



VIRGIN ISLANDS PORT AUTHORITY BOARD MEETING ACTIONS LIST

April 20, 2022

CHAired BY WILLARD JOHN, CHAIRMAN

VIPA Administrative Building Conference Room and Virtually via Zoom

Board Members

1. Willard John, St. Croix - **CHAIRMAN**
2. Derek A. Gabriel, Public Works Commissioner – **VICE CHAIRMAN**
3. Kevin Rodriguez, USVIEDA Chairman – **SECRETARY**
4. Joseph Boschulte, Tourism Commissioner
5. Denise George, Esq., Attorney General - **absent**
6. Lionel S. Jacobs, St. Croix - **absent**
7. Leona E. Smith, St. John
8. Celestino A. White Sr., St. Thomas - **absent**
9. St. Thomas Resident – Position Unfilled

Board Staff

1. Tonya Pickering, Internal Auditor - **absent**

VIPA Staff Present

1. Carlton Dowe, Executive Director
2. Anise Hodge, Deputy Executive Director
3. Anna M. Penn, Chief Financial Officer
4. Catherine Hendry, Legal Counsel
5. Vincent Frazer, Senior Staff Attorney
6. Diane Richardson, Director of Human Resources
7. Preston, Director of Engineering
8. Dale A. Gregory, Assistant Director of Engineering
9. Ava Penn, Director of Financial Affairs
10. Deborah Washington, Property Manager
11. Julice Holder, Chief of Staff
12. Mariath Hodge, Executive Assistant
13. Earl Thomas, Electrical Engineer
14. Everton Rush, IT Manager
15. Monifa Marrero Brathwaite, Public Information Officer

Staff Present via Zoom

16. Bill Rawlins, Acting Assistant Executive Director
17. Nicole Scatliffe, Director of IT
18. Kate Davis, Procurement and Contracts Manager
19. William Boehnke, Senior Engineer STX
20. Tafari Nelson, Engineer
21. Misha Marrero, Property Management Officer

FINANCE COMMITTEE

No actions taken

PROPERTY COMMITTEE

**Margaret Anthony – Urman V.
Fredericks Marine Terminal**

Approved the renewal of the lease agreement between VIPA and Margaret Anthony for 165 sq. ft. of space in the UVF Marine Terminal to be used for the sale of food and beverages. The term of the agreement is for three years, with a three-year option to renew at a rental rate of \$11,125.35 per annum. Rent will increase on the third year per the CPI or by 5% - whichever is greater. Three months' rent security deposit and insurance are required.

**Hairoun Aviation Services, Inc. dba
ExecuJet Flight Services – Cyril E. King
Airport**

Approved a request to renew the lease agreement between VIPA and Hairoun Aviation Services dba ExecuJet to operate as a Fixed Based Operator (FBO) at Parcel #70-Rem, CEKA. The agreement is for a term of 10 years with a 10-year option to renew. ExecuJet is required to construct a hangar at CEKA at a minimum cost of \$250,000.

Rent Terms

- **Area A:** 1,440 sq. ft hangar space at \$41,760 per year.
- **Area B:** 2,438 sq. ft. unimproved land for ramp parking at \$5,192.94 per year.
- **Area C:** 800 sq. ft. exterior parking space at \$1,704 per year.

The rent will be increased on the third year per the CPI or by 5% - whichever is greater. Requisite insurance is required.

**Hairoun Aviation Services, Inc. dba
ExecuJet Flight Services – Cyril E. King
Airport (continued)**

Revenue Percentage Fees (increased by 1% on
1 Oct 2025 and every five years thereafter)

- Rental Cars – 5%
- Catering via non-airport catering service – 5%
- Catering via airport catering service – 2.5%
- All other services (i.e., office/space rental, aircraft charter or maintenance, etc.) – 2.5%

Aviation Fuel Flow Fee

- \$0.05 per gallon – to increase on 1 Oct 2025 by \$0.025 or per VIPA's Aviation Tariff, whichever is greater.

Special Terms

- Tenant may not sell/transfer the lease agreement without VIPA approval and 10% sale fee to VIPA.
- Rent will commence after the 12-month build out period.
- A credit of \$65,000 will be applied towards first rent due until said credit is fully expended, per the mediation agreement.

**VI Department of Education via the VI
Department of Property & Procurement
– Crown Bay Center**

Approved a new lease for 6,600 sq. ft. of office space on the second floor of Building B, Unit 4-11 Crown Bay Center for a term of five years with a five-year option to renew and all other terms stated in staff summary.

Rent Terms (includes CAM charges)

- **Space A** – 2,966.4 sq. ft. of office space at \$83,059.20 per year, to commence the effective date of the lease. Rent will increase to \$30 per sq. ft. on the third year.
- **Space B** – 3,633 sq. ft. middle area at \$101,740.80 per year, to commence six months after the effective date of the agreement to allow for build out of the space. Rent will increase to \$32 per sq. ft. on the fifth year.
- Thereafter, rent shall increase every three years per CPI or 5% - whichever is greater.
- Three month's security deposit and requisite insurance are required.

