



PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
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Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

REGULAR MEETING OF THE BOARD OF DIRECTORS

Jose D. Leon Guerrero Commercial Port

Wednesday, April 30, 2025

Virtual Board Meeting

3:00 p.m.

A G E N D A

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. March 27, 2025 – Regular Board Meeting

III. PUBLIC COMMENTS:

- a. Public Comments
- b. Employee Comments
- c. PAGGMA Association

IV. GENERAL MANAGER'S REPORT

V. OLD BUSINESS

1. Request for Creation of Position – Tariff Technician II and Tariff Technician III (motion to proceed with the transparency and disclosure processes as outlined in Section 6303(d) of Title 4, Guam Code Annotated and Rule 5.015 of the Port's Personnel Rules and Regulations).

VI. NEW BUSINESS

1. Adoption of Board Resolution No. 2025-13 relative to requesting the abolishment of the Maintenance Manager and Equipment Maintenance Superintendent positions under the Port Authority of Guam's classification and compensation plan, as a result of the succession plan adopted in Board Resolution No. 2024-15 by the Port Board of Directors.
2. Adoption of Board Resolution No. 2025-14 relative to adopting the General Manager's Workplace Violence Policy Memorandum No. 2025-GM01 as Board Policy Memorandum No. 2025-01, and authorizing mandatory drug testing, counseling, or anger management for the involved employee, as deemed appropriate based on the nature of the incident, without presuming misconduct and in recognition of due process.
3. Adoption of Board Resolution No. 2025-15 relating to assigning the General Manager to outline and pursue, wherever possible, the necessary steps to secure permission for vessel discharge operations at Hotel Wharf from all relevant federal and regulatory agencies.



Regular Meeting of the Board of Directors
Jose D. Leon Guerrero Commercial Port
Wednesday, April 30, 2025, 3:00 p.m.
Virtual Board Meeting
Page 2 of 2

AGENDA

4. Adoption of Board Resolution No. 2025-16 stating the Board's position on Bill No. 104, "An Act relative to enacting the 'Crime Victim & People of Guam's Protection Reform Act of 2025,'" including comments and a request for an amendment to address the Port Authority's specific concerns.
5. Adoption of Board Resolution No. 2025-17 stating the Board's support of Bill No. 109, "An act to authorize the Port Authority of Guam to grant a dollar-for-dollar offset against lease payments for tenants who invest in tangible, documented improvements to Port property that provide high value to the community or enhance Port operations; and to establish a streamlined process for implementation."

VII. ADJOURNMENT



PORT OF GUAM

ATURIDAT / PUETTON GUAHAN

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**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, March 27, 2025**

I. CALL TO ORDER

The Chairperson called the regular meeting of the Board of Directors to order at 3:01 p.m., Thursday, March 27, 2025. Present at the meeting were:

Dorothy P. Harris, Chairperson
Conchita S.N. Taitano, Vice Chairperson
Fe R. Valencia-Ovalles, Board Secretary
Rory J. Respicio, General Manager
Dominic G. Muna, Deputy General Manager, Operations
Pacifico R. Martir, Deputy General Manager, Admin/Finance
Atty. Jessica L. Toft, Port Attorney

Also present was Cecile Suda-Senator Jesse Lujan's office, KUAM-Nick Delgado and Port Authority Staff.

II. APPROVAL OF MINUTES

a. **February 26, 2025 – Regular Board Meeting:** The Vice Chairperson made motion to approve the minutes of February 26, 2025, subject to correction. The motion was seconded by Director Valencia-Ovalles and was unanimously passed.

At the previous meeting, the Board posed the following questions regarding the underwater dive inspection performed by port personnel: 1) whether the diving of the port employees is considered occupational diving, 2) what the requirements are through OSHA, 3) if medical monitoring is required, and 4) what certification and training is needed. In response:

- Port personnel conducting diving is not considered occupational diving as it is not within their nature of work. The Port divers are all volunteers to assist the Port Authority in efficiently inspecting Port piers when there is an earthquake magnitude of 5.0 or greater or a natural or unexpected incident.
- Is there any OSHA requirements and medical monitoring needed to make sure our divers are safe? Port divers are simply performing level 1 pier inspections that consist of a visual inspection. There is no special certification to visually look at a structure underwater and take pictures or measurements with a tape measure. There is no need to decompress as the deepest depth is 50ft, although they do practice decompressing as an extra safety measure. As a safety precautionary measure, prior to each dive, the question is asked of each diver if there are any issues that should prevent them from diving.



- What type of diving qualifications are needed to perform the work our Port diving team is doing? Basic Open Water course. The course consists of a 3-day classroom setting and a 1-day physical test at the pool for swim and float test and gear familiarization, and 2 days of diving 1 day and 1 night.
- Does our employees have certifications and what type of certification? Port divers are all PADI (Professional Association of Diving Instructors) certified basic or advanced divers, one of whom is also a rescue diver certified. Also, they are not full-time divers.

III. PUBLIC COMMENTS

- a. **Public Comments:** None.
- b. **Employee Comments:** None.
- c. **PAGGMA Association:** None.

IV. GENERAL MANAGER'S REPORT

1. **Port Expands Fleet with Arrival of Nine New Container Yard Tractors.** On March 6, 2025, the Port continues to modernize its operations with the arrival of nine new container yard tractors. The new tractor additions are part of the \$5.7 Million grant awarded to the Port by the U.S. Department of Transportation's Maritime Administration under the America's Marine Highway Program. The grant, announced by U.S. Transportation Secretary Pete Buttigieg on October 7, 2022, aims to enhance the nation's supply chains by improving marine highway services and increasing the efficiency of cargo movement. Through the Guam Marine Transportation Enhancement Initiative, this funding has enabled the Port to significantly expand its fleet of specialized container yard equipment, bolstering operations and strengthening its ability to handle cargo efficiently. Today's arrivals bring the Port one step closer to completing its grant-funded procurement of vital equipment. The \$5.7 Million in federal infrastructure funds has allowed the Port to procure the following equipment to date:
 - 40-ton loaded container handlers (2) – Fully received, valued at \$1,247,000.
 - 10-ton empty container handlers (3) – Fully received, valued at \$687,000.
 - 180-foot boom lift (1) – Fully received, valued at \$517,205.41.
 - Container yard tractors (9) – Arriving February 28, valued at \$1,791,327.

While the arrival of the yard tractors is a major milestone, the Port still awaits the delivery of: Five 5.5-ton forklifts, valued at \$352,015 and Two 40-plug mobile reefer generators, valued at \$920,000. The equipment procured through this grant must comply with the Build America, Buy America Act, ensuring that these investments support U.S. manufacturing and infrastructure development. The addition of these container yard tractors will improve cargo-handling efficiency, reduce congestion, and enhance the Port's overall resilience in supply chain management. As the Port awaits the final pieces of its grant-funded fleet, these strategic investments continue to position Guam as a key player in the region's shipping and logistics network, ensuring the timely and effective movement of goods for years to come.

2. **Port Honored with 2025 Agency Chapter Service Award by AGA Guam Chapter.** The Port is proud to announce that it has been awarded the prestigious 2025 Agency Chapter Service Award by the Association of Government Accountants (AGA) Guam Chapter. This accolade was

presented during the 13th Biennial Guam Professional Development Conference (GPDC), held from March 12 to 14, 2025, at the Westin Resort Guam in Tumon. The Agency Chapter Service Award recognizes outstanding support provided by an agency to the AGA Guam Chapter. Eligible agencies are those that have consistently made significant contributions toward the development and enhancement of AGA's mission. Both public and private organizations are eligible for this honor. The GPDC 2025, themed "Leading Change: Empower, Innovate & Excel," brought together leaders from business, academia, and government sectors to discuss financial trends, management issues, and leadership topics. Participants had the opportunity to earn up to 24 Continuing Professional Education (CPE) credits during the conference. Receiving the 2025 Agency Chapter Service Award is a testament to the Port Authority's unwavering dedication to advancing government accountability and supporting the professional development of financial professionals in Guam. The Port remains committed to its mission of facilitating trade and economic growth while upholding the highest standards of integrity and service.

3. **Port GM Speaks to UOG Students on Port's Role in Island Economy and National Security.** On March 12, 2025, I had an opportunity through an invitation of the Honorable Senator Tina Rose Muna Barnes, to deliver a presentation to students at the University of Guam's School of Business and Public Administration (SBPA) for Professor Ronald McNinch's class. The presentation addressed the Port's critical role in Guam's economy, infrastructure resilience, and national security, entitled: "Port Mission – Importance to the Island & Economy." Highlighted was the Port Authority's role as Guam's only commercial seaport, handling 90% of all goods entering the island and supporting both local commerce and regional military operations. Port's commitment to modernization, sustainability, and workforce development—key priorities that align with the Governor's One Guam Strategic Framework and the Indo-Pacific Strategy. Also shared was the Port's 2023 Master Plan, which focuses on critical infrastructure upgrades, including fuel pier rehabilitation, enhancements to cybersecurity and IT systems, and underscoring the urgency of replacing 40-year-old aging gantry cranes to ensure port efficiency and prevent operational disruptions, citing a Department of Defense (DoD) analysis that warns of potential readiness delays of up to four years if replacements are not secured. The presentation also covered the Port's initiatives in public-private partnerships (P3s) to fund critical infrastructure projects, such as the \$100 million rehabilitation of Hotel Wharf and the \$17.9 million modernization of berths F2-F6. These projects are essential to sustaining Guam's commercial and military operations while ensuring long-term economic stability. Closing remarks emphasized the importance of succession planning and workforce development, ensuring that the next generation of professionals is ready to continue the Port's mission of economic resilience and service to the people of Guam.
4. **Second Cruise Ship Arrives at the Port Authority of Guam.** On March 13, 2025, the Port welcomed the *CS Le Jacques Cartier*, the second cruise ship to visit the island this season, carrying 116 passengers and 135 crew members. Each cruise ship visit strengthens Guam's presence as a key destination in the Pacific, highlights ongoing efforts to promote tourism and economic growth through maritime activities. Appreciation is extended to our dedicated Port employees who work tirelessly day and night to transform our container yard into a safe terminal for cruise ship passengers. Their efforts ensure a secure and welcoming environment without compromising Port security, and their commitment is vital to Guam's success as a growing cruise destination.

5. **Farewell to our Beloved Brother.** Robert Lau retired from the Port Authority of Guam on September 30, 2021 after having served 28 years of government service. He began his employment as a Trades Helper on January 19, 1993 and rose the ranks to Crane Mechanic I, Crane Mechanic II, and has served in a detail capacity as a Crane Mechanic Leader in 2000. In his interest in exploring other positions of the Port, Robert transferred to the Safety division where he then retired as a Safety Inspector II. On March 18, 2025, a brief ceremony was held where Port employees bid final farewell to our beloved brother Robert Lau.
6. **New Workplace Violence Policy.** Effective March 24, the Port implemented Policy Memorandum No. 2025-GM01 to strengthen accountability, leadership enforcement, and employee protections. This policy is a direct response to past incidents and employee feedback. It is now in full effect.
Key points:
 - Zero tolerance for workplace violence, harassment, and harmful behaviors including gossip and passive-aggressiveness.
 - All levels of leadership, including the General Manager, are accountable for prevention, intervention, and consistent enforcement.
 - Clear consequences for failure to report or act, including disciplinary action
 - Formal reporting process with HR and Port Police oversight.
 - Weapons strictly prohibited on Port property, with exceptions only for law enforcement.
7. **Zero Trust Policy – HR Recruitment.** The Port has adopted a “Zero Trust” approach to its hiring process to ensure integrity, fairness, and compliance with Personnel Rules and Regulations. This policy is now in effect and applies retroactively to all current recruitments.
Key components:
 - Panel-based resume evaluations.
 - Applicant name redactions prior to interviews.
 - Internal pre-audits before certification of eligibilities.
 - Mandatory conflict-of-interest disclosures from raters.
 - Strict limits on who may participate in recruitment actions.
8. **Honorable Peter Brian Hegseth, Secretary of the Department of Defense.** Honorable Peter Brian Hegseth, Secretary of the Department of Defense. On March 27, 2025, Secretary Hegseth visited Guam, underscoring the island’s strategic importance in the Indo-Pacific. He toured military facilities and received briefings on regional capabilities, reaffirming Guam’s role in U.S. national defense. Governor Lou Leon Guerrero and Lt. Governor Josh Tenorio provided him with a White Paper urging Department of Defense support to improve operational efficiency, resiliency, and security at the Port of Guam. The Port’s modernization needs were presented within the Governor’s broader strategic framework for the military buildup, which also includes key priorities such as the development of a new medical complex to serve both civilian and military communities, and addressing other critical areas in need of mitigation to fully support Guam’s role in national security and the defense of our nation.

Specifically in relation to the Port of Guam, here are the key infrastructure challenges:

- **Aging Gantry Cranes** – The Port of Guam’s three (3) Ship-To-Shore Gantry Cranes are over 40 years old, creating operational and safety risks. Full replacement is critical for

sustained cargo throughput and contingency response. If one crane goes down, port operations are immediately crippled and sets the military readiness program back by four years. Lead times for new cranes exceed 18 months, making preemptive investment a national defense imperative.

- **Hotel Wharf Rehabilitation** – This deep-draft wharf, due to its aging and deteriorating condition, is currently inoperable. As a key facility for both commercial and defense logistics, immediate dredging and structural upgrades are essential to maintaining the Port's maritime functionality to support U.S. military operations.
- **Fuel Pier Vulnerabilities** - The Port operates two fuel piers, Golf Pier and F1 Pier, handling 100% of Guam's fuel imports. Golf Pier is inoperable due to damages incurred during Typhoon Mawar, leaving F1 Pier to handle Guam's and the region's fuel needs. These facilities are in critical condition and need to be modernized to meet safety, redundancy, and military logistics standards.
- **Resilience Gaps** – Much of the Port's infrastructure are over 40 years old requiring hardening and mitigation against typhoons, seismic events, and cyber threats – heightened by Guam's "Tip of Spear" frontline position.

Strategic Relevance:

- **Force Sustainment** - As a U.S. forward operating base, Guam plays an indispensable role in projecting U.S. power and maintaining military readiness in the Indo-Pacific. Designated by MARAD and TRASCOM as one of the nation's strategic seaport, the Port of Guam is integral to the logistics and support of U.S. military operations, including rapid deployments, defense exercises, and humanitarian assistance missions.
- **Homeland Defense** - The Port's strategic significance is amplified as the single point of failure to the sustainment of critical goods, fuel, and DOD cargo. Its capability to move military personnel, equipment, and supplies efficiently is crucial to deterring adversaries and maintaining regional security.
- **Supply Chain Resilience** - With distributed operations expanding in the Indo-Pacific, Guam's Port must be prepared for the anticipated surge.

Action Requested:

- Engage with the Secretary of Transportation to prioritize the Port's upcoming grant request for STS gantry crane replacement, recognizing its dual importance to national defense and commerce.
- Ensure the Port of Guam's strategic seaport designation is matched by federal investment to support operational readiness.
- Incorporate the Port into Indo-Pacific posture planning and resilience initiatives in coordination with TRANSCOM, MARAD, and other relevant agencies.

In conclusion, the Governor and Lt. Governor emphasized that the Port of Guam is a critical component of the broader infrastructure needed to support the U.S. military's strategic operations in the Indo-Pacific. Without urgent intervention, its aging infrastructure will continue to limit efficiency, compromise security, and weaken national defense readiness. Within the context of Guam's overall priorities tied to the military buildup, the Department of Defense was urged to support the Port's modernization, resiliency, and sustainability—ensuring it remains a reliable asset in advancing U.S. interests and maintaining regional security.

9. **Bill No. 87-38 (COR).** Introduced by Senator V. Anthony Ada on March 10, 2025, the bill proposes adding § 12130 to Article 1, Chapter 12 of the Guam Code Annotated. This is provided as an FYI. We are seeking policy guidance from our Board so we can present a formal position to the Governor and the Legislature through our oversight chair, Senator Jesse Lujan.

Purpose:

- Allow minimal or no-cost short-term leases (not to exceed 5 years) for construction project staging, storage, and related purposes.
- Applies to agencies with PUC-approved lease rates.
- Aims to reduce project costs and promote more efficient use of government land.

10. **Hotel Wharf Claim – \$18.5M Recovery Effort.** The Port is pursuing a \$18.5 million claim against Cabras Marine Corporation for damages tied to the 2018 collapse of Hotel Wharf during Typhoon Mangkhut. The case is in litigation, and the Port is respecting the judicial process. “We remain hopeful for an outcome that serves the best interests of the Port,” said General Manager Rory J. Respicio. “The Port Authority remains focused on ensuring accountability and maintaining uninterrupted operations in support of commerce and national security—for Guam, our region, and our nation.”

11. **Port Unveils 50th Anniversary Logo: A Symbol of Legacy, Progress, and Unity.** The Port proudly unveils its official 50th Anniversary logo, marking the beginning of a yearlong celebration of five decades of service to the island and region. The new commemorative logo is the result of a spirited employee-driven campaign that reflects the Port’s commitment to honoring its history while embracing its future. In the true spirit of unity and collaboration, the Marketing Division facilitated a logo selection process that engaged the Port’s entire workforce. A majority of employees, including our board members, responded to the internal survey—a remarkable show of participation and pride in the agency’s milestone. With three design options to choose from, the final winning logo emerged ahead by just two votes, showcasing the diversity of opinion and the collective care put into this momentous decision. Having our employees select the 50th anniversary logo underscores who we are as an agency—united, dedicated, and proud of our shared journey. This logo is more than a design; it’s a symbol of the heart and soul of all of our employees and the progress we’ve made together. The logo will serve as the visual centerpiece of the Port’s 50th Anniversary celebration, which is being commemorated under the theme: “Port Strong: 50 Years of Grit, Resilience, and Service Fueling Local and Regional Economies, Partnerships, and National Security.” Since its establishment in 1975, the Port Authority of Guam has grown into a modern, vital lifeline for Guam and the region. As the island’s only commercial seaport, the Port handles approximately 90% of all incoming goods, playing a critical role in the daily lives of every resident and business. Over the decades, the agency has achieved numerous milestones, including:

- Launching major capital improvement projects to modernize terminal operations and increase capacity;
- Receiving multiple national awards for financial reporting, safety, and sustainability;
- Strengthening security and disaster readiness as a designated Strategic Seaport;
- Navigating the challenges of the COVID-19 pandemic without disruption to essential supply chains.

Throughout it all, the Port has remained rooted in its mission: “To provide efficient, cost-effective and reliable services in the import and export of cargo and the movement of passengers.” The unveiling of the 50th Anniversary logo is just the beginning. Throughout 2025, the Port will host a series of commemorative events and employee recognitions to celebrate the achievements of the past five decades and chart a course for the next 50 years. This logo reflects our story: one of resilience, innovation, and service. As we celebrate 50 years, we’re not just looking back—we’re moving forward, together.

12. General Manager’s Notes for YTD Finances. We are providing the following summary for February 28, 2025:

REVENUES AND CARGO THROUGHPUT:

- The Port's total operating revenue as of February 28, 2025 (5 months), is \$23.3 million, which is 10.3% or \$2.7M lower than the YTD revenue budget of \$26.0 million as of February 2025.
- The total number of containers handled as of February (5 months) is 34,723, which is higher by 0.2% or 61 containers compared to last year's YTD total of 34,662 containers. The total tonnage for non-containerized cargo stands is 68K revenue tons, a 21% decrease from last year’s February total of 86K revenue tons.

OPERATING EXPENSES:

- The total operating expenses as of February 28, 2025 is \$25.0 million, which is 4.2%, or \$1.1M higher than the February FY25 budget of \$23.9 million. Some of the expenses that are high in the first five months are General Insurance, Depreciation, Utilities, and Repairs and Maintenance.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- Overtime for all the divisions for the month of February is \$814K, which is 25%, or \$161K, higher than the FY25 overtime budget of \$653K.
- The total Direct Labor revenue as of February is \$1.8 million, 6% or \$101K higher than the FY25 budget of \$1.7 million.

YTD OPERATING REVENUES MINUS YTD EXPENSES:

- Operating revenues minus operating expenses resulted in an operating loss of \$1.7M. After adding the net Other Income/Expenses totaling -\$231K, the final result for YTD February is a net loss of \$1.9 million. The federal reimbursements booked year to date is \$589K.

13. Status of Ongoing Awarded Grant Activities and Updates on Planned Grant Acquisitions.

- **U.S. Economic Development Administration (EDA) Fuel Pipeline Connectivity Project.**
Update: Planning and Engineering Divisions met with the EDA Project Officer and Economic Development Representative (EDR) to discuss the remaining project scope and funding options moving forward. Project Officer will work with PAG on a possible amendment to grant scope and expend remaining grant funds.
- **MARAD Marine Highway Program.** *Update:* PO 20412-OS - PAG Maintenance Division certified the equipment to be in working condition on March 7, 2025. Planning processed the recommendation for payment on March 11, 2025; Finance subsequently processed full payment to the vendor. PO 19902-OS - PAG Transportation and Maintenance Divisions

provided acceptance letter of nine (9) terminal yard tractors on March 10, 2025. Final 25% installment payment has been made to the vendor.

- **Office of Local Defense Community Cooperation.** The PAG's recent grant application totaling \$1.45 million for its Owner's Agent/Engineer to conduct a Port Resiliency and Sustainability Study was granted by OLDCC through the Office of the Governor. *Update:* Pending reimbursement payments from Department of Administration and close out notification from OLDCC.
- **EPA Diesel Emissions Reduction Act (DERA) Program.** *Status Quo:* Grant application status pending review by US EPA.
- **US DOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program.** The USDOT Office of the Secretary, through MARAD, approved the Port's no-cost modification, reallocating funds from Pier F-1 to support repairs for Wharves F-2 through F-6. *Update:* The environmental assessment remains active, with progress guided by consultants and pre-NEPA consultations. Monthly updates are provided to Team MARAD. The Port's OAE confirmed that the sub-consultants developed the photos in early March and have since completed the labeling and packaging process. The Port anticipates submitting the final letter to NPS by April 2025.
- **Office of Insular Affairs Maintenance Assistance Program (MAP).**
 - **Port Welding Shop Phase 1 & 2 Project.** The contract and PO have been signed. Notice to Proceed (NTP) commenced on December 10, 2024. Work commenced on January 22, 2025. *Update:* Work is ongoing. Roof repairs are 85% complete and exterior spall repairs are 30% complete.
 - **Generator Maintenance Program.** Maintenance services are ongoing with the awarded contract to Hawthorne Pacific Corp. *Status Quo:* On January 23, 2025, the PAG received approval for its no-cost extension request to September 30, 2026. This will allow the Port to fully execute Year 3 of the technical service contract. The PAG Facilities Maintenance Division has also begun the procurement for needed generator parts.
- **U.S. EPA Clean Ports Program: Climate and Air Quality Planning Competition.** The U.S. EPA Clean Ports Program aims to reduce air pollution and greenhouse gas emissions at ports by supporting projects that adopt cleaner technologies and practices.
 - December 19, 2024, PAG received the Notice of Award/Grant Agreement of \$2,410,415 to fund the PAG Net Zero Emissions Strategy Update and Implementation Plan project.
 - On January 16, 2025, PAG planning staff, along with its Subawardee, WSP, and Board Co-chairperson, Conchita Taitano, attended the Clean Ports Program Kick-Off meeting with U.S. EPA program staff.
 - PAG is awaiting the draft Task Order from WSP by the week of January 20, 2025.

