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Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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COMMISSION MEETING MINUTES

Department of Land Management Conference Room

3rd Flr., ITC Buidling, Tamuning

Thursday, March 16, 2017; 1:10 p.m. – 4:15 p.m.

I. CALL TO ORDER

Meeting was called to order at 1:10 p.m. by Chairwoman Pika Fejeran.

II. ROLL CALL

Present were Commissioner Amanda Santos, Commissioner Pascual V.A. Sablan, Administrative Director Michael Borja, Legal Counsel Nicolas Toft, and Chairwoman Pika Fejeran.

Chairwoman Pika Fejeran: Extended her welcome to the new legal counsel Nicolas Toft.

III. APPROVAL OF MINUTES – February 16, 2017 Board Meeting

Chairwoman Pika Fejeran moved for the approval of Regular Meeting Minutes of February 16, 2017. The Public Notices was posted on the Guam Daily Post on March 9, 2017 and March 14, 2017. There were no questions or comments. Commissioner Pascual Sablan moved for the Minutes to be approved subject to corrections. Commissioner Amanda Santos second. There were no objections and the Minutes was approved.

IV. PUBLIC COMMENTS

1. Franklin Cruz – Requesting additional acreage

Chairwoman Pika Fejeran: Next item on the agenda I have Public Comments and I have the Public Comments sign-in sheet up here. Mr. Cruz (Franklin Cruz). Please join us up here sir. Have you had a chance to look at our agenda? Is your topic on our agenda today? Or is this separate?

Franklin Cruz: Separate.

Chairwoman Pika Fejeran: Please state your name for the record.

Franklin Cruz: My name is Franklin Cruz. I am farming in *Chalan Pa'lao'an*

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since '95. They gave me one hectare. As the year go by, I continue to add to my farming, I asked for additional acre and they gave it to me in 2013. I did not know that the acre they gave me was in the back, but I applied for the front. I continue to clean and farm on the land. In 2015 I retired from the Guam Waterworks so I'm looking forward to farming some more. You know about the system of the water that I applied for?

Administrative Director Michael Borja: Have you worked with anybody?

Franklin Cruz: Yes.

Glenn Eay (CLTC): I did the compliance on Monday. We receive a call that there were two meters in one lot on his property 10164-7 only to find out that his lot was 2 separate lot. We didn't know that he also own the front part of the property so after my inspection and I did the GPS I then told him your lease do not include the front, only the back. So this is why we are here today before the commission asking if you can give him the acreage. As far as the compliances his property met. His compliance is two acres and he wants additional acreage.

Chairwoman Pika Fejeran: This is an agriculture lot?

Glenn Eay (CLTC): Agriculture, yes.

Chairwoman Pika Fejeran: Thank you sir for coming forward today please keep working with Glenn so the next meeting we can have the full Staff Report to see where you are and if there's something we can do.

Administrative Director Michael Borja: Can I just ask a question? You already have one hector?

Franklin Cruz: One acre, I'm sorry.

Administrative Director Michael Borja: and then the application gave you what, more?

Franklin Cruz: No I was applying additional so in 2015

Administrative Director Michael Borja: were we just legitimizing the LUP of the acre?

Mathew Leon Guerrero (CLTC): What happened here was while working with GWA and GPA I received an email message from GWA questioning can Mr. Cruz have two residential water meter on his agriculture lease? That's why I sent downstairs because...I drove by there and there is a house here (pointed at the map) and this is where he's at there's a residential water and power feeding this house and there's a container home here that was placed by Mr. Cruz. It has a separate water and power meter that was feeding it. Although I sent the messages that he's not allowed to have two residential meters in his agricultural lease property. I believe they terminated the water services already and I'm waiting for confirmation from GPA as to whether they terminated the second power meter

that's feeding the container home that was put out here. That's what transpired of Mr. Cruz's situation and why I sent Glenn out to do a Compliance Inspection in the area.

Chairwoman Pika Fejeran: Did you survey your property back when the lease was issued?

Franklin Cruz: The one in the back I did survey, yes.

Chairwoman Pika Fejeran: So this was...that's highlighted that's the one that he's actually leased?

Mathew Leon Guerrero (CLTC): Yes, and the full concrete house there and the lot in the front is a container home that was placed there.

Chairwoman Pika Fejeran: And that's not his lease.

Mathew Leon Guerrero (CLTC): Yes

Chairwoman Pika Fejeran: So sir, your lease is just for this portion?

Franklin Cruz: Yes, ma'am.

Administrative Director Michael Borja: I'm so confused. So the blue is what is his?

Mathew Leon Guerrero (CLTC): Yes, but he's maintaining all the way out to the front and the container home that was put there. I believe that's your too, Mr. Cruz?

Franklin Cruz: Yes sir.

Administrative Director Michael Borja: And so you are trying to get an additional acre?

Franklin Cruz: Yes sir. Now that I'm retired I'm willing to just keep on, you know...(paused)

Administrative Director Michael Borja: You know there's a Public Law that does say that any leases greater than half an acre requires legislative approval so if we agree we have to go and get the legislature to approve it. So I just want to make sure you know that.

Mathew Leon Guerrero (CLTC): Also 1164 the unregistered portion, the lease is one of those leases issued prior to (interrupted).

Administrative Director Michael Borja: Even worse. So when was this lease signed?

Margarita Borja (CLTC): 1995 I believe.

Administrative Director Michael Borja: What's 2013?

Margarita Borja (CLTC): 2013 he got approved for additional acre.

Administrative Director Michael Borja: Oh, but its unregistered land?

Chairwoman Pika Fejeran: Which one is unregistered, the front?

Administrative Director Michael Borja: The whole thing. Okay, work with Glenn.

Chairwoman Pika Fejeran: Si Yu'us Ma'ase.

2. Mark McManus – CLTC Application Status

Chairwoman Pika Fejeran: Next on this Public Comment sign-in sheet is Mr. Mark McManus. Hafa Adai! Please step forward.

Mark McManus: Hafa Adai! Thank you. Sorry I didn't print out. I wasn't too sure how many people would be here, the documents that I was going to present were quit lengthy so I didn't print it but I can if you would like. But basically I'm here on behalf of myself as well as a school that I represent, a non-profit school, St. Marks, as well as some work that we're wanting to do with the commercial aquaponics farm for a career tech high school on Guam and we just put that into (inaudible) recently with the local charter school association. So anyways, I'm hoping when I originally put the application in 1995 when I started the St. Marks I was hoping 7-10 acres to do multi varied agriculture not just aquaponics but some other types of farming and I do have a plan it's quit lengthy and goes into things. So that is why I'm here. Sorry I didn't do it in a more formal manner.

Chairwoman Pika Fejeran: So you do have an application in with us for agriculture?

Mark McManus: Yes my original. So I showed up the other day with birth certificates and so on. My mother is Chamorro and then we talked about it. She thought I was just looking for homestead and looking for 7-10 acres to do multi (inaudible) commercial farm as well as a non-profit charter school.

Administrative Director Michael Borja: You are currently operating a school?

Mark McManus: I'm together with my brother. I do some contracting out to him at Southern Christian Academy in Agat.

Administrative Director Michael Borja: So with this lease the part of a school program?

Mark McManus: Yes. I would like to put part of it there then again we're trying to train career tech folks to get back to agriculture to not just agriculture but also the academy is going to be producing construction trades, medical fields and so on. So this is just one aspect of it that I had specialize in and making it commercially viable at the same times

towards the ultimately go, no go scenario rather than getting a false grading system of A,B,C,D.

Administrative Director Michael Borja: Usually what we do this would be something that would be commercial/agricultural lease and we usually work with the applicants. They would provide a Farm Plan we probably look at it in phases. Again, like I mentioned to the previous individual, anything greater than half an acre which is considered subsistence agricultural is considered commercial/agriculture. And so we agree, we still have to get the legislature to concur and we didn't have that problem just a year or two ago. That was something new that added into law. Have you worked with one of our agent's yet?

Mark McManus: Yes, she's not here.

Margarita Borja (CLTC): She's right here. Eileen.

Mark McManus: Yes I will work with her the rest of the way.

Administrative Director Michael Borja: But that plan will be something that you can even give to us digital and we can work with it.

Mark McManus: Thank you.

Chairwoman Pika Fejeran: Thank you Mr. McManus. Okay, that concludes the public comments unless any other in the audience wants to comment.

V. OLD BUSINESS

1. Strategic Plan.- Continuation

Administrative Director Michael Borja: You want to skip that one until a little bit into the New Business (inaudible) it can go together because it's going to be a longer discussion.

Chairwoman Pika Fejeran: I actually think this is pretty short. So the Strategic Plan discussion...the last meeting, was it that you guys presented this to the table? So I'm thinking about our priorities moving forward. I think one of our first priorities should be revenue collection and we have several tools that we are waiting to come down the pipe and one of them on my list is our Memorandum of Understanding with the Department of Revenue and Tax and I wanted to see where we were with that.

Administrative Director Michael Borja: Sure, part of our audit is to determine the amount of properties that are currently leased and we would then know what was taxed on those properties and then we coordinate with Revenue and Tax to transfer those collected amounts to the Chamorro Land Trust funds. It's also will be our job to know who didn't pay and to also go after those folks who had not paid to make note to assist Revenue and Tax in collection because it's to our personal benefit or to the benefit of the Trust. And the property tax we are eligible for is only for the land not the building so there are two taxes assed on properties that have building on. One for land with the building, and that's one of

the things that we are currently determining for 2016 in our outgoing audits right now is now much do we believe is our assted amounts that we should be collecting and then will coordinate that with Rev and Tax. We actually are coordinating with Revenue and Tax with this kind of stuff. And then we determine if there are already other issues where they hadn't captured, the information we are supposed to provide and didn't provide to show that those properties belong to Chamorro Land Trust Commission. Off the top of my head, I can't give you a figure because part of this whole process is also to put a value on all the properties that we currently hold. I think, I did see something coming down on property valuations...property valuations are not necessarily the taxes we collect. What I've been told it probably has gone up another \$19,000,000 so we're in the neighborhood of \$40,000,000 property values that are in the inventory. A property has no value that can be counted until there's somebody on it that is leasing it.

Chairwoman Pika Fejeran: So when do you think that's going to be resolved so we can start seeing the money transferred?

