



**PORT AUTHORITY OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
GOVERNMENT OF GUAM**

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FELIX P. CAMACHO
Governor of Guam

MICHAEL W. CRUZ
Lieutenant Governor

**MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS
Wednesday, July 8, 2009**

I. CALL TO ORDER

There being a quorum, the special meeting of the Board of Directors was called to order at 5:05 p.m., Wednesday, July 8, 2009. Present at the meeting were:

Jovyna Lujan, Acting Chairperson
Monte Mesa, Member—*Telephonic Participation*
Marilou Lacson, Board Secretary—*Telephonic Participation*
Joseph Camacho, Member
William Beery, Member
Glenn A. Leon Guerrero, General Manager
Enrique J.S. Agustin, Deputy General Manager
Atty. Rebecca Santo Tomas, Co-Counsel

Also present were Lea Santos-Senator Espaldon's office, Chip Brown-EA & Science Technology, Cyrus Luhr-Senator Ada's office, Edey Blas-Shaw Group and Port Management staff.

II. OLD BUSINESS

1. **Master Plan Conditional Requirements as per Public Law 29-125:** The Acting Chairperson recapped a conference call held yesterday with PB International relating to the Master Plan Update 2007-Report to the Legislature. Comments on the following key points include:

a. **Implementation Plan**—If the recommendation is to postpone the F7 phase to the year 2030/2031, the plan would then need to reflect and convey that rationale consistently with all the backup forecasting information it provides in support of that.

b. **Financial Plan**—Address a more definitive presentation on the \$156.9M to secure approval from the Guam Legislature.

c. **Economic Impact Statement**—Provide emphasis on the executive summary relative to the creation of jobs to distinguish job creation that impact the port industry whether public/private. Distinguish the Port's jobs that are created as a result of the modernization.

Mr. Camacho expressed concern on whether the plan will pass through the Guam Legislature based on the following uncertainties in that they may require a more definitive approach to the \$156.9M relative to the financial strategy; the approach on pursuing federal funding on the \$156.9M or charge a surcharge on military cargo; and whether to provide more of a broader impact assessment to the plan as it focused primarily on the impact it would have to the Port as oppose to a general impact to the island.

Management was advised to arrange multiple dry-runs on the Master Plan for the Guam Legislature prior to the Legislative Public Hearing scheduled on July 22, 2009.

Mr. Mesa made motion to approve and present the 'Master Plan Update 2007-Report to the Legislature' to the Guam Legislature, seconded by Mr. Camacho. Motion was unanimously approved.

2. **Task Order – ARRA DOT & USDA Grant Application Preparation:** The General Manager said the Port would like to apply for a discretionary grant for Transportation Investment Generating Economic Recovery (TIGER Grant) from the U.S. Department of Transportation (USDOT). TIGER Grant applications must be submitted to USDOT by September 15, 2009. Accordingly, the Port would like to request for the OAE consultant to prepare a TIGER Grant application in the sum of \$49.2M for the Phase I-A capital investments of the port master plan. He requested the Board to authorize funding in the amount of \$102,002.00 to allow OAE consultant to move forward with the application preparation.

The Acting Chairperson asked why there is a difference in funding request in that Task Order No. 26 indicates \$102,002.00; however, the memo to the Board dated July 6, 2009 requests for \$50,000.00. The General Manager explained that because time was of the essence, the \$50,000.00 indicated was to just get the process started, but did anticipate a much higher cost. The task order was just received yesterday.

Mr. Camacho asked how this would be funded. The General Manager said the funding would come from the Port. Mr. Mesa asked whether the OEA Port Fact-Finding Grant was able to fund this task. The General Manager replied negatively, and said it would not be appropriate for a federal government to finance grant applications.

Mr. Mesa made motion to approve the authorization funding request for the Owner's/Agent Engineer Consultant Agreement Task Order No. 26 at \$102,002.00 – TIGER (ARRA) Grant Application Services, seconded by Mr. Camacho. Discussion followed, and Mr. Camacho expressed that management needs to specifically identify where the funds are going to come from within the Port's approved mid-year budget.

Amended Motion: Mr. Mesa amended the motion to approve the authorization funding request for the Owner's/Agent Engineer Consultant Agreement Task Order No. 26 at \$102,002.00 – TIGER (ARRA) Grant Application Services subject to the identification of funding. Motion was seconded by Mr. Camacho and was unanimously approved.

3. **Board Resolution No. 09-05 – Designation of Signatories:** The General Manager said the resolution presented before the Board basically replace the former Deputy General Manager to the new Deputy General Manager, namely Enrique J.S. Agustin. This allows for Mr. Agustin the authority to execute financial transactions on behalf of the Port. No other changes have been made to the contents of this resolution.

Mr. Camacho made motion to approve the Board Resolution No. 09-05 – Designation of Signatories, seconded by Mr. Mesa. Motion was unanimously approved.

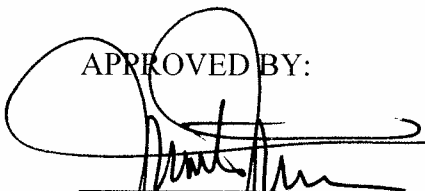
III. ADJOURNMENT

There being no further business to discuss, it was moved by Mr. Camacho and seconded by Mr. Mesa to adjourn the meeting at 5:35 p.m. The motion was unanimously passed.



MARILOU LACSON, Board Secretary, Board of Directors

APPROVED BY:



MONTE MESA, Chairman, Board of Directors

