

I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 182-31(LS)

Introduced by:

Sam Mabini, Ph.D. *Sam*

AN ACT TO AMEND AND ADD §80128, TITLE 5 GUAM CODE ANNOTATED, CHAPTER 80, RELATIVE TO AUTHORIZING TO THE GUAM PUBLIC LIBRARY SYSTEM TO CONTRACT FOR LEASE OF A PORTION OF FRONTAGE PROPERTY AT THE NIEVES M. FLORES PUBLIC LIBRARY IN HAGATNA TO OPERATE A SMALL MOBILE FOOD ESTABLISHMENT.

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1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative findings and intent.** *I Mina'Trentai Unu Na*

3 *Lihselaturan* finds the need for the Guam Public Library System to be authorized,

4 solicit and contract to lease of frontage property of the Nieves M. Flores Public

5 Library (Hagatna Public Library) to a small mobile food establishment to provide

6 drink and food services for library patrons and the general public.

7 *I Mina'Trentai Unu Na Lihselaturan* finds that many public libraries

8 throughout the nation partner with “cafe” business establishments to improve

9 services to library patrons. To better serve local library patrons, the Guam Public

10 Library System seeks to contract with a “cafe” mobile food service business to be

11 set-up at the outside premises of the Nieves M. Flores Public Library (Hagatna

12 Public Library). Establishing an outside “cafe” like experience may also attract

13 and increase more patrons and visitors to the establishment.

1 *I Mina'Trentai Unu Na Liheslaturan* finds that agencies may have
2 enterprising opportunities that can fund operational needs. Allowing GPLS to lease
3 a portion of frontage property at Nieves M. Flores Public Library to a business
4 establishment will provide a new revenue generating source to support library
5 infrastructure.

6 **Section 2.** A new Subsection §80128 added to Chapter 80, Title 5, Guam
7 Code Annotated to read:

8 “§80128. Contract to lease of frontage property, in accordance with current
9 procurement law, a food establishment to provide drink and food services for
10 library patrons and the general public. This shall be limited to a small-size mobile
11 food establishment, with services including, but are not limited to, the selling of
12 coffee and other drinks or snacks, with a facility to consume them on the premises,
13 or as deemed appropriate by the Library Board.

14 (a) The solicitation and contracting for lease of frontage property to a
15 food establishment may include, to the extent deemed practicable, appropriate and
16 necessary, the use of the exterior frontage property of the Nieves M. Flores
17 Memorial Library.

18 (b) All funds received from the contract for lease of frontage property
19 shall be maintained separate and apart from any other fund of the Government of
20 Guam, and independent records, and an independent bank account shall be kept in
21 connection with this fund. The revenue from the contract for lease of frontage
22 property shall be used for facility maintenance or improvements. These funds will
23 be used at the sole discretion of the Director of the Guam Public Library System.

24 (c) Funds directed, as a result of revenue received from the contract
25 for lease of frontage property, shall be subject to an annual audit by the Office of
26 the Public Accountability.”

27 **Section 3. Effective Date.** This Act shall take effect upon enactment.

1 **Section 4. Severability.** If any provision of this Law or its application to
2 any person or circumstance is found to be invalid or contrary to law, such
3 invalidity shall not affect other provisions or applications of this Law which c can
4 be given effect without the invalid provisions or applications, and to this end the
5 provisions of this Law are severable.