Administrative Director Michael Borja: Well, the auditors opening meeting is supposed to be sometime next week and it's moving. We will be inviting you to show up and any commissioners that wants to come...it was originally scheduled for Monday and it got moved to Friday, but it's really not certain yet when it's going to be. But that's just the opening meeting with the auditor. The actual accounting audit by the accounting firms is already underway and those are the kinds of values that are determined in this audit as well and how much we should be collecting from Revenue and Tax. I'll try and get the preliminary amount for you guys and let you know.

Chairwoman Pika Fejeran: That would be great so then we can plan for that money coming in so that we can get people leases. Revenue collection is, I want to say is our number one priority because we need money to do things, to move forward and our strategic plan is to help move the Chamorro Land Trust forward for our beneficiaries; beneficiaries that have been waiting 20 plus years. The next questions I had, Director, I know you were working on a bill for a lockbox for our Chamorro Land Trust funds.

Administrative Director Michael Borja: Not specifically yet on that, the bill specifically just to do that, but we are having a discussion with the land committee on Monday afternoon, again, we just got that confirmed, I'll send you the invite on it.

Chairwoman Pika Fejeran: This is the legislative committee?

Administrative Director Michael Borja: Yes, the Land Committee, Senator Ada's staff. It will be at 2:00 p.m. Monday afternoon here in this conference room. We are going to discuss a whole lots of things, especially all the things that you participated in the last meeting where we be talking about the survey funding, the fee schedule for Land Management, zoning issues and what not. So this could be a part of something we can talk about for...how to hold some of these monies. They might be particularly important in light of potential events coming up.

Chairwoman Pika Fejeran: I thought you already floated a draft?

Administrative Director Michael Borja: Not to lock.

Chairwoman Pika Fejeran: Not the lockbox?

Administrative Director Michael Borja: Not the lockbox. That money is actually fully accounted for and it's part of the thing the audit even looks into. Monies goes into a specific account that's collected by the Treasurer of Guam and then the cash sits there and sometimes the cash gets borrowed out but it's supposed to be returned back. But we know when it's been borrowed out and we know when it's been put back in.

Chairwoman Pika Fejeran: What's the balance today?

Administrative Director Michael Borja: There might be \$1,000,000 or \$2,000,000 it's not in there and we know that. In the last audit the auditor sent a note to the treasurer to put them back because I think it got up to about two and half million dollars. But the books are fully accounted for and we know it belongs to us so when we go in there we ask for it. When it comes to these monies that are going to be coming in for the property tax that number could...and it will get big fast. We just need to make sure that it's not always borrowed. The other, commission, theirs is totally different, as it's different land bank and it is just totally separate and it has nothing to do with the Treasurer of Guam and it's in an account all its own. Before the Chamorro Land Trust once was able to write checks and they still can, we can still set that up, I think we have a checking account, there is a bank account. And we have monies also in time deposits and this has to do with the loan guarantee funds that we have to maintain enough for and it grows interest as well. But those monies are touched by the General Funds or by the Treasurer because they're not in the system but they are fully accounted. So that's the kind of way you put things into a lockbox, it just never goes in there. But that's not something we can do within our own that would have to be through the legislature. But we can discuss that specifically with the Land Committee on Monday.

Chairwoman Pika Fejeran: Yea, I would like to get that on the agenda, I think that's very important. And then with that to make sure to know that we have at least an ideas on when we can at least have the money back so that we can start planning and moving forward.

Administrative Director Michael Borja: The law says, I think they have to return it back 60-90 days after they have taken it out. So we can see when it comes out we can when it goes back in and we did address it last year I did sent them a letter at one point. I instructed them to return the monies back.

Chairwoman Pika Fejeran: Yea I remember that.

Commissioner Pascual Sablan: So did they return the previous \$60,000 already?

Administrative Director Michael Borja: It comes and it goes.

Chairwoman Pika Fejeran: So I would like to stop it from going and just get it coming.

Administrative Director Michael Borja: Joey Cruz who is our Program Coordinator III, he works on the audit issues. Come on forward Joey. Joey, the question is what's an estimated amount that we anticipated for revenue from property taxes for 2016?

Joey Cruz (Chamorro Land Trust): We haven't gotten the listing but nothing more than last year.

Administrative Director Michael Borja: Which is?

Joey Cruz (Chamorro Land Trust): \$67,000.

Chairwoman Pika Fejeran: So 2016 is the only year that we are waiting for that to come in? The previous years we already received the taxes?

Joey Cruz (Chamorro Land Trust): Through the auditor's adjustments we have.

Chairwoman Pika Fejeran: Okay, got it. And so this Memorandum of Understanding with Revenue and Tax will be more of a proactive approach rather than waiting for the audit for the year prior is saying we know we're supposed to get this money this year taxes?

Administrative Director Michael Borja: Yes, and they understand it as well and then they know they need to transfer it over and the auditor also understands it very clearly as well too because what it basically does it's just taking the money out of one hand and putting it in the other but it diminishes the spending amount. Because they can and will grow as time moves on and if any of the properties go from commercial that money will grow. It can grow up into the millions but right now we're just in the infancy of this and we haven't gone after and sent out any late notices for people who have become delinquent. However, when people want to make changes to their leases, for example, they want to change their leases or beneficiaries wants to take over the lease one of the prerequisite is payment of back taxes. We have one person in particular in a situation because it's a significant amount only because the size of the property is large. So you know you ask for a large piece of property and you paying a lot more in taxes and if you don't pay your taxes for 10-years it will be bigger. There's nothing we can do about that they want to transfer that name. They need to pay the taxes and if they don't want to pay the taxes then they probably need to reduce the size of the lot because if they are not actively using 15 acres for agriculture as intended then we can reduce that lease size.

Chairwoman Pika Fejeran: Okay, thanks Joey. So if I'm understanding correctly we are just waiting for the \$67,000 for 2016 taxes due.

Administrative Director Michael Borja: Yea, but the 2016 property taxes are not yet fully due until April 15.

Chairwoman Pika Fejeran: So going back to the lockbox issue, Chamorro Land Trust money should not be a savings account for the rest of the government and it seems like its being used that way by the Department of Administration. Every time they take money out when they did it leaves us unable to use that cash so I want to see... (Interrupted).

Administrative Director Michael Borja: Well, once we get an appropriation to use it then the money has to be funded because the books both DOAs and ours it will show that the monies are obligation for the fund so therefore are obligated they got to put the money in to pay for that appropriation. That's how that thing works so it's only when we don't have enough money in any of our book accounts where the appropriations will not be able to authorize because you can't fund it, it's not there. So by asking for \$3,000,000 and in the book fund it's only \$1,000,000 they can't give me \$2,000,000.

Chairwoman Pika Fejeran: Right. So you shared with us the budget request, you know, we were asking for \$300,000 surveys and there was another \$150,000 for registering?

Administrative Director Michael Borja: Total of \$350,000 for survey. The original amount we were asking was \$350,000 for survey and \$500,000 for taking care of land registration process. But we are just going to go for the \$350,000 to get the surveying done and then as we encounter the need for additional monies for the actual land registration part we will request for that. The amount of money require for that and the reason it's so high is a lot of publication cost. We got to post the notices in the news they have to send out certified mail to each and every person. We have our own servers, process servers so we don't have to contract that out but there's a whole (inaudible) I believe the legal fees that are required...they just begin to add up. I got that number actually from the Attorney General so you know it's just the number to start off to begin moving to make sure that the fund monies are there. We are not doing as many registration cases as we would have hoped to but as we moved forward and once we get these surveys done then we can get to know where (inaudible) to talk to and we can start moving. Once we see that then we would know how much more money we're going to be needing to move on. We just need to get survey done first so we get a good assessment of what we're going to do. On the surveys the surveyed folks, the land folks they are putting together a prioritization list and we'll see that next week. The priority list is probably going to start off with unregistered lands with occupants, especially when you know, we just saw person who's occupying a piece of property that's unregistered. There's a lot of that so we need to get those guys done. Any other unregistered land that are not occupied and then we start moving down the list to register lands for the large occupancies.

Chairwoman Pika Fejeran: and that will be presented to us?

Administrative Director Michael Borja: Sure. Yes. We're trying to get this priority list together. Actually, what we are trying to get it put together so we can present it in the public hearing for the survey bill just to show our prioritizations of (inaudible), you know, who's first to be taken care of. Those ones with the land that people are occupying on unregistered lands that's pretty important because technically they are not supposed to be

there and thirdly if they try to do anything like get water and power. They probably will be having a difficult time getting that done.

Chairwoman Pika Fejeran: But they have leases already?

Administrative Director Michael Borja: They have leases.

Chairwoman Pika Fejeran: So what about the people that don't have leases, can we move them up in priority?

Administrative Director Michael Borja: Well, what we are going to be doing is looking to go through and survey all those subdivisions with the master plans that we've created and get all those done too. And what we're going to try and do here is issue out leases based on recorded subdivision maps because they have legal lot numbers and then come back. All the leases will be subject to survey but we can come back and that will be another push to survey all those. We definitely moving to get people on land quickly (inaudible) and without the survey.

Chairwoman Pika Fejeran: So the then the survey prior, I mean, the last time we were talking about going village by village, right and looking at #1 land we can lease out, and #2 how the land that's already leased out or is occupied, how it's being used and how we can improve those areas. So I would like to see what the village by village and on the survey priority list it come together?

Administrative Director Michael Borja: Yes, because it will be subdivision by subdivision pretty much. That's what I'm waiting from both the Survey Division and the Land Division to figure out what should be our priorities and in where we should tackle this things. Like I said probably the highest priorities will be unregistered with occupants.

Chairwoman Pika Fejeran: Areas with large number of people like that?

Administrative Director Michael Borja: Well, we have a lot of leases on particular unregistered piece of tract of land up in Yigo.

Chairwoman Pika Fejeran: I've seen 11 lots. Right?

Administrative Director Michael Borja: There's a lot more than that up there and there's this one particular subdivision. And so we want to get all this people get that land registered. Because there's going to be even very difficult to do but we are also looking in the land registration process to look for one that would be rather simple...I think we already got that in play right now in Talofofu just to get the machines wheels oil so we got our stuff together on what needs to be on. When we start to tackle a lot of people that are adjacent or on the lands there's a major process involved. Every one of them needs to be touched and all the adjacent lands we have to touch. The owner or all the heirs of the land. So it's a major undertaking and it's time consuming.

