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COMMISSION MEETING MINUTES

CLTC Conference Room and via Google Meet
Suite 223, ITC Building
590 S. Marine Corp Drive, Tamuning, Guam
Thursday, October 21, 2021; 1:07 p.m. – 4:00 p.m.

Public Notice: The *Guam Daily Post* on October 14, 2021 and October 19, 2021

Chairman John Reyes, Jr.: Before we call the meeting to order let's please cite the Inefresi. And Commissioner Santos, do you mind leading us.

Commissioner Angela Santos: Leading the Inefresi

All: Citing the Inefresi

CALL TO ORDER

Chairman J. Reyes, Jr.: Okay, the time is now 1:07 and I call this regular meeting of the CHamoru Land Trust meeting to order

ROLL CALL

Chairman J. Reyes, Jr.: And we'll begin with Roll Call. Commissioner Bordallo?

Commissioner Arlene Bordallo: I'm here

Chairman J. Reyes, Jr.: Commissioner Santos?

Commissioner A. Santos: Esta gui yu

Chairman J. Reyes, Jr.: Thank you. Attorney Toft?

Attorney Nicolas Toft: Here

Chairman J. Reyes, Jr.: Thank you, sir. And Acting Administrative Director Angie Camacho?

Acting Administrative Director Angela Camacho: I'm here.

Chairman J. Reyes, Jr.: Okay, Attorney Toft can you please verify if we have a quorum.

Legal Counsel N. Toft: We have a quorum.

Chairman J. Reyes, Jr.: Thank you, sir.

Rev. 8/10/2021

APPROVAL OF MINUTES

September 16, 2021, Regular CLTC Meeting Minutes

Chairman J. Reyes, Jr.: Next item on the agenda is the Approval of Minutes for the September 16, 2021; Regular CLTC Meeting and I'll give the Commissioners a few minutes.

Commissioner A. Bordallo: I move that the minutes of September 16, 2021, be approved subject to correction.

Chairman J. Reyes, Jr.: Okay, thank you Commissioner Bordallo, can I get a second?

Commissioner A. Santos: I'll second that.

Chairman J. Reyes, Jr.: Thank you, Commissioner Santos. Any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Okay, hearing none, motion passes the approval of September 16, 2021, Regular CLTC Meeting Minutes.

NULL AND VOID LEASES UPDATE

Chairman J. Reyes, Jr.: We'll do our monthly Null and Void Lease updates and then let's spend some time on the SOP for the Null and Voids. So in your packets, I believe you have the two options that was presented to us so let's go ahead and do the updates first and then we'll go into that second one. Okay, Ms. Lydia.

Land Agent I Lydia Taleu: Yes, sir.

Chairman J. Reyes, Jr.: Could you give us the monthly updates for the Null and Voids, please?

Land Agent I L. Taleu: Okay, so the numbers still haven't changed since the last Board meeting. We still have 23 adjudicated with 81 pending a total of 104 cases in total of the Null and Void cases. Now, I haven't had a chance to do any of the ones in the application stage simply because I've been concentrating on Null and Void cases hoping to change the numbers by the end of the meeting.

Chairman J. Reyes, Jr.: Okay, thank you. Any comments on that, Commissioners?

Commissioner A. Bordallo: None for now.

Chairman J. Reyes, Jr.: Okay, awesome. Thank you Ms. Lydia

Commissioner A. Santos: Thank you, Ms. Taleu.

Chairman J. Reyes, Jr.: Okay next up is our opportunity to basically create and SOP for us to be able to start rectifying the Null and Voids. So we have two options or two scenarios that is

presented to us. And I'll just kind of give you just a few minutes just to give you some time plus formulate any questions that you have.

Commissioner A. Santos: You said there are two, Mr. Chair?

Chairman J. Reyes, Jr.: Yes. So there's the one that's Part 1 and the second one is kind of the email draft from Mr. Toft.

Commissioner A. Santos: Okay... okay... got it.

Chairman J. Reyes, Jr.: Commissioner, if you don't mind, I actually prepared a couple of mine to begin with.

Commissioner A. Santos: Yes, please.

Chairman J. Reyes, Jr.: Okay, so the one that was prepared I guess from Joey and Team; my first question is maybe more for clarification... 1.1(c); this section talks about when there is a lease already in place, correct? So Joey, just to clarify, as it reads this section 1.1 on the leases; for clarity or what I'm trying to understand, the recommendation or the recommended action is to terminate the lease and then if there is a loan guaranty to grant them a Right of Entry to the lessee?

Program Coordinator III Joey Cruz: If there is a residential dwelling on the property whether it's through a loan guaranty or through their personal resources.

Chairman J. Reyes, Jr.: Okay so if we're terminating the lease in essence we're just granting a right of entry?

Program Coordinator III J. Cruz: With conditions, whether it was through a loan guaranty they would have to comply with their monthly payment and things of that nature.

Chairman J. Reyes, Jr.: Okay. So they won't have a lease to be on this land?

Program Coordinator III J. Cruz: No lease

Chairman J. Reyes, Jr.: Just a right of entry. So there's still an open item on this scenario, how do we deal with it to close it out in that sense or do we....?

Program Coordinator III J. Cruz: We will close it out and when we come up with their date and time to issue a lease

Chairman J. Reyes Jr.: Okay and then when that comes up whether or not we issue a lease for this property or are we going to transfer and move them out to

Program Coordinator III J. Cruz: It would be on the property that they're residing.

Chairman J. Reyes, Jr.: Okay. So because I was a little confuse on that should we expand the language if incase this is the one that the Commissioners adopt obviously if we adopt to add that language just in case so that there's clarity or is it there? And I just missed it, sorry.

Program Coordinator III J. Cruz: The proposed actions would be to terminate the lease revert that application back to the original applicant if in the event that the constituent only paid for survey *inaudible* then they would be reimbursed for their survey cost. If in the event that there is a home constructed whether it was through the loan guaranty program or through their personal resources they won't be able to avail of the survey refund but they will be granted a right of entry.

Chairman J. Reyes, Jr.: So then I think then to kind of bridge that gap is upon their next in line or date and time then that's when a lease will be issued. I think that's where kind of the gap is when I was reading through it.... from a chronology... here's a next step.

Program Coordinator III J. Cruz: We can add that. It was just in our SOP that it's already there but we can include that verbiage just so that there's clarification.

Chairman J. Reyes, Jr.: Just so that there's... okay or what we'll do is please reference x.... great - okay and then from the application standpoint, I think this is fine. And so when you reverted to the applicants date and time of the original applicant which we just clarified here they will be addressed at that point?

Program Coordinator III J. Cruz: Yes, sir.

Chairman J. Reyes, Jr.: Okay... so Attorney Toft just for clarifying your point here; these are proposed additions to existing... to the existing hence the 5C, 5.3C...?

Legal Counsel N. Toft: That's correct.

Chairman J. Reyes, Jr.: Okay, alright.

Legal Counsel N. Toft: Did you kind of want me to go over them and the reasoning behind them that would kind of help.

Chairman J. Reyes, Jr.: Yeah, so I was going to say... would you... yeah.

Legal Counsel N. Toft: Okay so the proposed addition 5.3C, is to basically spell out the and to come standardized the issue of switching application *inaudible* so it's been done kind of had hazardly I guess throughout the years without solid guidance and without and I think this Board has kind of made it clear in what it values more than anything else is transparency so this will bring the process to be brought in front of the Board. And the Board does have the ability to kind of look at such a request and decide in its discretion whether or not to grant a transfer on the type of application. The second one is the issue of designating a successor to an application so in the past we've had issues because the existing designation statues for a application is different from a designation of a successor to a lease under Section 9.1. The 9.1 designation of a successor is a little bit more broad and 5.8 is kind of narrowed in a weird way; it has certain relatives not ones that you would think should be on there. So this kind of

expands it to bring it in line with Section 9.1's coverage of relatives or qualified relatives and also in line with the previous board's standard operating procedure back I think it was 2017 or 2018, the previous Board had decided to interpret 5.8 to encompass the same relative coverage as 9.1 had but that's obviously not spelled out so this is trying to kind of clean up the gaps that are in law and also to making it in front of the Board. Again, standardizing it and publicizing it, making it transparent. The third one, 5.8C; so this is what I think should, hopefully clear up a lot of the null and void list. So this is a- that the Board can if *inaudible* finds it that an emergency exist that makes a transfer-switch imperative can allow for an applicant to transfer-switch their application date and times to a qualified applicant within the third degree of consanguinity under the Act. So again, this is to make it very transparent as to what we're doing and it also ups the standard of what should be considered for a switch. So it's not going to be handed out to everybody who requests for it and it has to have good cause shown. So a lot of what we had a lot with the Null and Void list, it wasn't a... it's one of those things that wasn't exactly spelled out in the rules as to the full powers of the Board. A lot of the previous directors just kind of assumed that that's something that should have been in there because there's so many other ways to have the same thing happen. You know if the original applicant gets a lease then after seven years they can transfer it. And if an emergency exists that they need to transfer it sooner, they can do so. So it's like essentially doing the same thing as that but just kind of its aimed at this Null and Void list to try and clear it up and to bring these issues in front of the Board and in front of the public, announce exactly what we're looking at and make a decision on a case by case basis. 6.4C; is again kind of standardizing publicizing the existing rule on 6.4 is that the Board does not have the power to evict people who are qualified applicants who are residing on CHamoru Land Trust property prior to 1995 and we have been issuing leases to these people because again there's... if we can't evict them we figured let's at least provide them the ability to get utilities and tax money out of the deal and make it official. So this spells that out, this again makes it transparent. The 9.1C, the Proposed Addition is something that we've seen pop up kind of recently. There are a lot of time when the Commission allowed a lessee to designate more than one successor to the lease and this creates problems when if the lessee passes away and there's two successors on a lease; which one of them gets it and there are no rules no standardized on how that should be decided, so this just spells out that the Commission gets to hear from both sides and make a decision in its absolute discretion so there's no confusion as to what is going on or how it's being decided.

Chairman J. Reyes, Jr.: Okay, thank you. Appreciate that. Let me just kind of turn to Joey real quick. So from an operations standpoint and given what we know with the current list, the 104 I believe with the Null and Voids where this gives us some of the clarity and addition to on what we can do as a Commission. On this side, the other proposal it kind of gives the what to do versus the Board making a decision and options of making that decision. Again when I was reading through this it wasn't necessarily... this is more just additions to the SOP what the Board is going to be able to do within our limits but also giving us additional or more scope to be able to manage those 104. Is it again for the Commissioners just kind of going through this; if we adopt these proposals or additions to the existing, we're going to have to come up with procedures. So if this a scenario and there's a lease and if this is a scenario and there's no lease... right, whatever the Board decides, we're still going to have to handle it a certain way, correct?

Program Coordinator III J. Cruz: I believe for as long as... Attorney Toft's is very descriptive for what additional authority for the Board, I think what the main thing would be is to define what the emergency is going to be, that's the confusion or not really confusion but that's the question that has been arising a lot. And whether the emergency applies to the lessee or to the beneficiary of who the transfer will go to. But as far as creating additional procedures everything that he's listed we can factor into our SOP, there will be no need to... we'll just go off of what he had proposed but none the less we're still going to have to go through the Triple A process. Some of the proposed additional authority we may have opposition to it and then we bring that back and then the Board will meet and decide whether it has any relevance or any weight to change the proposed or additional authority proposed. But we've already started planning in the event the Board should adopt the proposal by Assistant Attorney General Toft. We've been planning out already when the public hearing would be to meet the Open Government Law and to meet the Triple A process so we've already got a head of it and we're planning.

Legal Counsel N. Toft: And again to address your point on 5.8C the Emergency, that's just the standard that I pulled just kind of based of a feeling I got from the Board on as far as what it wanted. That's adjustable, so that can be so there's different levels of standard. It could be good cause shown, it could be absolute discretion of the Board just hearing all the facts on the case so that language is modifiable based on how this Board wants to treat those types of applications.

Chairman J. Reyes, Jr.: Right right or one that we deem or they come before us as an emergency for example?

Legal Counsel N. Toft: Right. Right so the existing set of rules there's about three or four different kind of standards of reviewing where an emergency exists. So that's for transfer of leases under seven years, there's for good cause shown for I forget what the other one *inaudible* but it's up to the Board as to how it wishes or what kind of level of urgency should apply on these types of transfers

Chairman J. Reyes, Jr.: Understood. And it's going to be definitely as the research comes through or whatever the circumstance is.

Legal Counsel N. Toft: Yeah and so we have the existing Null and Void list that this would apply to most if not all of those but again the Board should also in making its decision look through how this would affect possible applications for transfer-switch in the future as well and how it wishes to consider them.

Chairman J. Reyes, Jr.: Exactly I was wanting to make sure that we're very deliberate that it's scalable for the future or anything that comes up in the future hence kind of why I was like if we adopt these at least begin the process and say hey yes this is what we want, I want to make sure that there is a procedure on how to manage it, right?

Legal Counsel N. Toft: Right

Chairman J. Reyes, Jr.: With the different scenarios, with a lease without a lease etc.... because we're going to want to make sure that the so I'll use, Ms. Lydia who's managing this knows exactly how to manage it if the Board decides on X and so here's how we're going to...