**Veronica Carty dba V&G's Original –
Crown Bay Center**

Approved the renewal of the lease agreement between VIPA and V&G's Original for 548.17 sq. ft. of space in Building E, Unit 4, Crown Bay Center to operate a retail store. The term of the agreement is for three years starting May 1, 2022, with an option to renew for two years at an annual rent of \$25,177.44 plus \$6,906.94 annually for CAM charges. Rent will increase on the third year by 5%. Requisite insurance required.

**Caribbean Drag Racing Association
(CDRA), Estate Bethlehem Middle
Works**

Authorized the Executive Director to grant CDRA a renewed, short-term permit for the use of Plot No. 3, Estate Bethlehem Middle Works, St. Croix beginning 15 Apr 2022. The agreement allows CDRA to start repairs and construction of the facility (not for drag racing activities).

The Executive Director is also authorized to negotiate a long-term lease with CDRA and seek FAA approval for a long-term lease to include an appraisal to determine fair market value of the property. CDRA must also obtain insurance for "special motor events."

**CREF3 USVI Hotel Owner, Inc. (formerly
DiamondRock Frenchman's Owner,
Inc.) – Amended Lease at CEKA**

Approved the amended lease terms for CREF3 USVI Hotel Owner, Inc. (formerly DiamondRock Frenchman's Owner, Inc.) to rent approximately 415 sq. ft. of space at CEKA, St. Thomas for a welcome center and lounge for guests of the Frenchman's Reef Beach Resort. The agreement term is for four years with an option to renew for two years at a base rental rate of \$2,593.75 per month plus \$972.67 rental surcharge per month, which will be paid over a period of four years in conjunction of their base rent. Rent will be increased on the third year per CPI or 5% - whichever is greater. Three month's security deposit and requisite insurance are required.

PROJECTS & OPERATIONS COMMITTEE

**AT Construction Solutions LLC Contract
Extension – Gordon A. Finch Molasses
Pier Cargo Building Construction Project**

Approved a 137-day extension to the contract between VIPA and AT Construction Solutions due to gas emission costs and time impacts at the Gordon A. Finch Molasses Pier cargo building project. This will change the overall contract value from \$12,216,013.25 to \$12,326,505.16 and extends the contract completion date from 22 Oct 2021 to 8 March 2022.

Body Armor Policy for VIPA Police

Approved the implementation of the Body Armor Mandatory Wear Policy for all VIPA's law enforcement officers.

PERSONNEL COMMITTEE

Heavy Equipment Operator Positions

Approved the addition of two additional heavy equipment operators to maintain the CEKA airfield and meet FAA Part-139 mandates.

Waterpark Operator Position

Approved the addition of an additional employee to operate the Lindbergh Bay Waterpark facility.

Update to VIPA's Personnel Rules and Regulations –

The VIPA Board approved amending the following sections of VIPA's Personnel Rules and Regulations:

Section 2.11 Appointments

(A) The Governing Board shall appoint the following Officers to the Virgin Islands Port Authority in accordance with the provisions of Title 29 of the V. I. Code: Executive Director, Assistant Executive Director, Deputy Executive Director, Chief Financial Officer, and General Counsel.

(B) All other appointments to positions shall be made by the Executive Director.

Process for interviewing candidates in section (A) above.

The Board of Governors shall conduct the interview process for the selection and appointment of all officer positions.

The Executive Staff shall interview candidates and submit a list of no more than three qualified candidates to the Personnel Committee for interviews and additional consideration for the Governing Board's appointment.

Section 2.13 - Probationary Period, Subsection E

(E) Requests for extension of probationary period must be made in writing by Department Directors to the Executive Director, with a copy to the Human Resources Director at least twenty (20) working days prior to the expiration of the normal probationary period. The maximum probationary period for all permanent employees shall not exceed twelve (12) months from the original date of appointment. Extension of probationary period for all Officers of the Virgin Islands Port Authority shall be subject to approval by the Governing Board.

Section: 2.15 (A) – Disciplinary Action Steps, Termination, subsections A & B

(A) "The Executive Director shall have the sole responsibility for hiring and firing all employees other than Officers of the Virgin Islands Port Authority in accordance with the Rules and Regulations of the Authority and all applicable statutes of the V.I. Code.

(B) The Executive Director shall further have the authority to discipline all employees with the exception of termination of Officers of the Virgin Islands Port Authority, which authority shall rest exclusively with the Governing Board.

EXECUTIVE SESSION

1. Approved the appointment of the Payroll Manager for the accounting department.
2. Approved the appointment of the Manager of Operators for the accounting department.
3. Approved the appointment of the St. Thomas/St. John district Marine Manager.