Chairwoman Pika Fejeran: So I'm going to post this again. I think our priority in light of the recent event should be the applicants that don't have leases yet. So spending all this time and effort on registering lands where people are already there and they already have leases. I don't see that helping the long list of other individuals.

Administrative Director Michael Borja: But those people are going to hurt, really, if they get disconnected from any utility they might as well find somewhere else to live. We can't do anything for them.

Chairwoman Pika Fejeran: But can we sit down at the table with the utility agencies and explain what's happening?

Administrative Director Michael Borja: We can but those lands have no, there's no legal authority for those lands. There is none, but they have leases, there's no maps though. There's not a single survey maps because it's an unregistered land. I mean, actually there's two paths going there, leases, disconnect the leases from the survey.

Chairwoman Pika Fejeran: Right. Parallel. I see it. Disconnect the leases from the survey?

Administrative Director Michael Borja: We're going to issuing leases without the surveys on lands that are registered and have a master plan with a legal description of the land and they are still subject to survey, they still got to be surveyed but they get the land. And when we get to that point in this process of surveying the lands and there hasn't been yet we'll soup it up and survey out those lands. But think of it as two different tracks right now. The surveying is one thing, leasing is divorced of having to have the survey done.

Chairwoman Pika Fejeran: and where is registering?

Administrative Director Michael Borja: Land registration is...we're only dealing with registered lands that were issuing leases on right now because we cannot put people on unregistered lands. It's like this gentleman who is asking for additional piece of land and really, technically, we can't give him additional piece of land because we're not supposed to give him anything there in the first place until it's registered. We can reserve it for him and hold it so that in the future he can get it but for the time being we can't create the document because all those documents they won't have a legal description of the land and because they don't have a legal description of the land they can't even be taxed. They're not going to be on the tax rolls either. There's nothing legal about that piece of property because there's no legal description whereas registered land that we've done a subdivision master plan and recorded it they all have a defined lot information, a legal recording information of that lot. We put that person on there given him lease we at least know where he is where he's supposed to be and he has to go survey. A surveyor can actually figure out where he's supposed to be too. We're issuing leases based on subdivision (inaudible) right now without a survey being done as a prerequisite for the lease.

Commissioner Pascual Sablan: Who's the assigned staff to undo that, unregister of the property?

Administrative Director Michael Borja: Well, legal is part of it. We also have folks down in Survey that deal with that and we have folks in Land Admin. It's really a team effort it's not just one person. They all work together and they tackle an issue. In some cases, you may have an issue where there's a private land registration. Even if there's a private land registration we all have to become involved and the nice thing is if there's a land registration for a private land where GovGuam land is adjacent to it will serve our interest because now to find that land we don't have to worry about it in the future. It's a team effort because Survey have to be involve so we know specifically what we are talking about. Legal is also very much involve because he's going to have to take it to court and he's going to have to do all the paper work for the court proceedings. And all those processes, see, even the Land Admin got process servers, every one of them has to. They will be going out in the field looking for people.

Commissioner Pascual Sablan: Why don't the Chamorro Land Trust or the Land Management... who do we look? Who do we see?

Administrative Director Michael Borja: If you want to register your land? Privately?

Commissioner Pascual Sablan: No, no, no. Like this case, this missing cases here. I know of a big partial that has been all partition already and leased signed. There's a (inaudible) lot numbers and came to find out that it's unregistered but they are paying taxes. Water have been hooked up, power had been hooked up.

Administrative Director Michael Borja: Is this Chamorro Land Trust?

Commissioner Pascual Sablan: No. Government land that was transferred...in fact I think I was the one who provided you the (paused).

Administrative Director Michael Borja: Well, can we go over this offline?

Commissioner Pascual Sablan: Okay, sure.

Chairwoman Pika Fejeran: Well, thank you I think we can discuss some of those strategic plan issues on next Monday's meeting and then we can talk again about priorities and where we want to start. Again, I do want to go village by village. Start with one village that has your priority subdivision but at the same time look outside the subdivision. Because as I understand not all Chamorro Land Trust property is included in one of those Master Plans.

2. Yigo Land Transfer Lot 9210.

Administrative Director Michael Borja: This has to do with Bill 18-34 which is to transfer the portion of property of the Chamorro Land Trust to the University of Guam's Fidian Hachery.

Chairwoman Pika Fejeran: Oh, sorry, that's jumping we're on Old Business, Yigo. Sorry, we're still in Old Business.

Administrative Director Michael Borja: This is the individual we've been talking about in the past also pending legislation that will be introduced to deal with this. This is in that area of Yigo where we had two individuals, what are they names again?

Margarita Borja (CLTC): Baldwin and Cruz.

Administrative Director Michael Borja: Mr. Baldwin is already, ready to...what is holding up is the ability to get his housing loans so he can build his house and we're also looking at moving Mrs. Blas to another location. The land transfer, we had to move her out because really he's only allowed to have half acre and not quarter acre for his house because there's no sewer available. And so what we saw and Mrs. Blas is willing to move to another location. What we saw in the last meeting is we mentioned a piece of property up the hill and that was rejected. So we went to look for another piece of property and what we found it was a Tract 9210 Block 9 is a huge tract of land right outside and along the Anderson Gate, by the front gate of Anderson, and this piece of property is already a subdivision laid out and approved and recorded and it has...in the subdivision laws it had several different properties designated for certain uses and if we look up at this map you'll see that there are 3 big open areas. The two outer ones are designated as community areas and the central one is a ponding basin. So we took a look out there. We went out there with the Yigo Mayor and it's (inaudible) until we went out there, Guam Waterworks is going through a major infrastructure project and they have been installing 6 inch water lines though out the main corridors of this subdivision and clear those 60 foot wide easements to do this . So you got a lot of clearing out there and now this place is going to have access to water and the roads have been open up. So it's a good thing. While there are two designated areas there's really not very much growth out there as you can see yet and now that we got lots of water put out throughout the area the power can also come in we probably going to be plugging in a lot of people into a lot of these lots. But this is already been designated like we're taking it out from being able to be used for anything else. It has to be used for that because that's how that' subdivision is approved so that area trapezoid or sorts on the left side is the one that we identified for the Yigo Mayor to have as the community field. He wanted both and I said no wait 'til we grow then you can use the other side. But as you can see there it's still all jungle and our discussion with him was also to make sure that when he coordinates with the University of Guam, Department of Agriculture in trying to preserve the trees that are in there that are unique. But what we want to do on this is to get this land, the administrative, the one where Mr. Baldwin is at to be administratively transferred back to the Chamorro Land Trust and then we don't know if we need legislation or not. Do we need legislation to say this goes to the Yigo Mayor?

Margarita Borja (CLTC): Yes.

Administrative Director Michael Borja: Okay, so then the legislation will be this parcel property which is administered by Chamorro Land Trust will then be transferred to the Yigo Mayor for him to use for community field. And once he gets the land put under his

administrative control he can then can go and subscribe for community block grant through GHURA to build whatever he needs to build. But it has to be under their jurisdiction. So that would be the piece of property that we would want you guys to give a concurrence to. What's that lot called, what's the lot number?

Margarita Borja (CLTC): Which one? Lot 9210, Block 7, Lot 9.

Chairwoman Pika Fejeran: Sorry, that's our property the 9210 and this number 18, Block 18 is...oh wait.

Margarita Borja (CLTC): I provided a new staff report I'm not sure when you guys got a copy?

Chairwoman Pika Fejeran: I just have a question. Director, you mentioned GWA has gone in there putting in water pipes and this is to the benefit of the people of Yigo so I was letting the discussion to happen so when you are looking at village by village priority areas, let's talk to our utility agencies to see what they have planned, if they are planning on doing this in certain area, then we say okay look they are going to be putting infrastructure here let's get this done so that by the time this is all done the utilities will be there and it's easy to hook up.

Administrative Director Michael Borja: Yes, it's one of these things where they didn't share with us and in fact their land agent when I came back from the field she happen to be in the office and I said what's going on up there and she didn't know what's going on up there. And she had to go back and find out. Even the mayor didn't have an idea who was doing this and why it's being done. There are lot of water wells out there too and so it serve Waterworks purpose to build waterlines in and waterlines out so they had to do this whole process and it's part of their capital improvement project. And again when you build the community subdivision and you record it, it shows the utilities, here's the potential for new development, it's already laid out so they can plan accordingly and apparently this is what they did here. So they have...the only thing missing now is the road being paved and it's incredible, I mean, but this piece of property is pretty good because it's paved road all the way up there. If you look at this road you could see the paved road on the bottom it kind of takes the left turn, I mean the right turn, that's an easement continues forward and it's been cleared. So they cleared it all the way through and they are putting in lines all over the place and the fire hydrants sticking out of the ground so there are some major, major infrastructure that's been done here and it's going to benefit us because we can start putting people there and they'll have access to water. But again, it's one of these things that we were not fully aware that it was happening and in some previous discussions with the GPA. Their CUC wants to sit down and have these kinds of discussions on where do you think the next development you want to put lot of people or can't put a lot of people so we can determine what kind of infrastructure development they want to put out there on their own because it's for their customers.

Chairwoman Pika Fejeran: Okay, let's just make sure we align our priorities with infrastructure and improvement projects. Okay, so going back to this I know the land that

will be transferred from the Yigo Mayor to us is substantially smaller than what we will now be transferring to them. I understand this lot size is for recreation and that's the purpose with the Yigo Mayor. He wants to create a recreation area. I understand we need to move fast for Mr. Baldwin because he's ready to build his house. I do want to bring up though that with every other agency that we're giving land to, we're asking for fair trade and I don't see that happening in this.