Legal Counsel N. Toft: So these would be all without a lease. So these are all pre-lease because if they have a lease then that comes into that seven years and underneath seven years that's an emergency *inaudible* so that one is already covered. This is just a pre-leased and again like you said, we're looking at the future because so many of the rules were written with kind of a five – ten year timeframe in mind and didn't really consider what would happen if thirty years passed and the original applicants are now passed their ability to possibly farm and they have an agriculture lease *inaudible*

Chairman J. Reyes, Jr.: Okay, makes sense. Commissioners, I'll yield to you know thank you. Question, Commissioner Bordallo?

Commissioner A. Bordallo: So how does your rules and Mr. Joey's suggestion for part one and part two

Legal Counsel N. Toft: How do they intercept?

Commissioner A. Bordallo: Yeah

Legal Counsel N. Toft: So his recommendations is a termination of lease has basically already happened. That was the AG's opinion, these are null and void the lease does not exist. It's a matter of how you move on from here. So without the proposed additions of the rules, it's kind of a lot like what we have with the land owners who have been pre-occupiers. A lot of them don't have leases they're just on the land it's very difficult for them to get utilities or any sort of... it's ten times as difficult to do anything with the land. And a lot of them are not paying taxes and things like that. And to me, it's kind of a distinction without the difference in that they're there that land is not going to be used for other potential applicants so why not make it official for as long as we can have a public hearing on it and make it transparent. And again, this Board has been extremely sensitive to the transparency issue and so this brings all of them in front of the board so you know, nothing behind closed doors at all. Everything is done in a public hearing and it makes it official, makes it public and it makes it standardized so that there's no perception of favoritism everything is out in the open, in the minutes out there for everyone to see. Without the rules, if we go with Mr. Cruz's proposal for the reversion to the original applicant and the right of entry, you know, they have a right of entry until there lease comes up but for a lot of people again that's going to be 20 – 30 year time. There's a lot of people that's been sitting on the list since December 1995 and doesn't have a lease yet so for someone who has a transfer because they applied in 1999 instead of 1995 they could be waiting a couple decades for their actual lease to come up and the amount of hoops that they have to jump through in the meantime they're going to be on the land on the house that they built but it's just going to be a stupid amount of red tape for them. So my proposed rule addition basically makes it public and allows the Land Trust to kind of move on to the more critical issues because I think we're stumbling over this Null and Void thing meeting after meeting week after week trying to come up with sort of duct tape solutions for people because we don't want to kick them out on the street. If they built a house we don't want to boot them out and say sorry we screwed up bye... we have a lot more compassion than that so

I think this allows us to kind of announce what we're doing and make the process transparent and make it so that the other government agencies can do what they do as well without too much hassle.

Commissioner A. Bordallo: Now, the previous standard operating procedures back in 2020 – 21 does it have these proposed rules in it?

Legal Counsel N. Toft: Right

Commissioner A. Bordallo: So I'm ready.

Chairman J. Reyes, Jr.: Yeah, I definitely appreciate the help in this Attorney Toft. And of course Joey, right, with the proposals. I think it will do us good to also put some procedures that's tied to this, right? Just to make sure that we don't miss anything.

Commissioner A. Bordallo: Will this solve the problem with all those cases that are....

Legal Counsel N. Toft: That's the goal.

Commissioner A. Bordallo: Go for it.

Chairman J. Reyes, Jr.: Okay, so before I go ahead and make it very clear before we make a vote, right? What's the process after the Commission decides on these or makes a decision on either proposal; what's the next steps? Just so we're clear.

Program Coordinator III J. Cruz: What we'll do is we'll take the proposed additional authority presented by Attorney Toft, we'll put in in the format of how we proposed changes to comply with the settlement agreement, we'll bring it back for the Board to review one more time to agree then we will plan when it will be published and all that other great stuff to comply with the Open Government Law and the Triple A process.

Chairman J. Reyes, Jr.: Okay. So at least we'll have a period of time for us to make sure that everything take a ties and that it still needs to go through the Triple A process anyway.

Program Coordinator III J. Cruz: Once it's published already there will be no more changes that could be made to the proposed additional authority because we have to keep in the office a certain amount of copies for anybody who wants to come in an review them.

Chairman J. Reyes, Jr.: Correct, once it's published.

Program Coordinator III J. Cruz: Once we published.

Chairman J. Reyes, Jr.: Okay, I just want to do a quick verification for those that are on the zoom, can everyone still hear us okay? Alright, just make sure Commissioners and Mr. Cruz to speak directly into the mic so everyone *inaudible*

Program Coordinator III J. Cruz: Sir, if I may add, if the Board should choose with the proposed additional authority we are going to put a halt to any other corrective actions for the Null and

Void that are still pending. It wouldn't make sense for us to try to adjudicate it now and there's changes and then we have to circle back to make another change because it's not in line with the additional authority that was granted.

Chairman J. Reyes, Jr.: Yeah, we should, I agree, everything should be put to a halt until everything is finalized and we'll deal with it as they come. Okay. Commissioner Santos, any questions?

Commissioner A. Santos: I'm impressed. This is a long road for everybody working here on this. So, to have everything at this point it feels good, there's just movement and it's showing.

Commissioner A. Bordallo: I just have one question. Because we have today to review the Null and Voids, can we go ahead and adopt this proposed rules and regulations so that we can act on it.

Legal Counsel N. Toft: So the ones that are on here today, I don't believe would fall within the ambit of the fixes that are the proposed additions, they're dealt with under different parts of the Rules and Res., that are potentially solved by application on other parts of the Rules and Regs. So today's cases will not be effected by these proposals.

Chairman J. Reyes, Jr.: Good question. Okay, awesome.

Commissioner A. Bordallo: Okay.

Chairman J. Reyes, Jr.: Joey, anything else?

Program Coordinator III J. Cruz: Just one thing, Attorney Toft had mentioned that all the proposed additional authority would address applications; so, when we go in to adjudicate the leases not unless we're going to have to terminate it; is that correct or...?

Legal Counsel N. Toft: So the existing leases were already declared Null and Void except for... yeah the existed subsequent to *inaudible* transfer.

Program Coordinator III J. Cruz: Okay. So what we'll do then is we'll get a jump start on preparing all the terminations because a lot of them have been recorded so for abstracting purposes whether it would be and also for the assessment of real property taxes DRT is still going to see them as that individual has a lease on that property so we'll go in or we'll prepare a termination of lease so that it would remove that lessee from that property... is that...?

Legal Counsel N. Toft: So there's two ways to go about it. One, would be to hold off on the termination until such time as the new rules will be adopted and then just kind of a near simultaneous termination of *inaudible* lease approval of new lease sort of thing so that they're not kicked of the land in the meantime.

Program Coordinator III J. Cruz: Okay.

Legal Counsel N. Toft: The other potential is that do the termination and then do a right of entry from between now and the rules are passed.

Program Coordinator III J. Cruz: Okay. So we'll just forward an inquiry you and then we'll present the possible two actions that you had mentioned because right now if I'm not mistaken there maybe a couple that are still on our lease listing because there was not action taken to officially terminate the lease and given that the AG has already issued her opinion there still needs to be action I guess taken from the Board to terminate, that's my understanding. Because not everybody if I'm not mistaken not everybody has been removed from the lease listing just based on the legal opinion.

Legal Counsel N. Toft: Right.

Program Coordinator III J. Cruz: So nonetheless we're still going to have to go in and terminate it if it was recorded because in the eyes of Land Management there's still the lessee to that specific piece of property.

Legal Counsel N. Toft: Because we haven't filed the termination?

Program Coordinator III J. Cruz: Yes, sir.

Legal Counsel N. Toft: Right.

Program Coordinator III J. Cruz: So, then they'll continue to be assessed taxes and then they're going to come to us and then they're going to request for reimbursement because they paid the taxes for 2021 and so forth....

Legal Counsel N. Toft: Well what we can do is give the lessee the option and say, here's what the plan is, the plan is to submit a proposed rules and reg change to the legislature that will allow for transfer on these types of circumstances, your lease is currently void you have the option of continuing to pay taxes and when the rules and regs if they're passed to then seek a new lease or to just have right of entry for now and see what happens with the passage of the rules and regs. Basically give them notice that this is what we're doing and let them make the choice of what they want to do so that they're informed and that they're not taken by surprised and they're not going to come and say; I don't want to pay a tax bill because I didn't know anything about this.

Program Coordinator III J. Cruz: Okay, we'll run our draft letter to you.

Legal Counsel N. Toft: Yes.

Chairman J. Reyes, Jr.: Okay so just to be clear, because of this 104 I mean to Joey's point the leases haven't been terminated but in essence they're terminated because they're part of the that...

Legal Counsel N. Toft: They're void.

Chairman J. Reyes, Jr.: They're void, right. Okay, I just want to make sure we're clear with that.

Commissioner A. Bordallo: And what about the 23 cases that were done?

Legal Counsel N. Toft: So the ones that were done were done under different rules sections other than an official transfer or switch of an application date. Some of them were found to be or some of them the original applicant came back in and retook the possession and the person who was the transferee waived their right to any sort of issue. And some of them it was found that there actually was a lease that had been issued and it had been over seven years-time and so the original lessee did have the legal right to transfer so a lot of those were dealt with in ways that were not involved in an actual switch and transfer of an application time.

Commissioner A. Bordallo: Okay

Chairman J. Reyes, Jr.: Okay and that's what I was kind of thinking what happened there and of course it happened over time, right? Commissioners, any other questions, this is great dialogue, great start to an end.

Legal Counsel N. Toft: Yeah. I guess my one question to the Board is on that language of emergency exist; I put that in there as the most strict level of scrutiny but was going to ask the Board on how it was going to consider this in the Null and Void listing? Did it want to have that change to good cause shown or just in the Board's absolute discretion as far as listening to these cases?

Commissioner A. Santos: The latter

Commissioner A. Bordallo: It could be either or depending on the case

Legal Counsel N. Toft: So that would be absolute discretion then. So we could change the language to that then.

Program Coordinator III J. Cruz: So we're going to remove the emergency?

Legal Counsel N. Toft: Right. And so use the same language as the 5.3C where it says; the Board of Commissions may grant such a request in its absolute discretion. So just change the last sentence on 5.8C for that.

Program Coordinator III J. Cruz: Sir, just one thing, if anything here contradicts the Act; how we address that?

Legal Counsel N. Toft: I made sure it didn't contradict the Act, that was the whole thing is that...

Program Coordinator III J. Cruz: I'm just making sure because we send Attorney Toft a lot of emails and that's one less email you'll get from us.

Legal Counsel N. Toft: Yeah that's why it kind of took so long because we wanted to make sure that it didn't contradict anything in the Act because the original rules and regs and some of you noticed some don't but because they were passed by the legislature we have limited authority to do any sort of modifications to them. Its only when we have something direct like the last Bill that dealt with the law suit that gave us direct authority to modify the rules to

comply with the settlement and things like that. So this is kind of sort of a gap filling measure so *inaudible* to make sure that none of these rules conflicted with the existing rules.

Chairman J. Reyes, Jr.: Okay, thank you. Okay, so Commissioners, again, just to be clear there's other steps taken after we decide which option to go with. And then we just need to make a motion as what the Board decides, which option to go to, correct?

Legal Counsel N. Toft: That's correct.

Program Coordinator III J. Cruz: If the Board should decide to go with Attorney Toft's proposal maybe they can just amend it here, we'll put it on paper and so we don't have to come back again and keep the ball rolling.

Legal Counsel N. Toft: Right, that's what I would suggest also.

Chairman J. Reyes, Jr.: So amended meaning the part for the emergency?

Program Coordinator III J. Cruz: Yes

Commissioner A. Santos: Do we need a motion for that?

Legal Counsel N. Toft: Yeah, it would be a motion to adopt the proposal rules and regs... I'm sorry... to amend the proposal to the rules and regs to the last sentence on 5.8C to make it an absolute discretion rather than an emergency as the standard and then to move forward with the Triple A process.

Commissioner A. Santos: Separate motion, right?

Legal Counsel N. Toft: I think you can do it all in one motion. We're not at the point of a resolution yet that we need to write down.

Chairman J. Reyes, Jr.: So our actions is basically just to kind of amend what we need to and then the final.... Is there a final motion to about our selection which one to...?

Legal Counsel N. Toft: It's not an either or kind of thing. I think you can move forward with these rules and regs and still kind of have that standard operating procedure on hand because that may still come in to play depending on how the Board rules on the null and voids.

Program Coordinator III J. Cruz: We'll make sure our SOP is in line with the Act and our rules and regs are existing because there's some updates that need to be made like the changes to the qualification and we'll be working on that next week. Hopefully we finish it before the first week of November so we can present it to the Board so they can approve the amendments and the SOP in its entirety.

Legal Counsel N. Toft: Yeah, and how it deals with the Null and Void could potentially change depending on the adoption of these proposed rules.

Program Coordinator III J. Cruz: We will mention this proposed authority as an exhibit so we can refer to so there's not much going back and revising and all that great stuff.