Update: The draft Task Order #16 is being finalized. PAG is scheduled to meet with the EPA Program Office the week of the 24th to discuss progress and drawdowns on advancing approved activities, outlined in the established work plan and budget.

- **New Grant Opportunity – U.S. EPA Environmental and Climate Justice Community Change Grants Program / Inflation Reduction Act Community Change Grants Program. *Status Quo:*** Award notifications are ongoing through Spring 2025.
 - The three projects selected are (1) the PAG Installation of a Solar Photovoltaic (PV) System and Batteries Project, (2) the PAG Microgrid Feasibility Study Project, and (3) the PAG Route 11 Seawall Improvement Project.
 - **New Grant Opportunity - 2024 NOAA Marine Debris Program- BoatUS Foundation Abandoned and Derelict Vessel (ADV) Removal Grant Program.** The Port submitted its application on November 21, 2024, for the PAG Harbor Restoration and Resilience Initiative (PAGHRR) Project, which would remove thirteen (13) abandoned and/or sunken vessels from PAG properties. The proposed project total is \$859,720.00. ***Status Quo:*** The Port awaits BoatUS Foundation's notice of selection.
 - **New Grant Opportunity–Dept. of Commerce National Telecommunications & Information Admin (NTIA) Digital Equity Competitive Grant Program. *Update:*** Unfortunately, the PAG's application was not among the projects recommended for award.
 - **Sport Fish Restoration and Sport Fishing and Boating Safety Act Program Maintenance of Public Boat Ramp at Agat Marina and Harbor of Refuge Improvements.** On October 1, 2024, PAG was awarded \$120,000 for the Agat Marina Southern Walkway Repairs under the assistance title 15.605 Sport Fish Restoration. Additionally, PAG received \$275,000 for the Pre-construction Planning Grant for a Gangway and Courtesy Dock at the Guam Harbor of Refuge under the assistance title 15.622 Sport fishing and Boating Safety Act. Both grants were provided by the U.S. Fish and Wildlife Service through the Guam Department of Agriculture. ***Status Quo:*** The draft MOU is currently under development by DOAG and is anticipated to be finalized in Q2 2025.
 - **New Grant Opportunity - U.S.DOT Federal Highway Administration (FHWA) Low-Carbon Transportation Materials Program (LCTM).** § On November 26, 2024 (and revised on Jan. 23, 2025), the PAG submitted an application, PAG Low-Carbon Transportation Materials Study, which proposes activities to identify and test locally sourced low-carbon recycled waste materials to determine suitability for use in eligible Federal-aid projects and incorporation into future transportation plans or updates for Guam. The total project cost is \$ \$7,216,910.00. ***Status Quo:*** PAG awaits FHWA's notice of selection.
10. **Port Revenue Bonds Project Status.** As of March 25, 2025, the attachment provides information on the status of the revenue bond projects, which include the rehabilitation of the hotel wharf, repairs and improvements to the golf pier, waterline replacement/relocation, upgrades to the EQMR building, repairs and upgrades to warehouse one, construction of a new admin annex building, and other priority projects.

V. OLD BUSINESS

1. **Request for Creation of Position Tariff Technician II and Tariff Technician III (motion to proceed with the transparency and disclosure processes as outlined in Section 6303(d) of Title 4, Guam Code Annotated and Rule 5.015 of the Port's Personnel Rules and Regulations).** Director Valencia-Ovalles made motion to table Item 1 under Old Business until the next meeting, seconded by the Vice Chairperson. Motion was unanimously approved.

VI. NEW BUSINESS

1. **Adoption of Board Resolution No. 2025-10.** Director Valencia-Ovalles made motion to adopt Board Resolution No. 2025-10 relative to petitioning the Public Utilities Commission (PUC) for the approval of the award to BME and Sons, Inc. for the Warehouse No. 1 Maintenance project, seconded by the Vice Chairperson. Motion was unanimously approved.

2. **Adoption of Board Resolution No. 2025-11.** Director Valencia-Ovalles made motion to adopt Board Resolution No. 2025-11 relative to authorizing the release of the Port Readiness Plan to the Department of Defense (DOD), Department of Transportation (DOT), Federal Emergency Management Agency (FEMA), Government of Guam Agencies, Port Users, and Stakeholders to strengthen emergency preparedness, regional security, and economic stability, and to secure investments for infrastructure, modernization, and operational resilience. Motion on the floor was seconded by the Vice Chairperson and was unanimously approved.

3. **Adoption of Board Resolution No. 2025-12.** The General Manager mentioned that the resolution being presented before the Board is to expand and promote in-sourced port services through the special service request (SSR) process. He mentioned the purpose is to maximize the utilization of the Port's workforce and infrastructure through in-sourced services aligning with the Port's mission to support economic development, enhance operational capacity, and ensure financial sustainability. Diversifying revenue through leasing of government land or utilizing the skill-sets and expertise of the Port workforce whether it be a welder, a computer specialist or Port personnel from the operations divisions. If the resolution is adopted, the General Manager would be directed to take the necessary actions to:

- Develop and publish comprehensive service guidelines outlining available offerings, pricing structures, and request procedures.
- Strengthen outreach efforts to inform government agencies, port users, and industry partners of available in-sourced services.
- Enhance the efficiency of the SSR process to ensure timely responses and seamless service execution.
- Monitor and assess service utilization and financial impact to identify areas for growth and optimization.
- Leverage workforce capacity to meet service demands, where operationally feasible, to maximize internal resources and employee engagement.

At this time, Director Valencia-Ovalles made motion to adopt Board Resolution No. 2025-12 relative to expanding and promoting in-sourced Port services through the special service request process by establishing clear guidelines, enhancing stakeholder engagement, streamlining requests, and maximizing revenue opportunities. Motion was seconded by the Vice Chairperson and was unanimously approved.

VII. ADJOURNMENT

There being no further business to discuss, it was moved by Director Valencia-Ovalles and seconded by the Vice Chairperson to adjourn the meeting at 4:18 p.m. The motion was unanimously passed.

Fe R. Valencia-Ovalles, Board Secretary
Board of Directors

APPROVED BY:

Dorothy P. Harris, Chairperson
Board of Directors



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General Manager's Report for Board of Directors April 30, 2025

- 1. Third Cruise Ship Arrives to Guam.** The Port Authority welcomed the arrival of its third cruise ship of the year on March 31, 2025 - the Le Soléal. The vessel, having come from Yap and operated by luxury French cruise line Ponant, brings with it 136 passengers and 159 crew members. The arrival of Le Soléal highlights the growing appeal of Guam as a premier destination in the cruise industry. Each cruise call not only contributes to our local economy but also gives us the opportunity to showcase Guam's unique culture and warm hospitality to international visitors. I also want to commend our dedicated Port employees, whose hard work and coordination make it possible to safely convert our busy container yard into a secure terminal for every cruise ship arrival.

The Port Authority of Guam remains committed to supporting the tourism industry and ensuring smooth, efficient operations for visiting passenger vessels. Currently, four additional cruise ships are scheduled to arrive this year, including the Seabourn on September 12, Villa Vie Odyssey on October 13, Asuka III on December 30, and Mitsui Ocean Fuji on December 31, 2025.

- 2. EQMR Employees Receive Aerial Lift Training on New Telescopic Boom.** The Port continues to prioritize workforce safety and operational readiness with specialized training for employees of its Equipment Maintenance and Repair (EQMR) Division. Training began on March 26, 2025, EQMR personnel participated in a comprehensive Aerial Lift Certification Training conducted by Island Certs, a certified safety training provider. The hands-on session was held at the Port and focused on the proper use and safety procedures for the agency's newly acquired telescopic boom lift.

The training is part of the Port's ongoing efforts to ensure that all equipment operators meet industry safety standards while maximizing the capabilities of the agency's upgraded fleet. Investing in both equipment and employee training is key to strengthening the Port's resilience and operational efficiency. This new telescopic boom enhances our capabilities, and with this training, our team is fully equipped to operate it safely and effectively. Employees underwent instruction on inspection



protocols, safety harness use, maneuvering techniques, and emergency procedures—reinforcing the Port's commitment to a safe and skilled workforce. The addition of the telescopic boom and the certification training represent another step in the agency's broader initiative to modernize infrastructure and enhance employee proficiency across all divisions.

3. **Port Police and Guam Fire Complete Maritime Safety Training.** In collaboration with the United States Coast Guard, the Port held a recognition ceremony on March 28, 2025, to honor Port Police Officers and Guam Fire Department personnel who successfully completed the Boat Crew Member Course, a nationally recognized maritime training program. The course, delivered under the standards of the National Association of State Boating Law Administrators (NASBLA), is a 5-day, 35-hour training designed to enhance the knowledge and skills of maritime first responders. The U.S. Coast Guard conducted the training and it includes instruction in vessel handling, crew coordination, safety procedures, search and rescue operations, emergency response, and maritime law enforcement support. The training is a critical part of strengthening Guam's maritime safety network, especially given the island's strategic location and reliance on marine transportation. By completing this rigorous program, participants are now better equipped to respond to emergencies and carry out complex operations in support of port security and public safety. This training represents a proactive step toward building a more capable and resilient force on our waterfront. We are grateful for the continued partnership with the U.S. Coast Guard and for the dedication of our Port Police and Guam Fire personnel who continue to raise the bar when it comes to maritime readiness.

The following Port Police Officers were recognized for their successful completion of the course:

- Police Officer II Michael Franquez
- Police Officer II Jonathan Aguon
- Police Officer II Reggie Rechebong
- Police Officer II Christopher Fruge
- Police Officer I Gage Michael Santos
- Police Officer I Kyler Candoleta

The Boat Crew Member Course aligns with national standards used by maritime agencies across the U.S. and its territories. This is the latest example of the Port's ongoing commitment to professional development, interagency collaboration, and ensuring the safety of Guam's only commercial seaport.

4. **Port's CIP Division Completes CPR/AED Certification Training.** Members of the Port Authority of Guam's Capital Improvement Projects (CIP) Division recently completed CPR and Automated External Defibrillator (AED) certification training, equipping the team with essential life-saving skills and reinforcing the agency's commitment to workplace safety and emergency readiness. The training was conducted by Frank Lujan of the Port's in-house Training Division and covered emergency response procedures, hands-on CPR, and the proper use of AED devices during cardiac emergencies. The safety of our people—both in the office and out in the field—is always our top priority. This training ensures that our staff are not only prepared to deliver on critical infrastructure projects, but also ready to respond in the event of a medical emergency.

The CIP Division plays a key role in managing and executing the Port's federally funded capital improvement initiatives. With this training, the division adds another level of safety preparedness to its ongoing efforts to modernize Guam's only commercial seaport. The Port Authority will continue investing in staff development and training programs that strengthen both operational excellence and employee well-being.

5. **Gantry Cranes Pass Federal OSHA Quadrennial Inspection.** The Port Authority of Guam's gantry cranes have once again passed their comprehensive quadrennial inspection conducted by the Occupational Safety and Health Administration (OSHA), reaffirming the Port's operational reliability and commitment to equipment safety. The inspections were completed by Doc Bailey Construction Equipment in March 2025 and all cranes received official OSHA 71 certifications.

While the Port's cranes are certified annually, every four years they undergo a more in-depth OSHA inspection that includes full load testing, structural assessments, electrical systems review, and detailed evaluation of safety features and mechanical components. The inspections involved lifting known test weights of up to 112,000 pounds—well beyond the rated 89,600-pound capacity—to confirm structural integrity and operational performance under stress. Our gantry cranes are essential to the movement of 90 percent of the goods that arrive on Guam, and their performance and reliability are non-negotiable. I congratulate our Equipment Maintenance and Repair (EQMR) Division for their constant attention to maintenance, and for achieving a flawless outcome on this critical inspection. The Port operates three Hitachi BT-RH model gantry cranes—Crane #4, Crane #5, and Crane #6—each with a capacity of 40

long tons. Despite being more than 40 years old, the cranes continue to meet or exceed federal operational and safety standards thanks to the Port's rigorous maintenance and inspection program. Our team works year-round to monitor wear and tear, replace fasteners, address corrosion, and ensure the mechanical systems are performing as they should. These inspections validate that our hard work is paying off and that our cranes are ready to meet the demands of the region.

In addition to mechanical and structural assessments, OSHA inspectors examined over 60 safety-related checkpoints, including emergency cut-off systems, boom hoist brakes, storm locks, gantry drive mechanisms, overload limit switches, cab safety, and electrical conduit integrity. In each case, the Port's cranes met or exceeded regulatory standards, with any identified maintenance needs promptly addressed by the in-house team during the inspection process. The Port Authority of Guam remains focused on sustaining and modernizing its crane fleet to meet future cargo demands while ensuring safety and service continuity for the island's residents, businesses, and military partners.

6. **Port Hosts Bond Finance Team for Site Visit.** The Port Authority of Guam welcomed key representatives from its Bond Finance Team on April 1, 2025, for a strategic site visit and facilities tour in support of ongoing capital improvement planning and financial infrastructure development. The visit began with a morning meeting with Port Management Team, followed by a site tour. The visiting delegation included representatives from PAG's key financing partners:
- Bank of America: Frank Lauterbur, Jeffrey Bower, Craig Dussinger, Bradley Gewehr
 - Morgan Stanley: Aulii Taitano, Margaret Backstrom
 - Guam Economic Development Authority (GEDA): Tina Garcia

The purpose of the site visit was to provide the finance team with a first-hand view of the Port's operational facilities, ongoing projects, and capital improvement priorities, including infrastructure upgrades funded through bond financing. This visit offers our partners a direct look at the scale and significance of the work being done at the Port. It reinforces our shared commitment to transparency, financial stewardship, and strategic investment in Guam's critical maritime infrastructure. The Port continues to execute major initiatives under its Capital Improvement Plan (CIP) to modernize terminal operations, strengthen resilience, and maintain the island's only commercial seaport as a vital hub for both economic activity and national security.

7. Emergency Repairs to Glass Breakwater Reinforce Port's Operational Resilience.

The Port Authority of Guam applauds the early commencement of emergency repairs to the Glass Breakwater in Apra Harbor, a critical infrastructure component that safeguards both military and commercial maritime operations. Led by Naval Facilities Engineering Systems Command (NAVFAC) Marianas, this \$571 million multi-year project began ahead of schedule in late March 2025, marking a significant milestone in enhancing the harbor's resilience. The Glass Breakwater, constructed in the 1940s by the Navy Seabees, serves as a vital barrier protecting Apra Harbor and the Port of Guam from strong waves and storm surges. Damage sustained during Typhoon Mawar in 2023 had compromised its integrity, prompting the U.S. Army Corps of Engineers to classify the structure as "failed." The accelerated repair efforts underscore the commitment to restoring this essential maritime infrastructure.

The Glass Breakwater is integral to the Port of Guam's operations, ensuring the safe and efficient movement of goods that are vital to our island's economy. We commend NAVFAC Marianas for their swift action in initiating these repairs, which are crucial for maintaining the continuity of both commercial and military activities in the region.

The initial phase of the project involves relocating large armor stones, each weighing between 10 to 15 tons, to stabilize the most damaged sections of the breakwater. Advanced technologies, including drone imagery and specialized software, have been employed to assess the damage and plan the repairs effectively. The comprehensive restoration will eventually incorporate massive 42-ton interlocking concrete units to enhance the structure's durability against future wave action.

Rear Adm. Greg Huffman, commander of Joint Task Force-Micronesia, highlighted the dual significance of the project: "These upgrades to strengthen and harden the Glass Breakwater are vital not only to the operational capacity of Apra Harbor, ensuring military readiness, but also support the Commercial Port of Guam to supply necessary goods to the entire island."

The Port Authority of Guam remains committed to collaborating with federal partners to ensure the resilience and efficiency of Guam's maritime infrastructure, recognizing its pivotal role in the island's economic vitality and security.

8. **Execution of Lease Agreement with Black Construction.** The Port Authority of Guam has finalized a new Open Space Lease Agreement with Black Construction Corporation. The lease covers:

- Hotel Wharf (Lot Parcel 3-REM): 129,166.93 sq. ft. at \$75,950.15/month
- Former Hawaiian Rock Site (Lots 265-R2 and 254-2): 245,242.80 sq. ft. at \$144,202.77/month
- Total Monthly Rent: \$220,152.92
- Total Lease Value Over 4 Years: \$10,567,340.16

Key terms include a four-year lease beginning June 1, 2025, with a one-year automatic extension unless either party opts out 90 days before expiration. Rent for the option year will be based on CPI and applicable laws. The lease includes environmental protections, a baseline condition assessment, and provisions for compliance, indemnification, and use restrictions.

This lease aligns with Public Law 30-19 and reflects the Port's continued efforts toward maximizing land use and securing long-term revenue under transparent terms, while pursuing the best opportunities for our port facilities and the people of Guam. The locations covered are strategically significant and support broader plans tied to the Glass Breakwater initiative.

Expected improvements under this lease to be completed by the lessee include road paving from the 76 Gas Station down to Family Beach, resurfacing of Hotel Wharf, and the installation of security fencing and lighting at H-wharf, as well as at the Old Hawaiian site, where they will construct warehouse office spaces, develop a concrete slab, and implement additional infrastructure enhancements. These upgrades will either directly support future Port operations or benefit public use. This lease brings much-needed revenue to the Port and strengthens our long-term vision for integrated public and commercial use across Port properties. It also directly supports port readiness and national security by enhancing the operational capacity and infrastructure of a key waterfront area, reinforcing the Port's ability to respond to future commercial growth and defense priorities.

This effort also aligns with the intent of Bill No. 109-38, "An Act to authorize the Port Authority of Guam to grant a dollar-for-dollar offset against lease payments for tenants who invest in tangible, documented improvements to Port property that provide high value to the community or enhance Port operations; and to establish a

streamlined process for implementation.” Introduced by Senator Jesse A. Lujan and co-sponsored by Senators Christopher M. Dueñas and V. Anthony Ada, this measure supports the same principle reflected in this lease: incentivizing private investment that enhances Port assets and serves the broader public good.

A meeting is scheduled for tomorrow at 10:00 a.m. with Black Construction representatives.

9. **Confirmation Hearing Held for Board Vice Chair and New Nominee.** The Port Authority of Guam expressed its strong support during a confirmation hearing held on April 1, 2025, for the reappointment of current Vice Chairperson Conchita S.N. Taitano and the appointment of new nominee Mark B.C. Mendiola to our Board of Directors. Both nominations were submitted by Governor Lou Leon Guerrero and Lt. Governor Josh Tenorio, reflecting their continued commitment to maintaining a highly capable and forward-thinking Port Board.

Testifying at the hearing, I strongly endorsed both nominees, expressing that the Vice Chair Taitano has been a key part of the Port’s transformation. Her environmental leadership, technical expertise, and unwavering support for transparency and sound governance have helped position the Port as a national model for sustainable and resilient seaport operations. Vice Chair Taitano has played a pivotal role in guiding major environmental and infrastructure initiatives at the Port. She led the successful pursuit of a \$2.4 million Clean Ports grant from the U.S. Environmental Protection Agency and championed a \$1.45 million DoD-funded Sustainability and Resiliency Plan. Her leadership continues to align board governance with operational results, and she brings both institutional knowledge and strategic insight to the role. If confirmed, Taitano will remain on the Board alongside Chairperson Dot Harris and Board Secretary Fe Valencia-Ovalles, continuing the momentum of the Port’s executive and oversight leadership.

Also presented for confirmation was Mark B.C. Mendiola, Director of Residence Halls at the University of Guam, whose nomination marks a new addition to the Board. Mendiola brings experience in public administration, interagency coordination, and institutional development through prior roles at GEDA and the UOG Endowment Foundation. Mark brings exactly the kind of collaborative and thoughtful approach that has defined our current Board. His understanding of systems, safety, and structure aligns perfectly with the Port’s mission and strategic priorities.

The Port Board plays a key role in advancing Guam's only commercial seaport, providing oversight on critical initiatives related to infrastructure, environmental sustainability, military readiness, and economic development. Both nominees reflect the Governor's vision of engaged, mission-focused leadership for the island's vital maritime gateway. The Port Authority looks forward to the legislative body's confirmation of both nominees and remains committed to executing its long-term mission with strong leadership and oversight.

- 10. Port Participates in Oversight Roundtable.** The Port Authority of Guam participated in an oversight roundtable hosted by Senator Jesse A. Lujan, Majority Leader and Chairman of the Committee on Transportation, Tourism, Customs, Utilities, and Federal & Foreign Affairs, on April 18, 2025 at the Guam Congress Building. During the session, I delivered a comprehensive presentation highlighting the Port's ongoing initiatives, completed capital improvement projects, and its strategic roadmap for FY2025 and beyond. Our continued focus is on sustainability, modernization, and readiness. We are not only meeting today's needs—we are preparing Guam's only commercial seaport to support the island's long-term economic growth and national defense responsibilities.