Administrative Director Michael Borja: You know, you really need to take a step back Madam Chair I really believe you do. You can't see it so much as a fair trade, you know, Inarajan we didn't get any fair trade. They assigned a lot of properties straight away to Inarajan just as big as this was. This property is already been set aside and is designed for this who's going to put it in there, the Chamorro Land Trust, I don't want to, I don't want to be taking care of it. But we can, that's what it's there for. And then to acquaint the fact that the only one to give him half acre for that half an acre then say so and that's all he's going to get what good is that for the community. He can't do anything for it. But you know it's the community, not just that local area but it will be (inaudible) to give that whole growing area that will be...you know, be lining to that piece of property once it's develops. Not everything is even trade when it comes to the social programs for folks like this and again, you can concur or not concur if the legislature wants to do it they'll do it. And in this case, you know, it's not like we're taking away things that's already established for homes this was purposely design in a subdivision development law to be a community area and if we can leave it free for all and let anyone who wants to do anything in there do it but what we're inviting in this case if we begin major development out there it will become a damp if it's not monitored or used by someone like the mayor. It will become a dump. Amazingly enough right now it's pretty damn clean out there. Now they have cleared up all these roads I'm fearful it's not going to stay that way for too long. I've seen some cleared out areas way in the back some place where someone had already gone out...In fact Barrigada Heights, they've just cleared. GPA cleared out some roads and put some power polls in there and at the end of this jungle. The ground was still fresh from the clearing and it's already a truck load of garbage that somebody had dumped out there. It's just really sad.

Chairwoman Pika Fejeran: I appreciate that and I understand social concerns but have we explored, talking to the Yigo Mayor maybe okay we'll do this trade but is there may be other lands that he has that we can look at and say well...I don't know. Is there another way that the Trust can benefit a little bit?

Administrative Director Michael Borja: He builds a community center out there it's benefiting all the people that live around there that are in the trust. That's his contribution to it all. He's able to get the funding to do what he needs to do to build what needs to go out there. I mean, we've talked to him he's always asking for all kinds and he wants land, he wants it all if he can have his way, we've been keeping him back on a lot of these but this one is designated for this purpose so that's the reason why we selected it. Like I told you he wants both those lots. I said no there's only one right now and later on when the place gets filled there might be a need for something else there. But in the subdivision it will be hard for us try to change that back out.

Mathew Leon Guerrero (CLTC): That all of our Chamorro Land Trust residential applicants all around that area. If he does it will benefit all our leases that are there already.

Administrative Director Michael Borja: Is all of that in red Chamorro Land Trust?

Mathew Leon Guerrero (CLTC): Yes.

Administrative Director Michael Borja: Because I know there's some private properties in there too.

Chairwoman Pika Fejeran: Well, I just wanted to put that on the table because I think we need to consider these concerns. It will directly benefit and there's already work going on in there that will benefit our beneficiaries. I just get nervous when we're transferring lands outside of our inventory and so I just want to ask those questions so that we think hard and don't just keep moving lands outside our inventory because once it's out it's out.

Administrative Director Michael Borja: Not really because you can come back in. There could be a...and what we've done on all of these bills that have gone out was, there's a time period that's placed in there if they don't do something on that land within 10 years it automatically revert. It's a reversionary clause. So those reversionary clause have all been added and they are required to do something on their and if they don't do it then we take it back it's even if they paid for it.

Chairwoman Pika Fejeran: With this be a motion from there that this gets forwarded to the legislature or it's a bill that's... how does this work?

Administrative Director Michael Borja: That you agree to transfer that tract that lot number 9 to the administrative control of Yigo Mayor and that he transfers his administrative control from that other lot from the back gate to the Chamorro Land Trust Commission and if you pass that by motion and also desire to be done by resolution we will provide that resolution for the support and the bill has something to go through.

Chairwoman Pika Fejeran: Is that Senator Ada who will be introducing the bill?

Administrative Director Michael Borja: Yes.

Commissioner Pascual Sablan: So we need to make a motion.

Administrative Director Michael Borja: We will just make a motion to approve by Resolution the administrative transfer of Lot 9 from the Chamorro Land Trust Commission to the Mayor to the municipality of Yigo and that the municipality of Yigo Mayor transfer Lot no. 7116-1-2-3 back to the administrative control of the Chamorro Land Trust Commission. And then that we take that lot and be able to sign that lot in whole to Mr. Baldwin for his loan purposes.

Commissioner Pascual Sablan: So I make a motion.

Chairwoman Pika Fejeran: I heard a motion from Mr. Sablan.

Commissioner Amanda Santos: I second.

Chairwoman Pika Fejeran: Seconded by Tan Amanda. Discussion? The Resolution will include a probationary clause. All those in favor say aye.

All: Aye.

Chairwoman Pika Fejeran: So moved.

VI. NEW BUSINESS

1. Bill No. 18-34 Transfer portion of Lot 5412-R11 to University of Guam Fadian Hatchery

Chairwoman Pika Fejeran: New business. Bill no. 18-34 transfer portion of lot 5412-R11

Administrative Director Michael Borja: There was already a bill introduced for this and I know chairman you were there and basically it takes a portion of Chamorro Land Trust property be transferred to the administrative control of the UOG Fadian Hatchery and in your packet there's some discussion in there that Dr. Underwood provided to me and he referred to in his testimony which basically...This whole facility (referring to the map on the screen) was once all GovGuam lands and also the Perez Family lands and then under the old Department of Commerce this whole program was created and they just popped this buildings into this buildings into this land without really any issues on where they are putting in. As a result at the end the piece of property that was given to the University of Guam turned out that it wasn't correctly identified as being the parcel that was needed to take into account all the buildings that are incorporated into this facility. Now one of the things that I had mentioned in the testimony is that because this hatchery is a sterile environment and it's required to be...because of the growth of a fishery livestock I suggested to them that the piece of land also deal with a buffer zone that they acquired and pay for just to make sure that we don't ever encroached into it or anyone ever encroached into that area and it stays preserve. The piece of property that they currently sit on is extremely expensive whereas the property they want because it's expansive and it goes way out to Route 15. It's not as expensive but if I were to be doing the appraisal we would have to appraise for what the properties in that area specifically. I estimated came out to pretty hefty amount, \$41.00 per square meter. They need \$1.6 to upward of two acres and that's...1,600 square meters is what they need and so they are going to cost them quite a bit. I estimated it's going to cost about \$800,000.

Commissioner Pascual Sablan: How much?

Chairwoman Pika Fejeran: \$800,000, these two maps?

Administrative Director Michael Borja: They did the map already, University of Guam did. What they did is they did "as built" of where the land is and where the buildings are in relations to that land and then they did another map to show where it needs to be and (paused).

Chairwoman Pika Fejeran: I have a question about access.

Administrative Director Michael Borja: Their access comes down from somewhere else I wouldn't worry about their access. Their access comes in through another source and it's their business. In fact, it's a restricted access they don't want people driving down there.

Chairwoman Pika Fejeran: and then our lot (inaudible).

Administrative Director Michael Borja: Our lot goes clear up...the map that shown here. You don't see in this old aerial is the GPA building is not shown in there. But our property goes all the way up towards that area. There's not many designated use for that. In fact as I was looking at our future discussions here it was listed as commercial. We're kind of looking differently now as maybe possible a conservation easement along the ridge line and down to the cliffs.

Chairwoman Pika Fejeran: So you mentioned that they would bear the cost for land appraisals surveys.

Administrative Director Michael Borja: They will bear the cost for all those kinds of things and..

Chairwoman Pika Fejeran: Registration and (inaudible).

Administrative Director Michael Borja: I don't think there's any land registration...it's all registered. But one of the things we could look at is in lieu of dollar payments they could maybe take some of that money and use some of their services and maybe something we can talk about... They have license agreements for a software that does listing and it's extremely expensive and we may look into the possibility to see if we could buy into that license agreement so we might have to pay less overall than what we currently paying for that kind of license agreement or some other kind of in kind services to their cooperative extension program to assist our farmers or something like that. But again we have to sit down... what the bill says is that we need to decide within 60 days (inaudible) how we want to pay for these things. Always right now it's cash first and any other kinds of services that they might have. But they do have a wealth of other kinds of things that we have used in the past, the cooperative extension services was a major factor with the Chamorro Land Trust Commission in assisting farmers showing them how to farm and training programs, soil conservation things like that and those are the kinds or programs we need. We paid about a million dollars for that. So we can list those services and have it offset for that purpose.

Chairwoman Pika Fejeran: isn't that not something already available?

Administrative Director Michael Borja: Well, we tell them to go in that direction but it's they are not where they were before. Actually, that program will not (inaudible).

Chairwoman Pika Fejeran: They solicit that right now farmers have to go to them.

Administrative Director Michael Borja: Well we tell them to go see them but what these guys were doing is they would go out to people properties, they do assessments and make recommendations and tell us what kind of issues we have different sections of the island. So this is a bill that basically puts there lots up there piece of property that where all the buildings are sitting at. And then again just like any other typical thing they are trying to do any kind of financial loans or assessments. They are encroaching across their boundaries and so it would be a stop immediately so this is to correct that. As Dr. Underwood mentioned in his testimony in the public hearing he's trying to get into the public private partnership with the people who can put in the investment for commercial purposes and then the University gets the benefits out of the two.

Chairwoman Pika Fejeran: So does the bill specify the boundaries of how far in there they are going. Is this a sketch?

Administrative Director Michael Borja: This is actually the beginnings of the final product of the map. It's in two parts right now shows the existing, as built and then the proposed of how much more than want to acquire.

Chairwoman Pika Fejeran: and the propose includes the buffer within their...(inaudible).

Administrative Director Michael Borja: The proposal include the buffer (inaudible) Again, just to make sure that if there's...because their buildings are going to be right up really close to a lot line, you know, if we had something on the other side of the lot line and some guy decides he wanted to clear that out completely there will be some issues for them so it will be better for them if they took the part that was the buffered created buffered against us so that it protected them. But it just needs a little bit more land and again it's (interrupted).

Chairwoman Pika Fejeran: I don't see the bill in here. So what you are asking for us today is a motion for resolution saying that we are okay with this land transfer.

Administrative Director Michael Borja: Yes, and there's going to be a discussion again on this thing on Monday as well.

Chairwoman Pika Fejeran: So I just want to see what the language is in the bill. I had a copy from the hearing. As I remember it, it left it open for us to sit down and negotiate and discuss (inaudible).

Administrative Director Michael Borja: 18-34.

Chairwoman Pika Fejeran: If we say we want cash payment is UOG prepared to pay?

Administrative Director Michael Borja: (inaudible). Right now we are about ready to receive some payments from Guam Waterworks because their maps are finally complete and so once we get those maps recorded we're going to finalize the documentation for the deed. Once we get the deed going then they can pay.