Chairman J. Reyes, Jr.: Okay thank you. Just wanted to make sure I clarified that. Okay, Commissioners, any other questions?

Commissioner A. Santos: I have a question. You said, there are two separate... I mean just help understand I guess. This first one just looks like these steps we're taking as to the proposed rules and regs it just looks like what we're intending to solidify within the current rules and regs so we're changing it to make sure that we are going to be following these amended within the rules and regs and then the Null and Void is just how we're going to be tackling it? You've been mentioning that there're two separate... I mean not two separate but how tackle the Null and Void... I'm not understanding that.

Chairman J. Reyes, Jr.: Yeah, so it's presented as to options per say but we are... as we discussed it; the proposed additions that we have from Attorney Toft is actually what we should be adopting or adding to the existing because this is just more of how to handle and then this is where it gives the clarity of the different options of how to handle.

Commissioner A. Santos: So there's no deciding on which one... we're not deciding... oh, okay, we're going to go with option one, that's not what we're doing?

Chairman J. Reyes, Jr.: Correct. As we discussed...

Commissioner A. Santos: Okay... cool... cool... I understand now, mauleg. Si yu'us ma'ase'.

Chairman J. Reyes, Jr.: As we've been discussing we kind of been able to say, this is what we should be intending to adopt.

Commissioner A. Santos: Right, yes. I understand. It's like two options, I'm like wait....

Program Coordinator III J. Cruz: Sir, if I may, if the additional authority should go through; can we retroactively apply this? Or is it just forward?

Legal Counsel N. Toft: It would be just forward but that's fine because with the termination of the leases all of these decisions would need to be made again, regardless. We want all of the Null and Voids to be brought before the Board so that can be examined in public and transparently when we make a decision on them.

Program Coordinator III J. Cruz: So this would just address going forward?

Legal Counsel N. Toft: Going forward, yeah.

Chairman J. Reyes, Jr.: Any other questions? Okay. Alright, so I turn to you guys Commissioners to take some action.

Commissioner A. Santos: I make a motion to amend five – eight I'm sorry, one moment... 5.8C the last line to read the Board of Commissioners may grant such a request in its absolute discretion.

Chairman J. Reyes, Jr.: Thank you, may I get a second?

Commissioner A. Bordallo: I second it.

Chairman J. Reyes, Jr.: Thank you Commissioner Bordallo. Any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Okay. Motion passes to amend 5.8C in the last line to read the Board of Commissioner may grant such a request in its absolute discretion. Okay, thank you. So that makes the edit that we had discussed and then we need a second motion, correct?

Commissioner A. Santos: To adopt *inaudible*

Legal Counsel N. Toft: To begin the Triple A process.

Commissioner A. Santos: I make a motion to begin the Triple A process for the proposed rules and regs as well as the... how would I word it, the Null and Void?

Legal Counsel N. Toft: I would say... the Null and Void is standard operating procedure so that would be separate *inaudible*

Commissioner A. Santos: Oh, okay. We're not taking action on this one, just yet?

Legal Counsel N. Toft: We're going to freeze that because the usage of that would change depending on whether or not these proposed rules and regs go through.

Commissioner A. Santos: Okay, I make a motion to adopt the Proposed Rules and Regs proposed by Attorney Toft.

Commissioner A. Bordallo: I second

Legal Counsel N. Toft: And to begin the Triple A process

Commissioner A. Santos: And to begin the Triple A process.

Chairman J. Reyes, Jr.: And so Commissioner Santos can you restate again just so that we're clear?

Commissioner A. Santos: I make a motion to adopt the proposed rules and regs from Attorney Toft and to begin the Triple A process.

Commissioner A. Bordallo: I second

Chairman J. Reyes, Jr.: Thank you, Commissioner Bordallo and Commissioner Santos. Any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Okay, hearing none, the motion passes to adopt the proposed additions to the rules and regulations and to begin the Triple A process. Thank you, Commissioners.

New Business; Constituent Matters

Chairman J. Reyes, Jr.: Okay, next item on the agenda, we are in our New Business for Constituent Matters and we have all three; Residential, Agricultural and Commercial so I'm going to pass it over Ms. Eileen to kick us off please.

Joseph Anthony Paulino

Land Agent II Eileen Chargualaf: Okay the lessee is Joseph Anthony Paulino, I'm presenting for Jessica she's out sick today and the facts his application date and time is December 2nd 1995 at 12:31 p.m. application number 394 application type is residential priority one notice of intent to award on file lease was dated August 22nd 2003 signed by Administrative Director Joseph Borja DLM instrument number is 827903 location is Lot 6, Block 24, Tract 9210 Phase II Yigo lot size is 2,191 plus square meters survey authorization was issued July 17, 2003 approved by Administrative Director Joseph Borja survey map was approved in-house and the complaint and issue is for clearing and grading permit authorization and a building permit authorization. Chronology June 23rd 1997 residential interview report beneficiary designated, June 23rd 2003, lot showing for Lot 6, Block 24, Tract 9210, Phase II in Yigo on July 26 2003 approval of applications for building and clearing permits approved by Administrative Director Joseph Borja on July 17, 2003 authorization to initiate survey was also approved by Administrative Director Joseph M. Borja. August 22nd 2003 a residential lease was signed Administrative Director Joseph Borja and January 12, 2011 a request to change beneficiary was approved by Acting Director Monte Mafnas on January 17, 2001 request to change beneficiary was approved by Acting Administrative Director Monte Mafnas on June 26 I'm sorry correction on June 6, 2011 an unrecorded special power of attorney was turned in June 24, 2020 request to change beneficiary was approve by Administrative Director Jack Hattig, III. On July 1st 2020 approval of application for water service was approved by Administrative Director Jack Hattig, III. On October 30th 2020 approval of application for power service approved by Administrative Director Jack Hattig, III. On October 5th 2021 request for building permit authorization and proposed plans submitted for review. Findings, property is surveyed map approved in -house Public Law 31-170 and act to exempt maps of the CHamoru Land Trust lease sites previously approved by the CHamoru Land Trust Commission from the requirements of Article 2 in Chapter 62 of the Guam Code Annotated relative to submission and recordation procedures. Boundary Survey of Lots 1 thru 6, Block 24, Tract 9210 and Lots 5 & 6 Block 30, Tract 9210 signed by Administrative Director Joseph Borja on July 23rd 2003 and Robert R. Ventura - Private License Survey number 54 drawing number RRV03-10-JP the lot size is for 2,191 plus or minus square meters because of the Northern Central Water Recharge area as determined by the Guam Environmental Protection Agency. The residential lease was recorded under DLM Instrument number 827903. Summary, Joseph Anthony Paulino is a December 2, 1995 applicant who was issued a residential lease for Lot 6, Block 24, Tract 9201 Phasse II in Yigo

containing an area of 2,191 plus minus square meters on August 22nd 2003. The residential lease was signed by Administrative Director Joseph Borja. The request is to approve a clearing and grading permit and building permit authorization for Joseph Anthony Paulino for Lot 6, Block 24, Tract 9210 Phase II in Yigo and that concludes my report.

Chairman J. Reyes, Jr.: Okay, thank you Ms. Eileen

Commissioner A. Santos: Thank you Ms. Eileen.

Chairman J. Reyes, Jr.: Okay Commissioners any questions?

Commissioner A. Santos: Is he just now coming to... is he just now being able to start this process of building is that the reason why it's taken this long?

Land Agent II E. Chargualaf: It's muffled let me come over.

Land Agent I L. Taleu: Eileen is headed your way only because she's having trouble understanding you the sound is muffled on our side.

Commissioner A. Santos: Thank you. How's it now?

Land Agent I L. Taleu: it's good.

Commissioner A. Santos: Okay, great.

Land Agent II E. Chargualaf: Okay, yes, Commission?

Commissioner A. Santos: So Ms. Eileen, I just have a question just one question. And his application has been I mean his lease was awarded was August 22nd 2003? What's the reason for it taking this long, is it he's just coming across...

Land Agent II E. Chargualaf: Survey

Commissioner A. Santos: Okay survey issues?

Land Agent II E. Chargualaf: Yes

Commissioner A. Santos: Okay okay that's it

Land Agent II E. Chargualaf: Any other questions?

Chairman J. Reyes, Jr.: And now we're ready to build?

Land Agent II E. Chargualaf: Yes.

Commissioner A. Santos: Okay, good.

Land Agent II E. Chargualaf: Building plans and everything should be in file

Commissioner A. Santos: Right okay.

Land Agent II E. Chargualaf: Any other questions?

Commissioner A. Bordallo: Yeah, this map shows the different lot numbers besides the one Mr. Paulino has, was that because...?

Land Agent II E. Chargualaf: They're probably other lots... let me see that. Block 24 so if you open up the map there's several lots in there.

Commissioner A. Bordallo: Probably that's what took so long is because of other lots.

Land Agent II E. Chargualaf: Other times sometimes applicants want to... sometimes our lessees or applicant would wait for the surrounding areas to also join in the same surveyor so the cost it'll minimize the cost for their survey.

Commissioner A. Bordallo: Okay

Land Agent II E. Chargualaf: Is there any other questions?

Chairman J. Reyes, Jr.: Just to... for the sake of asking so this is a registered lot?

Land Agent II E. Chargualaf: Yes, sir.

Chairman J. Reyes, Jr.: Thank you.

Land Agent II E. Chargualaf: Yeah, most of us land agents would not move if it's an unregistered lot because the map will never get recorded okay just so that we're clear on that. Is there any other questions?

Commissioners: No

Land Agent II E. Chargualaf: Okay, thank you.

Commissioner A. Santos: I guess you got to talk directly into the microphone like that.

Commissioner A. Bordallo: Can I ask you one question?

Land Agent II E. Chargualaf: Yes, ma'am.

Commissioner A. Bordallo: Do these people have to go through EPA?

Land Agent II E. Chargualaf: Yes they do

Commissioner A. Bordallo: So if we approve the permit...

Land Agent II E. Chargualaf: They have to go through the permitting agencies which would include Department of Public Works, Guam Environmental Protection Agency, Department of Agriculture in case there's endangered species and Parks and Recs in case there's any kind of burial ground or artifacts... yes... Conservation office also. Okay?

Commissioner A. Bordallo: Thank you.

Land Agent II E. Chargualaf: You're welcome.

Commissioner A. Bordallo: Let's move it

Chairman J. Reyes, Jr.: Okay, Commissioners any other questions?

Commissioner A. Santos: None sir.

Chairman J. Reyes, Jr.: Okay, I turn to you to take action.

Commissioner A. Bordallo: Okay, I make a motion to approve Joseph Anthony Paulino's request for clearing and grading permit authorization and building permit authorization on Lot 6, Block 24, Tract 9210 which is Phase II in Yigo.

Commissioner A. Santos: And I second that motion.

Chairman J. Reyes, Jr.: Thank you, Commissioners. Any objections?

Commissioners: None

Chairman J. Reyes, Jr.: No objections, hearing none motion passes to approve the clearing and grading permit authorization and building permit authorization for Mr. Joseph Anthony Paulino Lot 6, Block 24, Tract 9210 Phase II in Yigo. Thank you, Commissioners. Okay, next up is Ms. Taleu.

Nancy Weger Diaz

Land Agent II E. Chargualaf: This person that's coming up is Nancy Weger Diaz and it's Ms. Taleu is going to be doing the presentation.

Chairman J. Reyes, Jr.: Thanks Ms. Eileen.

Land Agent I L. Taleu: Okay so Ms. Nancy Diaz is already a lessee with us. She's occupying an area on Tract 1022. So Tract 1022 is our problem child. I'll do my best to explain this one. So Tract 1022 is originally made up of quarter acre lots then the EPA Rule came in changing the lot size to half an acre, so imagine we have a hundred lots so we should have changed it down to fifty. Instead, we kept it at a hundred so we have lots on top of lots. So in order for her to actually occupy a lot we are requesting to relocate her to a lot that has water and power as well as a public sewer system. And so that is what we are requesting for a relocation. Ms. Diaz has consistently paid for property taxes on a lot that she's not occupying nor can she

inaudible she's paid the land lease fees and all she's asking is to relocate to a lot that she can finally build on.

Chairman J. Reyes, Jr.: Thank you Ms. Taleu. Commissioners, any questions?

Commissioner A. Bordallo: How many of these lots in this area that she's in?

Land Agent I L. Taleu: I believe there's a about and I could be incorrect on the numbers but there's about two hundred if I'm not mistaken applicants who received leases in that area. And I believe there's about... I could be wrong but I believe there's about fifteen that are actually already occupying.

Chairman J. Reyes, Jr.: Is Ms. Diaz ready... if we relocate her the property that we relocate her to would need to be surveyed?

Land Agent I L. Taleu: It would need to be surveyed so it's one of those before... once we get approval for her to relocate we would issue her a survey authorization she would have to get the lot surveyed and then once it is as well as pay the last... come up to date current on the property taxes and then we will issue her an addendum to allow her to relocate to the lot and then once she gets her survey map done then she can request for a building plan to be put in place to be done and then come before us requesting for authorization to apply for a building permit.