I provided updates aligned with the Port's 2023 Master Plan and Indo-Pacific strategic framework, including:

- Modernization of aging infrastructure such as the Fuel Pier, Golf Pier, and Berths F2–F6
- Replacement of outdated shore cranes and Port buildings to ensure resiliency and operational safety
- Advancement of public-private partnerships (P3s) to finance major capital projects without overburdening public funds
- Workforce initiatives like the Desk Audit Policy, cross-training, succession planning, and employee recognition programs

The Port's FY2025 strategy also includes:

- Environmental initiatives backed by EPA Clean Ports and DERA grant funding
- Strengthened cybersecurity through IT/OT integration
- Enhanced operational efficiency using data-driven maintenance and budgeting systems
- Focused efforts to improve tenant relations and commercial leasing processes

The Port is deeply committed to transparency, performance, and collaboration with our legislative partners. We thank Senator Lujan for the opportunity to participate in this roundtable and reaffirm our alignment with the priorities of the Legislature and the people of Guam. Senators attending the hearing indicated they were pleased with the Port's presentation and the work being done at the island's only commercial seaport. *"Thank you Rory and your team senator for all the presentation and I look forward to good things to come," said Senator Christopher M. Duenas. Senator Eulogio Shawn Gumataotao also expressed his support for the Port Authority of Guam and the work being done. "You guys just keep on keeping on," Senator Gumataotao said.*

The legislative committee also received agency updates from the Guam Visitors Bureau and Guam International Airport Authority, underscoring the importance of interagency coordination to support tourism, trade, and transportation.

11. **Farewell to our Beloved Sister.** The Port Authority of Guam lost a valued member on April 19, 2025 with the untimely death of our beloved sister – Sonja Leigh Cruz. Sonja began her employment with the Port on March 16, 1998 as a Clerk III with the Harbor Master's office; shortly thereafter, she was promoted to an Administrative Assistant in 2000. Carrying out her duties and responsibilities with integrity, dedication and professionalism, Sonja rose the ranks and became the Administrative Officer in 2012. It is with great sadness that we bid final farewells to our beloved sister – Sonja. Sincere condolences is expressed to her sons (Tyler and Jaden) and her family.
12. **Port Receives Reefer Generators to Boost Cold Chain Capacity.** The Port marked another key milestone in its ongoing modernization efforts with the arrival of two 40-plug mobile reefer generators on April 19, 2025. These advanced reefer units are part of the Port's equipment acquisition under the \$5.7 million grant awarded by the U.S. Department of Transportation's Maritime Administration through the America's Marine Highway Program. Announced by U.S. Transportation Secretary Pete Buttigieg on October 7, 2022, the grant supports the Guam Marine Transportation Enhancement Initiative and is aimed at strengthening the nation's supply chains by expanding marine highway services and improving cargo-handling efficiency at the Port.

These reefer generators are essential to enhancing our cold chain logistics and supporting the growing demands of Guam's import-driven economy. With their arrival, the Port is another step closer to completing the full delivery of critical equipment under this transformative federal investment.

The new generators, valued at approximately \$920,000, are designed to power up to 40 refrigerated containers per unit, ensuring safe and reliable temperature-controlled storage of perishable goods while at the terminal or in transit within the yard. Their mobility and capacity significantly boost the Port's ability to handle refrigerated cargo without disruption.

To date, the Port has successfully received the following equipment under the grant:

- Two 40-ton loaded container handlers – Valued at \$1,247,000
- Three 10-ton empty container handlers – Valued at \$687,000
- One 180-foot boom lift – Valued at \$517,205.41
- Nine container yard tractors – Valued at \$1,791,327
- Two 40-plug mobile reefer generators – Valued at \$920,000

With only five forklifts remaining for delivery, we are near the finish line in fully completing our grant-funded procurement of specialized yard equipment under the America's Marine Highway Program. This achievement would not have been possible without the unwavering support of Governor Lou Leon Guerrero, Lt. Governor Josh Tenorio, our Board of Directors and the hard work and dedication of Port employees. All equipment acquired under this grant proudly complies with the Build America, Buy America Act.

As the Port nears completion of this vital modernization initiative, these continued investments not only improve operational capacity and resilience but also reaffirm Guam's strategic role in regional shipping and logistics.

13. **Port Revives Hågat Marina Users Group.** The Port Authority of Guam successfully convened the first meeting of the reactivated Hågat Marina Users Group on April 23, 2025, signaling a renewed commitment to open dialogue and collaborative planning with marina stakeholders. Organized and led by Port Harbor Master Chris Flores, the meeting brought together boaters, tenants, and community partners to review recent capital improvement projects, discuss upcoming priorities, and foster consistent engagement between the Port and marina users. Harbor Master Flores has done an

outstanding job reviving this important forum. The strong turnout and enthusiastic participation show just how vital this kind of collaboration is. The Port is fully committed to supporting this group and addressing the needs of our marina community. Attendees were briefed on several recently completed projects, including:

- Reconstruction of Dock B (\$1.49 million);
- Installation of the North Side Catwalk near the boat ramp;
- Implementation of a CCTV surveillance system;
- Design and build of restroom facilities; and
- Port-led enhancements such as curb painting and flagpole installation.

Participants also explored potential future improvements such as dock maintenance, solar lighting, a waste pump-out station, dredging, perimeter fencing, and a life jacket loaner program in partnership with the Guam Police Department and BoatUS Foundation. Our harbors are community assets, and we're proud to create space for our users to help shape their future. The Port will continue to support and engage the Hågat Marina Users Group as it works to enhance the facility in ways that reflect the needs and voices of its users.

14. PUC Approves Port's \$4.8M Warehouse 1 Maintenance Project. The Port Authority received the green light on April 24, 2025 from the Public Utilities Commission (PUC) to proceed with the full execution of its Warehouse 1 Maintenance Project—an essential initiative aimed at addressing long-standing structural deficiencies at one of the Port's most critical operational facilities. The PUC approved the Port's request to award the project to the lowest and most responsive bidder, BME & Sons, Inc., with a winning bid of \$4.837 million. BME & Sons, Inc. is already engaged in the Port's ongoing Waterline Replacement and Relocation Project and brings a proven record of accomplishment of performance on Port grounds.

Warehouse 1 currently houses vital sections of the Port's operations, including the equipment and maintenance repair section, controlled climate storage facility, crane mechanics section, and fleet services. This facility plays a critical role in supporting our operational readiness, equipment longevity, and the Port's vital role in commerce and national security. The structural issues such as rusting rebars and spalling concrete pose long-term risks to safety and functionality. We are grateful for the PUC's continued support in ensuring that Port infrastructure remains strong and resilient. These projects, under the leadership of Governor Lou Leon Guerrero, Lt.

Governor Josh Tenorio, and our Board, reflect a continued investment not just in facilities but in the people who keep them running. At the Port we remain focused on supporting a workplace that values our employees and their role in keeping Guam's supply chain strong.

The approved maintenance project will tackle the structural integrity of the aging facility, helping to extend its useful life and preserve the essential services it supports. With the contract now cleared for execution, work is expected to commence shortly. The Port remains committed to modernizing its infrastructure and investing in safe, sustainable operations that continue to meet the needs of Guam's people and economy.

15. Port Adds Two New Tier 4 Tractors Through EPA DERA Grant. The Port Authority of Guam is proud to announce the arrival of two new Tier 4 tractors on April 25, 2025, funded through the U.S. Environmental Protection Agency's Diesel Emissions Reduction Act (DERA) grant program. This major equipment upgrade marks another significant step in the Port's ongoing commitment to improving operational efficiency while reducing environmental impacts.

The Port applied for the DERA grant on October 26, 2022, and was officially awarded \$300,000.00 in federal funding on February 27, 2024, with an additional \$100,000.00 in Port funds to meet the matching requirement. The Port moved quickly to initiate the procurement process to meet the grant deadlines and expedite the arrival of the new equipment. These two Tier 4 tractors will replace older, higher-emission diesel units currently in the Port's fleet. Tier 4 engines are the latest and cleanest technology available for diesel equipment, dramatically reducing emissions of particulate matter and nitrogen oxides that contribute to air pollution. The new tractors will support the Port's daily cargo handling operations, aligning with broader goals to modernize equipment and minimize the Port's carbon footprint.

This latest award follows two previous DERA grants secured by the Port:

- FY2021 DERA State Clean Diesel Program (in partnership with the Guam Environmental Protection Agency), which funded two Tier 4 tractors with a combined \$240,000.00 (federal and Port share); and
- FY2021 DERA Tribal and Insular Areas Grant, which funded an additional two Tier 4 tractors through a \$250,000.00 federal award.

With the latest acquisition, the Port has now successfully added a total of six low-emission Tier 4 tractors to its fleet under the DERA program. This achievement shows that the Port is moving forward together with purpose. These new Tier 4 tractors are part and parcel to advancing our Port Readiness Plan, which is critical to securing commerce, supporting national defense, strengthening regional stability, and protecting our island's future. I thank the U.S. EPA for providing the grant funding, and I thank Governor Lou Leon Guerrero, Lt. Governor Josh Tenorio, our Board, and especially our employees in Planning, Procurement, Legal and Transportation, who worked hard and worked together to make this possible. I am proud of our team for taking pride in their work, staying focused on the mission, and overcoming daily challenges to keep the Port moving forward for the people of Guam. The Port Strong Family is preparing to integrate the new tractors into daily operations and remains committed to modernizing the Port for the people of Guam.

- 16. Port Hosts Youth Leaders for Island Leadership Day.** The Port Authority of Guam proudly welcomed four exceptional students for the Department of Youth Affairs' Island Leadership Day on Friday, April 25, 2025. This annual initiative allowed young leaders to shadow Port management and gain firsthand experience in the operations and responsibilities of Guam's commercial seaport.

Francisco Taitano of Father Duenas Memorial School stepped into the shoes of Acting General Manager Dominic Muna for the day. Noelle Camacho of Harvest Christian Academy shadowed Deputy General Manager of Administration Pacifico Martir. Phoebe Garcia of Tiyan High School partnered with Chief Planner Joe Javellana, while Kristen Quinata of Career Tech High School worked alongside Assistant Procurement and Supply Manager Annie Sablan.

The day began at 8:00 a.m. with a welcome at the Human Resources Division, followed by briefings from the Acting GM, DGMA, and division heads who provided an overview of their roles and contributions to port operations. By 10:00 a.m., the student leaders returned to their assigned divisions for a closer look at daily functions.

At 11:15 a.m., the students reconvened at the General Manager's office before heading out for a tour and lunch at the Agat Marina. Acting Chief Planner Phoebe Garcia and Acting Procurement and Supply Manager Kristen Quinata's afternoon featured a presentation on the Port's modernization efforts, including a video and PowerPoint discussion held in the Board Conference Room, while Acting GM Francisco Taitano

and Acting DGMA Noelle Camacho attended a meeting with the Department of Public Works followed by a tour of the Agana Marina.

The day concluded with a presentation of certificates at 4:00 p.m., recognizing each student's participation and enthusiasm throughout this immersive experience. The Port Authority thanks the Department of Youth Affairs for this meaningful collaboration and remains committed to supporting the development of Guam's future leaders.

17. General Manager's Notes for YTD Finances. We are providing the following summary for March 31, 2025:

REVENUES AND CARGO THROUGHPUT:

- The Port's total operating revenue as of March 31, 2025 (6 months), is \$28.2 million, which is 10% or \$3.0M lower than the YTD revenue budget of \$31.1 million as of March 2025.
- The total number of containers handled as of March (6 months) is 41,407, which is lower by 1.5% or 616 containers compared to last year's YTD total of 42,023 containers. The total tonnage for non-containerized cargo stands is 83K revenue tons, a 19% decrease from last year's March total of 103K revenue tons. Part of the increase of breakbulk revenue in FY 2024 was on the GPA Okkodou Power Plant project. This is not a constant event or transaction that is part of the annual revenue for this category.

OPERATING EXPENSES:

- The total operating expenses as of March 31, 2025 is \$30.0 million, which is 4.8%, or \$1.3M higher than the March YTD FY25 budget of \$28.7 million. Some of the expenses that are high in the first six months are General Insurance, Operational Supplies, Depreciation, Utilities, and Repairs and Maintenance.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- Overtime for all the divisions for the month of March is \$960K, which is 22%, or \$176K, higher than the FY25 overtime budget of \$784K.
- The total Direct Labor revenue as of March is \$2.2 million, 7.5% or \$152K higher than the FY25 budget of \$2.0 million.

YTD OPERATING REVENUES MINUS YTD EXPENSES:

- Operating revenues minus operating expenses resulted in an operating loss of \$1.9M. After adding the net Other Income/Expenses totaling \$1.4M, the final result for YTD March is a net loss of \$469K. The federal reimbursements booked year to date is \$2.4M.

18. Status of Ongoing Awarded Grant Activities and Updates on Planned Grant Acquisitions.

- **U.S. Economic Development Administration (EDA) Fuel Pipeline Connectivity Project.** Planning and Engineering Divisions met with the EDA Project Officer and Economic Development Representative (EDR) to discuss the remaining project scope and funding options moving forward. *Status Quo:* Project Officer will work with PAG on a possible amendment to grant scope and expend remaining grant funds.
- **Office of Local Defense Community Cooperation.** The PAG's recent grant application totaling \$1.45 million for its Owner's Agent/Engineer to conduct a Port Resiliency and Sustainability Study was granted by OLDCC through the Office of the Governor. *Status Quo:* Pending reimbursement payments from Department of Administration and close out notification from OLDCC.
- **US DOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program.** The USDOT Office of the Secretary, through MARAD, approved the Port's no-cost modification, reallocating funds from Pier F-1 to support repairs for Wharves F-2 through F-6.

Update:

- This month, the Port mailed the final HAER package to the National Park Service (NPS). The next step is to await final review and approval for submission into the National Archives by NPS.
- **Office of Insular Affairs Maintenance Assistance Program (MAP).**
 - **Port Welding Shop Phase 1 & 2 Project.** The contract and PO have been signed. Notice to Proceed (NTP) commenced on December 10, 2024. Work commenced on January 22, 2025. *Update:* Work is ongoing. Exterior spall repairs are 60% complete. Interior spall repairs will begin soon.

- **Generator Maintenance Program.** Maintenance services are ongoing with the awarded contract to Hawthorne Pacific Corp. On January 23, 2025, the PAG received approval for its no-cost extension request to September 30, 2026. This will allow the Port to fully execute Year 3 of the technical service contract. The PAG Facilities Maintenance Division has also begun the procurement for needed generator parts. *Update:* Work is ongoing.
- **U.S. EPA Clean Ports Program: Climate and Air Quality Planning Competition.** The U.S. EPA Clean Ports Program aims to reduce air pollution and greenhouse gas emissions at ports by supporting projects that adopt cleaner technologies and practices. December 19, 2024, PAG received the Notice of Award/Grant Agreement of \$2,410,415 to fund the PAG Net Zero Emissions Strategy Update and Implementation Plan project. *Update:* Task Order #16 is set to be finalized for management review.
- **New Grant Opportunity – U.S. EPA Environmental and Climate Justice Community Change Grants Program / Inflation Reduction Act Community Change Grants Program.**

Status Quo: PAG awaits notification from Community First Guam Federal Credit Union, lead applicant.

- The three projects selected are (1) the PAG Installation of a Solar Photovoltaic (PV) System and Batteries Project, (2) the PAG Microgrid Feasibility Study Project, and (3) the PAG Route 11 Seawall Improvement Project.
- **New Grant Opportunity - 2024 NOAA Marine Debris Program- BoatUS Foundation Abandoned and Derelict Vessel (ADV) Removal Grant Program.** The Port submitted its application on November 21, 2024, for the PAG Harbor Restoration and Resilience Initiative (PAGHRR) Project, which would remove thirteen (13) abandoned and/or sunken vessels from PAG properties. The proposed project total is \$859,720.00. *Status Quo:* The Port awaits BoatUS Foundation's notice of selection.
- **Sport Fish Restoration and Sport Fishing and Boating Safety Act Program Maintenance of Public Boat Ramp at Agat Marina and Harbor of Refuge Improvements.** On October 1, 2024, PAG was awarded \$120,000 for the Agat Marina Southern Walkway Repairs under the assistance title 15.605 Sport Fish

Restoration. Additionally, PAG received \$275,000 for the Pre-construction Planning Grant for a Gangway and Courtesy Dock at the Guam Harbor of Refuge under the assistance title 15.622 Sport fishing and Boating Safety Act. Both grants were provided by the U.S. Fish and Wildlife Service through the Guam Department of Agriculture. **Update:** The draft MOU is currently under development by DOAg and is anticipated to be finalized in Q3 2025.

- **New Grant Opportunity - U.S.DOT Federal Highway Administration (FHWA) Low-Carbon Transportation Materials Program (LCTM).** § On November 26, 2024 (and revised on Jan. 23, 2025), the PAG submitted an application, PAG Low-Carbon Transportation Materials Study, which proposes activities to identify and test locally sourced low-carbon recycled waste materials to determine suitability for use in eligible Federal-aid projects and incorporation into future transportation plans or updates for Guam. The total project cost is \$ \$7,216,910.00. **Status Quo:** PAG awaits FHWA's notice of selection.

19. Port Revenue Bonds Project Status. As of April 28, 2025, the attachment provides information on the status of the revenue bond projects, which include the rehabilitation of the hotel wharf, repairs and improvements to the golf pier, waterline replacement/relocation, upgrades to the EQMR building, repairs and upgrades to warehouse one, construction of a new admin annex building, and other priority projects.

Respectfully submitted,



Rory J. Respicio

General Manager

2018 Port Revenue Bonds Status Report As of April 28, 2025

Bond Project	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Rehabilitation of "H" Wharf	\$46,331,895.00	\$1,740,063.86	\$44,591,831.14	PO No. 17043-OF for \$2,249,945.54 awarded to GHD Inc. New Contract Amount: \$2,656,621.37 PO No. 18140-OS was issued to Sumitomo Mitsui Construction Company, Ltd. for \$46,331,895.00	Resolution No. 2024-01 authorized the PAG GM to temporarily pause H-Wharf construction, procure additional gantry cranes, and establish comprehensive strategic measures for port operational enhancement and financial reallocation. WSP finalized the design to ensure compliance with the latest engineering codes. UPDATE: Status Quo Golf Pier was rendered inoperable after Typhoon Mawar. The PAG along with its OAE have developed cost estimates that are currently under review by FEMA Public Assistance. This review is ongoing. UPDATE: Previously noted funding opportunity (FEMA Building Resilient Infrastructure and Communities (BRIC) program) has been canceled. All BRIC applications from Fiscal Years 2020-2023 has been canceled, according to an April 4, 2025 FEMA release.
Golf Pier Repairs and Improvements	\$2,000,000.00	\$372,147.93	\$1,627,852.07	RFP No. 2019-02: A&E Design for \$484,000.17 awarded to NC Macario	
Waterline Replacement and Relocation	\$6,000,000.00	\$3,932,696.99	\$2,067,303.01	PO No. 177900S for \$4,856,568.91 awarded to BME & Sons Inc.	Pipe installation along wharves F4 to F5 is ongoing. The first section of the new waterline near the fire water tank has been connected. Work has begun near the main gate to connect the new waterline and additional work that includes the installation of new fire hydrants to meet fire code standards. UPDATE: Work has begun on Route 11 asphalt pavement.
EQMR Building Repairs and Upgrades	\$3,628,800.00	\$3,015,132.92	\$613,667.08	PO No. 180070S for \$3,980,000.00 awarded to JJ Global Service	The repair & paint work as well as lead based paint abatement has been completed. Electrical work is ongoing. The next step is installation of the fire sprinkler system. UPDATE: Electrical work is ongoing. The fire protection installation is anticipated to begin in May.
Warehouse 1 Repairs	\$2,000,000.00	\$510,715.68	\$1,489,284.32	RFP No. 2019-03: A&E Design for \$1,406,427.48 awarded to NC Macario	The Construction IFB was published on November 25, 2024. The bid opening was held on February 5, 2025. UPDATE: The PUC has approved the recommendation for award. The contract is now pending review and effectuation.
Other Priority Projects 1. Repair of F-1 Fuel Pier and wharves F-2, F-3, F-4, F-5, and F-6 waterfront facilities 2. Upgrade of the Port's IT system	\$4,980,745.00	\$222,668.79	\$4,758,076.21	See status	1. Please refer to MARAD RAISE - Wharves Service Life Extension Hardening of Wharves F1-F6 for more information. 2. The TOS Upgrade scope of services is under Procurement and Legal review. UPDATE: Status Quo
Other Priority Projects - EnterpriseOne Financial Management System	\$2,500,000.00	\$2,497,129.65	\$2,870.35	See status	Module updates are ongoing for vessels and SSRs. An RFP for joint comprehensive support services with GPA, GIAA, and the lead agency GWA is ongoing. The PAG is also exploring additional applications such as employee self serve and dashboards. The PAG is also exploring preventative maintenance modules and content management. UPDATE: Status Quo.
New Admin. Annex Building	\$10,445,000.00	\$0.00	\$10,445,000.00	See status	Project is currently on hold pending Management decision. Engineering has been instructed to develop Scope of Work to repair concrete cracks and spalling and made a priority. UPDATE: Status Quo
Grand Total	\$77,886,440.00	\$12,290,555.82	\$65,595,884.18		



PORT OF GUAM
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Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

April 28, 2025

MEMORANDUM

To: Board of Directors

From: Rory J. Respicio, General Manager *Rory Respicio*

Subject: Request for Creation of Position – Tariff Technician Series (I, II, & III)

At its regular meeting of February 26, 2025, the Board of Directors authorized management to proceed with the creation of the Tariff Technician series of positions (Tariff Technician I, Tariff Technician II and Tariff Technician III).

The justification to create the series of positions was based on the following:

In line with Board Resolution No. 2025-01 recognizing the implementation of various initiatives to enhance revenue and sustain operations, including but not limited to adjusting operational expenditures to ensure continued financial stability; continuing to pursue federal and local funding opportunities; ensuring tenant agreements and lease terms are updated pursuant to Public Law 30-19; and continuing to streamline operations and adopting cost-saving measures, Board approval was being requested to proceed in the creation of the Tariff Technician series of position.

It was further stated as part of the revenue enhancement efforts, prior initiatives have taken effect in accordance with the Port's terminal tariff, such as, with shift schedules on half shift/full-shift application and bare chassis billing management to include the labor charge-out rates that is currently underway. In ensuring the application of the tariff is applied accordingly, it was found that creation of the Tariff Technician series of position will advance the progress and development, as well as, provide the necessary support in tariff management, coding, analysis, tariff regulation enforcement, preparation of reports/invoices, billings, and ensuring compliance.

We are attaching classification report and analysis justifying the need to create the Tariff Technician series of positions in the classified service under the Port Classification and Compensation Plan.



