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Senators Debate Nearly 200-Year Lease of Prime St. Thomas Property, Approve Measure

Lawmakers approved a lease for the Virgin Islands Museum of Art, with a monthly rent of \$100. Debate centered on the 199-year term and lack of safeguards, though the \$15M+ renovation would come at no cost to the government.

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Rendering of the The Charles M. Kim V.I. Foundation. By. V.I. LEGISLATURE

A proposal to lease a prime piece of St. Thomas real estate to a private foundation for nearly two centuries sparked spirited debate among lawmakers on Thursday, as members of the Senate's Committee on Economic Development and Agriculture weighed the long-term implications of Bill 35-0040. While some senators praised the project's cultural and economic potential, others raised

concerns over the unusually long lease term and its impact on future generations.

“I want to thank the Kim family for valuing what we did not value over these 30 years,” Senator Marise James declared during Thursday's debate over [Bill 35-0040](#). The Charles M. Kim V.I. Foundation is expecting to spend at a minimum \$15 million of its own funds to construct the Virgin Islands Museum of Art in Charlotte Amalie, St. Thomas.

The bill, first introduced in the Committee on Economic Development and Agriculture on March 18, would [authorize a 99-year lease](#) of 48B Norre Gade in Kings Quarter, St. Thomas to the foundation. The proposed lease also makes provision for two 50-year renewals.

The length of the lease once again was a sticking point for some lawmakers, including Senator Kenneth Gittens. “I'm still a bit uneasy with this 99-year lease for what is arguably one of the most valuable pieces of real estate in downtown Charlotte Amalie, St. Thomas,” he admitted. “We have no idea what social or economic conditions we can expect in the years ahead, and to bind our grandchildren and great-grandchildren to this lease is wholly unacceptable.” Instead, Senator Gittens suggested that a “30 to 50 year lease with an option to renew should be more than adequate to complete this project.”

“There are a lot of merits to this initiative, don't get me wrong, and I will be happy to support it if we are able to make changes to the terms that are actually before us,” he told his colleagues, displeased that occupying the property for a potential 199 years would only cost the Charles M. Kim V.I. Foundation \$100 per month.

Senator Clifford Joseph also admitted that the project gave him “pause.” “The term of this lease spans several generations. We understand that a generation is 25 years, roughly. So at 200, we talk in eight generations,” he remarked. Nonetheless, the lawmaker was pleased to learn that the development would come at no cost to the government. He also took solace in his stated belief that “the government could call to cancel at any time.”

Contrary to Sen. Joseph's assertion that “that's in there as well,” Sen. Marise James – an experienced real estate attorney – pointed out the error in her colleague's understanding. “I keep hearing people saying that we can cancel this lease at any time. I did not see anywhere in this lease agreement where the Virgin Islands Government can terminate for convenience. There is no clause that says that,” she asserted.

Instead, it is the Foundation which can “terminate it by providing one year's written notice...They can terminate it every 10th year under the lease,” explained Sen. James, who generally supported the measure. She suggested that the lease should include a clause “where every maybe 10 years, we could review and adjust the terms of this lease agreement.”

“We as a government don't have the proper mechanisms in the lease to protect the public interest,” she noted, expressing confidence that the Kim family would be amenable to such a change.

Senator Alma Francis Heyliger, meanwhile, was in total opposition to the sentiments shared earlier by Senator Gittens, and the hesitation expressed by Senator Clifford Joseph. She emphasized that the project is “not going to cost the government a dime” and would employ people “for the next 100 years.” Sen. Francis Heyliger said she was therefore confused that some were “still complaining as to why we should do it.”

“Maybe if we were not wasting money as a government we would have had money to fix it ourselves, instead of having to give it to outside people to lease it,” she declared. “Now people are

concerned about the 99-year lease, which personally, I am not.”

Ultimately, the lease was approved by six votes in favor to one against, with Sen. Gittens the lone voice in opposition.

Additional Committee Votes

Also ratified during Thursday's committee meeting were Bill 36-0028 which would lease land in Red Hook to Tropical Marine Inc, and Bill 36-0038 which approves increasing the Virgin Islands Port Authority's bond limit to \$500 million. All the measures will now be forwarded to the full body for further vetting.

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