Chairman J. Reyes, Jr.: Hey Pierce, can you hear me? I just have a quick question for Pierce... just to Commissioner Bordallo's question on Lot 1022 or Tract 1022; Pierce, what are we looking or do you what are we looking to do or what have we started to do in addressing the Tract 1022 the for the quarter acres?

Engineering Tech II Pierce Castro: Can you hear me okay?

Chairman J. Reyes, Jr.: Yes, sir.

Engineering Tech II P. Castro: This is... maybe Joey can respond to this question better than I can but we were going to use this for one of the pilot projects to try and bring in sewer and water so that maybe we can go back to the quarter acre lots that were first proposed back in the '90s. The intent back then was to bring in water and sewer which is why it was cut up to quarter acre, right now, I asked Joey if we could hold-off on processing any of these maps until we can figure out what's the next move that they're going to make on this, on this tract. The only other thing we can do for those who have already surveyed and I believe there are about maybe five maps waiting on the processing for a half-acre, the only other thing that we can do is combine the two quarter acre lots to make it a half and as you know that's going to off-set a lot of the other lots that are being processed at a quarter acre. So yeah, maybe Joey would know about the status on the tract.

Chairman J. Reyes, Jr.: No... no... that's perfect. I just want to make sure that that was the tract that we may have wanted to do to bring in the sewer and water so with that said, when we do bring in water and sewer, they can remain at quarter acre, correct?

Engineering Tech II P. Castro: Yes, sir. There's already an approved map.

Chairman J. Reyes, Jr.: Yeah, Director?

Acting Administrative Director A. Camacho: Lydia, I have a question, with regards to Lot 10122-64-R1 containing an area of a quarter acre; so, would that be substandard still being that it's over the Northern Aquifer?

Land Agent I L. Taleu: No because there's a public sewer system right in there. So therefore, she would qualify she can move forward. That's actually a really really good lot it's on Batulo St. right down from the golf course, it's right there...power and water is accessible there's a public sewer system so it's a perfect lot we did a lot showing for them they went out they saw it they loved it I got an email that afternoon requesting that they would like to be relocated to that lot.

Chairman J. Reyes, Jr.: Okay

Acting Administrative Director A. Camacho: Thank you for that clarification, I just want to make sure we don't go down that road again.

Land Agent I L. Taleu: No...no...no... we want to make sure that we're not going to penalize these people and torture them anymore than we have to not that we torture them but we don't.

Chairman J. Reyes, Jr.: Pierce go ahead

Engineering Tech II P. Castro: I have a check print being processed right now and it indicates that a sewer manhole is located about 70ft. from that particular lot that Lydia is referring too.

Chairman J. Reyes, Jr.: Okay, awesome. Thanks, Pierce. Okay, that's all I wanted to add clarification to. Commissioner Santos?

Commissioner A. Santos: None right now.

Commissioner A. Bordallo: So, I have... so, we have to cancel the lease that we had earlier for Lot 11, Block 6...?

Land Agent I L. Taleu: No, what we would do is we would ask her to sign a Decline of Municipality Award and then we request for a survey authorization and then once the survey is done we would do an addendum updating the lot description so she's just moving and it'll all be done on paper.

Chairman J. Reyes, Jr.: And so then of course once we approve the survey authorization will be released, they can survey it gets recorded, do we need to take action for that addendum?

Land Agent I L. Taleu: No because we'll do a memo to file and when we do that I attached a copy of the minutes and or the motion summary saying it's been approved for relocation.

Chairman J. Reyes, Jr.: Okay awesome and of course all this is in addition to the payment of all the property taxes of the original lease and then it begins day zero or day one for the new...?

Land Agent I L. Taleu: Yes because when they relocate we want to make sure that they're at a zero balance so they don't go into it with a debt on it.

Chairman J. Reyes, Jr.: Right and then they begin property taxes for the new lot?

Land Agent I L. Taleu: Right.

Chairman J. Reyes, Jr.: Okay, thank you Ms. Lydia. Commissioners, any other questions?

Commissioner A. Bordallo: Will the taxes be refunded?

Land Agent I L. Taleu: No, she's had a lease for that lot that she's been paying for the property taxes that was the agreement when she originally signed the lease she understood that she had to pay property taxes. So when she was asking to relocate we told her one of the things that she needs to do is she needs to bring it up to current and so she was doing that she just hasn't done last year's 2020. But Ms. Diaz has always been really good about it the moment she gets it she makes her payment and she either emails me a copy or she drops it off.

Chairman J. Reyes, Jr.: Okay. Understood, thank you. Anything else Commissioners? Okay, I will turn to you if there's no additional questions to take action.

Commissioner A. Bordallo: Okay, I would make a motion to approve Nancy Weger Diaz's to relocate to Lot 10122-64-R1 in Dededo containing an area of a quarter acre.

Commissioner A. Santos: I second that motion

Chairman J. Reyes, Jr.: Okay thank you. Any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Okay, hearing none, motion passes to approve the relocation for Ms. Diaz to Lot 10122-64-R1 in Dededo for quarter acre.

Commissioner A. Bordallo: I would like to make another motion for Ms. Nancy Weger Diaz to get a survey authorization from us for Lot 10122-64-R1 in Dededo which a quarter of an acre.

Commissioner A. Santos: I second that motion.

Chairman J. Reyes, Jr.: Thank you Commissioner Santos and Commissioner Bordallo. Any objections?

Commissioner A. Santos: None

Chairman J. Reyes, Jr.: Okay hearing none. Motion passes for the survey authorization for Lot 10122-64-R1 from Ms. Nancy Weger Diaz in Dededo for the quarter acre lot. Okay.

Commissioner A. Santos: I'm sorry, did we need to add that in that pending that they clear all the outstanding or are we just going to....?

Land Agent I L. Taleu: No, I put that in for mine... to follow up to make sure that's my check and balance that I give myself that I need to do that because in reviewing the file if I see that on the list I need to make sure that I... that's just a way for me to remind myself.

Chairman J. Reyes, Jr.: Is that... those actions are... is that all for this case?

Land Agent I L. Taleu: Yes.

Chairman J. Reyes, Jr.: Thank you very much. Okay, Ms. Eileen next up?

Unknown: Thank you. Thank you very much Board.

Everyone: Oh... oh...oh...

Chairman J. Reyes, Jr.: I'm so sorry Mrs. Diaz.

Unknown: I just want to say thank you so much for you time. I appreciate your help.

Chairman J. Reyes, Jr.: And Mrs. Diaz just for the record real quick, I'm sorry I didn't realize that you were online; could you just state your name for the record?

Nancy Weger Diaz: Nancy Weger Diaz.

Chairman J. Reyes, Jr.: Thank you, ma'am. So thank you for joining us today and we look forward to you moving forward to the next steps of the lot.

Commissioner A. Santos: Right. Congratulations.

Nancy Diaz: Thank you very much, appreciate it.

Commissioner A. Santos: Biba!

Chairman J. Reyes, Jr.: Ms. Taleu, I think you're up next still?

Allan Michael Jose Mateo

Land Agent I L. Taleu: Yes, I am. So the next case I believe is Allan Michael Jose Mateo and just so you know Mr. Mateo is one of those on the Null and Void list.

Chairman J. Reyes, Jr.: And let me just real quick... Mr. Mateo are you still online with us?

Allan Mateo: Yes, I am.

Chairman J. Reyes, Jr.: Okay, thank you Mr. Mateo, just for the record if you could state your name?

Allan Mateo: Allan Michael Jose Mateo

Chairman J. Reyes, Jr.: Thank you, sir.

Land Agent I L. Taleu: Okay, so the original applicant for the application was Linda Marie Mateo who's deceased. She originally named her brother Roland E. Mateo as her named successor. As you know, Public Law 23-38 Section 5.8 does not allow siblings to be named to be named as successor so what Mr. Roland did was he requested to transfer his successor rights to his...he put it as his stepson but in reviewing the documents as it is, Allan Michael Jose Mateo is the son of the original applicant's brother. I've attached a copy of her obituary in the report so as you see, she died without a husband or children. So therefore when Mr. Mateo received the application rights it was well within public law. So once he got the application rights and at the time we weren't processing technically by date and time it was if you were December 1995 applicant and if you were ready to move forward with the lease issuance, we would process you. So he got processed and received a lease in Yigo in Tract 9210. So all we are requesting for is that he be named the successor of his late aunt's application rights and that we ratify the lease that was issued back to him in 2017.

Chairman J. Reyes, Jr.: Thank you Ms. Taleu. So I was reading this and I think as I read through it, it started to become more clear on the relationship so I just wanted to make sure so Mr. Allan Michael Jose Mateo his father is a sibling to the deceased Ms. Linda Marie Meno Mateo?

Land Agent I L. Taleu: Yes

Chairman J. Reyes, Jr.: Okay. So he's a nephew and eligible to be the successor?

Land Agent I L. Taleu: Yes.

Chairman J. Reyes, Jr.: And then one more just for clarity the original named successor was Mr. Roland Earl Mateo who's the brother of the deceased and then back in 2014 Mr. Roland Mateo relinquished his rights?

Land Agent I L. Taleu: Yes or his successor rights to his nephew or he put it in a notarized letter he put it his stepson but in reviewing the documents I noticed that the original applicant, the parents were the same on both. And so that's when I went looking for the obituary to find out what is the connection and that's how kind of did the family tree and realized, yes, Mr. Mateo was able to get the lease.

Chairman J. Reyes, Jr.: Mr. Allan Mateo?

Land Agent I L. Taleu: Yes.

Chairman J. Reyes, Jr.: Okay, just want to make sure. No...just kind of making sure we trace that for us to...

Commissioner A. Santos: Important

Chairman J. Reyes, Jr.: Alright, I don't have any additional questions, thank you. And then I'm sorry, Director Camacho?

Acting Administrative Director A. Camacho: May I ask a question Lydia?

Land Agent I L. Taleu: Yes

Acting Administrative Director A. Camacho: Is there a birth certificate for Allan Mateo in file?

Land Agent I L. Taleu: Yes.

Acting Administrative Director A. Camacho: Okay, just wanted to make sure.

Land Agent I L. Taleu: Yes, it was when I saw his birth certificate and then I saw the father's name on it because they have to provide the grandfather or the grandparent's so that's when I traced back the connection in all of them.

Chairman J. Reyes, Jr.: Okay, thank you.

Commissioner A. Santos: Ms. Lydia, I just have one... is anybody else looking towards... I know that Roland had already named his successor as Allan, nobody else in the other siblings children did they...?

Land Agent I L. Taleu: I don't think so because when we asked him and he said no he wants it to go to his... he called him his stepson I believe because he probably raised Mr. Allan you would have to ask Mr. Allan but either way to me because there was no named successor we waited for a while didn't hear from anybody so therefore we decided to move forward with it.

Commissioner A. Santos: Okay, that's the only question I have. Would we like to take action on this?

Chairman J. Reyes, Jr.: Yeah, I was going to say, Commissioners any other questions?

Commissioners: None

Chairman J. Reyes, Jr.: Attorney Toft, before we proceed anything that we missed here?

Legal Counsel N. Toft: Nothing that I see.

Chairman J. Reyes, Jr.: Pretty...we can trace it all right? Okay. Commissioners, I will turn to you to take action please.

Commissioner A. Santos: I make a motion to name the successor for or add the beneficiary or what would we....?

Chairman J. Reyes, Jr.: Successor to the application. So just make sure we're clear right? Oh that's another... sorry, before we proceed. Ms. Lydia, because of the existing lease and I

marked this but I forgot to ask. We still have to take it a step back and have Mr. Allan Mateo the successor rights of his aunt?

Land Agent I L. Taleu: Yes.

Chairman J. Reyes, Jr.: Okay

Land Agent I L. Taleu: Yes, because we want to be able to document everything that was done for him to get a lease was in accordance to the law because when we ratify a lease, my understanding is we want to make sure we're doing it by the book so if anybody asked any questions, if we were to do an audit we can explain why it was issued to this person.

Chairman J. Reyes, Jr.: Okay. Attorney Toft, any issues because of the length of time or is this more of....?

Legal Counsel N. Toft: No.

Chairman J. Reyes, Jr.: Or is this more of tracking purpose?

Legal Counsel N. Toft: Correct

Chairman J. Reyes, Jr.: Okay. I marked that and I completely forgot to ask. I apologize. Okay, Commissioner Santos.

Commissioner A. Santos: so we're good right about what the chairman said about the length of time?

Legal Counsel N. Toft: Yes.

Commissioner A. Santos: Okay. I make a motion to approve to name Mr. Allan Michael Jose Mateo as the successor to the application rights of Linda Marie Mateo.

Chairman J. Reyes, Jr.: Thank you, Commissioner Santos.

Commissioner A. Bordallo: I second it

Chairman J. Reyes, Jr.: Thank you, Commissioner Bordallo. Any objection?

Commissioners: None

Chairman J. Reyes, Jr.: Hearing none, motion passes to approve Mr. Allan Michael Jose Mateo as the successor to the application rights of Ms. Linda Marie Mateo who is deceased. Thank you Commissioners. And then...