Public Law 30-43 adopted the Port's Personnel Rules and Regulations which authorizes the Board of Directors to create positions in the classified service in accordance with Title 4, Guam Code Annotated, Section 6303(d). Rule 5.015 of the Personnel Rules and Regulations stipulate that the General Manager shall petition the Board to create new positions or classes of positions when necessary for the efficient performance of the duties and functions of the Port. The petition shall include:

1. The justification for the new position;
2. The essential details concerning the creation of the position;
3. An analysis of the similarities and differences between the position to be created and the positions listed pursuant to Title 4, GCA, Section 4101.1(d);
4. The position description;
5. The proposed pay range and demonstration of compliance with Section 6301 of Title 4, GCA; and
6. A fiscal note as that term is described in Title 2, GCA, Section 9101 and any other pertinent information.

If the Board agrees to establish the Tariff Technician series of positions, Rule 5.016 of the Personnel Rules and Regulations would need to be complied with regarding transparency and disclosure. The requirements of this Rule are as follows:

1. The petition for request for creation is posted on the Port's website for 10 days (Saturdays, Sundays and Government of Guam holidays excepted);
2. Notices of the postings are provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.

After the transparency process has been completed, this office shall forward the petition, along with evidence of compliance to the Board. If the Board is satisfied that all requirements have been met, the petition for creation of the position is approved by resolution, which copies is transmitted to the Director of Administration and Legislative Secretary.

Upon meeting the above requirements, the Port can fill the position once 30 days have elapsed from the date of filing with the Legislative Secretary. However, if the Port does not comply with the requirements, such creation of position shall be voided.

To ensure that transparency and disclosure is provided to all parties concerned, the following processes and estimated timeframes are to be followed:

PROCESS	ESTIMATED TIMELINE
Request to be submitted to the Board for their initial review and approval to proceed with the transparency process for the creation of the position, i.e., posting such request on the Port's website.	April 30, 2025
If Board agrees to proceed with the creation, the request will be transmitted to the division heads for review and comments.	May 1, 2025
Posting of the proposed creation of positions on the Port's website.	May 1, 2025 to May 15, 2025
Notification to be provided to the electronic and written media outlets of the Port's request, its availability on the website; and possible Board meeting date the request may be approved.	May 1, 2025
Request to be re-submitted to the Board for final approval and adoption by resolution.	May 22, 2025
Creation of position documents transmitted to the Director of Administration and Guam Legislative Secretary.	May 23, 2025
Process job announcement for the position	July 8, 2025

In light of the above, we are transmitting our request to create the Tariff Technician series of positions (Tariff Technician I, Tariff Technician II, and Tariff Technician III) in the classified service for your initial review and ask your kind approval to begin the transparency and disclosure process of the creation.

I am available for any questions you may have.

Attachments

cc: Personnel Services Administrator

**PETITION FOR CREATION OF POSITION
TARIFF TECHNICIAN SERIES OF POSITIONS
(Tariff Technician I, Tariff Technician II, Tariff Technician III)**

REQUEST:

The General Manager requested the Board of Directors to begin the transparency and disclosure process to create Tariff Technician series of positions (Tariff Technician I, Tariff Technician II, and Tariff Technician III) in the classified service under the Port Compensation and Classification Plan.

On February 26, 2025, the Board of Directors passed a motion to authorize management to proceed in the creation of the Tariff Technician series of positions under the Finance Division.

AUTHORITY:

Public Law 30-43 adopted the Port's Personnel Rules and Regulations which authorizes the Board of Directors to create positions in the classified service. Rule 5.015, Creation of New Positions and Classes of Positions, of the Personnel Rules and Regulations stipulates:

- A. Pursuant to Section 6303(d), Title 4, GCA, the General Manager shall petition the Board to create new positions or classes of positions when necessary for the efficient performance of duties and functions of the Port.
- B. The petition shall include:
 - 1. the justification for the new position.
 - 2. the essential details concerning the creation of the position.
 - 3. the analysis of the similarities and differences between the position to be created and the positions listed pursuant to Title 4, GCA, Section 4101.1(d).
 - 4. the position description.
 - 5. the proposed pay range and demonstration of compliance with Section 6301 of Title 4, GCA; and
 - 6. a fiscal note as that term is described in Title 2, GCA, Section 9101 et seq., and any other pertinent information.
- C. The petition shall be posted on the Port's website for ten (10) days (Saturdays, Sundays and Government of Guam holidays excepted). After the posting, the General Manager shall forward the petition, along with evidence of his compliance with Title 4, GCA, Section 6303.1(a) to the Board, who if they approve the same, shall approve the petition by resolution and file the petition and resolution for record with the Director of Administration and the Legislative Secretary.

- D. No new position may be filled until after compliance of the provisions of this Section and (30) days have elapsed from the date of filing with the Legislative Secretary.

In line with this, Rule 5.016, Transparency and Disclosure of Creation of New Positions or Classes of Positions, states:

- A. Prompt notice of the postings required by Title 4, GCA, Sections 6205 and 6303 shall be provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.
- B. The petitions required by Title 4, GCA, Sections 6205 and 6303 are public documents for the purposes of Title 5, GCA, Chapter 10, Article 1 (The Sunshine Law).
- C. Any attempted creation of a position or above-step recruitment are not in compliance with provisions of Title 4, GCA, Sections 6205, 6303 and 6303.1(a) is void.

References of Compliance:

2 GCA §9101, Restrictions Against Unfunded Appropriations, “All bills that have an effect upon the revenues or the expenditure of any funds of the Government of Guam shall identify a specific funding source for which funds are, in fact, available....”

4 GCA §4105(a) Departmental Rules “Rules subject to criteria established by this Chapter governing selection, promotion, performance, evaluation, demotion, suspension and other disciplinary action of classified employees shall be adopted by the Board of Directors of the...Jose D. Leon Guerrero Commercial Port...with respect to personnel matters within their respective Branches, agencies, public corporations or departments, and by the Director of Administration as to all other Executive Branch employment.”

4 GCA §4101.1(d). Responsibilities of the Director of Administration Regarding Personnel Policy of the Government. “The Director of Administration shall perform the following functions... (d) Maintain, post, and keep current on the Department’s website a list of all classified and unclassified positions in the executive branch, including autonomous agencies and public corporations, showing the job description and pay range assigned to each position....”

4 GCA §6301. Compensation Policy.

“(1) Employee compensation shall be based on internal equity and external competitiveness.

(2) To the extent practical, compensation will be targeted at the U.S. National Average levels compared to the appropriate labor markets and account taken of the relevant economic factors.

(3) Internal equity shall be reviewed annually and external competitiveness at least every three (3) years.

(4) Compensation structures and administrative policies should also recognize and reward individual employees commensurate with performance.

(5) All aspects of compensation (base salaries, benefits, pay differentials, and other factors) will be considered as a total reward and incentive package for employees and shall be consistent and uniformly administered through the government.

(6) A program of ongoing communications and training shall be a critical component of compensation administration.”

AGENCY BACKGROUND:

Public Law 13-87 created the Port Authority of Guam as a public corporation and an autonomous instrumentality of the Government of Guam. The Agency is mandated to provide for the needs of ocean commerce, shipping, recreational, commercial boating and navigation of the Territory of Guam. Its enabling act provides that it must be entirely self-supporting. Its financial obligations and administrative operating costs must be paid by monies generated from the use of its facilities and services in accordance with the provisions of the Port terminal tariff. The Board of Directors is comprised of five (5) non-salaried members appointed by the Governor with the consent and advice of the Guam Legislature. The Board provides and establishes policies and directives pertaining to the planning, promotion, development, construction, operation and maintenance of the Port facilities.

JUSTIFICATION:

On January 23, 2025, the Board of Directors passed Resolution No. 2025-01, relative to memorializing efforts to enhance revenue since 2019 and implementing a methodology in order to secure continued revenue sustainability for the Jose D. Leon Guerrero Commercial Port.

The resolution directed the General Manager to:

1. Develop a comprehensive revenue enhancement methodology that identifies sustainable revenue streams by fully utilizing mechanisms within the tariff to ensure compliance with the existing tariff structure;

2. Pursue federal, local and other funding sources for infrastructure projects such as gantry crane replacement, fuel pier upgrades, facility improvements, and necessary terminal yard equipment acquisitions;
3. Document and reporting the financial impacts of the initiatives taken since January 8, 2019 to serve as a baseline for future strategies;
4. Maintain transparent communication with stakeholders to foster collaboration and shared responsibility in revenue generation efforts.

The General Manager was also directed to provide:

1. Monthly updates to the Board on the progress of revenue enhancement initiatives, funding pursuits, and stakeholder engagement efforts;
2. All initiatives shall align with the Port's sustainability goals, including zero emission and zero-waste objectives to ensure long-term environmental stewardship and operational resilience;
3. Maintain transparent communication with tenants, customers and other stakeholders to foster collaboration and shared responsibility in achieving the Port's objectives.

In line with Board Resolution No. 2025-01 recognizing the implementation of various initiatives to enhance revenue and sustain operations, including but not limited to adjusting operational expenditures to ensure continued financial stability; continuing to pursue federal and local funding opportunities; ensuring tenant agreements and lease terms are updated pursuant to Public Law 30-19; and continuing to streamline operations and adopting cost-saving measures, Board approval was being requested to proceed in the creation of the Tariff Technician series of position.

It was further stated as part of the revenue enhancement efforts, prior initiatives have taken effect in accordance with the Port's terminal tariff, such as, with shift schedules on half shift/full-shift application and bare chassis billing management to include the labor charge-out rates that is currently underway. In ensuring the application of the tariff is applied accordingly, it was found that creation of the Tariff Technician series of position will advance the progress and development, as well as, provide the necessary support in tariff management, coding, analysis, tariff regulation enforcement, preparation of reports/invoices, billings, and ensuring compliance.

The organizational structure of the division falls under the Chief Financial Officer. To ensure that these initiatives take effect and are monitored, there is a need to establish the Tariff Technician series of positions (Tariff Technician I, Tariff Technician II and Tariff Technician III) within the Port's Classification and Compensation Plan.

METHODOLOGY

Human Resources staff reviewed the duties and responsibilities of the proposed amended job standards position using the job evaluation systematic process for assessing the content, relative size and importance of the job within our organization using a total of 12 measurement factors. Each factor indicates a point rating and sum of all points representing the total “points” value for the job. Also provided were the organizational and functional charts.

In summary, the job evaluation provides:

1. A structured approach to assessing the relative worth of each job;
2. Measurement factors universally applicable across all sectors of industry, commerce, and government; and
3. Objectivity which is attained to avoid much of the irrational and/or emotional impact of personality conflicts and personal prejudices.

Part two of the methodology completes the evaluation of these positions in using the New Port Compensation structuring which is determined based on compensation comparison of Compensation trends of the Private Sector, State and Local Government on percentage changes in wages, salaries and benefits, including Market Percentiles, the determination of Certified/Technical and Professional Positions and regression analysis of base salaries.

CLASSIFICATION REVIEW:

The nature of work for the proposed positions are:

1. Tariff Technician I: Involves technical work in basic tariff and related agreements for the billing purposes at the Port.
2. Tariff Technician II: Semi-complex work involved in the basic tariff and related agreements for the billing purposes at the Port.
3. Tariff Technician III: Complex work involved in the basic tariff and related agreements for the billing purposes at the Port.

The Tariff Technician I positions requires:

- Knowledge of office practices and procedures
- Ability to:
 - Interpret, explain and apply the tariff, contract and other guidelines
 - Make arithmetic computation

The Tariff Technician II and III positions require:

- Knowledge of:
 - office practices and procedures
 - Port's terminal operating system (TOS) software
- Ability to:
 - Interpret, explain and apply the tariff, contract and other guidelines
 - Make arithmetic computation

All of the positions require the ability to:

- Work effectively with the public and employees;
- Communicate effectively, orally and in writing;
- Maintain records and prepare reports; and
- Operate calculating machines.

The positions report to the Tariff Administrator.

Guidelines to be used by this position includes established laws, agency/division policies and the principles, methods, practices and techniques involved in local and federal procurement.

The experience and training of the position requires possession of a high school diploma and two (2), three (3) and five (5) years of experience involving arithmetic computation work.

The job evaluation points process is based on twelve (12) job factors (i.e., education, experience, complexity, scope of work, problem solving, freedom to act/supervision received, work environment, physical demands, impact of discretionary decisions, human relations skills/contacts, authority exercised and supervisory/managerial responsibilities. Additionally, a comprehensive analysis was conducted of the proposed position's counterparts within the organization. The factors in determining the pay grade and allocation are attached.

ANALYSIS OF SIMILARITIES AND DIFFERENCES:

A review of the Government of Guam Classification Plan's Occupational Listing and other autonomous agencies staffing patterns reveal that there are positions that are closely associated with the proposed Tariff Technician series of positions, however, those positions are subjected to the sole use of the line department or autonomous agencies and cannot be used by the Port Authority of Guam.

FISCAL NOTE:

The full-time equivalency (FTE) and funding has been identified and approved by the Board of Directors.

RECOMMENDATION:

Our review has determined that the following pay grade allocation for the positions as follows:

Tariff Technician I

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
606	II-8A	\$47,475	II-9A	\$49,403

Tariff Technician II

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
670	JJ-5D	\$52,090	JJ-6D	\$54,205

Tariff Technician III

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
796	KK-5B	\$64,341	KK-6B	\$66,953

Based on the above and attached analysis and documents, it is recommended that the Board of Directors approve the creation of the Tariff Technician series of positions (Tariff Technician I, Tariff Technician II, and Tariff Technician III) and the resultant pay grade allocation at the pay grade indicated above in the classified service under the Port Classification & Compensation Plan.



SHAWN B. CEPEDA
Personnel Services Administrator

Date: 04-23-25

Attachments

TARIFF TECHNICIAN I

NATURE OF WORK:

The position is technical work involved in basic tariff and related agreements for the billing purposes at the Port Authority of Guam.

ILLUSTRATIVE EXAMPLES OF WORK: (These examples do not include all the duties and responsibilities which may be assigned, nor do the examples cover all the duties which may be performed.)

Compiles and verifies varied documents for all billable services rendered; codifies equipment and labor performance on each vessel operation according to established guidelines.

Computes and summarizes the operational reports for billable services, such as labor and equipment utilized, night differential, detention time, overtime and related charges.

Computes charges and prepares invoices in accordance with established guidelines.

Reviews disputed bills and recommends/makes adjustments as appropriate; prepares credit memos.

Explains billing procedures, applications of rates and other pertinent billing matters.

Performs related duties as required.

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of: office practices and procedures.

Ability to interpret, explain and apply the tariff, contracts and other guidelines.

Ability to make arithmetic computations.

Ability to work effectively with the public and employees.

Ability to communicate effectively, orally and in writing.

Ability to maintain records and prepare reports.

Ability to operate calculating machines.

MINIMUM EXPERIENCE AND TRAINING:

- a) Two years of experience involving arithmetic computation work and graduation from a high school; or
- b) Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

ESTABLISHED:

PAY GRADE:

EVALUATION: 606

DOROTHY P. HARRIS, Chairperson, Board of Directors

TARIFF TECHNICIAN II

NATURE OF WORK:

This position performs semi-complex work involved in basic tariff and related agreements for the billing purposes at the Port Authority of Guam.

ILLUSTRATIVE EXAMPLES OF WORK: (These examples do not include all the duties and responsibilities which may be assigned, nor do the examples cover all the duties which may be performed.)

Certifies that all billing services are in compliance to the Terminal Tariff guidelines.

Reviews and approves the container storage reports.

Responsible for maintaining the Port's tariff records in accordance to the Port's record management's policy.

Compiles and verifies varied documents for all billable services rendered; codifies equipment and labor performance on each vessel operation according to established guidelines.

Computes and summarizes the operational reports for billable services, such as labor and equipment utilized, night differential, detention time, overtime and related charges.

Computes charges and prepares invoices in accordance with established guidelines.

Reviews disputed bills and recommends/makes adjustments as appropriate; prepares credit memos.

Explains billing procedures, applications of rates and other pertinent billing matters.

Performs related duties as required.

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of office practices and procedures.

Knowledge of the Port's Terminal Operating System software.

Ability to interpret, explain and apply the tariff, contracts and other guidelines.

Ability to make arithmetic computations.

Ability to work effectively with the public and employees.

Ability to communicate effectively, orally and in writing.

Ability to maintain records and prepare reports.

Ability to operate calculating machines.

MINIMUM EXPERIENCE AND TRAINING:

- a) Three years of experience involving arithmetic computation work, including one year as a Tariff Technician I and graduation from a high school; or
- b) Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

ESTABLISHED:

PAY GRADE:

EVALUATION: 670

DOROTHY P. HARRIS, Chairperson, Board of Directors

TARIFF TECHNICIAN III

NATURE OF WORK:

This position leads and performs complex work involved in basic tariff and related agreements for the billing purposes at the Port Authority of Guam.

ILLUSTRATIVE EXAMPLES OF WORK: (These examples do not include all the duties and responsibilities which may be assigned, nor do the examples cover all the duties which may be performed.)

Leads the billing section engaged in the computation of charges and preparation of invoices to commercial shipping agencies and users of the facilities and services in accordance with the tariff, contracts and agreements.

Reviews credit requests on disputed bills and makes/recommends appropriate adjustments.

Responds to inquiries concerning the billing matters.

Prepares status and other administrative reports.

Certifies that all billing services are in compliance to the Terminal Tariff guidelines.

Reviews and approves the container storage reports.

Compiles and verifies varied documents for all billable services rendered; codifies equipment and labor performance on each vessel operation according to established guidelines.

Computes and summarizes the operational reports for billable services, such as labor and equipment utilized, night differential, detention time, overtime and related charges.

Computes charges and prepares invoices in accordance with established guidelines.

Reviews disputed bills and recommends/makes adjustments as appropriate; prepares credit memos.

Explains billing procedures, applications of rates and other pertinent billing matters.

Participates in the internal/external audit of the tariff records.

Performs related duties as required.

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of office practices and procedures.

Knowledge of the Port's Terminal Operating System software.

Ability to interpret, explain and apply the tariff, contracts and other guidelines.

Ability to make arithmetic computations.

Ability to work effectively with the public and employees.

Ability to communicate effectively, orally and in writing.

Ability to maintain records and prepare reports.

Ability to operate calculating machines.

MINIMUM EXPERIENCE AND TRAINING:

- a) Five years of experience involving arithmetic computation work, including two years as a Tariff Technician II and graduation from a high school; or
- b) Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

ESTABLISHED:

PAY GRADE:

EVALUATION: 796

DOROTHY P. HARRIS, Chairperson, Board of Directors

Job Evaluation Points
For
TARIFF TECHNICIAN I

FACTORS	POINTS	COMMENTS
Education	I 115	Tertiary/Journeyman: Requires, e.g. 4 -5 years high schooling together with a further course of study at a more advanced level to that indicated in “H” above. Training relates to and emphasizes specific technical training towards a specific trade or profession rather than generalized management training. In some instances it may require the formal registration and annual re-registration (based on the demonstrated competency of the individual) to enable them to practice the trade or profession. Application – may also apply to certification in technological or para-professional occupations or qualifications for the subsequent completion of undergraduate or higher professional certification. Indicative Qualification Level: Qualified/Certified Journeyman/Trade Certificate/Associate Degree (various disciplines)
Experience	H 100	Skilled: The job requires experience in the technical, scientific or professional field (or experience of a more general nature) indicative of a skilled operator, technician or professional e.g. 4 -5 years related experience (guide only).
Complexity	C 40 215 86.0	Defined: The end results are defined and general policies and procedures specified however some independent thought is required in order to co-ordinate conflicting demands and optimize efficiency. The term “conflicting demands” means (at this level) that an awareness of the cause and effect of each decision exists. With “D” below this begins to change due to an increasing level of unpredictability in the resolution of workplace problems etc.
Scope of Work	C 15 215 32.3	Influencing/Supervisory: Supervision of others is required and/or coordination of resources and processes (human / physical / financial) in order to achieve significant outcomes for the organization. Note: positions which have responsibility for supervising or directly controlling subordinate staff but are not considered “Managers” fall into this category. Supervision must be of a recognized and formal nature hence the need to differentiate between allocating tasks and issuing instructions and true supervisory responsibility i.e. disciplinary actions, performance review etc. Also included in this category are positions which are non-supervisory but have a high degree of influence across the organization.

Problem Solving	D 66	Varied: Problems are varied and the solution requires some research. Initiative and judgment is required in interpretation and this is often against diverse and perhaps contradictory cases. In some instances problems encountered may extend beyond the need for short term solutions. Note: at this level a problem must be researched by analyzing, investigating or searching for information. In many instances the solution will not be clear and a judgment will need to be made on the appropriateness of alternative solutions. Initiative will also need to be taken in determining how the problem should be tackled. Solutions may also require input from outside the organization. In the main most operational problems fall into this level.
Freedom to Act/Supervision	D 57	General Instructions: Work is subject to general instructions only and specific completion targets are normally specified. Progress reviews are usually undertaken but in most instances assistance by a superior is given only when requested. Note: overall broad instructions/orders are given but these may not be supported by detailed instructions which specify actual procedures and detailed steps to be followed. Typical are the quarterly or bi-annual objectives set for middle management.
Work Environment	A112	Work performed indoors in office conditions with almost no unpleasant environmental influences.
Physical Demands	A1 22	Work is usually performed sitting, with the opportunity to stand and walk freely.
Impact of Discretionary Decisions	B1 25	Direct impact of a single decision causes some impact which can be expressed in dollar terms of hundreds of dollars.
Human Relations Skills/Contacts	C2 38	Liaise: Discusses and seeks cooperation from other areas of the organization and/or has some supervisory involvement.
Authority Exercised	E0 43	Approves routine expenditure within budgetary limits is accountable for an O & M budget \$20,000 - \$200,000.
Supervisory & Managerial Responsibility	A1 10	Controls no staff. At the middle and upper levels there may be a requirement to allocate tasks to others, possibly with limited supervisory responsibility and perhaps on a rotational team leader basis or with some involvement in training / guiding staff within the organization or project management
TOTAL POINTS	606	

PAY GRADE ALLOCATION:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
606	II-8A	\$47,475	II-9A	\$49,403

Job Evaluation Points
For
TARIFF TECHNICIAN II

FACTORS	POINTS	COMMENTS
Education	I 132	Tertiary/Journeyman: Requires, e.g. 4 -5 years high schooling together with a further course of study at a more advanced level to that indicated in “H” above. Training relates to and emphasizes specific technical training towards a specific trade or profession rather than generalized management training. In some instances it may require the formal registration and annual re-registration (based on the demonstrated competency of the individual) to enable them to practice the trade or profession. Application – may also apply to certification in technological or para-professional occupations or qualifications for the subsequent completion of undergraduate or higher professional certification. Indicative Qualification Level: Qualified/Certified Journeyman/Trade Certificate/Associate Degree (various disciplines)
Experience	H 100	Skilled: The job requires experience in the technical, scientific or professional field (or experience of a more general nature) indicative of a skilled operator, technician or professional e.g. 4 -5 years related experience (guide only).
Complexity	C 40 232 92.8	Defined: The end results are defined and general policies and procedures specified however some independent thought is required in order to co-ordinate conflicting demands and optimize efficiency. The term “conflicting demands” means (at this level) that an awareness of the cause and effect of each decision exists. With “D” below this begins to change due to an increasing level of unpredictability in the resolution of workplace problems etc.
Scope of Work	C 15 232 34.8	Influencing/Supervisory: Supervision of others is required and/or coordination of resources and processes (human / physical / financial) in order to achieve significant outcomes for the organization. Note: positions which have responsibility for supervising or directly controlling subordinate staff but are not considered “Managers” fall into this category. Supervision must be of a recognized and formal nature hence the need to differentiate between allocating tasks and issuing instructions and true supervisory responsibility i.e. disciplinary actions, performance review etc. Also included in this category are positions which are non-supervisory but have a high degree of influence across the organization.