Chairwoman Pika Fejeran: and that was like \$300,000 or is that the \$500,000?

Administrative Director Michael Borja: Yes, that's close to half a million.

Commissioner Pascual Sablan: Was there a public hearing already on Bill 18-34?

Administrative Director Michael Borja: Yes, about two weeks ago.

Chairwoman Pika Fejeran: So it will be mutually agreed upon (paused).

Commissioner Pascual Sablan: So you mentioning \$41.?

Administrative Director Michael Borja: Well, that's my estimate. My estimate was based on the tax assessed value of the property.

Commissioner Pascual Sablan: Would it do anything good if we table this until we get the appraisal?

Administrative Director Michael Borja: No the appraisal comes...they do the appraisals.

Commissioner Pascual Sablan: Yea and who do the appraisals, UOG?

Administrative Director Michael Borja: UOG but they don't do the appraisals unless they are going to get it, unless you want to pay for the appraisal so we know what its worth.

Commissioner Pascual Sablan: (inaudible).

Administrative Director Michael Borja: The tax assess value has been rarely close to all our other appraisals that we got. All the other appraisals that we've done the tax assess value is pretty close.

Chairwoman Pika Fejeran: Surveying. That would be just surveying out the portion that they want, the marked one? Has our big lot already been surveyed?

Administrative Director Michael Borja: Yes. And they would have to adjust that map to surveys the part that they would be require to...like I said they had already done their part. As you can see there is a provisional clause they put in here. In this case I think the revolutionary clause means it's only putting it on the survey because the buildings up there

(inaudible) it just needs to get their survey done. Had they not been any of that it was just somebody's concept of what they do. This work looks like it close to being done.

Chairwoman Pika Fejeran: It was pretty interesting in the public hearing how far back this land goes and how it just switch hands so many times. We did a lot of research on this.

Administrative Director Michael Borja: Because they were curious as to how they got it too and again it was something where the Department of Commerce had just said let's get some economic development going in this and this is the ideas they came up with and they planted it. Have you ever been out there or heard the details on why this is a sterile environment? It is where they begin the growth of the shrimp and it a difficult thing to do throughout Asia because there's a viral contamination within the species and it has a survival rate of doing this is kind of 20-30 percentile which makes it very difficult to be successful in shrimp farm and their survival rate is in the 80-90 percentile. So what they do is they grow them to a certain point and then they export it and then they take them to one of those farms and then they grow them for maturity for harvest. So the shrimp you're eating might have originated from here.

Chairwoman Pika Fejeran: I'm ready to hear a motion for the approval by resolution for the transferring of the portion of Lot 5412-R11 to UOG Fadian Hatchery with the acknowledgement that negotiations will have to take place to determine a compensation value and the terms of (inaudible) and I do want to also mention that those negotiations will come before the board. Is that right? Who sits in the negotiation table?

Administrative Director Michael Borja: What we will do is have a meeting upstairs and they come in and in the past I had somebody present from the commission as well and then we talk about how we are going to do and what we need to do...because two appraisals have to be done. Then go out and get the appraisals done and once those numbers come in then it's a real simple math to figure out what the fair market value is and then it's just the matter of saying here it is. You agree to this then we will go on with the deal.

Chairwoman Pika Fejeran: So I'm ready for that motion.

Commissioner Pascual Sablan: I just want to go on record. If you go back to the Minutes of the previous meeting I asked this question and Mr. Borja of course bluntly answered that you have to change the Organic Act. You know, if you look at this for example the language of this bill that became law it says, notwithstanding any other provision of law of rules and regulation. "It is *I Liheslaturan Guahan* thereby authorize the Chamorro Land Trust Commission to transfer". They are the ones doing all the transfer without any due respect to us. I know they have final say so... what I would like to and I'm going on record that all future bill from the legislature transfer from Chamorro Land Trust, at least give us the courtesy or ask us for our position, rather than we're just bunch of figure heads.

Administrative Director Michael Borja: Oh no. I mean in this case I believe is that if you do not concur with it and you do a resolution saying no concur your voice is a concern and

it goes in...and it's put into the floor it will have that for the record. The Resolutions are transmitted to the legislature it becomes record for them, so that it will part of the record, and they can choose to accept your decision or not but at least your decision is recorded to whether or not you accept the bill.

Commissioner Pascual Sablan: Thank you Mr. Borja. So Madam Chair from now on things like this we should also put in our decision rather than just say amen or hallelujah or whatever the legislature...because the minute the legislature transfer the Chamorro Land Trust to non-profit organization then the more of this we're putting out. And I really don't want to be figure head. Don't forget we're the ones that put them there.

Administrative Director Michael Borja: I'll put that in the Resolution.

Chairwoman Pika Fejeran: This came in to my head too, why isn't UOG here presenting their case list. Why wasn't the Yigo Mayor here presenting his case to us?

Commissioner Amanda Santos: I agree on those people not coming in to say if they have an interest on those proposals they should come in.

Commissioner Pascual Sablan: I would have been nice to see a UOG rep, you know..

Administrative Director Michael Borja: My apologies I don't know if we sent any notices out to them specifically.

Chairwoman Pika Fejeran: I mean at the beginning of this process the senator, the senator should say talk to the commissioners that have the land that you want. I will bring that up in the meeting next Monday, the Land Committee.

Commissioner Pascual Sablan: You know, then again the way I see these things in a big picture. The hatchery up there also provide to the CNMI and the FSM, it seems everybody being benefited out of the Chamorro Land Trust. What's for me, what's for the Chamorro Land Trust?

Chairwoman Pika Fejeran: Well if the director's estimation is correct it will be \$800,000 that we can turn around and spend on survey in direct benefits.

Commissioner Pascual Sablan: Why don't we do like this we'll let it go but we'll make a motion to concur with all the approved and the support but this will be the last and I'll go on the record next time I won't put my vote in. *Respetu*. Okay, Mr. Santos you second?

Commissioner Amanda Santos: I second.

Chairwoman Pika Fejeran: Second. Any discussion? Motion made second by Tan Amanda. Can we add that in our resolution that we...

Administrative Director Michael Borja: It will be a separate resolution that you don't ask at last.

Chairwoman Pika Fejeran: Yea! Bring it to the Land Committee because that's where basically where all of these bills are originating. Okay. Discussion? All those in favor.

All: Aye

Chairwoman Pika Fejeran: Ayes have it.

Chairwoman Pika Fejeran: I hereby call a recess for the meeting please be back ready to resume at 2:55 p.m. – 11 minutes.

2. Kenneth Garrido – Loan Guaranty Request by Guam Housing Corp.

Chairwoman Pika Fejeran: *Hafa Adai* sir! Thanks for waiting.

Kenneth Garrido: Thank you for having me.

Mathew Leon Guerrero (CLTC): Kenneth Garrido, he's one of our clients, he has been again approved with Guam Housing to construct a home on his lease property. He's an agricultural lessee and he didn't have a recommendations because I was waiting for the staff report to come in in his area although he needs the criteria to the two-third of the (inaudible) on his property prior to us approving anything for his home. So yesterday he provided his contract, his contractor, the cost breakdown so he's here seeking approval from the commission to grant him a loan guaranty for the amount \$239,000.

Chairwoman Pika Fejeran: Sorry, I'm looking at this Staff Report in the red it's the Inspection Report. Okay, so it is an agricultural lease that Mr. Garrido, you do want to build a home on the property.

Kenneth Garrido: Yes ma'am it's our wish my family and I. You know this property is actually an agricultural lease at one time back in the '60s and '70s and that's as far back as we've been harvesting in that piece of property that my dad has raised us. Now that we are gone we still kept the property (inaudible) with the Chamorro Land Trust has asked us to do and our wish now because my parents are both gone is to actually live there and raise my family and just have a place that we can call home. Of course there's compliance with farming and all that and we've been doing that in the past and that's nothing new and that's what I wish to continue as well.

Chairwoman Pika Fejeran: Do you have a Farm Plan that shows us your plan?

Mathew Leon Guerrero (CLTC): Actually these guys were kind of...they were grandfathered then. They had a land use permit they came to the commission and the commission granted a division so his father...the piece of property his father had was divided into four. So he just got his piece of that property in 2015 as well as the other

siblings so it was a four acre piece. They went to the commission and got the approval to have it divided into him, his brother, and I believe to his son and another one (inaudible).

Kenneth Garrido: The piece of property where we are referring to ma'am is a...prior to it being divided we utilized portion of that property for farming and livestock and of course that was (inaudible). Now that we've gone older we've got nephews that have families now they needed a place to call home so my nephew just recently build a home there by the approval of the Chamorro Land Trust as well. And you know it motivated me more so now is to start and build the same adjacent to where he's at so that we can actually see something there, you know, and start planting again and maybe raising livestock as well. That's always been our dream.

Chairwoman Pika Fejeran: So your plan is to build your home and then farm.

Kenneth Garrido: Farm in the other, yes. My portion as it's highlighted there is a little bit over an acre so half of that will be where I will be building my house, the other half will be for the farm land.

Chairwoman Pika Fejeran: and what would you be growing? Actually, even as we speak I'm planting coconuts and in the past (inaudible) all kinds of vegetables. I have plants that are in pots that I cannot plant right now because it hasn't been cleared and with that the contractor have asked if they can start clearing the property but they need a permit in order for them to start and without the loan guaranty we cannot start about that yet.