Commissioner A. Santos: I make a motion to approve to ratify the May 24th 2017 Residential Lease for Tract 9210, Block 25, Lot 6 in Yigo containing an area of 1,859 plus square meters issued to Allan Michael Jose Mateo.

Commissioner A. Bordallo: I second it

Chairman J. Reyes, Jr.: Thank you. Commissioners, any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Hearing none motion passes to approve to ratify the May 24th 2017 Residential Lease for Tract 9210, Block 25, Lot 6 in Yigo containing an area of 1,859+/- square meters issued to Mr. Allan Michael Jose Mateo. Thank you, Commissioners. Next one.

Commissioner A. Santos: I make a motion to approve to remove Allan Michael Jose Mateo from the Null and Void listing.

Commissioner A. Bordallo: I second it.

Chairman J. Reyes, Jr.: Thank you, Commissioners. Any objection?

Commissioners: None

Chairman J. Reyes, Jr.: Hearing none the motion passes to remove Mr. Allan Michael Mateo from the Null and Void listing. Ms. Eileen up next please.

Land Agent II E. Chargualaf: I'm sorry we got two more cases and they're both Lydia. Monica Baza will not be heard today.

Chairman J. Reyes, Jr.: Okay. Ms. Lydia.

Land Agent I L. Taleu: Okay so the next case we have.

Chairman J. Reyes, Jr.: Oh, I'm sorry. Mr. Mateo, I apologize, sir. Thank you for your time today, any questions?

Allan Mateo: No no I really just want to say thank you.

Chairman J. Reyes, Jr.: Okay, awesome Mr. Mateo and Ms. Lydia will be in touch. Take care.

Commissioner A. Santos: Thank you, Mr. Mateo for joining us.

Greta Mesa Duenas

Land Agent I L. Taleu: So the next person is Greta Mesa Duenas. Ms. Duenas is a February 19, 1998 applicant she is not requesting for lease issuance, instead, what she's requesting for is to be qualified as an eligible beneficiary for lease issuance so when her date and time comes up she does not have to worry about that and she can move forward with finding a lot to begin her leasing on.

Chairman J. Reyes, Jr.: okay.

Land Agent I L. Taleu: So she has submitted the supporting documents showing that she is the granddaughter of Jose Pinaula Mesa who had a lot over in Barrigada which we now know as Tiyan. It was taken by the Naval Government on the behalf of the US Government in Civil Case No. 21-50. I believe it was for the lot and so she had submitted all her supporting documents, we have a copy of the civil case as well as the birth certificates and death certificates connecting her to her father and to her great grandfather or grandfather Jose Pinaula Mesa.

Chairman J. Reyes, Jr.: Great, thank you, Ms. Lydia and the attachments are very helpful as for me as kind of learning how we can trace back so I really appreciate that and yeah, the documentation is great.

Commissioner A. Bordallo: Very much so. My grandfather is in the list.

Chairman J. Reyes, Jr.: I was going to...yeah... so even Commissioner Bordallo's grandfather is on this list so that's great. And so I think this is a great example again as we continue to work with our constituents and people that come through...question us about how do we get this eligibility, right? We're expanding all our resources and again this just proves the data is there we just need to take the extra step to hunt it down. So I appreciate it, this some good information.

Land Agent I L. Taleu: Well, actually just so you know one of the things we use is the Bond listing that we got from Guam Ancestral Lands Commission. Ms. Greta's grandfather is not actually on the listing. She did all research, her family had the research for themselves and when she came in and she met with myself, the director and Eileen, she presented her documents and it was from there that I was able to build the case for her. And so, this example of how an applicant can do the research.

Chairman J. Reyes, Jr.: As well but it's also us to help them.

Land Agent I L. Taleu: Yeah, so because if she left it up to us, we wouldn't have been able to find it because he's not on the listing at all.

Chairman J. Reyes, Jr.: Okay, understood.

Acting Administrative Director A. Camacho: Mr. Chairman, if I may?

Chairman J. Reyes, Jr.: Yes.

Acting Administrative Director A. Camacho: One thing that really helped make Greta's application and her eligibility to proof; I have to give credit to Lydia because it originated from an email with what we were looking for and so Lydia gave her clear instructions and she just told us that it kind of clicked, I have these documents and she went and put it all together and brought it in and so I think that that's a good tool that we can use for some of our applicants.

Chairman J. Reyes, Jr.: Okay, great. Thank you. Commissioners, any other questions?

Commissioner A. Bordallo: Attorney Toft, we're on the right track?

Legal Counsel N. Toft: Yeah, I don't see an issues.

Commissioner A. Bordallo: Okay.

Commissioner A. Santos: This is just to deem her eligible? That's it?

Commissioner A. Bordallo: Yeah

Commissioner A. Santos: Does it have to go that through us like this all the time?

Legal Counsel N. Toft: I don't think so but what I think that this is very beneficial because this is one of the earliest instances that we have had to actually go through this process. So I think it's instructive for the Board to see what the CHamoru Land Trust needs to do for each case to determine its eligibility and so I think it's helpful for us for these first few just to get a feel of what it is that the staff needs to do on each one of these. And I feel it's also beneficial to make it public record and show transparency to the video or whoever is looking at the minutes as far as this is what we're doing. And also the Federal Government is looking at our actions as well at these matters especially with the settlement to make sure that we're doing things properly. So, I think it's beneficial that we're doing this first few as an entire commission.

Commissioner A. Santos: Right so this would be considered like one of the next in lines that we're dealing with or about to proceed to give a lease to or approve the eligibility...do you know what I mean... next in line

Legal Counsel N. Toft: I mean just looking at it, it's an agricultural application type but from 1998 so soon-ish I would say.

Commissioner A. Santos: Okay, cool so just to deem her eligible. Okay great. I understand the process.

Chairman J. Reyes, Jr.: I was going to say, so that when her time comes, she's ready to go.

Commissioner A. Santos: Is it because of the parcel that.... Oh never mind.

Chairman J. Reyes, Jr.: Nope it's just there

Commissioner A. Santos: I was like, ah, great job team!

Chairman J. Reyes, Jr.: Yeah...no... and again, to Attorney Toft's point, this is kind of what we want to see on the how to make sure that all the connections are there.

Acting Administrative Director A. Camacho: Also, members of the board, Attorney Toft is correct this is to show how we the Commission will collect the data and present it because as much as possible want to show the court case and the lineage so this is a good example on how Greta Mesa Duenas qualifies.

Chairman J. Reyes, Jr.: Yeah and so Commissioners, any other questions? Alright so let's as a procedural and just as a first few let's go ahead and make a motion to....

Commissioner A. Bordallo: I would make the motion.

Chairman J. Reyes, Jr.: Thank you, Commissioner.

Commissioner A. Bordallo: I want to make a motion to approve that Mrs. Greta Mesa Duenas is eligible to be a beneficiary for a Chamoru Land Trust Program as per Public Law 35-112.

Chairman J. Reyes, Jr.: Thank you, Commissioner Bordallo. May I get a second.

Commissioner A. Santos: I second that motion.

Chairman J. Reyes, Jr.: Thank you, Commissioner Santos. Any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Hearing none, motion passes on the approval of eligibility for Mrs. Greta Mesa Duenas as beneficiary to the CHamoru Land Trust Program as per Public Law 35-112. Thank you, Commissioners. Thank you, Ms. Taleu for taking us through this journey. Next up, Ms. Eileen?

Doris Sanchez Miyasaki

Land Agent II E. Chargualaf: It would be Doris Sanchez Miyasaki and that's Ms. Taleu.

Land Agent I L. Taleu: I'm not going anywhere. This is a Null and Void case so Ms. Doris received her lease from her father. Her father was the original lessee and then X amount of time he requested to transfer the lease over to Doris. An addendum was done and the lot was transferred over to Ms. Doris. It was within it was passed the seven years therefore Public Law 23-38 Section 5.8 was fulfilled and somehow Ms. Miyasaki ended up on the Null and Void case so we're requesting to approve her October... her August 21st 2012 agriculture lease containing one-acre or 4,043 square meters *(note- verified with staff report and Land Agent L. Taleu: lease date should be read as August 21st 2002 not 2012 and area size should be read 4,046 square meters not 4, 043 square meters)* be issued to Doris Sanchez Miyasaki. Or should have been an addendum in the... so it is a Null and Void case but everything that she did to obtain the lease was done correctly within the law.

Chairman J. Reyes, Jr.: I did have one question Commissioners, if I may begin, okay? So there was some ceased and desist in 2017 that's all cleared, that's all been resolved?

Land Agent I L. Taleu: Yes.

Chairman J. Reyes, Jr.: Have you recently been out to the property?

Land Agent I L. Taleu: I haven't been out there in a while. Jhoana and Eileen I believe did conduct the last site inspection when they were originally creating the Null and Void list. I believe the lot was overgrown but where the lot is located there is no real access to it nor is there water or power to the lot.

Chairman J. Reyes, Jr.: Okay, is there any questions?

Commissioner A. Santos: Okay, one more time Ms. Lydia, why was this in the Null and Void case?

Land Agent I L. Taleu: I don't know how it ended up in the Null and Void list but it did so we're just requesting that we approve the... we're requesting to ratify the lease therefore we're requesting to remove it from the Null and Void listing. So that would decrease our numbers on cases waiting to be adjudicated because everything that was done to issue the lease was done correctly.

Commissioner A. Santos: Good to know, thank you.

Commissioner A. Bordallo: We'll make a motion.

Chairman J. Reyes, Jr.: No actually, can I... may I ask a question? So, Ms. Taleu, if there hasn't been any activity on the lot and we know kind of our timelines; does Ms. Miyasaki intend to start farming or anything of that nature?

Land Agent I L. Taleu: I've actually tried to get a hold of Ms. Miyasaki and the numbers are not working. So the next step we have to do is we would have to send a letter out to her simply because we don't know where she lives we only know where agriculture lot is. And because she's not occupying it nor is she farming it, we can't reasonably leave a note for her requesting she call us back.

Chairman J. Reyes, Jr.: I just kind of wanted to ask that. So, thank you for sharing that we have not been in contact.

Land Agent I L. Taleu: The last time I believe the agency was interacted with her was when they actually showed the boundary points for her on the lot.

Commissioner A. Bordallo: Which was when?

Chairman J. Reyes, Jr.: Roughly 2018 or 2017? 2017.

Land Agent I L. Taleu: yes.

Chairman J. Reyes, Jr.: Commissioner Santos, you have the mic?

Commissioner A. Santos: Yeah, what would be the next step if that's the case we're not able to reach... I mean, we're just going to get off the Null and Void... how... I mean, where does that leave the property? This is still a lease, right?

Legal Counsel N. Toft: Yeah, it's a functional lease. The problem is because it was placed on the Null and Void list it wasn't part of the number of leases that were ratified by the Board back a couple of years ago. So we're just asking the Board to ratify it now because it was... for whatever reason mistakenly placed on the Null and Void list.

Commissioner A. Santos: So, let me I guess redirect or rephrase that question, knowing that there is no activity on it and it's overgrown; what do we do now? Right? Because we come across what we know now, right?

Legal Counsel N. Toft: Right. I would still recommend we ratify the lease and then like what Ms. Taleu said, we contact her by mail because we don't have an active phone number then we begin the process the same thing we do when we see that other parcels of land are not being utilize.

Chairman J. Reyes, Jr.: So Ms. Taleu we'll... again, the Board take action to clean this up let's kind of do the next steps to get in contact with Ms. Miyasaki and then maybe report back by next meeting if we've been successful to contact her.

Land Agent I L. Taleu: Okay

Chairman J. Reyes, Jr.: Because I mean that's kind of why I asked, have we've been in contact or when was the last time you've visited? Because if it's just idle land and if it's an agricultural zone, then we want to make sure that we're utilizing as we hear time and time again if the property needs... we need to make sure that they're utilizing the property as it was intended.

Land Agent I L. Taleu: As well as we need to make sure that are clear about the conditions on getting the lease that there are things that need to do. They need to pay the land lease fees, they need pay their property taxes, so we need to make sure that they understand. And also if they need agriculture training we could get them involved in that but one of the things we need to do, we first need to get a hold of her and we're at that point where we just can't. The number are not working....

Chairman J. Reyes, Jr.: Alright so with the last known address, let's send out a letter and I guess if the Commission decides to take action we'll clean it up just so that we are... can start moving to the next steps. Okay, Commissioners, any other questions?

Commissioner A. Bordallo: None

Chairman J. Reyes, Jr.: Okay...

Commissioner A. Bordallo: We postpone.

Chairman J. Reyes, Jr.: You want to go ahead and table it?

Commissioner A. Bordallo: Yeah, table it. Postpone it until the next meeting and she'll give a report.

Chairman J. Reyes, Jr.: Okay, so, you recommend... okay, just to be clear, Commissioner Bordallo just wants to table this for now and give Ms. Lydia some time to get in contact with Ms. Miyasaki?

Commissioner A. Bordallo: Yeah.

Chairman J. Reyes, Jr.: And then...

Commissioner A. Bordallo: Go from there, we'll see what's her intentions too, Ms. Miyasaki.