Problem Solving	D 76	<p>Varied: Problems are varied and the solution requires some research. Initiative and judgment is required in interpretation and this is often against diverse and perhaps contradictory cases. In some instances problems encountered may extend beyond the need for short term solutions. Note: at this level a problem must be researched by analyzing, investigating or searching for information. In many instances the solution will not be clear and a judgment will need to be made on the appropriateness of alternative solutions. Initiative will also need to be taken in determining how the problem should be tackled. Solutions may also require input from outside the organization. In the main most operational problems fall into this level.</p> <p>Varied: Problems are varied and the solution requires some research. Initiative and judgment is required in interpretation and this is often against diverse and perhaps contradictory cases. In some instances problems encountered may extend beyond the need for short term solutions. Note: at this level a problem must be researched by analyzing, investigating or searching for information. In many instances the solution will not be clear and a judgment will need to be made on the appropriateness of alternative solutions. Initiative will also need to be taken in determining how the problem should be tackled. Solutions may also require input from outside the organization. In the main most operational problems fall into this level.</p>
Freedom to Act/Supervision	D 66	<p>General Instructions: Work is subject to general instructions only and specific completion targets are normally specified. Progress reviews are usually undertaken but in most instances assistance by a superior is given only when requested.</p> <p>Note: overall broad instructions/orders are given but these may not be supported by detailed instructions which specify actual procedures and detailed steps to be followed. Typical are the quarterly or bi-annual objectives set for middle management.</p>
Work Environment	A1 12	Work performed indoors in office conditions with almost no unpleasant environmental influences.
Physical Demands	A1 22	Work is usually performed sitting, with the opportunity to stand and walk freely.
Impact of Discretionary Decisions	B1 29	Direct impact of a single decision causes some impact which can be expressed in dollar terms of hundreds of dollars.
Human Relations Skills/Contacts	C2 38	Liaise: Discusses and seeks cooperation from other areas of the organization and/or has some supervisory involvement.
Authority Exercised	F0 57	Approves routine expenditure within budgetary limits is accountable for an O & M budget \$20,000 - \$200,000.

Supervisory & Managerial Responsibility	A1 10	Controls no staff. At the middle and upper levels there may be a requirement to allocate tasks to others, possibly with limited supervisory responsibility and perhaps on a rotational team leader basis or with some involvement in training / guiding staff within the organization or project management
TOTAL POINTS	670	

PAY GRADE ALLOCATION:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
670	JJ-5D	\$52,090	JJ-6D	\$54,205

Job Evaluation Points
For
TARIFF TECHNICIAN III

FACTORS	POINTS	COMMENTS
Education	I 132	Tertiary/Journeyman: Requires, e.g. 4 -5 years high schooling together with a further course of study at a more advanced level to that indicated in “H” above. Training relates to and emphasizes specific technical training towards a specific trade or profession rather than generalized management training. In some instances it may require the formal registration and annual re-registration (based on the demonstrated competency of the individual) to enable them to practice the trade or profession. Application – may also apply to certification in technological or para-professional occupations or qualifications for the subsequent completion of undergraduate or higher professional certification. Indicative Qualification Level: Qualified/Certified Journeyman/Trade Certificate/Associate Degree (various disciplines)
Experience	I 115	Involved: Whilst the end results are still generally defined the means of achieving them are becoming unspecified and as a result more complex to that outlined in “C” above. The need to balance continuous conflicting demands (often from diverse sources) together with an increasing level of unpredictability is encountered.
Complexity	D 45 247 111.2	Defined: The end results are defined and general policies and procedures specified however some independent thought is required in order to co-ordinate conflicting demands and optimize efficiency. The term “conflicting demands” means (at this level) that an awareness of the cause and effect of each decision exists. With “D” below this begins to change due to an increasing level of unpredictability in the resolution of workplace problems etc.
Scope of Work	C 15 247 37.1	Influencing/Supervisory: Supervision of others is required and/or coordination of resources and processes (human / physical / financial) in order to achieve significant outcomes for the organization. Note: positions which have responsibility for supervising or directly controlling subordinate staff but are not considered “Managers” fall into this category. Supervision must be of a recognized and formal nature hence the need to differentiate between allocating tasks and issuing instructions and true supervisory responsibility i.e. disciplinary actions, performance review etc. Also included in this category are positions which are non-supervisory but have a high degree of influence across the organization.

Problem Solving	E 100	Complex: Problems contain unexpected and unusual elements not previously encountered. Extensive research may be required. Corporate policies and available expertise will not necessarily provide a complete answer to the problem. Note : In some instances the process of identifying the problem may take considerable time let alone the process of finding a solution. Whilst it would be rare for a subordinate to be rated at this level (and his/her manager rated "D") this can happen within a technical / scientific and/or research organization. This level is common for senior management / direct reports to Chief Executive Officer / Executive Director / General Manager.
Freedom to Act/Supervision	E 87	Guidance: Jobholder is expected to work with a large degree of independence within the organization's plans, policies and reporting requirements. Overall guidelines and objectives are discussed initially and progress is reviewed intermittently and informally. Note : this reflects a significant level of freedom to organize and control activities, without being subjected to procedures and instructions imposed by e.g. Head Office etc. The jobholder can e.g. set price levels, seek new products / services, establish staffing levels etc. Benchmark - senior managers
Work Environment	A1 12	Work performed indoors in office conditions with almost no unpleasant environmental influences.
Physical Demands	A1 22	Work is usually performed sitting, with the opportunity to stand and walk freely.
Impact of Discretionary Decisions	B1 33	Direct impact of a single decision causes some impact which can be expressed in dollar terms of hundreds of dollars.
Human Relations Skills/Contacts	D3 57	CO-ORDINATE: Considerable contact with staff either in a supervisory / middle management role requiring good human relations skills or as an advisor in sensitive areas.
Authority Exercised	F0 76	Approves routine expenditure within budgetary limits is accountable for an O & M budget \$20,000 - \$200,000.
Supervisory & Managerial Responsibility	A1 14	Controls no staff. At the middle and upper levels there may be a requirement to allocate tasks to others, possibly with limited supervisory responsibility and perhaps on a rotational team leader basis or with some involvement in training / guiding staff within the organization or project management
TOTAL POINTS	796	

PAY GRADE ALLOCATION:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
796	KK-5B	\$64,341	KK-6B	\$66,953

**Fiscal Year 2025
FUNCTIONAL STATEMENT FOR
FINANCE DIVISION**

INTRODUCTION

The Jose D. Leon Guerrero Commercial Port is established by Public Law 13-87, as a public corporation and an autonomous instrumentality of the Government of Guam. The Agency is mandated to provide for the needs of ocean commerce, shipping, recreational, commercial/boating and navigation of the Territory of Guam.

The enabling act provides that the Port must be entirely self-supporting, i.e., it must raise capital funds for construction projects by borrowing money on its own credit. Its financial obligations and administrative operating costs must be paid by monies generated from the use of its facilities and services in accordance with the provisions of the Port terminal tariff.

BOARD OF DIRECTORS

The Board of Directors is composed of five (5) non-salaried members, appointed by the Governor with the consent and advice of the Guam Legislature. The Board provides and establishes policies and directives pertaining to the planning, promotion, development, construction, operation, and maintenance of the Port facilities.

GENERAL MANAGER

The General Manager, under the general direction of the Board of Directors, serves as Chief Executive Officer for the Authority. The General Manager has charge and control of the planning, organization, staffing, direction and coordination of the Authority's operations and business affairs. The General Manager is hired and employed at the pleasure of the Board.

DEPUTY GENERAL MANAGER, ADMINISTRATION AND FINANCE

The Deputy General Manager, Administration & Finance is under the general supervision of the General Manager. In the absence of the General Manager, may serve as Acting General Manager. The position is hired and employed under the terms and conditions fixed by and at the pleasure of the Board of Directors.

The Deputy General Manager for Administration & Finance is responsible for the overall operations and administration of Corporate Services, General Administration, Commercial, Human Resources, Information Technology, Procurement & Supply, Finance and Marketing/Public Relations divisions.

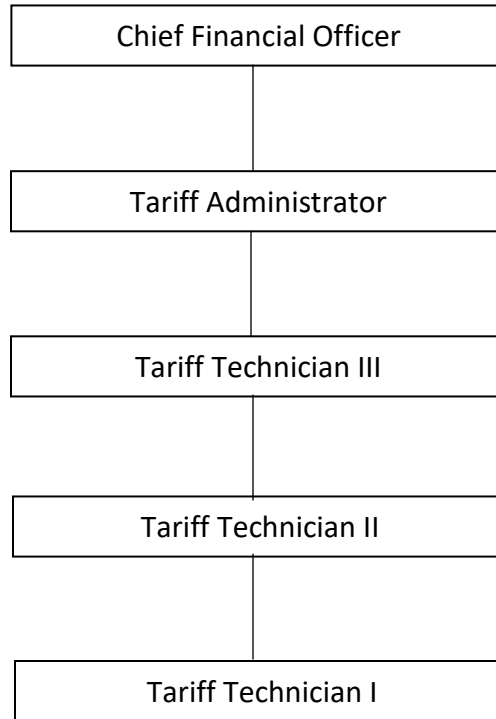
FINANCE DIVISION

The Finance Division is responsible for the development and maintenance of the Authority's payroll, accounting, and billing functions. Also responsible for the continual review of accounting controls to safeguard all assets and to ensure fulfillment of commitments to management; and for coordinating the annual audit of the authority with an independent public accounting firm retained by the Board of Directors.

Expense Accounting Section: Responsible for accuracy and timeliness of all accounts payables, establishing and maintaining fixed asset property inventory records and validating, auditing and payment of approximately 400 daily/weekly time cards and the issuance of bi-weekly paychecks to include payroll deductions and fringe benefit allotments.

Revenue Accounting Section: Responsible for the invoicing of billable services and use of facilities with the Port tariff provisions, maintenance the general ledger and collection of revenues.

JOSE D. LEON GUERRERO COMMERCIAL PORT
ORGANIZATIONAL CHART – FISCAL YEAR 2025



PORT AUTHORITY OF GUAM



POSITION DESCRIPTION

1.0 IDENTIFICATION

POSITION TITLE	Tariff Technician I
POSITION NUMBER	
NAME OF EMPLOYEE	
NAME OF DIRECT SUPERVISOR	Jennifer Ann N Leon Guerrero
TITLE OF DIRECT SUPERVISOR	Tariff Administrator
JOB LOCATION (Department / Agency)	Port Authority of Guam
DIVISION	Finance
DEPARTMENT	
SECTION / UNIT	
FLSA	
CLASSIFICATION	<input checked="" type="checkbox"/> Classified <input type="checkbox"/> Unclassified <input type="checkbox"/> Vacant
JOB EVALUATION POINTS	
PAY GRADE	
POSITION DESCRIPTION (Reviewed)	

2.1 ESSENTIAL FUNCTIONS

- Daily work assignments, beginning with the first duty and ending with the last duty of the day
- Percentage of time. Show % for each duty and/or responsibility (Note: total % should equal 100%)
- Order of importance, beginning with the most important

[illegible]

2.2 NON-ESSENTIAL OR ADDITIONAL FUNCTIONS

List duties and responsibilities not listed above that may be performed, as assigned :

Duty No or % of Time	Duties and/or Responsibilities

3.0 CONTACTS

Departments, agencies and/or individuals you deal with during the course of your daily activities :

3.1 WITHIN DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
	Up to 15% of total working hours
	15 - 50% of total working hours
x	Over 50% of total working hours

3.2 OUTSIDE DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
x	Up to 15% of total working hours
	15 - 50% of total working hours
	Over 50% of total working hours

4.0 SUPERVISION RECEIVED

How closely is the employee / job holder's work reviewed by their direct Supervisor.

Mark one correct response below with an [X]

x	Detailed and specific instructions / procedures received or followed for each assignment
x	General Supervision - Routine duties are performed with minimal supervision. Standard practices or procedures allow employee to function alone at routine work. Supervisor makes occasional check of work while in progress. Work is reviewed upon completion.
x	Direction - Receives guidance about general objectives in most of the tasks and projects assigned; determines methods, work sequence, scheduling and how to achieve objectives of assignments; operates within policy guidelines. (Generally applicable to skilled professionals, managers and supervisors.
x	General Direction - Receives very general guidance about overall objectives; work is usually quite independent of others; operates within division or department policy guidelines, using independent judgment in achieving assigned objectives. (Generally applicable to managers / administrators in large and complex organizations and to department / agency heads and their first assistants.)

5.0 SUPERVISION EXERCISED

The employee / job holder supervises other employees. List the number of employees supervised, their position titles and a brief description of their responsibilities.

If the employee has no supervisory responsibility mark [X] in this box ☒

No Supervised	Position Title	Description of Responsibilities

6.0 EQUIPMENT

List the equipment (pickup truck, welder, crane, etc.), office machines (word processor, calculator, copying machine, etc.), or any other machines, tools or devices that are used on a regular and continuing basis. Show what percentage of the regular workday is spent using each.

%	Tools / Equipment
80	Computer
10	Adding Machine / Calculator
5	Xerox Machine
5	Telephone

7.0 JOB REQUIREMENTS

☐ Mark [X] in this box if the job holder is unable to complete this section. The direct Supervisor will then complete this section for the job holder.

7.1 MINIMUM QUALIFICATION REQUIREMENTS

Identify below the minimum experience and training a qualified applicant must have before employment.

7.1.1 WORK EXPERIENCE

List the general, specialized and/or supervisory / management work experience needed and how much (in months and/or years). If none, mark an [X] in box a) "No work experience required."

a) No work experience required ☐

b) General Years Months

Arithmetic computation work	2	
Combination equivalent of experience and training which provided the minimum knowledge	2	
Abilities and skills		

c) Specialized Years Months

d) Supervisor / Management Years Months

If no work experience is required, list the knowledge, abilities and skills a qualified applicant needs before employment to perform the essential job functions.

Years Months

7.1.2 FORMAL EDUCATION OR TRAINING

Mark an [X] in the box that indicates the most applicable education level required :

☐ Below High School. Show number of years :

☐ High School Graduation / GED *(X)

☐ Vocational / Technical School. Detail below the specific training that is required by this position :

☐ Some College. Show number of Semester Hours, or
 Quarter Hours

Detail below specific courses required by the essential functions of this position :

☐ College Degree. Show major area of study required :

Associates :	
Bachelors :	
Masters :	
Beyond Masters :	

7.1.3 CRITICAL SKILLS / EXPERTISE

List specialized skills or specialization needed to perform essential functions :

7.1.4 LICENCE / REGISTRATION OR CERTIFICATION

List possession of required license, professional registration/certification needed to perform essential functions :

7.2 MENTAL / VISUAL / PHYSICAL & ENVIRONMENTAL JOB REQUIREMENTS

7.2.1 PHYSICAL REQUIREMENTS

Mark with an [X] below the most appropriate physical requirement(s) for the job.

<input checked="" type="checkbox"/>	Sitting	The job requires the employee to sit in a comfortable position most of the time. The employee can move about.
<input checked="" type="checkbox"/>	Sitting	Employee is required to sit for extended periods or time without being able to leave the work area.
	Sitting/Standing/Walking	The employee is required to sit, stand, walk most of the time.
<input checked="" type="checkbox"/>	Climbing	Employee is required to climb ladders or scaffolding or to climb and work in overhead areas.
<input checked="" type="checkbox"/>	Lifting	Employee is required to raise or lower objects from one level to another regularly.
<input checked="" type="checkbox"/>	Pulling and/or Pushing	The job requires exerting force up to <u>50</u> pounds on a regular basis to move the object to or away from the employee.
<input checked="" type="checkbox"/>	Carrying	The employee is required, on a regular basis, to carry objects in his or her arms or on the shoulder(s).
<input checked="" type="checkbox"/>	Reaching	The employee is regularly required to use the hands and arms to reach for objects.
<input checked="" type="checkbox"/>	Stooping and Crouching	The employee is regularly required to bend forward by bending at the waist or by bending legs and spine.
<input checked="" type="checkbox"/>	Crawling	Employee is required to work in a confined space and/or to crawl and move about on his or her hands and knees.
<input checked="" type="checkbox"/>	Speaking	The job requires expressing ideas by the spoken word.
<input checked="" type="checkbox"/>	Listening	The job requires the perception of speech or the nature of sounds in the air.
	Other	See description below

Describe any other physical job requirements below :

7.2.2 MENTAL / VISUAL REQUIREMENTS

Mark with an [X] below the most appropriate mental / visual requirement for the job.

- ☒ General Intelligence (typical requirement for machine operators, office staff, etc.)
- ☐ Motor Coordination Skills (typical for automotive mechanic, painter, etc.)
- ☒ Coordination of Eyes, Hands, and Feet (e.g. tractor trailer driver, fire fighter, line electrician, etc.)
- ☒ Verbal Intelligence (typical for counsellors, customer service representatives, etc.)
- ☒ Numerical Intelligence (typical for an accounting clerk, cargo checker, etc.)
- ☐ Other (outline below)

7.2.3 WORK ENVIRONMENT & WEATHER EXPOSURE

Selecting one response only show what percent of a typical workday is spent :

%

- ☒ Indoors in a comfortable temperature-controlled environment (for instance, in an office)
- ☐ Indoors in a non-temperature-controlled environment (e.g. storerooms and warehouses, etc.)
- ☐ Outdoors exposed to changing weather conditions (for instance, rain, sun, wind, etc.)
- ☐ Outdoors but in an enclosed vehicle protected from extreme weather conditions.

7.2.4 OTHER PHYSICAL WORKING CONDITIONS

☐ Mark an [X] in the box if none of the following is applicable

Show what percent of a typical workday this position is exposed to:

%

- ☐ Air contamination (i.e., dust, fumes, smoke, toxic conditions, disagreeable odours).
- ☐ Vibration (i.e., operating jackhammer, impact wrench).
- ☐ Noise (Exposure at a level enough to cause hearing loss or fatigue).
- ☐ An improperly illuminated or awkward and confining work space.
- ☐ Working above ground level where the chance of falling exists (e.g. ladders, bucket trucks etc)
- ☒ Lifting or carrying items or objects. Describe item/object and weight:

Filing Boxes & Documents less than 50 lbs

☐ Heat. Describe source and degree of high temperature.

☐ Cold. Describe source and degree of cold temperature:

☐ Other hazards. Describe:

7.2.5 IRREGULAR / UNUSUAL JOB REQUIREMENTS

Describe the working conditions that are irregular or unusual for the job and show frequency of exposure.

☐ Mark an [X] in the box if not applicable

Condition	Frequency of Exposure

7.3 WORK SCHEDULE / HOURS

Work Schedule/Hours – Mark an [X] the most appropriate work schedule/hours for the job.

- ☒ Regular - Standard Eight (8) hours daily, Monday - Friday
- ☐ Irregular - Shift work - A 24-hour work operation.
- ☒ Regular / Irregular - Overtime hours with overtime pay entitlement

State purpose and average total hours required per pay period:

Activated by Civil Defense for man made or natural disaster

- ☐ Regular / Irregular - Overtime hours without overtime pay entitlement

State purpose and average total hours required per pay period:

The information given on this position is complete and correct.

Signature of Employee

Date

PORT AUTHORITY OF GUAM



POSITION DESCRIPTION

1.0 IDENTIFICATION

POSITION TITLE	Tariff Technician II
POSITION NUMBER	
NAME OF EMPLOYEE	
NAME OF DIRECT SUPERVISOR	Jennifer Ann N Leon Guerrero
TITLE OF DIRECT SUPERVISOR	Tariff Administrator
JOB LOCATION (Department / Agency)	Port Authority of Guam
DIVISION	Finance
DEPARTMENT	
SECTION / UNIT	
FLSA	
CLASSIFICATION	<input checked="" type="checkbox"/> Classified <input type="checkbox"/> Unclassified <input type="checkbox"/> Vacant
JOB EVALUATION POINTS	
PAY GRADE	
POSITION DESCRIPTION (Reviewed)	

2.0 DESCRIPTION OF DUTIES

2.1 ESSENTIAL FUNCTIONS

Organize and list duties and/or responsibilities that must be performed using one of the formats below :

- Daily work assignments, beginning with the first duty and ending with the last duty of the day
- Percentage of time. Show % for each duty and/or responsibility (Note: total % should equal 100%)
- Order of importance, beginning with the most important

Mark with an [X] one format only: a) ☐ b) ☐ c) ☐

[illegible]

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2.2 NON-ESSENTIAL OR ADDITIONAL FUNCTIONS

List duties and responsibilities not listed above that may be performed, as assigned :

Duty No or % of Time	Duties and/or Responsibilities

3.0 CONTACTS

Departments, agencies and/or individuals you deal with during the course of your daily activities :

3.1 WITHIN DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
	Up to 15% of total working hours
	15 - 50% of total working hours
x	Over 50% of total working hours

3.2 OUTSIDE DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
x	Up to 15% of total working hours
	15 - 50% of total working hours
	Over 50% of total working hours

4.0 SUPERVISION RECEIVED

How closely is the employee / job holder's work reviewed by their direct Supervisor.
Mark one correct response below with an [X]

x	Detailed and specific instructions / procedures received or followed for each assignment
x	General Supervision - Routine duties are performed with minimal supervision. Standard practices or

	procedures allow employee to function alone at routine work. Supervisor makes occasional check of work while in progress. Work is reviewed upon completion.
x	Direction - Receives guidance about general objectives in most of the tasks and projects assigned; determines methods, work sequence, scheduling and how to achieve objectives of assignments; operates within policy guidelines. (Generally applicable to skilled professionals, managers and supervisors.
x	General Direction - Receives very general guidance about overall objectives; work is usually quite independent of others; operates within division or department policy guidelines, using independent judgment in achieving assigned objectives. (Generally applicable to managers / administrators in large and complex organizations and to department / agency heads and their first assistants.)