Administrative Director Michael Borja: Loan guarantees are requirements for home loans on Chamorro Land Trust properties because the banks can't hold a lien on the property and in our experience we have basically two kinds of loan guarantees that were done. One for conventional homes such as this with two conventional loans and the success rate on them is very good. Almost no defaults. We have another set of loan guarantees that were forced upon the commission and those were done at the end of typhoon through FEMA and SBA and our success rate on those are very bad. But we've been working on those specifically to try and correct some of them and the ones that were worse we got almost all of them corrected already but that was because it wasn't until a plan like the one required to get a home loan. So the requirement is that loan guarantees have to be approved through the commission before they can get their loan. In a case like this if they default on their loan then of course we will be required to pay the loan. The way it's set up, and that's the money I mentioned before, there's almost \$600,000 set aside just for this purpose. What would happen here is that we would probably intervene and take over the monthly payments until we find someone who can assume the loan. We've been able to do those and a couple of other cases without having to pay anything by working with the lender or the VA in that specific case so...in this case, his nephew as he mentioned before, had also come in and asked for a loan guarantee and it was granted for the construction. And we...because of the problems we had...because the Public Auditor had brought to light the problems with the home loan guarantee program was that we initially put down a set of policies where the loan...we could only guarantee a loan based on the number of people that were living in the home. That turned down by a review by the

Guam Housing to be kind of unreasonable but what they recommended is that you should at least start from a three bedroom home concept because those will be the best kind that you would have the best opportunity to resell. Some of these not going to be...in the case of his nephew he was only...he wasn't married at the time, he was engaged but we only gave him a loan guarantee to be a home for one person, he got a tiny one bedroom suite. As his family grew he will be eligible for more but it would make sense if it cost more to build an extension to a house. We have a loan guarantee rules and regulations still circulating through the Attorney General's office and Kristen promised to give it back to me. I said I don't care if it was dipped in a can of bread but just get it back so we can fix it up. Those rules and regulations would be so that we can actually have good sets of policies to work from in the future. Because if we are looking to do any kind of developments of homes in the future, 500 thousand dollars is not going to hack it but it would allow us to also move forward in trying to find other kinds of ways to gets banks to do loans without the necessity of loan guarantee or to buy an insurance plan to cover us in the event (inaudible) cancel the loans.

Chairwoman Pika Fejeran: So sir, because your lease is for agriculture if we were to...if today we do approve this loan guarantee we would be taking your word for it that you will be farming.

Kenneth Garrido: Yes I will. I understand all that yes.

Chairwoman Pika Fejeran: and what if you don't start farming? When do you think that you will start farming?

Kenneth Garrido: As soon...I have plants ready to put down in the ground they are all in the potted pot I just don't have no place to put them so

Chairwoman Pika Fejeran: 'cause you have to have it cleared and they won't clear until this goes through.

Kenneth Garrido: Yes. That's according to record (inaudible) and he doesn't want to do anything yet until he get an okay and all the papers in place.

Administrative Director Michael Borja: Now one of the things he's required to do is not necessarily have an active agriculture farm going but to plant specific number of trees with acreage then that would satisfy that requirement for agriculture lot.

Mathew Leon Guerrero (CLTC): He's met because his lease is just turned two years he's required to put five trees down on first year and then five the following year so he's got... although coconut trees lined the driveway there's ten trees there. So we're going to look technically he's in that compliance aspect. We did talk to him about what we're going to look for and eventually his lease assigned in January, he's going to be one of those that Glenn is going, to be coming up in January and to see what you got going on. He is aware on what he needs to do but technically he does meet the minimum required based on his leased area at this point.

Kenneth Garrido: If I may say something too, you know ma'am, growing up my dad was 80 some years old before he passed on. He's been a farmer all his life, pre-war, post-war and then by the time he married my mom and we've been actually grew up going to the lands and farming and that's been in our blood. So it's a passion of mine even now we're married and still planting and my wife was asking where we going to put that and I said "one day when we (inaudible) we will put it there". That's our dream.

Chairwoman Pika Fejeran: You know, I love your dream I wish all our lessees had that dream and have the experience and have the green thumb in their blood. I like your layouts it looks to me like it's going to be a very nice house. Is your sons Steven and Curtin?

Kenneth Garrido: Yes ma'am and they want a place where they actually say it's their house, you know, I mean.

Commissioner Pascual Sablan: Mr. Garrido I like your t-shirt, are you a fireman?

Kenneth Garrido: Yes sir, retired just recently sir.

Commissioner Pascual Sablan: Retired fireman?

Kenneth Garrido: Yes sir.

Commissioner Pascual Sablan: You have a copy of the Contract Agreement? Article 2 types of operation. What do they mean like substantial liquidity? If it's completed three forth (3/4) of the construction that's considered substantial right?

Kenneth Garrido: I would think so too.

Commissioner Pascual Sablan: Also I've been looking at this...have you read yesterday's paper (3/15/17) and the price of houses is going to go up 100%. My concern here is what will happen if you don't finish it in 300 days, is this calendar days or?

Kenneth Garrido: Actually, these are...when I was reading the contract it's states Monday-Friday not including weekends. And 300 days, I think, is anytime beyond those 300 days that they don't finish the contractor is obligated to pay back in a sense that (paused).

Mathew Leon Guerrero (CLTC): Before Guam Housing even issues a dime on to this contractor he have to provide all of that. The Guam Housing is who is his lender is going to be they require them to provide the bonding, insurance and all of the other requirements to protect him and us as well. We've been working closely with Guam Housing and these loan guarantees.

Commissioner Pascual Sablan: Where is the one that says the contractor have to provide the performance bond? I lost track of it. Who's going to provide the performance bond?

Mathew Leon Guerrero (CLTC): Contactor.

Commissioner Pascual Sablan: Where does it say here? Because I feel that you should have been the one...the contractor should be the one.

Kenneth Garrido: When I spoke to my contractor the bond is part of their obligation that's included into the total amount that they are giving us.

Commissioner Pascual Sablan: Do you know if your contractor has enough manpower? The same contractor that's going to be building my house is the one who built my nephews house which is completed already and he's been living there for the past 7-8 months now and he's a fireman as well. So we're very pleased of how he works. Although the contract says 300 days and not to include the weekends I've seen this guy built many homes, because I went and looked at his work, and they do work on weekends although they don't include the weekends just to meet the... that they don't go over the 300 days.

Commissioner Pascual Sablan: This is the final contract?

Kenneth Garrido: I believe so. Yes it is I think.

Commissioner Pascual Sablan: I don't want to be (Inaudible) but I think you should look into your contract more closely because a lot of loop holes the way I see it and you will be the one to suffer.

Kenneth Garrido: I understand. Thank you.

Commissioner Pascual Sablan: See, like this right there. This letter was addressed to you (ref Guam Housing letter dated 3/1/17) and on the last paragraph, "however prior to loan closing, we require that you submit an adequate Construction Performance Bond Agreement, Builder's Risk Insurance and Approval Plans." And there's nothing in this contract as to who's going to provide. No more questions. Look into liquidated damage.

Chairwoman Pika Fejeran: Oh I can see it (referring to the pictures) so these are the potted plants.

Kenneth Garrido: I have more I was just giving them away actually. I had more potted plants but every time friends or family come by I just give them peppers, eggplants, whatever. My backyard is (inaudible) right now but once we start to clear this place, you know, all those things will be in place.

Commissioner Pascual Sablan: Did you ever invite the Chamorro Land Trust?

Kenneth Garrido: No I never did.

Commissioner Pascual Sablan: How big is your house? I don't see any...(paused).

Kenneth Garrido: The living area is a little bit over 2,000 living square foot.

Commissioner Pascual Sablan: Big house. No further questions.

Chairwoman Pika Fejeran: Is there a motion? Mrs. Santos, do you have any questions? No. okay. I'm ready to hear a motion (inaudible) loan guarantee for Mr. Kenneth Garrido. Mr. Sablan.

Commissioner Pascual Sablan: I make a motion to proceed with this loan guarantee request for Mr. Garrido.

Chairwoman Pika Fejeran: So Mr. Sablan had made a motion.

Commissioner Amanda Santos: I second.

Chairwoman Pika Fejeran: Seconded by Tan Amanda. Discussion?

Commissioner Pascual Sablan: No.

Chairwoman Pika Fejeran: All those in favor say aye.

All: Aye.

Chairwoman Pika Fejeran: So the motion is passed Mr. Garrido. Congratulations. We want to congratulate you and I wish that more of our lessee will do something like this. But I do want to remind you this is an agricultural lease so we look forward to seeing how you (inaudible) the land.

Kenneth Garrido: I'll invite you guys over.

Chairwoman Pika Fejeran: Oh please. Okay, thank you.

3. Determination of Properties to be Designated for Commercial Use

Chairwoman Pika Fejeran: Okay, next item on the agenda is the determination of properties to be designated for commercial use. I would like to...we've already moved three properties forward. I was looking at the chronology presented here and last August the 60 legislative review period ended so the land lots that we approved back in June for commercial uses we can move forward issuing out our (inaudible) . I would like to table the discussion for moving anymore of these properties forward until a later date. I like to focus on what we already got to move forward with that's my take. I like to focus our energies on

getting the money that...collecting the money and moving forward village by village that's my priority right now for the Strategic Plan forward.

Administrative Director Michael Borja: Madam Chair I would like to please ask that you give a consideration for Ypao Point properties which we have been trying to move. The legislature had previous public laws enacted and they had changes with different kinds of laws again. We're back to that piece of being piecemealed out from our inventory and yet it still continues to sit ideal and unused and that is the biggest potential for obtaining the largest sum of cash flow coming in to the Chamorro Land Trust coffers for the purpose for doing things that we would need to do on infrastructure development and it's gone before the public hearing, it's gone through the process, I mean, there's bunch of tiny little properties that are listed along in here that were just added because they were not really suitable for any kind of agricultural, residential primarily to their location. What has not been considered in the staff I provided is beyond registered land which is up in Yigo because it's not registered. Although that would be a good piece of property for something perhaps a residential but we've got an opportunity to try and move...at least have that lot available on the market to do something...it's not...put on the market we will never know what we might be able to get from it. But we can't have anyone make an offer if we don't have it available. We don't have to accept any offers but I'm just saying that already since this inception we had two public laws passed in December that took out 13-14 acres out of our inventory from that particular lot and again you leave it open like this more can be taken out without your desires in any direction. So I urge you to at least give a consideration in the nearest future for at least that piece of property so that we can have the kinds of monies that we need. Because an (inaudible) will be... I was going to say if we could get 3 million dollars a year in rent...I don't know what it will be. Just 3 million dollars in 30 years, you're talking 90 million dollars and you could take that to the bank and get a loan for 90 million dollars and with that you can do major capital improvement. I think that property can be leased out for much higher than that per annum and you can realize an even greater amount of money that could come in which you could take to the bank and then do a capital improvement projects based on that kind of income. So you saw that right now the coffers that we can get from just the property taxes is not enough to pay very much of anything. But we do have income coming in little by little but it's the big ones. You have a really big annual payment that's made by GTA and that's just because they got properties all over the island that they are leasing and collectively comes to a large sum. In this case there's opportunities as well. So I really would hope that you guys could give that consideration because it does mean we're moving on anything it just becomes available and then we can work out some kind of prospect with GEDA to help us to find a suitable user of the facility to improve it to however we want. We don't know what's going to happen unless you have it available.

