**, Public Law 30-19 acknowledges that the Port Authority of Guam owns interest in, and historically leases for profit, various office, warehouse, open yard, and telecommunications spaces; and Public Law 30-19 establishes a formula that the Port is legally required to follow for the periodic calculation of increases in property lease rates to be charged by the Port; and

**WHEREAS**, Public Law 30-19 directs that, every three (3) years, the Port shall conduct an assessment to determine the rental value of Port real properties, and that the Board of Directors shall be required to set lease rates, at a minimum, at a ten percent (10%) increase over the previously charged rate, or at the rental amount determined by the most recent assessment, whichever is greater; and

**WHEREAS**, there is currently an established lease rate in effect pursuant to a prior rental property assessment and lease rate adjustment; however, an updated commissioned property valuation assessment to determine present-day market-level rental rates for Port real properties is currently ongoing and expected to be completed within the first quarter of 2025; and

**WHEREAS**, Public Law 30-19 directs that, after sixty (60) day notice period is afforded to the public regarding the updated lease rates, that is, at whichever increase is the greater of either the rates determined by the periodic assessment or ten percent (10%), and given the Board’s prior approval, the new lease rates will become effective immediately upon the expiration of that sixty (60) day public notice period; and

**WHEREAS**, it would be beneficial for the Port to proceed with the above-described process with the understanding that the Board is required by Public Law 30-19 to approve either one or the other rate increase, whichever is greater; now therefore, be it

**RESOLVED**, that pursuant to the controlling requirement of Public Law 30-19, the Board of Directors of the Port Authority of Guam hereby approves the increase of Port real property lease rates (*i.e.*, for office, warehouse, open yard, and telecommunication equipment spaces) as determined by the forthcoming rental property valuation assessment or by ten percent (10%), whichever is greater, and authorizes the General Manager to execute the implementation and administration of the appropriate Port real property lease rates immediately upon the completion of the required public notice and expiration of the required sixty (60) day public notice period; and be it further

**RESOLVED**, that the Chairperson certify to, and the Secretary attest to, the adoption hereof.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF DIRECTORS THIS 23<sup>rd</sup> DAY OF JANUARY, 2025.**

**DOROTHY P. HARRIS  
CHAIRPERSON, BOARD OF DIRECTORS  
PORT AUTHORITY OF GUAM**

**FE R. VALENCIA-OVALLES  
BOARD SECRETARY, BOARD OF DIRECTORS  
PORT AUTHORITY OF GUAM**