5.0 SUPERVISION EXERCISED

The employee / job holder supervises other employees. List the number of employees supervised, their position titles and a brief description of their responsibilities.

If the employee has no supervisory responsibility mark [X] in this box ☒

No Supervised	Position Title	Description of Responsibilities

6.0 EQUIPMENT

List the equipment (pickup truck, welder, crane, etc.), office machines (word processor, calculator, copying machine, etc.), or any other machines, tools or devices that are used on a regular and continuing basis. Show what percentage of the regular workday is spent using each.

%	Tools / Equipment
80	Computer
10	Adding Machine / Calculator
5	Xerox Machine
5	Telephone

7.0 JOB REQUIREMENTS

☐ Mark [X] in this box if the job holder is unable to complete this section. The direct Supervisor will then complete this section for the job holder.

7.1 MINIMUM QUALIFICATION REQUIREMENTS

Identify below the minimum experience and training a qualified applicant must have before employment.

7.1.1 WORK EXPERIENCE

List the general, specialized and/or supervisory / management work experience needed and how much (in months and/or years). If none, mark an [X] in box a) "No work experience required."

a) No work experience required ☐

b) General Years Months

TECHNICIAN I	2	

c) Specialized Years Months

d) Supervisor / Management Years Months

If no work experience is required, list the knowledge, abilities and skills a qualified applicant needs before employment to perform the essential job functions.

Years Months

7.1.2 FORMAL EDUCATION OR TRAINING

Mark an [X] in the box that indicates the most applicable education level required :

☐ Below High School. Show number of years :

☐ High School Graduation / GED *(X)

☐ Vocational / Technical School. Detail below the specific training that is required by this position :

☐ Some College. Show number of Semester Hours, or
 Quarter Hours

Detail below specific courses required by the essential functions of this position :

☐ College Degree. Show major area of study required :

Associates :	
Bachelors :	
Masters :	
Beyond Masters :	

7.1.3 CRITICAL SKILLS / EXPERTISE

List specialized skills or specialization needed to perform essential functions :

7.1.4 LICENCE / REGISTRATION OR CERTIFICATION

List possession of required license, professional registration/certification needed to perform essential functions :

7.2 MENTAL / VISUAL / PHYSICAL & ENVIRONMENTAL JOB REQUIREMENTS

7.2.1 PHYSICAL REQUIREMENTS

Mark with an [X] below the most appropriate physical requirement(s) for the job.

x	Sitting	The job requires the employee to sit in a comfortable position most of the time. The employee can move about.
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x	Sitting	Employee is required to sit for extended periods or time without being able to leave the work area.
	Sitting/Standing/Walking	The employee is required to sit, stand, walk most of the time.
x	Climbing	Employee is required to climb ladders or scaffolding or to climb and work in overhead areas.
x	Lifting	Employee is required to raise or lower objects from one level to another regularly.
x	Pulling and/or Pushing	The job requires exerting force up to <u>50</u> pounds on a regular basis to move the object to or away from the employee.
x	Carrying	The employee is required, on a regular basis, to carry objects in his or her arms or on the shoulder(s).
x	Reaching	The employee is regularly required to use the hands and arms to reach for objects.
x	Stooping and Crouching	The employee is regularly required to bend forward by bending at the waist or by bending legs and spine.
x	Crawling	Employee is required to work in a confined space and/or to crawl and move about on his or her hands and knees.
x	Speaking	The job requires expressing ideas by the spoken word.
x	Listening	The job requires the perception of speech or the nature of sounds in the air.
	Other	See description below

Describe any other physical job requirements below :

7.2.2 MENTAL / VISUAL REQUIREMENTS

Mark with an [X] below the most appropriate mental / visual requirement for the job.

- ☒ General Intelligence (typical requirement for machine operators, office staff, etc.)
- ☐ Motor Coordination Skills (typical for automotive mechanic, painter, etc.)
- ☒ Coordination of Eyes, Hands, and Feet (e.g. tractor trailer driver, fire fighter, line electrician, etc.)
- ☒ Verbal Intelligence (typical for counsellors, customer service representatives, etc.)
- ☒ Numerical Intelligence (typical for an accounting clerk, cargo checker, etc.)
- ☐ Other (outline below)

7.2.3 WORK ENVIRONMENT & WEATHER EXPOSURE

Selecting one response only show what percent of a typical workday is spent :

%

- ☒ Indoors in a comfortable temperature-controlled environment (for instance, in an office)
- ☐ Indoors in a non-temperature-controlled environment (e.g. storerooms and warehouses, etc.)
- ☐ Outdoors exposed to changing weather conditions (for instance, rain, sun, wind, etc.)
- ☐ Outdoors but in an enclosed vehicle protected from extreme weather conditions.

7.2.4 OTHER PHYSICAL WORKING CONDITIONS

☐ Mark an [X] in the box if none of the following is applicable

Show what percent of a typical workday this position is exposed to:

%

- ☐ Air contamination (i.e., dust, fumes, smoke, toxic conditions, disagreeable odours).
- ☐ Vibration (i.e., operating jackhammer, impact wrench).
- ☐ Noise (Exposure at a level enough to cause hearing loss or fatigue).
- ☐ An improperly illuminated or awkward and confining work space.
- ☐ Working above ground level where the chance of falling exists (e.g. ladders, bucket trucks etc)
- ☒ Lifting or carrying items or objects. Describe item/object and weight:

Filing Boxes & Documents less than 50 lbs

☐ Heat. Describe source and degree of high temperature.

☐ Cold. Describe source and degree of cold temperature:

☐ Other hazards. Describe:

7.2.5 IRREGULAR / UNUSUAL JOB REQUIREMENTS

Describe the working conditions that are irregular or unusual for the job and show frequency of exposure.

☐ Mark an [X] in the box if not applicable

Condition	Frequency of Exposure

7.3 WORK SCHEDULE / HOURS

Work Schedule/Hours – Mark an [X] the most appropriate work schedule/hours for the job.

- ☒ Regular - Standard Eight (8) hours daily, Monday - Friday
- ☐ Irregular - Shift work - A 24-hour work operation.
- ☒ Regular / Irregular - Overtime hours with overtime pay entitlement

State purpose and average total hours required per pay period:

Activated by Civil Defense for man made or natural disaster

- ☐ Regular / Irregular - Overtime hours without overtime pay entitlement

State purpose and average total hours required per pay period:

The information given on this position is complete and correct.

Signature of Employee

Date

PORT AUTHORITY OF GUAM



POSITION DESCRIPTION

1.0 IDENTIFICATION

POSITION TITLE	Tariff Technician III
POSITION NUMBER	
NAME OF EMPLOYEE	
NAME OF DIRECT SUPERVISOR	Jennifer Ann N Leon Guerrero
TITLE OF DIRECT SUPERVISOR	Tariff Administrator
JOB LOCATION (Department / Agency)	Port Authority of Guam
DIVISION	Finance
DEPARTMENT	
SECTION / UNIT	
FLSA	
CLASSIFICATION	<input checked="" type="checkbox"/> Classified <input type="checkbox"/> Unclassified <input type="checkbox"/> Vacant
JOB EVALUATION POINTS	
PAY GRADE	
POSITION DESCRIPTION (Reviewed)	

must be performed using on

- t duty and ending with the l
or responsibility (Note: total
important

b) ☐ c) ☐

Vessels Operations; Port Entrances
 Terminal Tariff & knowledge
 systems,
 Vessels / tonnage report / Invoices
 necessary commendations
 & written)
 audit of the Tariff Records &

2.2 NON-ESSENTIAL OR ADDITIONAL FUNCTIONS

List duties and responsibilities not listed above that may be performed, as assigned :

Duty No or % of Time	Duties and/or Responsibilities

3.0 CONTACTS

Departments, agencies and/or individuals you deal with during the course of your daily activities :

3.1 WITHIN DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
	Up to 15% of total working hours
	15 - 50% of total working hours
x	Over 50% of total working hours

3.2 OUTSIDE DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
x	Up to 15% of total working hours
	15 - 50% of total working hours
	Over 50% of total working hours

4.0 SUPERVISION RECEIVED

How closely is the employee / job holder's work reviewed by their direct Supervisor.

Mark one correct response below with an [X]

x	Detailed and specific instructions / procedures received or followed for each assignment
---	--

x	General Supervision - Routine duties are performed with minimal supervision. Standard practices or procedures allow employee to function alone at routine work. Supervisor makes occasional check of work while in progress. Work is reviewed upon completion.
x	Direction - Receives guidance about general objectives in most of the tasks and projects assigned; determines methods, work sequence, scheduling and how to achieve objectives of assignments; operates within policy guidelines. (Generally applicable to skilled professionals, managers and supervisors.
x	General Direction - Receives very general guidance about overall objectives; work is usually quite independent of others; operates within division or department policy guidelines, using independent judgment in achieving assigned objectives. (Generally applicable to managers / administrators in large and complex organizations and to department / agency heads and their first assistants.)

5.0 SUPERVISION EXERCISED

The employee / job holder supervises other employees. List the number of employees supervised, their position titles and a brief description of their responsibilities.

If the employee has no supervisory responsibility mark [X] in this box ☐

No Supervised	Position Title	Description of Responsibilities
	Technician I	train technician I on billing procedures such as Operational vessels, Special Service Request, Port Entry & Dockage, etc.
	Technician II	Train Technician II to have the ability to take on leadership roles.

6.0 EQUIPMENT

List the equipment (pickup truck, welder, crane, etc.), office machines (word processor, calculator, copying machine, etc.), or any other machines, tools or devices that are used on a regular and continuing basis. Show what percentage of the regular workday is spent using each.

%	Tools / Equipment
80	Computer
10	Adding Machine / Calculator
5	Xerox Machine
5	Telephone

7.0 JOB REQUIREMENTS

☐ Mark [X] in this box if the job holder is unable to complete this section. The direct Supervisor will then complete this section for the job holder.

7.1 MINIMUM QUALIFICATION REQUIREMENTS

Identify below the minimum experience and training a qualified applicant must have before employment.

7.1.1 WORK EXPERIENCE

List the general, specialized and/or supervisory / management work experience needed and how much (in months and/or years). If none, mark an [X] in box a) "No work experience required."

a) No work experience required ☐

b) General Years Months

Combination of Tariff Tech I & Tariff Tech II	5	

c) Specialized Years Months

d) Supervisor / Management Years Months

If no work experience is required, list the knowledge, abilities and skills a qualified applicant needs before employment to perform the essential job functions.

Years Months

7.1.2 FORMAL EDUCATION OR TRAINING

Mark an [X] in the box that indicates the most applicable education level required :

☐ Below High School. Show number of years :

☐ High School Graduation / GED *(X)

☐ Vocational / Technical School. Detail below the specific training that is required by this position :

--

☐ Some College. Show number of Semester Hours, or
 Quarter Hours

Detail below specific courses required by the essential functions of this position :

☐ College Degree. Show major area of study required :

Associates :	
Bachelors :	
Masters :	
Beyond Masters :	

7.1.3 CRITICAL SKILLS / EXPERTISE

List specialized skills or specialization needed to perform essential functions :

7.1.4 LICENCE / REGISTRATION OR CERTIFICATION

List possession of required license, professional registration/certification needed to perform essential functions :

7.2 MENTAL / VISUAL / PHYSICAL & ENVIRONMENTAL JOB REQUIREMENTS

7.2.1 PHYSICAL REQUIREMENTS

Mark with an [X] below the most appropriate physical requirement(s) for the job.

x	Sitting	The job requires the employee to sit in a comfortable position most of the time. The employee can move about.
x	Sitting	Employee is required to sit for extended periods or time without being able to leave the work area.
	Sitting/Standing/Walking	The employee is required to sit, stand, walk most of the time.
x	Climbing	Employee is required to climb ladders or scaffolding or to climb and work in overhead areas.
x	Lifting	Employee is required to raise or lower objects from one level to another regularly.
x	Pulling and/or Pushing	The job requires exerting force up to <u>50</u> pounds on a regular basis to move the object to or away from the employee.
x	Carrying	The employee is required, on a regular basis, to carry objects in his or her arms or on the shoulder(s).
x	Reaching	The employee is regularly required to use the hands and arms to reach for objects.
x	Stooping and Crouching	The employee is regularly required to bend forward by bending at the waist or by bending legs and spine.
x	Crawling	Employee is required to work in a confined space and/or to crawl and move about on his or her hands and knees.
x	Speaking	The job requires expressing ideas by the spoken word.
x	Listening	The job requires the perception of speech or the nature of sounds in the air.
	Other	See description below

Describe any other physical job requirements below :

7.2.2 MENTAL / VISUAL REQUIREMENTS

Mark with an [X] below the most appropriate mental / visual requirement for the job.

- ☒ General Intelligence (typical requirement for machine operators, office staff, etc.)
- ☐ Motor Coordination Skills (typical for automotive mechanic, painter, etc.)
- ☒ Coordination of Eyes, Hands, and Feet (e.g. tractor trailer driver, fire fighter, line electrician, etc.)
- ☒ Verbal Intelligence (typical for counsellors, customer service representatives, etc.)
- ☒ Numerical Intelligence (typical for an accounting clerk, cargo checker, etc.)
- ☐ Other (outline below)

7.2.3 WORK ENVIRONMENT & WEATHER EXPOSURE

Selecting one response only show what percent of a typical workday is spent :

%

- ☒ Indoors in a comfortable temperature-controlled environment (for instance, in an office)
- ☐ Indoors in a non-temperature-controlled environment (e.g. storerooms and warehouses, etc.)
- ☐ Outdoors exposed to changing weather conditions (for instance, rain, sun, wind, etc.)
- ☐ Outdoors but in an enclosed vehicle protected from extreme weather conditions.

7.2.4 OTHER PHYSICAL WORKING CONDITIONS

☐ Mark an [X] in the box if none of the following is applicable

Show what percent of a typical workday this position is exposed to:

%

- ☐ Air contamination (i.e., dust, fumes, smoke, toxic conditions, disagreeable odours).
- ☐ Vibration (i.e., operating jackhammer, impact wrench).
- ☐ Noise (Exposure at a level enough to cause hearing loss or fatigue).
- ☐ An improperly illuminated or awkward and confining work space.
- ☐ Working above ground level where the chance of falling exists (e.g. ladders, bucket trucks etc)
- ☒ Lifting or carrying items or objects. Describe item/object and weight:

Filing Boxes & Documents less than 50 lbs

☐ Heat. Describe source and degree of high temperature.

☐ Cold. Describe source and degree of cold temperature:

--

☐ Other hazards. Describe:

7.2.5 IRREGULAR / UNUSUAL JOB REQUIREMENTS

Describe the working conditions that are irregular or unusual for the job and show frequency of exposure.

☐ Mark an [X] in the box if not applicable

Condition	Frequency of Exposure

7.3 WORK SCHEDULE / HOURS

Work Schedule/Hours – Mark an [X] the most appropriate work schedule/hours for the job.

- ☒ Regular - Standard Eight (8) hours daily, Monday - Friday
- ☐ Irregular - Shift work - A 24-hour work operation.
- ☒ Regular / Irregular - Overtime hours with overtime pay entitlement

State purpose and average total hours required per pay period:

Activated by Civil Defense for man made or natural disaster

☐ Regular / Irregular - Overtime hours without overtime pay entitlement

State purpose and average total hours required per pay period:

The information given on this position is complete and correct.

Signature of Employee

Date

FISCAL NOTE

1. A. Fiscal effect: Identify the fiscal effect on the agency appropriations compared to funding levels and appropriations anticipated under current Budget.

FY 2025					FY 2026			
	General	Crane Surcharge	FMF	Marinas	General	Crane Surcharge	FMF	Marinas
Revenues								
Expenditures	\$26,869				\$116,431			
Budget								

2. A. Fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact*

The Port is in the process of petitioning the creation of positions for a **Tariff Technician II & Tariff Technician III** under the Port's Classification and Compensation Plan.

The salaries and benefits for the position has also been identified. The following are different levels recommended for the listed position and their corresponding salary ranges.

PAY GRADE ALLOCATION:

Tariff Technician I

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
606	II-8A	\$47,475	II-9A	\$49,403

Tariff Technician II

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
67	JJ-5D	\$52,090	JJ-6D	\$54,205

Tariff Technician III

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
796	KK-5B	\$64,341	KK-6B	\$66,953

- B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The General Manager will be presenting to the Board on April 30, 2025 (2) two creation of positions for the Tariff Technician II & III. The funding for these positions will come from the Vacancy Pool.

3. Fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues:

B. Expenditures:

If the Port decides to hire based on the minimum salaries for the Tariff Technician II & III starting July 11, 2025 the total pro-rated amount for FY 2025 is \$26,869. The hiring of 2 new positions will increase the salary for FY 2026 to \$116,431.

C. Budget: *Explain the appropriations amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The appropriations for one new position creation will come from the Vacancy Pool budget based on the YTD for FY 2025. The expenditures for FY 2025 and FY 2026 are indicated in section 1A.



Name: Jose B. Guevara III, Chief Financial Officer _____
Division: Finance Division
Telephone: (671) 477-5931 ext. 211
Date Prepared: April 28, 2025

BOARD OF DIRECTORS

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



Resolution No. 2025-13

RELATIVE TO REQUESTING THE ABOLISHMENT OF THE MAINTENANCE MANAGER AND EQUIPMENT MAINTENANCE SUPERINTENDENT POSITIONS UNDER THE PORT AUTHORITY OF GUAM’S CLASSIFICATION AND COMPENSATION PLAN, AS A RESULT OF THE SUCCESSION PLAN ADOPTED IN BOARD RESOLUTION NO. 2024-15 BY THE PORT BOARD OF DIRECTORS.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM.

WHEREAS, Public Law 30-43 adopted the Port Authority of Guam’s Personnel Rules and Regulations and Port Classification and Compensation Plan for its Maritime Positions Unique to Port Operations, and Certified, Technical and Professional Positions; and

WHEREAS, Section 4.200, *Amendment of Maritime Positions Unique to Port Operations and Certified Technical and Professional Positions*, of the Personnel Rules and Regulations authorizes the General Manager to request the Board of Directors to amend, including but not limited to deleting, adding or modifying positions on the approved list of the Authority’s Maritime Positions Unique to Port Operations, and Certified, Technical or Professional Positions; and

WHEREAS, the process shall include the justification to delete and need to comply with the transparency and disclosure process by posting the request on the Port Authority’s website for ten (10) days (Saturdays, Sundays and Government of Guam holidays excepted); and

WHEREAS, after posting, the General Manager shall forward the request along with the evidence that prompt notice of the posting was provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam, to the Board of Directors; and

WHEREAS, the Board shall approve, disapprove or amend the request at any regularly scheduled meeting or at a special meeting called for this purpose; and

WHEREAS, through Board Resolution No. 2024-15, an assessment was conducted by the General Manager on the improvements led by the Equipment Maintenance team that was found to be beneficial in keeping the Equipment Maintenance Division as one division; and

WHEREAS, this ensures that a succession plan is in place for the Equipment Maintenance Division by creating in the classified service an Equipment Maintenance Manager position; and

WHEREAS, that on December 20, 2024, the Board of Directors approved the creation of the Equipment Maintenance Manager under the Port’s Classification and Compensation Plan to ensure that its current organizational structure aligns with the Authority’s operational goals and objectives; and

WHEREAS, as a result of the creation of this position, the classified positions of Maintenance Manager and Equipment Maintenance Superintendent under the Port Classification and Compensation Occupational Listing of Maritime Positions Unique to Port Operations, and Certified, Technical or Professional Positions duplicates the duties and responsibilities of the Equipment Maintenance Manager and are no longer expected to be utilized by the Port Authority of Guam; and

WHEREAS, it would be beneficial for the Port to proceed with the transparency and disclosure process to abolish these positions listed above; now therefore, be it

RESOLVED, that the General Manager is authorized to proceed with transparency and disclosure process to abolish the job specifications of Maintenance Manager and Equipment Maintenance Superintendent positions in the classified service under the Port’s Classification and Compensation Plan for Maritime Positions Unique to Port Operations, and Certified, Technical or Professional Positions pursuant to applicable statutory law and the Personnel Rules and Regulations; 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 30th DAY OF APRIL, 2025.

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

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

BOARD OF DIRECTORS

Dorothy P. Harris, Chairperson

Conchita S.N. Taitano, Vice Chairperson

Fe R. Valencia-Ovalles, Board Secretary



Resolution No. 2025-14

RELATIVE TO ADOPTING THE GENERAL MANAGER'S WORKPLACE VIOLENCE POLICY MEMORANDUM NO. 2025-GM01 AS BOARD POLICY MEMORANDUM NO. 2025-01, AND AUTHORIZING MANDATORY DRUG TESTING, COUNSELING, OR ANGER MANAGEMENT FOR THE INVOLVED EMPLOYEE, AS DEEMED APPROPRIATE BASED ON THE NATURE OF THE INCIDENT, WITHOUT PRESUMING MISCONDUCT AND IN RECOGNITION OF DUE PROCESS.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM.

