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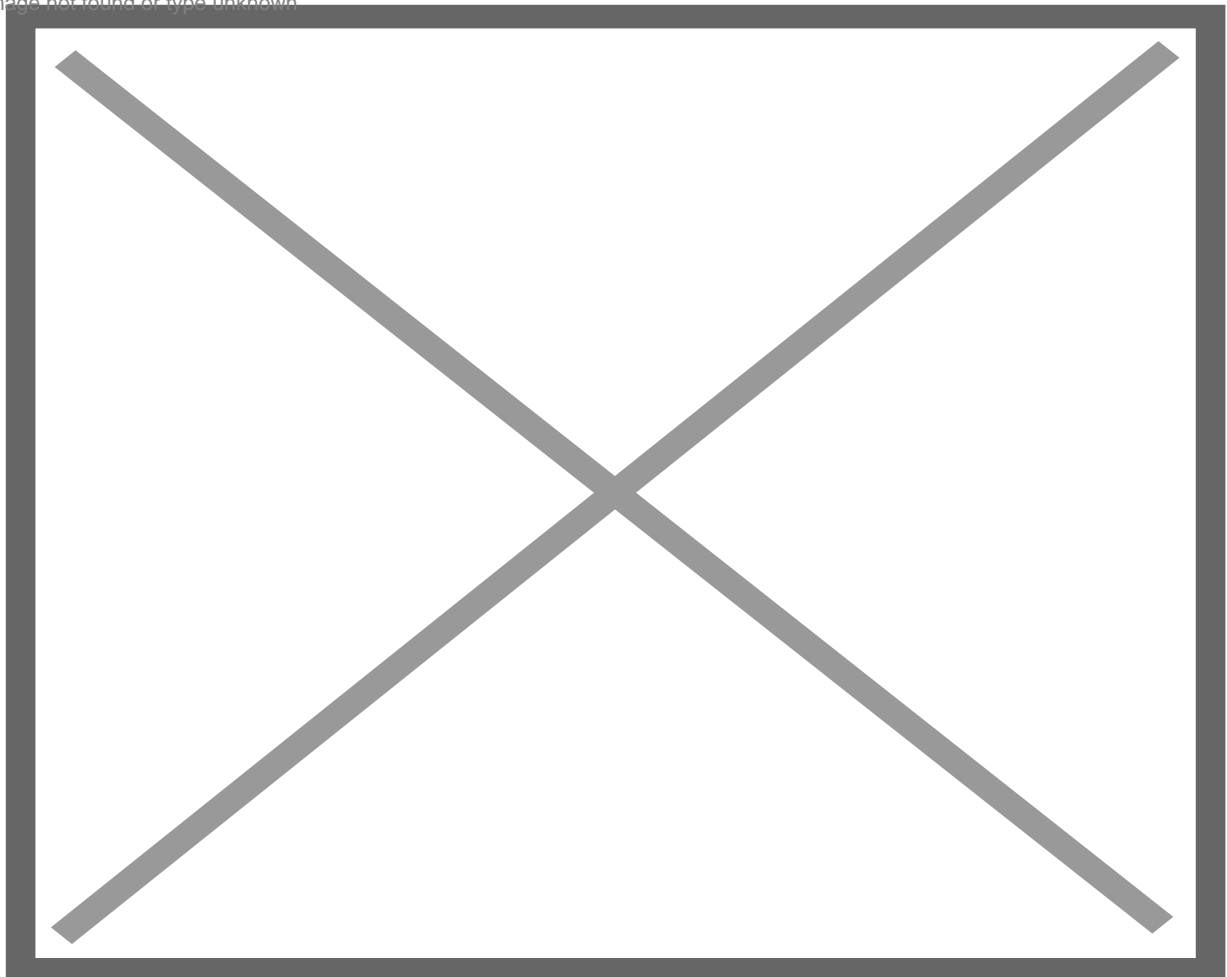
## **Senators Pass "Take it or Leave It" Museum Lease; Violet Decries Absence of Local Voices on Board; Johnson Says Gov't "Laid Itself Down" for \$100 a Month**

**The Legislature approved Bill 36-0040 to lease the Hamburg America building for up to 199 years. Senators Johnson, Violet, Frederick, and Gittens opposed the deal, citing lack of local oversight, long-term consequences, and undervaluation of public assets**

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Sen. Johnson donned a boxing glove to symbolize what he described as "199 punches" the territory will endure as a result of approving the 199-year lease agreement between the GVI and the Charles M. Kim V.I. Foundation. By. SCREENSHOT/VI CONSORTIUM

“Take it or leave it.” Senators Franklin Johnson and Hubert Frederick say that was the ultimatum issued to lawmakers by the Charles M. Kim V.I. Foundation, the nonprofit organization [seeking a 99-year lease](#) for the Hamburg America building to establish the Virgin Islands Museum of Arts. The proposed lease also makes provision for two 50-year renewals, bringing total years to 199.