Chairman J. Reyes, Jr.: Okay so just to be clear too, that our actions is just to kind of clean up the list but you're recommending to let's just table this and to get in contact with Ms. Miyasaki just to see if she has any intentions... or what her intentions are on the property, correct? Attorney Toft, any...?

Legal Counsel N. Toft: I think that I understand the why as why you want that. Whether or not she's going to do anything with the property though, the ratification of the lease doesn't really change the process of what we would do as far as if she's using the property or not. So, this helps us as far as cleaning up the Null and Void list and getting it to the point where we can do something about the lease. So, I would recommend just ratification now and then if she's not using the property we can begin the steps of removal or start the *inaudible*

Chairman J. Reyes, Jr.: Start the process of communicating.

Legal Counsel N. Toft: Communicating first and then....but if we wait on it regardless of what happens it's still an existing lease so the same steps will need to be taken and we'll just delay the steps.

Chairman J. Reyes, Jr.: Yeah and everything and the reason why it got on the list, we're not sure but in review, in Ms. Taleu's review everything is proper and within the confines as as how it was issued.

Land Agent I L. Taleu: Yes.

Chairman J. Reyes, Jr.: Okay, I feel comfortable with that. What do you think Commissioner Bordallo?

Commissioner A. Bordallo: I would like to ask her, is there a successor on the...?

Land Agent I L. Taleu: Yeah, she did name her daughter.

Commissioner A. Bordallo: Her daughter, maybe contact her daughter too? How did you find out...?

Land Agent I L. Taleu: I actual did try all the numbers in the file and none of them are actually working so the next step is to send a letter out.

Chairman J. Reyes, Jr.: Okay. So Commissioners, are we comfortable just to Attorney Toft's point to take action to just ratify part of our clean-up and then we'll make sure to keep this on the list for Ms. Taleu to keep us posted as one of the examples of making sure we can get in contact and they're using the land as it's intended. Any objections there Commissioner Bordallo? Or would you like to still keep it on the table basis?

Commissioner A. Bordallo: I can see where Attorney Toft is saying, just get her off the list. If we take her off the list, the lease agreement we can do when we find here?

Legal Counsel N. Toft: Yeah

Chairman J. Reyes, Jr.: You're comfortable with that?

Commissioner A. Bordallo: Yeah, I'm comfortable.

Multiple discussion

Commissioner A. Santos: What was the reason for her being on that list, right so...

Chairman J. Reyes, Jr.: Right, we couldn't pinpoint exactly how but...

Commissioner A. Bordallo: It was our fault.

Commissioner A. Santos: Everything's legit

Chairman J. Reyes, Jr.: Everything has come up to be proper on how the lease was issued.

Commissioner A. Santos: Right. Kao malago' hao Saina motion?

Commissioner A. Bordallo: Go ahead because I

Commissioner A. Santos: You did the last one, okay. We're taking turns here. I'd like to make a motion to remove Ms. Doris Sanchez Miyasaki from the Null and Void list.

Commissioner A. Bordallo: I second.

Chairman J. Reyes, Jr.: Any objections?

Commissioner A. Santos: None

Chairman J. Reyes, Jr.: Okay, hearing none. Motion passes to move Ms. Doris Sanchez Miyasaki from the Null and Void list and we don't want to take action on the to ratify the lease.

Land Agent I L. Taleu: May I interject something?

Chairman J. Reyes, Jr.: Sure

Land Agent I L. Taleu: My concern is if we get a hold of her named successor and we find out as it turns out Ms. Miyasaki has passed away, it will make it a little bit more difficult for us to do the transfer of lease over to her named successor, like what Mr. Toft is suggesting, if we can ratify the lease then when we do get a hold of her or if she's passed her daughter then we can move forward in what her daughter needs to do to actually take over the lease that she would need to pay the land lease fees, pay the property taxes, she would need to take a training

course the lot will need to be in compliance we need to do all those things but we can't really do that if the lease is not ratified.

Chairman J. Reyes, Jr.: Okay, we want a clean slate in essence?

Land Agent I L. Taleu: We want a clean slate because we don't want to go to her and say, oh, by the way you also still need to go to the Board because the lease has never been approved.

Chairman J. Reyes, Jr.: Commissioners, what do you think?

Commissioner A. Bordallo: Okay, we have no choice. I move that we ratify... I move that we approve to ratify the August 21st 2002 Agricultural Lease for Tract 10125, Block 23, Lot 8-NEW in Dededo containing an area 4,046 square meters to Doris Sanchez Miyasaki.

Chairman J. Reyes, Jr.: Thank you, Commissioner Bordallo. May I get a second?

Commissioner A. Santos: I second that motion.

Chairman J. Reyes, Jr.: Thank you, Commissioner Santos. Any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Okay, no objections, motion passes to approve to ratify the August 21, 2002 Agriculture Lease for Tract 10125, Block 23, Lot 8-NEW in Dededo containing the area of 4,046 square meters to Ms. Doris Sanchez Miyasaki. Thank you, Commissioners. And last one Ms. Taleu?

Land Agent I L. Taleu: That's it. I'm done.

Chairman J. Reyes, Jr.: Okay. Next up, Ms. Eileen?

Land Agent II E. Chargualaf: That's it for Constituent Matters Mr. Chair.

Chairman J. Reyes, Jr.: Ms. Eileen, real quick, I do have a Baza that was in our packet, she's not...we're not going to address that today?

Land Agent II E. Chargualaf: Monica Baza will not be presented today.

Chairman J. Reyes, Jr.: Alright thank you. You did mention that, I just wanted to be sure. Thank you.

Land Agent II E. Chargualaf: You're welcome.

Chairman J. Reyes, Jr.: Okay, thank you, Commissioners. We will now move to the New Business for the Commercial. And up before us is the GTA Commercial Lease for the Submerged Lands and then the Guam International Country Club. So, before we go to that next item, we will take a quick break, the time is 2: 48 p.m. and let's take a fifteen minute recess – 3:03 p.m.

15 Minute Break

Chairman J. Reyes, Jr.: Okay, good afternoon, it's 3:08 p.m. and we will resume after break from 2:49 p.m. Thank you very much Commissioners and Attorney Toft. Joey let's move to the next item on the agenda for the commercial leases.

GTA- Commercial License for Submerge Lands

Program Coordinator III J. Cruz: Today, we present the final draft of the proposed commercial license for submerge property with the Guam Telephone Authority also known as TeleGuam. We had discussions, the draft... final draft has gone back and forth with GTA, Attorney Toft has reviewed it. After GTA had made their revisions or edits and he has approved the proposed or draft commercial submerge license with GTA. Now today we present it the Board for their approval so we can move forward and execute fully commence the commercial license for submerge property with GTA.

Chairman J. Reyes, Jr.: Cool! Thank you, Joey. Commissioners, I will yield to you for questions.

Commissioner A. Bordallo: Joey.

Program Coordinator III J. Cruz: Yes, ma'am?

Commissioner A. Bordallo: This is says it's one hundred thousand (\$100,000) per cable, that's to lay it down?

Program Coordinator III J. Cruz: Yes ma'am as soon it's operational.

Commissioner A. Bordallo: And then after that, do you get a monthly payment?

Program Coordinator III J. Cruz: There's an annual payment of a hundred thousand (\$100,000) per cable.

Commissioner A. Bordallo: Okay.

Program Coordinator III J. Cruz: And after five years I believe there's a rent escalation.

Commissioner A. Bordallo: A what?

Program Coordinator III J. Cruz: A rent escalation.

Commissioner A. Bordallo: Oh, okay.

Program Coordinator III J. Cruz: Which is two percent.

Commissioner A. Santos: Every year?

Program Coordinator III J. Cruz: Every five years.

Commissioner A. Santos: *inaudible*

Acting Administrative Director A. Camacho: And to be specific this is for the Alupang Reef *inaudible* the property in Tamuning.

Chairman J. Reyes, Jr.: Thank you.

Program Coordinator III J. Cruz: Sir, if I may, just to correct myself in the commercial license, it reads, the annual fees for each cable system shall be adjusted annually on the anniversary of the system operation date of each cable and for the remainder of the term, all reoccurring fees shall be adjusted and increased annually at a fixed rate of two percent per annum.

Chairman J. Reyes, Jr.: Got it, so not the five years? Every year?

Program Coordinator III J. Cruz: Every year.

Chairman J. Reyes, Jr.: And then of course right, the System Operation Date, so the lease says that the Licensee shall notify the Licensor within thirty days after the establishment of the System Operation Date of each of the six cables authorized through this agreement; so, what is our mechanism to make sure that we keep in contact with the licensee as they make progress, right? Because I know that they're very excited to either upgrade or replace existing but also to land new ones. Have we determined what our process to make sure that we're...

Program Coordinator III J. Cruz: We will follow up with them monthly. We can also reach out to the respective regulatory agencies for permitting, that's another option that we...

Chairman J. Reyes, Jr.: Because that's the trigger, that all those permitting have to be approved before they even begin to work, right?

Program Coordinator III J. Cruz: Yes, and also just for clarification, the System Operation Date is determined when cable is fully installed. The associated system wide testing is completed and the cable is approved to carry commercial traffic. There's also verbiage in there that we should be notified thirty days after the establishment of the System Operation Date of each cable. So they also have the responsibility to inform us.

Chairman J. Reyes, Jr.: Alright, thank you. I think that's it for me and I'll just yield to our Commissioners if they have any questions. Attorney Toft, anything else? I mean after your review, we're pretty good with this, correct?

Legal Counsel N. Toft: Correct. Yeah, this is pretty much in line with the Bill or the public bill that was passed.

Commissioner A. Bordallo: We're all set.

Commissioner A. Santos: This is all in line with the Bill, right?

Chairman J. Reyes, Jr.: Yeah, so we just need to take action. As a Commission accept it then we award it

Commissioner A. Bordallo: Award it to the legislature. I forgot to ask. I didn't come across oh, twenty-five years. So twenty-five year lease.

Chairman J. Reyes, Jr.: Yes.

Commissioner A. Bordallo: Okay. I move to accept the approve the lease agreement for submerge land in Alupang between TeleGuam Holdings, LLC doing business as GTA and Chamoru Land Trust Commission.

Chairman J. Reyes, Jr.: Thank you, Commissioner Bordallo. May I get a second?

Commissioner A. Santos: I second that.

Chairman J. Reyes, Jr.: Thank you, Commissioner Santos. Any objections?

Commissioner A. Bordallo: None

Chairman J. Reyes, Jr.: Okay, hearing none, motion passes to approve the submerge land lease between TeleGuam Holdings, LLC doing business as GTA and the Chamoru Land Trust Commission. Thank you so much Commissioners. Joey?

Program Coordinator III J. Cruz: We will send an email to Mr. Tydingco informing him of the Boards decision and we'll schedule a lease signing date.

Chairman J. Reyes, Jr.: Okay, sounds good, thank you. Okay, next up, sir.

Program Coordinator III J. Cruz: Next is the Guam Country Club, we ask that this be tabled until the November Board meeting.

Chairman J. Reyes, Jr.: Okay. Commissioners, any objections to tabling?

Commissioners: None

Chairman J. Reyes, Jr.: Okay, thank you. I will go ahead and table the second item on the Commercial Constituent Matters until our November meeting. Okay, Joey, we'll move to the Financial Reports.

Resolution No. 2021-012; Non-Litigation and Land Registration Matters

Chairman J. Reyes, Jr.: Oh, my apologies. As part of New Business there's a second item which is the resolution for us to consider and pass number 2021-12 None Litigation and Land Registration Matters so that's in your packet as well. So what it is this is just for us to take the step for this resolution if we choose, I think it'll be good for us to choose for us to put this part of the budget bill. So, I'm going to have Joey kind of walk us through this.

Program Coordinator III J. Cruz: So the Budget Bill for FY2022 included language under the Office of Attorney General section that the CHamoru Land Trust may be represented by the OAG's Office without any cost in non-litigation and land registration matters. Although, we must avail of this free services through a resolution. So we created Resolution 2021-012, Titled Non-Litigation and Land Registration Matters. Ms. Camacho had met with the Deputy Attorney General Shannon Taitano and she had mentioned that there'll be no negative affect to any representation at our board meetings or for any legal advice regarding non-litigation and land registration matters. So presented to today in you packet is Resolution No. 2021-012 if the Board should choose to avail of the language in Public Law 36-54.

Chairman J. Reyes, Jr.: Thank you. Commissioners any questions?

Commissioner A. Santos: Does this have to be every year we make a renewal? I mean what is this...?

Acting Administrative Director A. Camacho: I think what shows up in the Budget Bill is what we'll determine so we're just following

Legal Counsel N. Toft: Yeah, this will just be for Fiscal Year 2022

Chairman J. Reyes, Jr.: So if it's not in the Budget Bill for Fiscal Year 2023 then we wouldn't have the opportunity to avail of this... so it just depends if it makes it into each year's budget bill. Joey?

Program Coordinator III J. Cruz: If I may, we just have to make one correction on the resolution. It reads October 21st 2022 but it should be 2021... second paragraph.

