

**BOARD OF DIRECTORS**

*Francisco G. Santos, Chairman  
Nathan T. Taimanglo, Vice Chairman  
Isa Marie C. Koki, Board Secretary  
Dorothy P. Harris, Member*



**Resolution No. 2021-03**

**RELATIVE TO PETITIONING THE GOVERNOR OF GUAM FOR APPROVAL TO SEEK LEGISLATIVE SOLUTION TO ENTER INTO A NEW LEASE OF CERTAIN REAL PROPERTY BY THE PORT AUTHORITY OF GUAM TO THE MARIANAS YACHT CLUB**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM:**

**WHEREAS**, on November 14, 1991, the Twenty-First Guam Legislature enacted Public Law 21-62 (“PL 21-62”), which approved the current lease between the Port Authority of Guam (“PAG” or “the Port”) and the Marianas Yacht Club (“MYC”) for a thirty (30) year term, commencing on the date of legislative approval and expiring on November 7, 2021; and

**WHEREAS**, there being no provision in the current lease to allow for option renewals, the current lease agreement between MYC and PAG is therefore expected to expire on November 7, 2021; and

**WHEREAS**, the MYC, a non-profit organization and member of the PAG family for over fifty (50) years, through their Commodore, Mr. Tim Armour, has notified the Port of their desire to enter into a new lease with the Port on the same property, that is, Parcel Number 1, L.M. Dwg. E4-82T693, situated in the Municipality of Piti, Territory of Guam; and

**WHEREAS**, the Twenty-First Guam Legislature, through its enactment of PL 21-62, recognized the need for a central facility located at Apra Harbor, Guam, to be used for recreational boating, the conduct of sailing instruction open to the People of Guam with special emphasis on sailing instruction for Guam’s youth, to provide a training facility for Guam’s National Olympic Sailing Program, provide a facility for hosting of local and international yacht racing events and to promote community interest and participation in the sport of sailing, thereby enhancing the quality of life on Guam; and

**WHEREAS**, MYC, a not-for-profit organization, chartered by the United States Yacht Racing Union and a member of the International Yacht Racing Union and of Guam’s National Olympic Committee, has demonstrated its ability to promote community interest and participation in the sport of sailing, conduct programs of Red-Cross certified sailing instruction open to the People of Guam with special emphasis on sailing instruction for Guam’s youth, support and manage major international yacht racing events, and that it is capable of providing support for Guam’s National Olympic Sailing Program and hosting competitive sailing events in future South Pacific Games; and

**WHEREAS**, the Port intends to enter into a new lease agreement with the MYC, upon the expiration of the current lease, for a term to be agreed upon at a later date, but for a term greater than five (5) years; and

**WHEREAS**, when read together, 12 G.C.A. § 10105(i) and 21 GCA § 60112(a) requires specific legislative approval for lease terms exceeding five (5) years; and

**WHEREAS**, the Port Authority Board of Directors has determined that entering into a new lease with the MYC will serve the best interest of the Port and the People of Guam and therefore, recognizes the continued benefit of seeking a similar lease with the MYC in this instance, subject to the approval by the Legislature and the Governor of Guam through legislative solution;

**THEREFORE, BE IT RESOLVED**, that the Board of Directors, affirms that it is in the best interest of the Port and the Territory of Guam to enter into a new lease with the MYC, for a term to be agreed upon by both parties at a later date, but for a term greater than five (5) years; and be it further

**RESOLVED**, the Board of Directors authorizes management to petition the Governor of Guam for approval to seek a legislative solution to approve a new lease with the Port and the MYC upon the expiration of the current lease; and be it further

**RESOLVED**, the Chairman certify to, and the Secretary attest to, the adoption hereof and that a copy of this resolution be sent to the Governor of Guam and the Attorney General of Guam.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF DIRECTORS THIS 25<sup>th</sup> DAY OF FEBRUARY, 2021.**

  
**FRANCISCO G. SANTOS  
CHAIRMAN, BOARD OF DIRECTORS  
PORT AUTHORITY OF GUAM**



  
**ISA MARIE C. KOKI  
SECRETARY, BOARD OF DIRECTORS  
PORT AUTHORITY OF GUAM**