

COMMITTEE ON BUDGET, APPROPRIATIONS
AND FINANCE

BILL NO. 35-0120

Thirty-Fifth Legislature of the Virgin Islands

August 22, 2023

An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and the Virgin Islands Water and Power Authority (VIWAPA) for Parcel No. 6-4 Remainder Estate Carolina, No. 1 Coral Bay Quarter, St. John, Virgin Islands, zoned R-2 consisting of approximately 157, 992.12 U.S. sq. ft. or 3.627 U.S. acre as shown on O.L.G. File No. D9-9596-T021 to be used for constructing and operating a solar battery generator microgrid and for other related purposes

PROPOSED BY: Senator Novelle E. Francis, Jr., by Request of the Governor

1 **WHEREAS**, on November 14, 2023, the Chief Executive Officer of VIWAPA executed
2 the Lease Agreement between the Government of the Virgin Islands and VIWAPA;

3 **WHEREAS**, on March 1, 2023, the Acting Commissioner of the Department of Property
4 and Procurement executed the Lease Agreement between the Government of the Virgin Islands
5 and VIWAPA;

6 **WHEREAS**, on June 14, 2023, the Governor of the Virgin Islands approved the Lease
7 Agreement between the Government of the Virgin Islands and VIWAPA;

1 **WHEREAS**, VIWAPA will be leasing for Parcel No. 6-4 Remainder Estate Carolina,
2 No. 1 Coral Bay Quarter, St. John, Virgin Islands, zoned R-2(Residential-Low Density-One
3 and Two-Family), consisting of approximately 157, 992.12 U.S. sq. ft. or 3.627 U.S. acre zoned
4 as shown on O.L.G. File No. D9-9596-T021; for an initial term of 30 years, with two 10-year
5 options to renew-at an annual rent of \$24,000.00, payable in monthly installments of \$2,000.00,
6 to be used for constructing and operating a solar battery generator microgrid and for other
7 related purposes;

8 **WHEREAS**, rent after the first year and every year thereafter, including the renewal
9 terms, will be adjusted in accordance with the Consumer Price Index, but no adjustment in
10 rental for any given year will increase by more than three percent over the preceding year
11 period; and

12 **WHEREAS**, title 31 Virgin Islands Code, chapter 21, section 205, subsection (c)
13 provides that in addition to the Governor's approval of any lease, the Legislature of the Virgin
14 Islands must also approve all leases that exceed a term of one year; Now, Therefore,

15 ***Be it enacted by the Legislature of the Virgin Islands:***

16 **SECTION 1.** Pursuant to title 31 Virgin Islands Code, chapter 21, section 205,
17 subsection (c), the Legislature of the Virgin Islands approves the Lease Agreement between the
18 Government of the Virgin Islands, acting through its Commissioner of the Department of
19 Property and Procurement and VIWAPA, for Parcel No. 6-4 Remainder Estate Carolina, No. 1
20 Coral Bay Quarter, St. John, Virgin Islands, zoned R-2, consisting of approximately 157,
21 992.12 U.S. sq. ft. or 3.627 U.S. acre zoned as shown on O.L.G. File No. D9-9596-T021; for
22 an initial term of 30 years, with two 10-year options to renew; at an initial annual rent of

BILL SUMMARY

This bill approves the lease agreement between the Government of the Virgin Islands and VIWAPA.

6 BR23-0596/June 23, 2023/LMW
7 G35-010