The proposed lease has been under scrutiny in and out of the legislative chambers. When [Bill 36-0040](#) was first discussed in the Senate Committee on Budget, Appropriations, and Finance on March 18th, several lawmakers took issue with various aspects of the arrangement. Senator Novelle Francis was concerned about the length of the lease, while Senator Kurt Vialet was worried that Virgin Islanders would not be appropriately represented. During the vetting process in the Committee on Rules and Judiciary, Senator Marise James reminded lawmakers that the government does not retain the right to cancel the lease before the 99 years, while the lessee has a chance every decade to choose to terminate the agreement.

If approved by the governor, the Hamburg America building will effectively be under the control of the Kim Foundation for a nominal fee. The arrangement continues to disturb Senator Johnson, who argued against the structure of the lease during Monday’s regular session. He drew on examples from mainland museums that, according to Mr. Johnson, charge \$35 for entry.



*Rendering of the The Charles M. Kim V.I. Foundation. (Photo Credit: V.I. LEGISLATURE)*

“At \$35, all it takes for them to make the \$100 a month that they're going to give to us is three visitors walking into that museum,” Senator Johnson declared. “\$100 a month. That's what this is about. Nobody wants to speak about that. It's \$100 a month for 99 years,” he lamented. “Our great grandchildren ain’t going to get no money from this...and they're going to make a profit. Make no mistake about that,” he argued.

Johnson was one of several legislators who attended a meeting with the prospective developers after the lease was ventilated in the relevant committee. “I said you guys need to hold this and let’s work on a next arrangement because I’m willing to give you the building to lease,” he recalled. Instead, the lawmaker shared that he was told “all or none. 99 years or none. No negotiating. We don’t want to sit down and wait.”

The Legislature, he believes, is being “pushed around” by acquiescing to such requests. “I would prefer to even sell the building than to say I’m going to lease it, because you're not going to get nothing from it.” For Senator Johnson, the dollar value of \$100 no longer goes very far, but “this government laid itself down to collect \$100 a month for 99 years.”

“Vote your way. I gone vote mines,” he warned his colleagues.

Johnson wasn't the only lawmaker who took issue with the lease. Senator Hubert Frederick admitted that “I don't particularly like long leases like this.” Like Johnson before him, Frederick was adamant that “there's some money that's going to be made here” by the nonprofit seeking to develop the museum. “Why couldn't they accept a 50/50/50 agreement,” he wondered, referring to the length of the lease.

“It was told to us ‘take it or leave it,’ and that is problematic to me,” he added. “If there's an amendment forthcoming to adjust the terms, then I would think otherwise.”

No such amendment was introduced by any of the fifteen present legislators.

During his time to speak, Senator Kurt Violet rubbished the positive sentiments toward the lease shared by some of his colleagues. He sarcastically recommended that the developers “hire members of the Legislature for the marketing team.” “You guys have done an excellent job marketing this particular facility,” he said to more supportive lawmakers.

“The lease is built on good faith and trust,” Senator Violet pointed out. “There is nothing in the lease that mandates that members of the board must be Virgin Islanders or a certain percentage... There's nothing that says that our historical culture bearers must have a seat on the board.” According to Mr. Violet, when the initial 99-year lease term ends, the 86th Legislature will be convening.

Senator Kenneth Gittens, who regularly referred to the arrangement as a 199-year lease, rebutted claims that approving such a lease would assist with restoring dilapidated buildings in central areas. “If we're really serious about the old and dilapidated buildings that we're talking about in our historic districts, then let's go back and revisit the bill that was [35-0202](#).” That bill asked that the Historic Preservation Commission relax certain restrictions relating to conservation and preservation of historic and cultural assets in the historic district. According to Mr. Gittens, enacting it would “assist our local property owners.”

Instead, “we are so ready right now to assist a private entity to takeover the old and dilapidated building.” Like Senator Johnson, Mr. Gittens clarified that he is willing to work with the Kim Foundation, “but not for 99 years with an additional 50 and 50 again.” The Legislature, he said, holds a “generational responsibility” as the lease “binds our children, grandchildren and great-grandchildren.”

Senators Frederick, Johnson, Gittens, and Violet were ultimately the only four lawmakers to vote against the lease. Their comments were starkly contrasted by those of Senators Marvin Blyden and Carla Joseph, who instead viewed the lease as a positive development for the territory.

In addition to the small rental payment, “the Government of the Virgin Islands will receive 30% of the income from the subletting of the space. No one mentioned that,” Senator Blyden noted. “There's an anticipated 30-plus million dollar investment in property and operations at no cost to the government of the Virgin Islands,” shared the senator, as justification for his support.

“What they are doing is really a new paradigm in looking at development,” shared Senator Carla Joseph. She was buoyed by the idea of a nonprofit entity that is “willing to come into the Virgin Islands [and] remove a blighted area that is severely damaged.”

After Bill 36-0040 was voted through over his objections, Senator Johnson rose, having donned a red boxing glove, to remind viewers that Virgin Islanders would only get “punched” from this

deal.

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