Chairman J. Reyes, Jr.: If we chose *inaudible* if the commissions chooses to opt this we just need to

Program Coordinator III J. Cruz: Make the correction

Chairman J. Reyes, Jr.: Make the correction yeah. Alright, if you so choose to take action we need a motion to accept the resolution with the one amendment on the date.

Commissioner A. Santos: I make a motion to approve adopt would it be... adopt? Right?

Legal Counsel N. Toft: Yeah, that works

Commissioner A. Santos: Okay. I make a motion to adopt Resolution No. 2021-012; Non-Litigation and Land Registration Matters with the amendment of the date from October 21st 2022 to October 21st 2021.

Chairman J. Reyes, Jr.: Thank you, Commissioner Santos. May I get a second?

Commissioner A. Bordallo: I second it.

Chairman J. Reyes, Jr.: Thank you, Commissioner Bordallo, any objections? Okay, no objections, motion passes to adopt Resolution No. 2021-012 on Non-Litigation and Land Registration Matters with the amendment on the date on the second paragraph, October 21, 2022 to October 21, 2021. Thank you, Commissioners. Thank you, Mr. Toft.

FINANCIAL REPORT

Program Coordinator III J. Cruz: The next item we'll be presenting to the Board is the Revenue Collection Report for year-end September 2021. For the Operations Fund, during the month of September, CLTC collected thirty-four thousand one hundred forty-three dollars and forty-four cents (\$34,143.44) bringing it to an accumulative total for the entire fiscal year of seven hundred ninety-four thousand one hundred fifty dollars and nineteen cents (\$794,150.19). For the CLTC Survey and Infrastructure Fund, for the month of September, four hundred fifty-eight dollars and thirty-five cents (\$458.35) was collected bring the accumulative total for the entire fiscal year to twenty-two thousand one hundred seventy-eight dollars and thirty-seven cents (\$22,178.37). For CLTC's Loan Guaranty Fund, for the month of September we collected two thousand seven hundred seventy-six dollars and thirty-two cents (\$2,776.32).

Commissioner A. Bordallo: Hold it.

Back ground conversation

Chairman J. Reyes, Jr.: One more batch

Program Coordinator III J. Cruz: For the month of September

Commissioner A. Bordallo: I have August. Unless it's this one. What happened to August?

Program Coordinator III J. Cruz: For the month of September, CLTC's Loan Guaranty Fund collected two thousand seven hundred seventy-six dollars and thirty-two cents. (\$2,776.32) bringing the accumulative total for the entire fiscal year to one hundred sixty-one thousand four hundred ninety-six dollars and ninety-eight cents (\$161,496.98). The total for all three funds we've collected nine hundred seventy-seven thousand eight hundred twenty-five dollars and fifty-four cents (\$977,825.54). Also included in your packet is our ten-year Revenue Projection Analysis. The reason why we included this is because of our concern of the funding for our Operations Fund. For 2022 you'll see that we're anticipated to collect and this is based on all cash receipts of what is owed due to our existing licenses, eight hundred forty-two thousand six hundred twenty-eight dollars and forty-one cents (\$842,628.41), subsequent year, following year, we will collect seven hundred ninety thousand two hundred seventy-seven dollars and forty cents (\$790,277.40) so there's a steady decline and then a little increase due to the rent escalation. Although, the amount that are projected to be collected is not sufficient to what we spend annually. So there's a concern of we will be operating or continue to operate at a deficit, we won't be collecting enough money to match our

expenditures for the year. So like the shortfall will be supplemented from our money in the bank account which we only have about two million (\$2M) at the end of FY2021. So if we keep tracking spending over what we collect, we project in about four – five years we will not have any more money in the bank. So it's just for informational purposes that we provided our ten-year projection because it's something we would need to address.

Chairman J. Reyes, Jr.: I think too, Joey, definitely this is something good to know that we keep a pulse on. One thing is as we start looking for other ways to fund some of our expenses we just approved the GTA lease, granted, we don't know when those cables are actually operational. But we have something to look forward too. I know they're very excited to start landing the cables. I think secondly which we'll get into in the Agency Report, the Strategic Plan and then our goal to expand or increase leases or start increasing those leases which in turn gives us revenue but to that point, right, this is very crucial for the Board to understand where we're at projected, but also our responsibility to fill in that gap in that sense, right, to work together to fill that gap. But from a financial back ground and kind of what is just yes, we know what we anticipate; but what is it that we're going to do as our responsibility and being a part of this Board and being a part of the solution and looking at everything we have. I think there's lot of opportunities to be able to fill that gap. And so this is always good to look at what the realities could be but it is also good for us as a commission as an agency, where are we going to be able to close that gap. And again, we're lucky that we've been appropriated some additional funds to set up our team, to set up our staff, to be able to continue to increase the number of leases we issue but also, where are the areas that we can further expand from a commercial perspective things that are being renewed, some of the issues that we still have with the raceway, right? And *inaudible* it's our responsibility to close some of those gaps and if we know where those gaps are, we're going to have to start addressing it, right? So just wanted to throw that out there but definitely appreciate we stand.

Program Coordinator III J. Cruz: Sir, if I may? Our report also includes the Survey and Infrastructure Fund and this fund is primarily for the surveying, the installation of utilities, land registration. For 2022, we are only projecting to collect seven thousand seven hundred ninety-one dollars and sixty-seven cents (\$7,791.67) and then there's a decline in the following year. Just to touch on the commercial licenses that you had mentioned, all commercial licenses executed after October 2015, all revenues will be deposited in to the SID Fund unless otherwise there's an amendment or there's something that would allow for a split with the Operations Fund.

Commissioner A. Bordallo: What is the SID Fund?

Program Coordinator III J. Cruz: The Survey Infrastructure and Development Fund, that fund was dedicated or created for the expenditure of surveying, installation of infrastructure, land registration. The reason why we created this projection and we monitor it is because our financial solvency is at the top our list, at least from the administration side. We want to continue to be financially independent not putting any additional liability on the general fund. So... that's why we included it into the packet just to share.

Chairman J. Reyes, Jr.: No, I think it's good to keep a pulse, right?

Acting Administrative Director A. Camacho: At some point in time to we'll look at maybe solutions to this because I do believe that there are funding sources that we can look into. So and not to look into the General Fund *inaudible* that we're independent.

Chairman J. Reyes, Jr.: Cool. These are the kind of things that'll help us again as we're going to go over the strategic plan it's just to help us say, at what point do we start pivoting and I think just setting up our foundation and all the cleanup that the team has been doing and being successful in that will help us to start moving in that direction for revenue collection. Again, good stuff to keep an eye on, no worry. Commissioners, any questions on that?

Commissioner A. Bordallo: What is our annual income?

Program Coordinator III J. Cruz: For 2022, for the Operations Fund

Commissioner A. Bordallo: Just in total or whatever?

Program Coordinator III J. Cruz: For all three funds?

Commissioner A. Bordallo: Yeah.

Program Coordinator III J. Cruz: For 2021 we have an annual income for.... wait... that's August sorry. For 2021 we have an annual income year end September 2021, nine hundred seventy-seven thousand eight hundred twenty-five dollars and fifty-four cents (\$977,825.54).

Commissioner A. Bordallo: And your expense?

Program Coordinator III J. Cruz: I don't have that number with me although this total is an accumulative total of three funds.

Commissioner A. Bordallo: Yeah

Program Coordinator III J. Cruz: But just the Operations Fund which what we're allowed to spend for our day to day, we've collected seven hundred ninety-four thousand one hundred fifty dollars and nineteen cents (\$794,150.19) our expenditures exceed this amount.

Commissioner A. Bordallo: Like what?

Program Coordinator III J. Cruz: I want to say about sixty thousand maybe roughly. But we've been operating at a deficit for the last four years in relations to just what we make in the Operations Fund.

Commissioner A. Bordallo: *inaudible* deficit per year.

Program Coordinator III J. Cruz: I want to say, between fifty and sixty, could be greater.

Commissioner A. Santos: Inaudible

Program Coordinator III J. Cruz: 2026 depending on our expenditures. But rest assure that we are frugal with our expenditures. If we don't need it, we won't procure it.

Commissioner A. Bordallo: No pay raises?

Program Coordinator III J. Cruz: Only our increments that are due.

Chairman J. Reyes, Jr.: More grants, Joey.

Program Coordinator III J. Cruz: That'll be in the agency update.

Chairman J. Reyes, Jr.: Okay, anything else Commissioners on the financials?

Commissioner A. Bordallo: Not for me.

Chairman J. Reyes, Jr.: And then just to kind of wrap it up just from that perspective so this is the beginning of our budget, the new fiscal year and I know that Joey and Angie has been working diligently for some of our recruiting efforts and things like that so more to come on that with updates.

Commissioner A. Bordallo: So we won't get the six hundred thousand up front?

Program Coordinator III J. Cruz: No, ma'am.

Commissioner A. Bordallo: Until the cables are in?

Program Coordinator III J. Cruz: Until the System Operational Date

Multiple conversations

Acting Administrative Director A. Camacho: So when they drop the first cable then we receive a hundred thousand per year. When they drop the second cable, we'll receive...*interrupted*

Multiple conversations

Commissioner A. Bordallo: How long will it take for them wherever that cable is to cross the pacific?

Chairman J. Reyes, Jr.: No, that's a very good question. I think...

Commissioner A. Bordallo: Ask fan Dan

All: laughing

Program Coordinator III J. Cruz: We'll ask to expedite

Commissioner A. Bordallo: No, I'm just curious you know because then at least we know whether you're going to....*interrupted*

Acting Administrative Director A. Camacho: But these funds also go toward the Survey Infrastructure so we can't use it for operations.

Commissioner A. Bordallo: And who put that law into it?

Acting Administrative Director A. Camacho: That's part of our challenge

Program Coordinator III J. Cruz: When the SID Fund was created, it was created for the specific purposes of land registration, surveying and the installation of the infrastructure, that was created through public law and in that public law all commercial leases or licenses executed after October 2015 all revenues will be deposited into that fund.

Commissioner A. Santos: Inaudible

Chairman J. Reyes, Jr.: Commissioners we have a lot of opportunity ahead of us as again like I mentioned yesterday or Tuesday was that there's a lot of work ahead of us and I think that we continue to fix our foundation and start exploring where can we start expanding so we're definitely on the right track so there's a lot of work ahead of us. But don't worry Commissioner Bordallo we'll check with GTA on when they're going to land the first cable.

Commissioner A. Bordallo: I think the first thing we're going to do is sell the land.

All: laughing

Commissioner A. Bordallo: I'm just joking

Chairman J. Reyes, Jr.: Any other financial questions? Alright Joey let's move in or Angie let's move into the Agency Report.

AGENCY'S REPORT

Acting Administrative Director A. Camacho: So, I'd like to ask for Joey's assistance in presenting our Strategic Plan as he had a critical role in developing it.

Chairman J. Reyes, Jr.: Yes, for sure. Alright, so Commissioners and Attorney Toft we have our Four-year Strategic Plan that was developed by Joey and team and along with the help and support and input of Angie. And in just kind of reviewing the first few drafts and kind of helping and getting my input as well and getting it ready for you guys to review. It really give us a good sense of a road map and you'll kind of see that same verbiage along the way. But again, it was a huge effort in really trying to put everything that we've been tasked and challenged with and really saying; this is what we'll tackle first, this is what we'll tackle second and here's what we'll tackle at hand and so definitely kudos for Joey and team and Angie for the support in developing this. My goal is for us to at least approve it and with any small changes and corrections we may discuss here and then we want to definitely get it out to the team and making sure that our team is fully supportive of this strategic plan because they're going to play a critical role in order for us to achieve these... there's specific milestones and etc... and so I'm just going to turn it over to the team just to kind of present it. It took a lot of work I know but also it's something that as we've met over the past year like this month makes

my full year on the Commission so it's been a journey but it's also been a very exciting one to be a part of it all. So it's been a long time coming, thank you guys for your help. Joey, I pass the baton to you.

Program Coordinator III J. Cruz: In summary as we were developing this strategic plan we considered past actions whether it was positive or negative, identifying what it is we're missing. Our strategic plan focuses on three areas. Our first strategic goal is improving our way of conducting business. This process entails the reorganizing the processes, identifying and addressing our advance informational technology. Our second strategic goal is improving stewardship. In the past we've been criticized about many things but this strategic plans includes the necessary steps or concerns that we need to address. Our first in improving stewardship includes improving integrity of the programs, improving accountability in performance. Our third and last goal, it's not the least nor the most but is creating clean, safe and thriving neighborhoods. A lot of our lease properties don't have the necessary infrastructure to develop homes, they don't have access although within the strategic goal there are strategic objectives and the first objective is registering property. In our Act we're not allowed to lease unregistered property. The second strategic objective is land survey, properties need to be surveyed or survey needs to be completed in order for the utilities to install any type of connection. The third strategic objective is infrastructure, this is something that all our lessees have shoulder the cost or the expenses for but nonetheless it's in our strategic plan and it would be addressed. So in summary that's our strategic plan. It focuses like I mentioned on three goals which is improving our way of conducting business, improving stewardship, and creating clean, safe and thriving neighborhoods. Thank you.

Chairman J. Reyes, Jr.: Thank you, Joey. Angie, do you want to add something to that. I know you definitely helped on this one.