Commissioner Pascual Sablan: Is the letter "e"?

Administrative Director Michael Borja: Lot 5173 (e) Yes "e".

Commissioner Pascual Sablan: So it will be, Madam Chair, I would like also to include "j". Is this the one in Tumon, a small portion of 14?

Administrative Director Michael Borja: "J", no "j" is that scrap yard up in...it's up by the golf course.

Commissioner Pascual Sablan: How about the small portion (inaudible).

Administrative Director Michael Borja: The small one down in Tumon is "d". That's where the (inaudible) above this is at right now. It's a quarter acre lot. Oh no wait that's the zoo. No, no. On the cliff is that 111 Lot 12. It's over half an acre.

Commissioner Pascual Sablan: Okay, Madam Chair, I will make a motion to act on that as the director said before our (inaudible). We should put that in our reserve. Lot "e" and...

Administrative Director Michael Borja: "E" is Ypao Point, "k" is the lot on the cliff across the street from GVB Offices. It's right next to that car lot. It's almost at that intersection.

Margarita Borja (CLTC): You see where they are having the GVB displays, with all the lighting. Portions of what they are using is on (interrupted).

Commissioner Pascual Sablan: I saw those Christmas.

Glenn Leon Guerrero: That's two lots a portion of that is (paused).

Administrative Director Michael Borja: Point 6 acres.

Margarita Borja (CLTC): (Pointing at the map). This is GVB this is where they are doing the majority of the display somewhere, I believe. . it's right around here.

Commissioner Pascual Sablan: Okay, Mr. Director, for example, this scrap yard area?

Administrative Director Michael Borja: That's the problem that needs to be resolved somehow they are not paying anything but they want to. But it was a creation not by the Chamorro Land Trust but by the Government of Guam and they existed for a really important reason and they continue to be there but, you know, we tell them to get off and clean up the property or legitimize their existence and collect on payments.

Commissioner Pascual Sablan: Yes but instead of going through making sure that all the 't's" and "i's" are dotted if there's a way that you can them in and make them aware of our concern on them and maybe if they offer to pay...my question is can we be receiving only without any (paused)?

Administrative Director Michael Borja: I don't have any authorization to receive their money.

Commissioner Pascual Sablan: or can they just start giving us money and we put it in our account.

Administrative Director Michael Borja: I suppose we could but I don't have any...if I get audited I'm going to findings for receiving money with no authorization to receive it. It will be fully accounted for. They came in, they have come in and said please we want to do something. It comes down to either we legitimize them through commercial lease but again now with the new rules and regs how are we doing that...they are preexisting. You know, I go out with an RFP and say anyone want to do a scrap yard, submit your bids or get that through legislation. They need to be legitimize. I think there might be one or two others that are kind of in that same pocket.

Commissioner Pascual Sablan: Maybe we can talk about that with them.

Administrative Director Michael Borja: Yea, we can work on that one. That's a special needs program there. It doesn't feed the templates that has been created for us yet it exist.

Commissioner Pascual Sablan: Madam Chair okay anyway my motion is to include "e" Lot 5173 and "k" Track 111 so we can refer it to the legislature. Really, my worries before the (inaudible) getting it out on a piecemeal.

Chairwoman Pika Fejeran: Even if we do this they can still introduce bills to do that.

Commissioner Pascual Sablan: Yea but at least we're on the record about what we discussed earlier. Mrs. Santos?

Commissioner Amanda Santos: I second.

Commissioner Pascual Sablan: You want to second.

Commissioner Pascual Sablan: (inaudible)

Chairwoman Pika Fejeran: Okay, a motion has been made by Mr. Pascual seconded by Tan Amanda. Discussion?

Commissioner Pascual Sablan: I have no further discussion.

Chairwoman Pika Fejeran: I am of the mindset that we already have three that we've pushed through that we aren't doing anything with. The legislature will see that and they in fact ask us why we're not moving and now we're going to push several more. One, which I know is a very contentious piece of property in Ypao Point. I read through the Public Hearing notes, meeting notes, and I know that, that one in particular is very contentious as to why we would commercially lease it out. It states here already, hotel activity.

Commissioner Pascual Sablan: What does it say?

Chairwoman Pika Fejeran: It says any commercial or hotel activity. Does a hotel activity benefit the beneficiaries of the trust?

Administrative Director Michael Borja: The money does. The issue of the commercial property is not so that it going to be planted right in the middle so that everyone can go shopping there. The money that it produces for the trust is what benefits the trust. It's the money.

Chairwoman Pika Fejeran: We have money coming in. How are we going to spend that money?

Administrative Director Michael Borja: Now the three properties that we've already identified, one is purely for a residential subdivision, the other one we've given them until the end of last month which they didn't comply with which we're going after to clear out so we can use it which is right across the street in Yigo. And then the third one, went through the whole process last year of being abscond for a portions of it for a Guam Waterworks storage tank and so we couldn't do anything and say here's a piece of property that's available until we knew exactly what it was. Now it is and again here we are, do I deal with GEDA to help me find someone and pay them for this we need to sort that one out. But this whole property up at Ypao Point and the one down at the San Vitores...(inaudible) that...whoever is putting that thing down there maybe they should be paying us for the use of that piece of land. Maybe there could be some other kind of little market for a 6th of an acre to do something down there. It sits right there on the road whoever wants to owns the land next to it and wants to join it together. You know, they could come and approach us and we put it up for bid and they get it and they got more and to be able to use. I mean it's sitting on unused and it's being used well right now, it's not being trashed, but nobody had asked our permission to go and put on all those lights up there. They just take it for granted and I'm not going to go tell them until we have some reason to tell them not to use it either. If it wasn't for the Guam Visitors Bureau and it was somebody else using for their own commercial purpose then I'll have an issue.

Chairwoman Pika Fejeran: We are saying that money is an issue but as we went through you walked me through the budget director and I see there's money that we can be doing things with. We have another half a million dollars coming to us from GWA, what is our plan for that? Where is...I know that we are working on it. We are working on the strategy the Strategic Plan, determining what our priorities are to getting leases done.

Administrative Director Michael Borja: Well the thing is, as I told the senator, I don't want to spend it just because someone gave me a nickel I got to go out and spend it. If you let that kind of money accumulated and put into...you are allowed by law to invest that money and let it grow so when you are ready to eat the big pie you can do the big pie. You can't do the infrastructure development on a half million dollars that will get you almost nothing.

Chairwoman Pika Fejeran: I agree. I'm not talking infrastructure I'm talking surveys. I'm talking going village by village and doing real comprehensive work at the level with that amount of money that we have.

Commissioner Pascual Sablan: What's the problem with having so much money?

Chairwoman Pika Fejeran: No nothing.

Commissioner Amanda Santos: Some people cannot afford, it just sits there doing nothing.

Chairwoman Pika Fejeran: I believe that our manpower resources is are limited. I would like to see our efforts, our team efforts, in direct benefits of our applicants waiting to get lands. And I don't see us spending all this time figuring out what we are going to do with these properties making this happen. Getting leases to these individual.

Commissioner Amanda Santos: and some surveyors disobey the land, they don't want to sign the map for even one year. My daughter had to beg him to sign the map. One year already.

Chairwoman Pika Fejeran: I also know that...just from the public hearing it was very contentious. Is this what we want to be putting out there specially knowing this opinion that came down about the plebiscite and now that the lawsuit from the Department of Justice is out there. We're saying it's okay, yea we know that the residential and agricultural applicants rights are threatened right now but we're not talking about that. We're talking about commercial leasing.

Commissioner Pascual Sablan: What is the cost that over and over that the commercial could be for two years only. It depends on the usage of the property, they are calling for loan term but in this once we have done the inventory we can spread our arms and do more and accomplish more no matter how much we want to help the people out there, you know, to give them land. If we are limited fund (inaudible) but if there's money generated from these (inaudible) what more, because like I said we're in the position to make things happen.

Chairwoman Pika Fejeran: So why don't we focus that effort and energy to move forward the three that are already ready to move forward with issuing out RFPs our advice. Why are we now going to spread ourselves even thinner for these other properties? Let's look at what we have.

Commissioner Pascual Sablan: That's our position and why you add on to whatever you out there in Barrigada and Yigo? I mean if there's any other property out of the commercial inventory. This listing there is the propose commercial so if you know any other lot that out in Yigo, Dededo or what I'm willing to amend then my motion and include.

Chairwoman Pika Fejeran: No, I'm not talking about adding. I don't think we can add because we have to have a public hearing for those new properties. I'm saying we've already pushed for three of those proposed properties up to the legislature and the legislative review has ended so if we're going to talk about the commercial leasing, let's

talk about the three that are already ready to move forward. Why are we trying to move more forward when we haven't even move on the three?

Commissioner Pascual Sablan: We do already transmits so many, how many did we transmit?

Chairwoman Pika Fejeran: Three.

Commissioner Pascual Sablan: One, two, three? Okay, what's the problem if we have five, six, seven We have more flexibility What happen if these doesn't things...these has to be (inaudible) right? What happened if there's no meter three. For me the most attractive is the Oka Point. (inaudible). Maybe not for 99 years it could be for whatever they need. (inaudible) But in this it's already, you know, we entered the process. My reason why that I'm including (inaudible) I heard from reliable source that I think GVB is trying to work out with the legislature to transfer that property to them. But if that's already in our inventory or we went through the process I'm pretty sure the legislature will think not only to us but before they just give it to GVB.

Chairwoman Pika Fejeran: Okay. Then the motion has been made and it has been seconded by Tan Amanda. Further discussion? I've said my peace. All those in favor.

Commissioner Amanda Santos: Aye.

Commissioner Pascual Sablan: Aye vote. How about you?

Chairwoman Pika Fejeran: I nay.

Commissioner Pascual Sablan: Cannot.

Chairwoman Pika Fejeran: I cannot nay it?

Commissioner Pascual Sablan: No *matai*. You know what's matai?

Chairwoman Pika Fejeran: Death?

Commissioner Pascual Sablan: It takes three for the things to carry on, you know. We can always in the future, you know, for whatever reason.