WHEREAS, the Port Authority of Guam is committed to ensuring a safe and respectful workplace for all employees, consistent with the Port's Personnel Rules and Regulations and applicable laws; and

WHEREAS, the General Manager issued Workplace Violence Policy Memorandum No. 2025-GM01, establishing clear protocols for responding to workplace violence incidents, emphasizing prevention, accountability, and respect for employee rights; and

WHEREAS, the Board sees that the General Manager's policy does not include provisions for mandatory drug testing, counseling, or anger management for the involved employee, as deemed appropriate based on the nature of the incident, without presuming misconduct and in full recognition of due process protections; and

WHEREAS, the Board supports strengthening the policy framework by ensuring such interventions are clearly available when warranted, to further support management's ability to respond appropriately to workplace violence incidents and uphold the Port's commitment to a safe, fair, and accountable work environment; now therefore, be it

RESOLVED, that the Board of Directors of the Port Authority of Guam hereby adopts the General Manager's Workplace Violence Policy Memorandum No. 2025-GM01, by title only, as Board Policy Memorandum No. 2025-01; and be it further

RESOLVED, that the Board affirms the availability of mandatory drug testing, counseling, or anger management for the involved employee, based on the facts and circumstances of each case, provided such actions are taken without presuming misconduct and with full respect for due process; 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 30th DAY OF APRIL, 2025.**

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

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




PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96915
Telephone: 671-477-5931/5 | Facsimile: 671-477-2689
Website: www.portofguam.com



Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

POLICY MEMORANDUM NO. 2025-GM01

To: All Port Employees	Subject: Workplace Violence Policy
Effective Date: March 24, 2025	Revision Date:
Approved by:  RORY J. RESPICIO, General Manager	

- I. PURPOSE:** The Port Authority is committed to maintaining a safe, professional, and respectful workplace for all employees. This policy applies to everyone in the Port Strong Family, including all employees, supervisors, division heads, deputy general managers, and the General Manager. No one is exempt from these expectations, and accountability applies at all levels of leadership. Issued to establish clear expectations and guidelines for professional behavior.

Workplace violence includes physical threats, intimidation, harassment, and any aggressive behavior that undermines workplace safety, morale, and productivity. Additionally, harmful workplace behaviors—such as gossip, exclusionary tactics, and passive-aggressive conduct—are prohibited as they contribute to a toxic work environment.

II. DEFINITIONS:

- **Workplace Violence** – Any act or threat of physical violence, intimidation, harassment, or other disruptive behavior that occurs in the workplace, whether committed by employees, contractors, customers, or visitors. This includes but is not limited to:
 - a. Physical assault or aggressive physical contact.
 - b. Threats of violence (verbal, written, or electronic).
 - c. Stalking, intimidation, or coercion.
 - d. Destruction of property or sabotage.
- **Hostile Work Environment** – A workplace where repeated or severe conduct creates an intimidating, offensive, or abusive atmosphere that interferes with an employee's ability to perform their duties. This can include persistent bullying, discriminatory behavior, or other actions that contribute to a toxic environment.
- **Harassment** – Unwelcome conduct based on race, gender, religion, national origin, age, disability, or other protected categories that creates an offensive or hostile work environment. Harassment may include verbal, physical, or visual behavior that is severe or pervasive enough to affect an individual's work performance or employment conditions.

- III. EXAMPLES OF BEHAVIOR:** This policy covers not only acts of physical violence, but harassment, intimidation, and other disruptive behavior, as well as, incidents involving co-workers and incidents involving individuals from outside the Authority perpetrating violence against its employees.

Examples of such behavior may include:

- Direct or veiled threats of harm.
- Intimidating, belligerent, harassing, bullying, threatening gestures, stalking or other inappropriate or aggressive behavior.
- Numerous conflicts with supervisors and other employees.
- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons.
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides.
- Statements indicating desperation (over family, financial, and other personal problems to the point of contemplating suicide).
- Drug/alcohol abuse.
- Gossiping or spreading rumors that damage professional reputations, foster hostility, or create divisions among employees.
- Passive-aggressive behaviors, such as intentionally withholding critical information or excluding team members from communications, that impact workplace cohesion.
- Use of social media or electronic communications to harass, intimidate, or gossip about colleagues.
- Destruction of property.
- Undermining colleagues by discussing their work performance in a negative, non-constructive manner.

IV. RESPONSIBILITIES:

General Manager

The General Manager is responsible for:

- Leading by example and upholding the highest standards of professionalism and respect.
- Enforcing this policy and ensuring that all levels of leadership are held accountable.
- Providing the necessary support for employees who report issues and ensuring concerns are taken seriously.
- Reviewing reported cases and ensuring that disciplinary actions are fair, consistent, and aligned with organizational policies.
- Monitoring workplace culture and addressing systemic issues related to workplace violence or toxicity.

Deputy General Managers

Deputy General Managers are responsible for:

- Overseeing policy compliance within their respective areas and ensuring division heads actively address workplace concerns.
- Taking timely action by reviewing incident reports, escalating serious cases, and coordinating with HR office and Port Police when necessary.
- Providing guidance to division heads on conflict resolution and ensuring a proactive approach to workplace behavior issues.
- Reinforcing accountability by ensuring disciplinary actions are applied consistently and fairly.

- Reporting workplace trends and concerns to the General Manager to improve policy enforcement and workplace culture.

Division Heads & Supervisors

Division Heads and Supervisors are responsible for:

- Creating and maintaining a professional work environment by actively addressing harmful behaviors before they escalate.
- Responding to incidents immediately, documenting occurrences, and reporting all workplace violence or harmful behavior cases to HR and Port Police as required.
- Holding employees accountable for violating this policy and ensuring corrective actions are taken when necessary.
- Encouraging open communication within teams to prevent workplace toxicity and promote teamwork.
- Participating in ongoing leadership training to enhance conflict resolution skills.

V. ACCOUNTABILITY & FALSE CLAIMS: Holding employees accountable for their actions or inaction relative to their duties and responsibilities does not constitute a legitimate claim of being targeted. Enforcing performance expectations, adhering to policies, and applying corrective actions based on work-related issues are necessary for maintaining a professional and productive workplace. Misusing this policy to avoid accountability or making unfounded claims undermines its purpose and will not be tolerated.

VI. PROHIBITED WORKPLACE BEHAVIORS: This policy applies not only to physical acts of violence but also to workplace behaviors that contribute to a toxic and unproductive work environment, including:

- Malicious Gossip & Rumors – Spreading false or damaging information that erodes trust and morale.
- Passive-Aggressive Behavior – Withholding information, excluding colleagues, or engaging in non-verbal hostility.
- Undermining Colleagues – Using sarcasm, backhanded compliments, or deliberate non-cooperation to harm coworkers' professional reputation.
- Obstruction of Work – Deliberately procrastinating, resisting necessary workplace changes, or creating obstacles to team progress.
- Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.

Any employee engaging in these behaviors will be subject to disciplinary action, up to and including termination.

VII. ROLE OF PORT POLICE: Port Police play a critical role in ensuring workplace safety and responding to incidents of workplace violence. Their responsibilities include:

- Responding to immediate threats or violent incidents.
- Securing the area and gathering initial witness statements.
- Assisting in formal investigations by reviewing security footage and collecting evidence.
- Providing recommendations on security measures to prevent future incidents.

VIII. REPORTING PROCEDURES & ACCOUNTABILITY FOR NON-COMPLIANCE:

Employees who experience or witness workplace violence, harassment, or harmful workplace behavior must report the incident to their supervisor, division head, HR, or Port Police. Employees reporting incidents in good faith will be protected from retaliation.

All reports should include:

- Details of the incident, including date, time, location, and individuals involved.
- Any supporting evidence, such as witness accounts, messages, or security footage.
- Immediate steps taken, if any, to mitigate the situation.

Supervisors, division heads, and managers are responsible for:

- Responding promptly to stop immediate dangers to personnel and the workplace.
- Investigating threats and reported incidents thoroughly and objectively.
- Taking all concerns seriously to ensure employees feel safe reporting issues.
- Providing updates on the status and outcome of investigations, within confidentiality limits.
- Ensuring confidentiality to the greatest extent possible.
- Restoring the workplace environment after an incident.

Failure to report known workplace violence or harmful behavior may result in disciplinary action, including:

- First violation: Verbal or written warning.
- Repeated violations: Formal reprimand and corrective action.
- Severe or willful negligence: Suspension or termination if failure to report leads to a hostile or unsafe work environment.

IX. WHISTLEBLOWER PROTECTION: Employees who report workplace violence in good faith are protected from retaliation under applicable whistleblower laws. Retaliation against employees who report misconduct will not be tolerated and will be subject to disciplinary action.

X. PROHIBITION ON WEAPONS IN THE WORKPLACE: To maintain a safe and secure environment, the Port Authority of Guam strictly prohibits the possession, use, or storage of weapons on Port property or while conducting Port-related business. This applies to all employees regardless of whether they are licensed to carry such weapons.

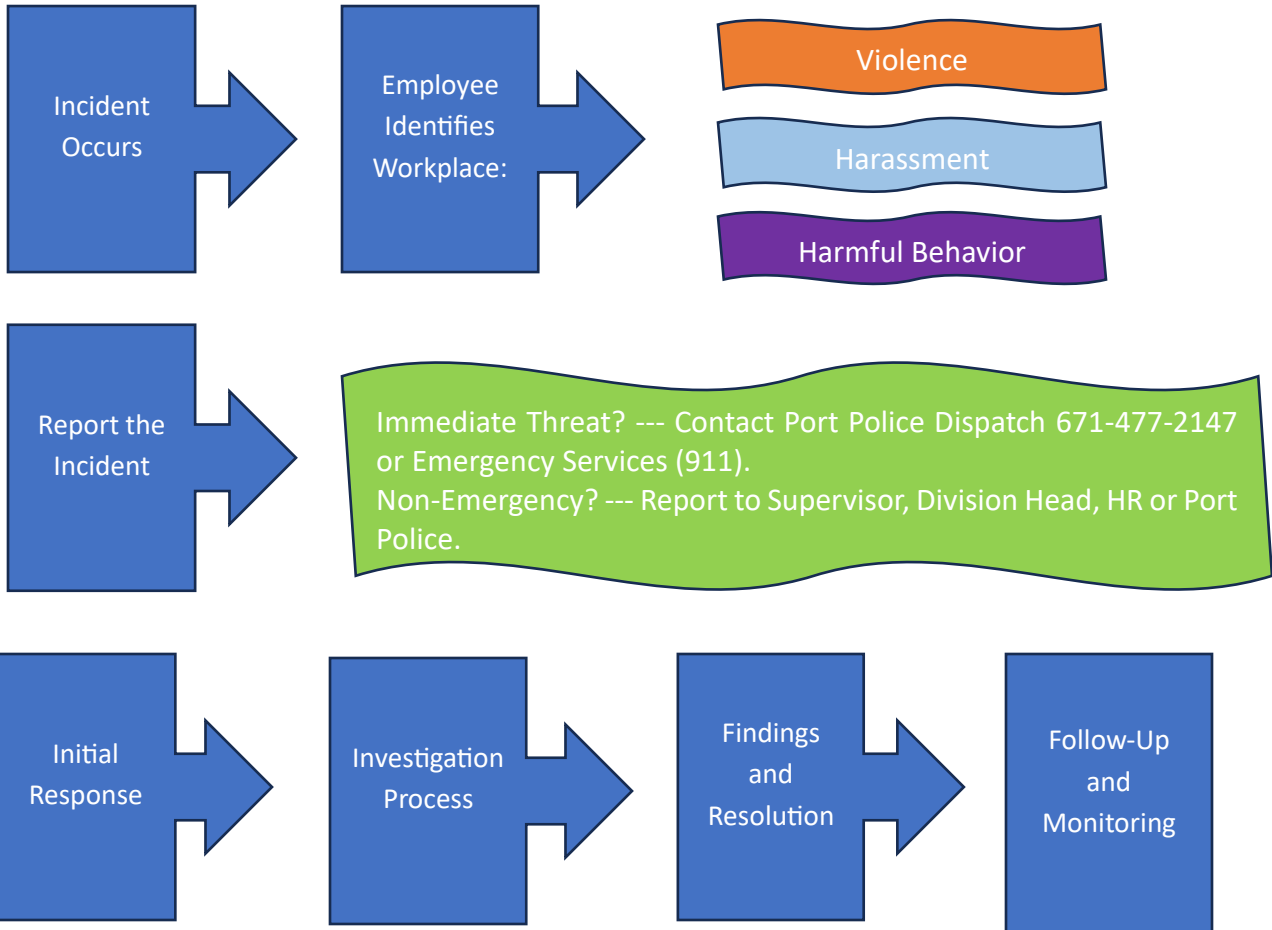
Weapons include, but are not limited to:

- Firearms
- Ammunition
- Knives (excluding small utility tools required for work)
- Explosives
- Any item intended or used as a weapon

Exceptions may be made for law enforcement personnel or authorized Port Police officers in the course of duty. Violation of this policy will result in immediate disciplinary action, up to and including termination or removal from Port premises.

- XI. EMERGENCY CONTACTS:** For immediate threats or emergencies, contact:
- Port Police Dispatch: 671-477-2147 or 671-477-5931, ext. 286
 - Emergency Services: 911
 - HR Division: 671-477-5931/5, ext. 244-249
- XII. PREVENTION AND SUPPORT MEASURES:** The Authority will offer regular workplace training on identifying and preventing violence, gossip, and harassment. Employees are encouraged to resolve differences through constructive dialogue. Counseling and conflict resolution resources will be available for affected employees. A zero-tolerance stance will be enforced consistently, with disciplinary measures applied transparently.
- Recognize and respond to violence and harassment.
 - Consequences of gossip and its impact on the workplace.
 - How to report using Incident Report form.
- XIII. POLICY ENFORCEMENT:** This policy replaces all prior policies or memoranda on workplace violence. All employees are expected to comply, and violations will be addressed in accordance with Port policies and procedures.
- XIV. ACKNOWLEDGEMENT OF POLICY:** Each employee will be required to acknowledge in writing that they have received and read the policy.
- If an employee refuses to sign the acknowledgement, the employee's supervisor will note on the Acknowledgement Form that the employee received the notice and forward the form to the Human Resources Office.
- XV. A SHARED RESPONSIBILITY:** While this policy may not undo the harm caused by past incidents, it empowers employees—especially those who have been victimized—to stand up against workplace violence and harmful behaviors. A healthy workplace is built not only by enforcing policies but by creating a culture where employees support one another and refuse to tolerate destructive actions.
- Every member of the Port Strong Family—from frontline employees to senior leadership—shares in the responsibility of upholding these standards. Moving forward, all supervisors and division heads are expected to enforce this policy consistently and hold employees accountable for their conduct. Any further violations may result in disciplinary action, up to and including termination.
- XVI. ENTIRE POLICY:** All prior policies or memoranda in conflict with this policy is hereby rescinded.

WORKPLACE VIOLENCE REPORTING AND RESOLUTION FLOWCHART





PORT OF GUAM
ATURIDAT / PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96915
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
Website: www.portguam.com



Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

WORKPLACE INCIDENT REPORT FORM

Affected party(s): _____

Supervisor/Division: _____

Contact Information: _____

Incident Information

Date/Time: _____

Location (Be Specific): _____

Description (Narrative): _____

Has this or a similar incident ever happened to you before? If so, please explain:

If you were in any injury (physical/emotional), describe the injury in detail and the location of any treatment received. _____

Was a weapon involved? If so, specify the type and to what extent:

Witness Information

Name: _____ Date: _____

Contact Information: _____

Aggressor Information

Name: _____ Division: _____

Supervisor (if an employee): _____

Relationship to aggressor (if stranger, indicate relationship, if any):

Had anything occurred in the past to make you feel this would happen? If so, please explain:

Home Address/Vehicle Information (if not an employee):

Follow-up Information

Did this incident cause any loss of workdays? If so, how many?

Have you had any counseling or any form of emotional support since the incident? If not, would you like to be afforded this? _____

Does something need to be done to avoid such an incident from happening again? If so, explain.

Report Completed by Complainant: _____

Title: _____ Date: _____

Reviewed/Approved by: _____

Title: _____ Date: _____

When completing this form, attach all supporting documents, such as, continuation sheets and/or police reports.



PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96915
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
Website: www.portguam.com



Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

Employee Acknowledgement

I, _____, hereby certify that a copy of Policy Memorandum No. 2025-GM01, Subject: Workplace Violence Policy was furnished to me and an orientation was provided to me on said matter.

Name of Employee:	Signature of Employee:	Date:

Witnessed by:

Name of Witness:	Signature of Witness:	Date:

Received by Human Resources Office:

Name:	Signature:	Date:

BOARD OF DIRECTORS

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



Resolution No. 2025-15

RELATIVE TO ASSIGNING THE GENERAL MANAGER TO OUTLINE AND PURSUE, WHEREVER POSSIBLE, THE NECESSARY STEPS TO SECURE PERMISSION FOR VESSEL DISCHARGE OPERATIONS AT HOTEL WHARF FROM ALL RELEVANT FEDERAL AND REGULATORY AGENCIES.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM.

WHEREAS, the Port Authority of Guam (the “Port”) is the sole commercial seaport of Guam and is responsible for facilitating the movement of goods and ensuring efficient maritime operations for the island’s economic and strategic interests; and

WHEREAS, Hotel Wharf represents a critical asset within the Port’s jurisdiction that can be leveraged to support vessel discharge operations in times of congestion, equipment failure, cruise ship arrivals, or to accommodate specific maritime projects and tenants; and

WHEREAS, the Port Readiness Plan identifies Hotel Wharf as a strategic contingency site to support military surge, humanitarian response, cruise ship porting, and continuity of operations in the event primary terminals are inoperable or constrained; and

WHEREAS, securing authorization for vessel discharge and passenger porting operations at Hotel Wharf requires engagement with and approvals from various federal and regulatory agencies, including but not limited to the U.S. Coast Guard, U.S. Army Corps of Engineers, and the Guam Environmental Protection Agency; and

WHEREAS, the Board recognizes that realizing Hotel Wharf’s full potential will require significant capital investment and long-term infrastructure planning, and that this resolution is intended solely to initiate planning discussions and preliminary regulatory engagement to better position the Port should funding opportunities arise; now therefore, be it

RESOLVED, that the Board of Directors of the Port Authority of Guam hereby assigns and authorizes the General Manager to outline and pursue, wherever possible, the necessary steps to secure permission for vessel discharge operations and cruise ship porting at Hotel Wharf from all relevant federal and regulatory agencies, strictly for planning and preparedness purposes; and be it further

RESOLVED, that the General Manager shall provide updates to the Board regarding progress and any necessary actions that may require Board consideration to support this initiative; 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 30th DAY OF APRIL, 2025.

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

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

BOARD OF DIRECTORS

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



Resolution No. 2025-16

RELATIVE TO STATING THE BOARD’S POSITION ON BILL NO. 104-38, “AN ACT TO ENACT THE ‘CRIME VICTIM AND PEOPLE OF GUAM’S PROTECTION REFORM ACT OF 2025,’” INCLUDING COMMENTS AND A REQUEST FOR AN AMENDMENT TO ADDRESS THE PORT AUTHORITY OF GUAM’S SPECIFIC CONCERNS.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM.

WHEREAS, the Port Authority of Guam recognizes the importance of interagency collaboration in protecting Guam from illegal activity and supports the Guam Customs and Quarantine Agency’s mandate to inspect cargo entering the island; and

WHEREAS, Bill No. 104-38 includes a specific provision under Section 10107 subsection (s) to Chapter 10 of Title 12, Guam Code Annotated, that references the Port Authority and requires collaboration with the Guam Customs and Quarantine Agency to enhance inspection protocols; and

WHEREAS, the Port Authority Board of Directors is concerned that, as currently written, this provision could be interpreted as imposing additional mandates or operational obligations on the Port, including the purchase of scanning equipment, without a clear statutory basis or accompanying funding; and

WHEREAS, in a formal response to the Governor regarding concerns raised by the Attorney General, the Port clarified that it does not perform container inspections and that such responsibilities fall solely within the jurisdiction of the Guam Customs and Quarantine Agency; and

WHEREAS, under the leadership of the Leon Guerrero Tenorio Administration, the Port Authority of Guam has consistently supported the Guam Customs and Quarantine Agency through a wide range of actions, including providing unimpeded access to container yard operations, constructing secure perimeters and installing surveillance systems using federal grants, allocating four acres for a proposed Customs Inspection Facility and completing a feasibility study, transforming terminal space to support cruise ship passenger disembarkation and Customs screening, including Customs in Port security planning and emergency drills, and coordinating the installation of scanning equipment with necessary power infrastructure at the request of Customs. These efforts recognize that while container inspections are not a statutory function of the Port, the agency remains committed to assisting Customs in fulfilling its mission; and

WHEREAS, the Port’s role has always been to support, not supplant, the enforcement responsibilities of the Guam Customs and Quarantine Agency. Requiring the Port to purchase or maintain scanning machines or to assume enforcement related responsibilities would extend beyond the Port’s core statutory function and create unfunded liabilities; and

WHEREAS, the Board finds it appropriate to request an amendment to Section 10107 subsection (s) that:

1. Removes any language that implies or requires the Port to purchase scanning equipment or take on inspection functions;
2. Acknowledges the Port’s existing support role under the Leon Guerrero Tenorio Administration; and
3. Clarifies that any future operational responsibilities must be consistent with the Port’s enabling statute and accompanied by appropriate funding;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Port Authority of Guam supports the intent of Bill No. 104-38 as it relates to public safety, but respectfully requests an amendment to Section 10107 subsection (s) to reflect the Port’s existing contributions under the Leon Guerrero Tenorio Administration, limit exposure to unfunded mandates, and preserve the statutory roles of the respective agencies; and

BE IT FURTHER RESOLVED, that the Chairperson certify to, and the Secretary attest to, the adoption hereof, and that the General Manager is authorized to transmit this resolution and supporting documentation to the bill’s sponsors, the Speaker and members of the 38th Guam Legislature, and to the Governor and Lieutenant Governor of Guam.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 30th DAY OF APRIL, 2025.**

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

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

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 104-38 (COR)

Introduced by:

Telo T. Taitague 

AN ACT TO AMEND §§ 45.10(C) AND 80.60; AND TO *ADD* §§ 40.20(H) AND (I), 45.10(D), 100.40 AND 160.96 TO TITLE 8; TO *REPEAL* AND *REENACT* §§ 30104.1 AND 30118.1, AND TO *ADD* §§ 30104.2 AND 30104.3 TO TITLE 5, AND TO *ADD* § 10107(S) TO TITLE 12, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO ENACTING THE “CRIME VICTIM & PEOPLE OF GUAM’S PROTECTION REFORM ACT OF 2025.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings & Intent. *I Liheslaturan* hereby finds that the Government of Guam’s primary duty is to protect our law-abiding People of Guam and to ensure justice for Crime Victims. Simultaneously, we must ensure that the innocent are not unjustly convicted. Crime victims include We, the People of Guam and suffering comes from violent, non-violent and public official corruption type crimes. The elected Attorney General of Guam represents our People of Guam and is crucial to achieving this all-important goal to protect us. In order to achieve this end, the Attorney General requires the laws, staff and tools necessary to accomplish the important duties required to fight, win and to protect us.