Acting Administrative Director A. Camacho: So this addresses some of the tasks that I've been handed over and I'm confident that this is going to guide the Chamoru Land Trust in achieving a lot of the goals that were set to us. It's specific to the point where we want to be transparent. We will procure our website, we will stand that up in the near future. We want to digitize so there'll be some efficiencies here as well as our sister agencies, Guam Ancestral Lands and Land Management so we would like to work together with our sister agencies on digitizing and access to data. Also, I'm very proud of the product that we bring before you and I think that it will give the road map again for our employees but also something for the public to gauge us on.

Chairman J. Reyes, Jr.: Yeah, 100%. And the key thing here with strategic plans is that it's fluid. There's going to be certain instances outside environmental factors that is going to affect so we have to be able to pivot. We're going to have to be able to make changes and making sure that the changes that we make are still in alignment right because even if those environmental factors or anything outside of our control will play a part in this. And we're going to have to be able be fluid and pivot whenever those changes occur. The other thing is that having a plan allows us to put smart goals things that are specific, measurable achievable realistic etc....right and having the team, the staff to say, these are some of the things that I have to be able to accomplish and is it measurable and everything should be coming out of here. We know that we have a lot of cleanup but part of the cleanup is here and we have to create those foundations and the check boxes in that sense. But it's tangible some is... and it could lofty but

it's always good to have something to strive for a goal to attain. Again, going through it, I'm pretty happy with the details and it's always the devils and the details so the key thing as well and I know the team and staff can hear us is that we all have to be part of it because we won't be successful if we don't collaborate and really put the effort. And one of the biggest things and the challenges that we've always said is that we don't have enough staff but it's the staff in the right spot and creating... the big thing that we always hear and one thing that I'm an advocate for is compliance, making sure that when we do issue these leases, it's obviously followed to a T and within the law but then what happens after, right? Are they utilizing the land, do we need to make sure that we have a team that can go out there to do those inspections and site visits, surprise site visits, one or two day... and we hear in the media, it's always CHamoru Land Trust property and it's just trashed, so how can we be a part of the solution and yes, there's responsibility I think goes both ways but if we are the lease holder and our lessees are out there, we got to make sure that we also do our part from a compliance perspective. It's really covered and I'm actually really excited because it's a huge opportunity for us again lay this foundation and we have a road map for the next four years. So good job guys, I appreciate it. Commissioners, any questions?

Commissioner A. Santos: I'm very excited for this most especially of all the digitization of all of the records and files and yeah...*inaudible*

Chairman J. Reyes, Jr.: So Angie and Joey what do... we just want the Commissioners or the Board to kind of approve subject to any....?

Program Coordinator III J. Cruz: They can adopt it.

Chairman J. Reyes, Jr.: I think Commissioners when we adopt this we have to be very clear and comfortable that it's fluid and so we have to stay close to it. And Joey and team has specific timelines things that he can measure and reporting back to us so that if something is lagging we know that it's lagging and we're aware and say, oh, is it going to take another three months to remediate is it going to take four months to remediate but at least we're aware and we have something tangible to refer back to. And just one caveat and one thing that everyone needs to understand is that yes, it's a strategic plan that we're going adopt but it's also something that we know is pretty fluid in that sense because things can change... new laws can about etc...etc...etc...so.

Commissioner A. Bordallo: Things have to change drastically.

Chairman J. Reyes, Jr.: Yes, indeed and this will help us create that foundation for those changes that we need. Any questions?

Commissioner A. Bordallo: Nope, thanks for your hard work.

Chairman J. Reyes, Jr.: If you guys are ready to take action to adopt it, I'll turn it to you guys unless you want to take extra time to get through it.

Commissioner A. Bordallo: Yeah.

Chairman J. Reyes, Jr.: Yeah

Commissioner A. Bordallo: *inaudible* month. I'll ask questions *inaudible*

Chairman J. Reyes, Jr.: Sounds good. So what we'll do is give the Commissioners a little bit more time and then we'll come back in November. In the meantime between now and the next commission meeting if you have any questions, please feel free to email them to Angie and Joey and have that active dialogue.

Commissioner A. Santos: I like the plan. I see the dates are very attainable and you know what I mean so...if there's a few in there by the end of at the end of the month this month that are so I have no questions I have no doubt that the team can achieve all of it and we can achieve all of these so... will you still like to see it, Saina?

Commissioner A. Bordallo: I only have... because most of the Chamoru Land Trust it's one dollar a year that you pay and I think you have to think of a way of making more money and that would *inaudible* commercial side of where we can use land for lease for commercial lease and that can help us bring more money into the

Commissioner A. Santos: Okay. I have no... I could wait until November.

Chairman J. Reyes, Jr.: Okay, so let's do this, I know there are some timelines in there but Joey continue moving forward and then next meeting *inaudible* any major changes or any additional questions from the Commissioners then we can move to adopt. Okay? Anything else? No? Okay, sounds good. Next up on the agenda, I'm sorry, any other updates from the agency.

Acting Administrative Director A. Camacho: Yes, so... this may bring you some comfort to know that... actually a lot of the things that we've done in the past month bring us in alignment with our strategic plan. Joey and I met with USDA and BSP – Bureau of planning and statistics regarding opportunities of infrastructure grants and low interest rate loans so this will provide infrastructure to tracts of land. We've already looked into one in particular which is Tract 1022 we have... GWA submitted a cost estimate and it's quite daunting but we are committed to work with these two agencies to find assistance to not burden the Chamoru Land Trust. Cost for water and sewer infrastructure came up to fifty million dollars plus but again this brings us a step ahead with the grant opportunities that we will pursue.

Chairman J. Reyes, Jr.: At least we have a price tag

Commissioner A. Santos: And that's for Tract 12...

Chairman J. Reyes, Jr.: 1022 that we were just talking about earlier

Commissioner A. Bordallo: What's the size of the lot or the tract

Program Coordinator III J. Cruz: I believe the initially Tract 1022 was supposed to be a land for the Land for the Landless subdivision. It was severed out surveyed I believe about 500 square meters per lot. But it didn't happen like that so it was transferred to the commission. So we awarded 301 leases within that tract. If there's no resolution or no installation of

infrastructure we're going to have to relocate about 200 lessees within that tract because the property is going to have to measure about half an acre. So initially it was surveyed a 500 square meters it's going to take up four lots for one lessee. So we're going to have to relocate about 200. So if we install power, water, sewer especially sewer we can maintain the lot size but if not then the lot is unusable. So you're going to get if you haven't already yet got a lot of request to either be relocated because the lot is unusable or for whatever the reasons are so that's why Tract 1022 was picked as our pilot project to determine what is it going to cause because if we install sewer, we'll resolve the issue of the lots unusable.

Chairman J. Reyes, Jr.: At least we have a price tag

Acting Administrative Director A. Camacho: Correct

Commissioner A. Bordallo: Does it say in that?

Acting Administrative Director A. Camacho: Yes, they gave us a very nice

Program Coordinator III J. Cruz: A detailed *inaudible*

Acting Administrative Director A. Camacho: So this is something that we'll share with...

Commissioner A. Bordallo: No, it's just a question of how big is the land

Chairman J. Reyes, Jr.: Pierce, do you have the size of 1022 total?

Engineering Tech II P. Castro: Yes, I do. For a quarter acre lots, we're looking at 390 lots at a quarter acre if you can bring in the water and sewer. And of course half of that for half acre lots.

Chairman J. Reyes, Jr.: So what's the total size? 390 x the quarter?

Engineering Tech II P. Castro: Yeah that's right... around 400 hundred lots about quarter acre.

Chairman J. Reyes, Jr.: But what's the total square meters of the entire tract

Program Coordinator III J. Cruz: About 371000 square meters I think

Engineering Tech II P. Castro: Maybe about 70 acres 283281 square meters.

Chairman J. Reyes, Jr.: Yeah, okay. 70 acres, I mean it's a big piece of land so if we can keep the size we're going to have to figure out the cost benefit on that. If we keep the size get the sewer and water in there or... is it cheaper and again this is just...

Commissioner A. Bordallo: Sometimes from a perspective from a private and government sometimes it's good to get a quotation from private.

Chairman J. Reyes, Jr.: If we did it private.

Acting Administrative Director A. Camacho: Right. So at some point we'll continue to look into bringing in the sewer and water and power that is an option as a matter of fact

Chairman J. Reyes, Jr.: Yeah, like I was saying, the cost benefit of do we bring the sewer, water and power or do we make these lots half acres and then have to deal with relocating or expanding.

Commissioner A. Bordallo: I understand that. But if you want to do quarter acres – ¼ of an acre, you'll have more lots and more homes to build.

Chairman J. Reyes, Jr.: Exactly

Program Coordinator III J. Cruz: It's just at some point we're going to have to determine when do we draw the line because we're holding up a lot of people who either want to either get their property surveyed or to progress but we're working as hard as we can and as quickly as we can with other agencies to determine if there is a possibility to obtain the federal funding.

Commissioner A. Santos: Is there a way where we can possibly make it a breakdown right, fifty million the total cost for the whole tract for everything or is it just one agency..

Chairman J. Reyes, Jr.: Just water sewer

Commissioner A. Santos: Just water sewer

Program Coordinator III J. Cruz: We also have to take in account if we become the developers of the land there's other requirements that are going to be needed like the installation of sidewalks, paved roads, storm drains... so Ms. Camacho only gave you a quote for water and waste water, that doesn't include power, storm drains, sidewalks, paving the road if it's required.

Commissioner A. Bordallo: A real subdivision

Commissioner A. Santos: Can you break it down in increments?

Program Coordinator III J. Cruz: That can be an option

Acting Administrative Director A. Camacho: That's an option, yeah.

Program Coordinator III J. Cruz: So we're exploring all financing opportunities out there. Like Ms. Camacho had mentioned, USDA, BSP there's other grants other than just the SUDA so we're exploring it all.

Chairman J. Reyes, Jr.: Thank you, Joey. Ms. Camacho?

Acting Administrative Director A. Camacho: And finally on the agency report we're preparing GG1s for additional staff that we hope to bring on to assist with all of the tasks that we have before us.

Chairman J. Reyes, Jr.: Sounds good and working closely of course with Department of Administration.

Acting Administrative Director A. Camacho: Yes

Chairman J. Reyes, Jr.: So just to touch a bit on that, how quickly once we determine the head count or the position, how quickly just more for informational, how quickly does it when you put out the posting and I may not exactly know on the government side how it works but the posting and the interview... what's the potential time frame for this?

Program Coordinator III J. Cruz: A couple of months. What happens is after we prepare the GG1 it's sent to the Governor's office for approval but because we are not under the allotment control of BBMR it will go directly to DOA if DOA should have a sufficient listing there's no need to announce depending on how we announce the positions whether it's open, government wide or departmental. Usually positions are announced I believe for two weeks or three weeks, after that they're vetted, they send the certification, we will set up the interviews immediately. After that whoever is selected has to pass a drug test and all that great stuff and then they can start.

Commissioner A. Bordallo: I have one question, do you have a grant writer?

Acting Administrative Director A. Camacho: We're working with BSP, they have a grant writer.

Commissioner A. Bordallo: BSP as in?

Acting Administrative Director A. Camacho: Bureau of Statistic and Plans

Chairman J. Reyes, Jr.: Nice okay. And they have that *inaudible* right?

Acting Administrative Director A. Camacho: Yeah and they're... they've been really wonderful helping us with our DONS number. Yeah and writing the grants as well. It's a good working relationship.

Chairman J. Reyes, Jr.: Awesome

Commissioner A. Bordallo: That's the key

Chairman J. Reyes, Jr.: Yeah, partners – partnership, yeah. Anything else on the agency's side, any other questions for Angie?

Commissioner A. Bordallo: Sorry to interrupt your...

Acting Administrative Director A. Camacho: That was it.

Chairman J. Reyes, Jr.: Okay, the next item on the agenda was supposed to be the Executive Session however we're going to table that and we'll move and finalize the agenda with Commissioners' Comments.

COMMISSIONERS' COMMENTS

Chairman J. Reyes, Jr.: Commissioners?

Commissioner A. Bordallo: I have no comments

Chairman J. Reyes, Jr.: Thank you, Commissioner Bordallo. Commissioner Santos?

Commissioner A. Santos: None

Chairman J. Reyes, Jr.: Alright, I just want to wrap up again thanking everybody and looking forward for us in going live with our strategic plan so Commissioners, if you can take the time and the opportunity to review and send your questions hopefully prior to our next meeting. Alright and may I get a motion to adjourn.

Commissioner A. Bordallo: I move

Chairman J. Reyes, Jr.: Alright and may I get a second.

Commissioner A. Santos: I second that

Chairman J. Reyes, Jr.: Thank you, any objections?

Commissioners: None

Chairman J. Reyes, Jr.: Alright adjourned – 4:00 p.m. Thank you.

Adjourned: 4:00 p.m.

Transcribed by: Tina Rose Tainatongo, Land Agent I

Approved by motion in meeting of: December 16, 2021

Chairman John F. Reyes, Jr.:  Date: 1/14/22