Although certain protections exist for both the prosecution and defense, additional protections are warranted to allow Guam’s criminal justice system to ensure the balance between a criminal defendant’s right to a fair trial, and the People

1 of Guam and crime victim's right to justice and a safe community. Winning by
2 technical errors caused because of outdated statutes, that many States in our United
3 States have either never adopted, or moved away from, must be avoided to ensure
4 Justice for both sides.

5 **Section 2.** Section 80.60 of Article 2 of Title 8 of the Guam Code Annotated
6 is hereby *amended* as follows:

7 **“§ 80.60. When a Case to be Dismissed, or Not Dismissed for**
8 **Reasons of Time.**

9 (a) Except as otherwise provided in Subsection (b), the court
10 shall dismiss a criminal action if:

11 (1) An information is not filed or an indictment
12 returned within the time prescribed by §§ 45.45, 45.50 and 45.80;

13 (2) ~~The trial of a defendant, who is in custody at the~~
14 ~~time of his arraignment, has not commenced within forty-five~~
15 ~~(45) days after his arraignment; or~~

16 (3) The trial of a defendant, ~~who is not in custody at the~~
17 ~~time of his arraignment,~~ has not commenced within ~~sixty (60)~~
18 seventy (70) days after his arraignment.

19 (b) A criminal action shall not be dismissed pursuant to
20 Subsection (a) if:

21 (1) The action is set on a date beyond the prescribed
22 period upon motion of the defendant or with his consent, express
23 or implied, and he is brought to trial on the date so set or within
24 ten (10) days thereafter;

25 (2) The defendant failed to appear for trial and he is
26 brought to trial within thirty (30) days following his next
27 appearance in the trial court; or

1 (3) Good cause is shown for the failure to commence
2 the trial within the prescribed period. The People of Guam may
3 establish good cause by bringing a motion and showing 3
4 criminal trials occurring at the same time, wherein the court shall
5 schedule the pending trial within 5 days of a trial verdict for any
6 of the ongoing trials. A Judge shall not schedule and empanel
7 more than one criminal jury or criminal bench trial at a time, and
8 can only schedule and empanel criminal trials one after the
9 other.”

10 **Section 3.** § 45.10(c) is hereby *amended* and Section 45.10(d) is hereby *added*
11 to Chapter 45 of Title 8 of the Guam Code Annotated to read as follows:

12 **“§ 45.10. Duty to Delivery Arrestee to Judge, or to Peace Officer.**

13 (a) An officer making an arrest under a warrant or any person
14 making an arrest without a warrant shall take the arrested person
15 without unnecessary delay before a judge of the Superior Court.

16 (b) Notwithstanding Subsection (a), a private person who has
17 arrested another for the commission of an offense, may deliver him to
18 a peace officer who shall take the person arrested before the judge.

19 (c) The person arrested *shall* in all cases be taken before the
20 judge within forty-eight (48) hours after the arrest, except that when the
21 forty-eight (48) hour period expires, it is the burden of the government
22 to demonstrate that a bona fide emergency or an extraordinary
23 circumstance existed. Weekends and holidays shall not used to calculate
24 the forty-eight (48) hour period.

25 (d) In order to protect crime victims and our People, the court
26 shall be available to conduct hearings for law enforcement officers and
27 the Office of the Attorney General in conducting hearings as requested

1 by the Attorney General, including on ex parte basis at all hours in order
2 to timely meet the above time limitations.”

3 **Section 4.** Section 100.40 is hereby *added* to Chapter 100 of Title 8 of the
4 Guam Code Annotated to read as follows:

5 **“§ 100.40 Judgments of Acquittal Appealable by People of Guam.**

6 A judgment of acquittal by the court shall be appealable by the
7 People of Guam as any criminal decision by a court.”

8 **Section 5.** Section 160.96 is hereby *added* to Chapter 160 of Title 8 of the
9 Guam Code Annotated to read as follows:

10 **“§ 160.96 Deportation Plea Agreements Mandatory.**

11 Upon stipulation by the People of Guam and a pretrial or post-
12 trial criminal defendant, the court shall have jurisdiction and shall
13 accept a plea agreement that sets forth the defendant departing Guam
14 never to return. The court shall likewise have jurisdiction and shall
15 accept a stipulation allowing a post judgment criminal defendant to be
16 released from prison for deportation from Guam, along with other terms
17 the parties may agree to, such as preserving the balance of the prison
18 term to be served if the defendant returns to Guam. The plea agreement
19 or post judgment stipulation may include at a minimum provisions to
20 enforce the defendant’s permanent removal from Guam, including the
21 court issuing a bench warrant that would bring the defendant back
22 before the court if the defendant attempts to return. The court may then
23 enforce the plea agreement or post judgment stipulation’s terms
24 requiring prison, or again cause the defendant’s deportation, or both, all
25 at the discretion of the People’s Attorney General.”

26 **Section 6.** Section 40.20(h) and (i) are hereby *added* to Chapter 40 of Title 8
27 of the Guam Code Annotated to read as follows:

1 “(h) In all cases that a person charged with a crime including
2 methamphetamine delivery or use, or has a prior conviction for
3 methamphetamine delivery or use, the Court shall not release the person
4 unless that release at a minimum requires the person released to report
5 to a qualified professional that treats persons addicted to
6 methamphetamine within 1 working day for evaluation. Nothing
7 disclosed by the defendant to the treatment professional shall be
8 admissible in Court. If that person fails to appear, an automatic arrest
9 warrant shall issue without further hearing requiring the defendant to
10 again appear before the court. That person shall not be released, if at
11 all, again unless a third party custodian is acceptable to the Court or a
12 cash bail of no less than \$2,000.00 is set in order to protect the People
13 of Guam. If that person again violates the Court’s release conditions,
14 the Court shall not release the defendant again until that person’s
15 criminal case is resolved by dismissal or judgment.

16 “(i) In all cases that a person charged with a crime has a prior
17 criminal conviction by a local or federal court, the court shall not
18 release the person without bail, or on unsecured personal recognizance
19 bond, if at all. The court may only release the defendant on posting of
20 cash bail. If the defendant violates the court’s release order, that person
21 shall not be released, if at all, again unless a third party custodian is
22 acceptable to the Court or a cash bail of no less than \$2,000.00 is set in
23 order to protect the People of Guam”

24 **Section 7.** Section 30104.1 of Chapter 30 of Title 5 of the Guam Code
25 Annotated is hereby *repealed* and *reenacted* to read as follows:

26 **“§ 30104.1. Special Pay for Prosecutors.**

1 ~~Notwithstanding any other provision of law, attorneys serving as~~
2 ~~prosecutors shall be entitled to special pay, calculated at the rate of their~~
3 ~~regular wage plus fifteen percent (15%). The Office of the Attorney~~
4 ~~General shall provide special pay to all attorneys serving as prosecutors~~
5 ~~in the Office of the Attorney General.~~

6 **§ 30104.1. Mandatory Reporting by Government Employees.**

7 Government employees, including from any autonomous agency,
8 the utilities or any other instrumentality of the government of Guam,
9 shall have an affirmative and mandatory duty to report to the Attorney
10 General of Guam a reasonable suspicion or actual knowledge that a
11 crime or violation of civil law has been committed. The government
12 employee shall *not* have a right to assert any attorney-client privilege,
13 or other privilege, to prevent this duty, or for any person to avoid
14 criminal or civil prosecution based upon any assertion of an attorney-
15 client relationship or privilege.”

16 **Section 8.** Section 30104.2 is hereby *added* to Chapter 30 of Title 5 of the
17 Guam Code Annotated to read as follows:

18 **“§ 30104.2. Use of Government Funds Prohibited to Defend**
19 **Against Criminal Charges.**

20 No government funds, including from any autonomous agency,
21 the utilities, land grant institution or any other instrumentality of the
22 government of Guam, shall be used to fund or reimburse or pay any
23 government employee, commissioner, regent, board member or any other
24 person whatsoever, for any attorneys fees, cost or other expense, incurred in
25 defense of any criminal charge brought against that employee.”

26 **Section 9.** Section 30118.1 of Chapter 30 of Title 5 of the Guam Code
27 Annotated is hereby *repealed* and *reenacted* to read as follows:

1 **“§ 30118.1. Fiscal Authority Accounting; Expenditures.**

2 ~~(a) The Office of the Attorney General shall be responsible for~~
3 ~~the conduct of operational matters addressing its financial activities, in~~
4 ~~accordance with and consistent with the provisions contained herein.~~

5 ~~(b) The Department of Administration shall establish, for the~~
6 ~~benefit of the Office of the Attorney General, a fund to be known as the~~
7 ~~“Office of the Attorney General Operations Fund”, hereafter referred to~~
8 ~~as the “Fund”, which shall be maintained by the general administrative~~
9 ~~services of the Department of Administration separate and apart from~~
10 ~~other funds of the government of Guam, and independent records and~~
11 ~~accounts shall be maintained in connection therewith. Financial~~
12 ~~statements detailing the revenues generated and expenses incurred of~~
13 ~~the Fund shall be submitted to the Speaker of *I Liheslaturan Guåhan*~~
14 ~~quarterly, or as otherwise required by law.~~

15 ~~(c) All monies, except for monies required by law to be deposited~~
16 ~~in a special fund, received by the Office of the Attorney General, from~~
17 ~~whatever source derived, shall be deposited in the Fund bank account~~
18 ~~of an eligible bank, as defined in 5GCA § 21112, which is procured by~~
19 ~~the Department of Administration.~~

20 ~~(d) All expenditures from the Fund shall be made by the~~
21 ~~Department of Administration, at the direction of the Office of the~~
22 ~~Attorney General.~~

23 ~~(e) The Department of Administration shall adopt a uniform~~
24 ~~system of accounting, consistent with other government of Guam~~
25 ~~requirements, for the Fund and special funds of the Office of Attorney~~
26 ~~General.~~

27 (a) Notwithstanding any other provision of law, the Attorney
28 General may assume from the Department of Administration full
29 operational control over the Office of the Attorney General budget and
30 procurements, to include, but not be limited to issuing Office payroll,
31 paying bills and obligations and directly maintaining accounts and
32 managing the budget issued to the Office of the Attorney General by the

1 Guam Legislature. All unexpended fund balances, to include all
2 carryover appropriations, shall be transferred to the fund established in
3 5 GCA Chapter 30 §30118.1(b).

4 ~~(b)~~(a) The Office of the Attorney General shall be responsible for the
5 conduct of operational matters addressing its financial activities, in
6 accordance with and consistent with the provisions contained herein.

7 ~~(c)~~(b) The Department of Administration shall establish, for the benefit
8 of the Office of the Attorney General, a fund to be known as the “Office
9 of the Attorney General Operations Fund”, hereafter referred to as the
10 “Fund”, ~~which shall be maintained by the general administrative~~
11 ~~services of the Department of Administration separate and apart from~~
12 ~~other funds of the government of Guam, and independent records and~~
13 ~~accounts shall be maintained in connection therewith.~~ Financial
14 statements detailing the revenues generated and expenses incurred of
15 the Fund shall be submitted to the Speaker of *I Liheslaturan Guåhan*
16 quarterly, or as otherwise required by law.

17 ~~(d)~~(e) All monies, except for monies required by law to be deposited in
18 a special fund, received by the Office of the Attorney General, from
19 whatever source derived, shall be deposited in the Fund bank account
20 of an eligible bank, as defined in 5 GCA § 21112, which is procured by
21 the Department of Administration. The Treasurer of Guam shall
22 transition this account to the Office of the Attorney General. These
23 funds shall not be transferred or used without the written approval of
24 the Attorney General of Guam.

25 ~~(e)~~(d) All expenditures from the Fund shall be made ~~by the~~
26 ~~Department of Administration,~~ at the direction of the ~~Office of the~~
27 Attorney General.

1 ~~(f)(e)~~ The Attorney General Department of Administration shall adopt
2 a uniform system of accounting, consistent with other government of
3 Guam requirements, for the Fund and special funds of the Office of
4 Attorney General.

5 (g) The Attorney General may create and hire a Comptroller Position.”

6 **Section 10.** Section 30104.3 is hereby *added* to Chapter 30 of Title 5 of the
7 Guam Code Annotated to read as follows:

8 “§ 30104.3. AG’s Staff Subject to Drug Testing Terminable.

9 Notwithstanding any other provision of law, any employee,
10 including classified and unclassified employees, of the Office of the
11 Attorney General shall be subject to immediate termination by the
12 Attorney General of Guam in the event that an employee tests positive
13 for an illegal drug, as defined in the Guam Uniform Controlled
14 Substances Act, Chapter 67 of Title 9, Guam Code Annotated.”

15 **Section 11.** Section 10107(s) is hereby *added* to Chapter 10 of Title 12 of the
16 Guam Code Annotated to read as follows:

17 “(s) Mandatory Cargo Inspections.

18 Cause to be inspect all cargo (100% inspections) leaving the
19 Port Authority of Guam in coordination with Guam Customs and
20 Quarantine Agency with all detection means available, to include at a
21 minimum x-ray, canine detection and other means ordinarily utilized in
22 major port authorities for drugs and other cargo violating the criminal
23 and civil laws of Guam, including but not limited to methamphetamines
24 and illegal drugs, as defined in the Guam Uniform Controlled
25 Substances Act, Chapter 67 of Title 9, Guam Code Annotated.

26 A fixed x-ray machine for cargo inspections, including containers
27 and vehicles, shall be procured and operational within 6 months of

1 enactment of this Act, and shall be paid for with Port Authority of Guam
2 revenues. The Attorney General of Guam shall oversee directly, or
3 appoint an official, to oversee the implementation of the 100% cargo
4 inspections, direct operations as the AG deems necessary, and to
5 monitor the compliance with this 100% cargo inspection provision.”

6 **Section 12. Severability.** If any provision of this Act or its application to any
7 person or circumstance is found to be invalid or inorganic, such invalidity shall not
8 affect other provisions or applications of this Act that can be given effect without the
9 invalid provision or application, and to this end the provisions of this Act are
10 severable.

BOARD OF DIRECTORS*Dorothy P. Harris, Chairperson**Conchita S.N. Taitano, Vice Chairperson**Fe R. Valencia-Ovalles, Board Secretary***Resolution No. 2025-17**

RELATIVE TO STATING THE BOARD’S SUPPORT OF BILL NO. 109-38, “AN ACT TO AUTHORIZE THE PORT AUTHORITY OF GUAM TO GRANT A DOLLAR-FOR-DOLLAR OFFSET AGAINST LEASE PAYMENTS FOR TENANTS WHO INVEST IN TANGIBLE, DOCUMENTED IMPROVEMENTS TO PORT PROPERTY THAT PROVIDE HIGH VALUE TO THE COMMUNITY OR ENHANCE PORT OPERATIONS; AND TO ESTABLISH A STREAMLINED PROCESS FOR IMPLEMENTATION”.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM.

WHEREAS, the Port Authority of Guam (Port), established under Title 12, Chapter 10 of the Guam Code Annotated, is a public corporation and autonomous instrumentality of the Government of Guam tasked with managing Guam’s only commercial seaport, and is governed by a Board of Directors with oversight and fiduciary responsibility for its operations; and

WHEREAS, Bill No. 109-38 (COR), introduced by Senators Jesse A. Lujan, Christopher M. Duenas, and V. Anthony Ada, would authorize the Port to grant a dollar-for-dollar offset against lease payments for tenants who invest in tangible, documented improvements to Port property, provided that those improvements offer measurable benefit to the community or enhance Port operations; and

WHEREAS, the Board recognizes that such an offset program would support public-private partnerships, promote tenant-led capital investment, and help modernize critical infrastructure on Port-controlled land without overreliance on government funds; and

WHEREAS, this program does not alter the Port’s PUC-approved lease rates or tariff structure, but rather provides a post-rate offset mechanism that operates within existing financial and regulatory frameworks; and

WHEREAS, the Port’s lease rates are established in accordance with 12 GCA § 12102.2 and subject to approval by the Guam Public Utilities Commission, ensuring that lease terms reflect fair market value, support the Port’s financial obligations, and protect the public interest; and

WHEREAS, the proposed legislation includes safeguards requiring documentation, accountability, and the development of streamlined procedures to ensure consistent, fair, and transparent implementation; and

WHEREAS, the Board sees this measure as a tool that supports the implementation of the Port’s Master Plan and Capital Improvement Program by leveraging private investment to advance shared infrastructure priorities; and

WHEREAS, potential examples of qualifying improvements under this program include tenant-funded pavement of cargo laydown areas, installation of energy-efficient lighting, security enhancements, and upgrades to the Port’s recreational facilities—such as the road paving from the area fronting the 76 gas station to beyond Family Beach, which improves safe access and supports continued public use of Port lands; and

WHEREAS, any lease offset applied under this program would still be recognized as revenue in the Port’s financial statements, while the tenant-funded improvements would be captured as capitalized costs, ensuring compliance with accounting standards, preserving the integrity of the Port’s revenue and asset reporting, and supporting the Port’s ability to meet its bond covenant requirements; and

WHEREAS, the Board recommends that the provisions of Bill No. 109-38, if enacted, be codified within Title 12, Chapter 10 of the Guam Code Annotated to ensure clarity, consistency, and proper alignment with the Port’s existing statutory framework; now therefore, be it



RESOLVED, that the Board of Directors of the Port Authority of Guam hereby expresses its strong support for Bill No. 109-38 and urges its favorable consideration and passage by the 38th Guam Legislature; and be it further

RESOLVED, that the General Manager communicate the Board’s position and to provide technical input or testimony as necessary to support the successful implementation of the measure, should it become law; and be it further

RESOLVED, that the Chairperson certify to, and the Secretary attest to, the adoption hereof, and that copies of this Resolution shall be transmitted to the sponsors of Bill No. 109-38, to all senators of the 38th Guam Legislature, to the Honorable Lourdes A. Leon Guerrero, Governor of Guam, and the Honorable Joshua F. Tenorio, Lieutenant Governor of Guam.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 30th DAY OF APRIL, 2025.**




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

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

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÁHAN
2025 (FIRST) Regular Session

Bill No. 109-38 (COR)

Introduced by:

Jesse A. Lujan 
Christopher M. Duenas 
V. Anthony Ada 

**AN ACT TO AUTHORIZE THE PORT AUTHORITY OF
GUAM TO GRANT A DOLLAR-FOR-DOLLAR OFFSET
AGAINST LEASE PAYMENTS FOR TENANTS WHO
INVEST IN TANGIBLE, DOCUMENTED
IMPROVEMENTS TO PORT PROPERTY THAT
PROVIDE HIGH VALUE TO THE COMMUNITY OR
ENHANCE PORT OPERATIONS; AND TO ESTABLISH
A STREAMLINED PROCESS FOR IMPLEMENTATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

I Liheslatura finds that certain Port tenants have invested in improvements that directly benefit Port operations, infrastructure, and the wider community. These improvements reduce the Port's capital burden, improve safety and functionality, and support strategic public goals.

This Act aims to authorize and streamline a process allowing the Port Authority of Guam to grant lease payment offsets—up to the full lease value—where a tenant makes verified, high-value, capital improvements to Port property or adjacent Port-controlled areas.

Section 2. Authorization for Lease Offset.

1 (a) The Port Authority of Guam is authorized to provide a lease payment
2 offset to any tenant who:

3 (1) Undertakes a project with demonstrated high value to the
4 community or that substantially enhances Port infrastructure or operations;
5 and

6 (2) Makes tangible, verifiable capital improvements to Port-
7 controlled property.

8 (b) The lease offset shall be applied on a dollar-for-dollar basis, not to
9 exceed the total lease obligation, unless specifically approved by the Board of
10 Directors of the Port Authority of Guam.

11 **Section 3. Eligible Improvements.** Improvements eligible for lease offsets
12 must:

13 (1) Be permanent in nature and enhance Port functionality, capacity, safety,
14 environmental performance, or economic use;

15 (2) Be located on Port property or adjacent property under Port control;

16 (3) Be compliant with permitting and safety regulations; and

17 (4) Be supported by documentation including receipts, contractor invoices,
18 permits, and completion reports.

19 **Section 4. Process for Offset Approval and Application.** The Port
20 Authority shall establish and follow the process below:

21 (a) Eligibility Request:

22 (1) Tenant submits a written request outlining the proposed
23 improvements, estimated costs, timeline, and community or operational
24 benefits.

25 (2) The Port assesses basic eligibility, including project alignment
26 with public interest and capital improvement criteria.

27 (b) Offset Agreement:

1 (1) If deemed eligible, the Port and tenant shall enter into an Offset
2 Agreement before work begins.

3 (2) The agreement shall specify scope of work, cost estimates, offset
4 limits, project timeline, and compliance expectations.

5 (c) Verification of Improvements:

6 (1) Upon completion, the tenant shall submit documentation of work
7 performed.

8 (2) The Port CIP/Engineering Division shall verify that
9 improvements were completed as agreed and that costs are reasonable and
10 justified.

11 (d) Application of Offset:

12 (1) Verified costs shall be credited toward future lease payments on
13 a dollar-for-dollar basis, until the total offset is exhausted.

14 (2) Credits may be applied monthly or annually, and shall not be
15 transferred or applied retroactively without approval.

16 (e) Recordkeeping and Reporting:

17 (1) The Port shall maintain a record of all approved offsets,
18 improvement types, and public or operational benefits.

19 (2) A summary report shall be provided annually to the Port's Board
20 of Directors and made available to *I Liheslaturan Guahan*.

21 **Section 5. Retroactive Application for Existing Leases.** The lease
22 offset authority granted under this Act may be applied retroactively, but only
23 for leases already in existence as of the effective date of this Act.

24 For such leases, the Port Authority may credit prior documented capital
25 improvements—completed within the last five (5) years and meeting the
26 criteria of this Act—against current or future lease payments, provided that:

1 (1) The improvements were made with proper permits and
2 approvals;

3 (2) Sufficient documentation exists to verify completion and cost;
4 and

5 (3) The Port's Capital Improvement Projects/Engineering Division
6 certifies that the improvements provide ongoing value to the Port.

7 **Section 6. Severability.** If any provision of this Act or its application
8 is held invalid, the remainder shall remain in effect.