Chairwoman Pika Fejeran: Yes, we can always whatever in the future. (Inaudible).

Commissioner Pascual Sablan: We can always do something but at least we have option rather than only three at least we have five.

Commissioner Amanda Santos: We need to help these Chamorro people that really need help.

Commissioner Pascual Sablan: I agree but I don't see that this is the means to your end when we have other means that we can (paused).

Commissioner Amanda Santos: Like my daughter she don't have any water, how could she get help in Mangilao, no water for her Chamorro Land Trust. She needs to catch the rain water. The others got water, the others got power.

Chairwoman Pika Fejeran: On Chamorro Land Trust?

Commissioner Amanda Santos: Yes. (Inaudible).

Commissioner Pascual Sablan: Don't forget the legislature can always give it to him and say okay this is it negotiate with the Chamorro Land Trust. We have it if the ball is on our court we can really negotiate better we select whoever comes forward, you know, if we bid it out. But if the legislature will decide for us we're just bunch of...I answered for your situation.

Chairwoman Pika Fejeran: Okay. For the record. By moving this two properties forward it will be so that Chamorro Land Trust has control over the properties.

Commissioner Pascual Sablan: Exactly.

Administrative Director Michael Borja: You want that stated in the resolution?

Chairwoman Pika Fejeran: Yes please. With that said I will vote aye.

Commissioner Pascual Sablan: Motion passed.

Chairwoman Pika Fejeran: Motion passed. Okay, director, I don't think I signed the resolution yet so you draft it and you forward it to me via email or?

Administrative Director Michael Borja: No I didn't know that resolution for those other ones I got to send it to Commissioner Cruz but I think it got lost in the transition (inaudible) so there's two other resolutions for (inaudible). It was the agreement to reserve (interrupted).

Chairwoman Pika Fejeran: So this one for the properties designated, you draft it I come in, review it and then sign it.

Administrative Director Michael Borja: I will send it to you but it will be the language for that kind of stuff but the agreement to reserve and the agreement grant access for the Sagan *Hatturan* Chamorro, the other parcel property is somewhere in the box Kristen left with you. I'll get your tomorrow we got to clear one out because we need to sort out their issue there on getting a permanent lease and they need to move forward in their steps to get that done. But this is really a legal access to the property so they can do things and serve by their agreement to reserve.

VII. DIRECTOR'S REPORT

1. Revenue Collection Report for February 2017

Chairwoman Pika Fejeran: Moving on director's report.

Administrative Director Michael Borja: There is listed here the report that we send out. It's not the normal. The one with the collection of all our leases from Joey. On the land for the landless we may be seeing more money on that we put a temporary hold on having to transfer the defaulted account to the Chamorro Land Trust Commission in line of the fact that there is a bill that's been introduced by Senator Nelson to prolong that process another 120 days. There hasn't been a public hearing for that yet but I did meet with Land for the Landless applicants down in Inarajan. None showed up in Dededo. The point (inaudible) is that it's already 13 years past due so pay as quickly as you can. Unfortunately there's still a whole lot of people and unfortunately there still looks like there's not a lot of people that may come through paying out but we're just waiting for the bill to pass to give us or disposition to build so we don't know what we have to do. The Chamorro Land Trust as I was mentioning to you is on a fast track to complete as many residential and agricultural leases based on the Master Plan, Subdivision Master Plan. So I should be seeing them pretty soon but Margarita's got a mountain on her desk that's about ready to be prepped. So individuals like the gentleman who was in here earlier that saw...we saw his ready so we just need them to concur with the land that they want and sign them off and move on. People who are (inaudible) leases because they haven't completed their survey and they have a master plan we're going to close out the lease on them too. But they are all be still subject to survey and as I mention as we get the survey plan and the money goes through we will swing areas that have no completed surveys and complete those surveys and then what will happen is that they will not be...they would have to wave their seven year exemption on paying property taxes and the property taxes would commence immediately if the government surveys on their behalf. So the bill is set to be introduced from the survey appropriation pretty it will be right after this Monday's meeting. I saw a draft of the bill, it's pretty much set to go. It will authorize us to a limited term appointees that I asked for the other two individuals who would be absolute essential in the processing the surveys that are conducted. It's \$350,000 per year for 5 years. The funding is there. Our GTA funding is actually going to increase...goes to the first increment in 2019. So they just got one more year for the first 5 year increment. Anything you guys got from Chamorro Land Trust (inaudible)?

Margarita Borja (CLTC): We just reviewing the first 100 people that haven't been issued leases so basically what we're...majority of them like 50% of them. The numbers are not good so what we are doing is...are we going to test those last known address. Just send out letters just so we can exhaust?

Administrative Director Michael Borja: Yes, we will send out letters to them and that's what we've been trying to do.

Margarita Borja (CLTC): Since 1995.

Chairwoman Pika Fejeran: Can we take out an ad?

Margarita Borja (CLTC): Well, what I was thinking is probably putting a list of the 1995s that we haven't and put it on the website? I don't know, we can do that or.

Administrative Director Michael Borja: Yea, we can probably create something for the website and say request the following because those are extremely expensive but what we can do is put a smaller ad that says.. Chamorro Land Trust applicants (paused)

Margarita Borja (CLTC): If you put a list of names there will be an influx of people coming in and we don't (paused).

Chairwoman Pika Fejeran: Well if we put the names on the website and then take out an ad in the PDN that says go to our website to see if your name is up for a lease, and if you see your name then you can come in.

Margarita Borja (CLTC): We can do that.

Administrative Director Michael Borja: But I'm also trying to keep it as a (paused)

Chairwoman Pika Fejeran: Hash, hash?

Administrative Director Michael Borja: No, not hash, hash just under the radar as much as possible and I don't mean to be, you know, putting out ads to be...we'll get the word out. We'll put it in the news. We can put it on our website. I just want to just kind of accelerate this through as quickly as we can without expending as much resource to do it and (inaudible). Guarantee once people hear they come out of the wood work, they go out to look for a piece of land that's vacant and has been vacant but it has been leased out for years so sooner you step on that property they say "what are you doing here"? You know, how do they know? People talk, they know, they hear, they come, they really do and the word will get out.

Margarita Borja (CLTC): So we're looking at least 6,000 people just in 1995 that we're able to (inaudible).

Chairwoman Pika Fejeran: And how many lots do we...or like how...(paused)?

Margarita Borja (CLTC): We have a master plan, 3,000 that are not leased. I'm going to assume that maybe 500 of that, there's people already occupying and the remainder of that probably 2,000 lots that may be available.

Administrative Director Michael Borja: That would be the problem that we come across lots that are being squatted we're going to be up against doing all kinds of forms of eviction to get them off especially if they are not, they are migrants that just there.

Chairwoman Pika Fejeran: I'm just thinking the shared number of applicants and then the limited land available.

Margarita Borja (CLTC): There is land, it's just some of them were not master planned. So the ones that are master planned that he's talking about that we able to issue a lease to, subject to survey, we have a lease.

Chairwoman Pika Fejeran: And these are half acre.

Margarita Borja (CLTC): Yes. And that's the things many of them are half acre when if there was infrastructure we could bring them down to 500 square meters.

Chairwoman Pika Fejeran: Because of septic tank

Margarita Borja (CLTC): Yes. So we're force to issue half acre lots and those are lot bigger when we could issue smaller lots and infrastructure is there.

Administrative Director Michael Borja: We can get two and half lots into that ...if we have sewer.

Margarita Borja (CLTC): And that's only over the northern aquifer because when you go down towards the south we can bring them down naturally to quarter acre, so I think that's where we going to start.

Chairwoman Pika Fejeran: So when you are looking at this are you doing it at the same time you are developing your priorities? To see where the utility projects are going in?

Margarita Borja (CLTC): At this point no. I don't think the master plan was basing themselves on that when they created those lots. It was just what they had existing which was the sewer so they went ahead and created the (inaudible).

Administrative Director Michael Borja: Most of them still don't have mainly the basic infrastructures but we just want to get the lots leased. Get the leased move, after that (inaudible) we want to lock the leases.

Chairwoman Pika Fejeran: And you said it could get down to...from half acre down if there was sewer?

Margarita Borja (CLTC): If there was sewer down to 500, like the Kaiser house lots.

Mathew Leon Guerrero (CLTC): You rezone it...if the commission rezones it...the rezone property to R-1 and if full infrastructure can go as low as 454, 464 I'm sorry. 464 square meters per lot.

Margarita Borja (CLTC): That s no septic tank but it's just a house lot. But we take care of everybody really, dollar a year.

Commissioner Amanda Santos: Maybe we can extend the lease of those people that have a Land Trust already that were in since 1995.

Administrative Director Michael Borja: Yes, there's a master list that's updated regularly as a lease is being prepared, an addendum is being made that list is constantly being updated and once the list is being made they are put into the billing system too.

Commissioner Amanda Santos: Some people want it advertise in the news so they could see.

Administrative Director Michael Borja: They could see who's left?

Commissioner Amanda Santos: They could see how many are still waiting.

Administrative Director Michael Borja: Well, yes that could be done but what Margarita was saying is that, what we don't want to say is everybody in the list come and see us and if there's 8,000 people in that list the backlog of traffic will be down to Adelup.

Commissioner Amanda Santos: Like before they advertise in the newspaper every Saturday they come in and they get interviewed or whatever.

Administrative Director Michael Borja: We're getting a lot of people in already. We're going by the last known phone number and we will be sending out basic letters to just say come and see us with hopes (inaudible).

Commissioner Amanda Santos: They complain because they are too old already they cannot wait for 20 more years.

Administrative Director Michael Borja: Yea and that's why some of they have been transferring their...and they can transfer their Q number to somebody else. We've even been entertaining people who never made their \$50 application fee. They came in and signed up and got a Q number but never paid their fee. They come in and pay their \$50 and we'll take it and they are good but we won't process them until they do that. So we are giving them the benefit of the doubt, all across the board and if they come in and decide they want to change it to someone else we accept that too.

Margarita Borja (CLTC): I just kind of have this question. You know with all these Dave Davis thing and you know how you mentioned there is a lot of squatters out there. They are non Chamorros, will they qualify and is this the time to go out there and move them? I don't know because if they do quality. Let's say it does.

Administrative Director Michael Borja: Well, the first and foremost qualification will probably end up being a U.S. Citizen.

Margarita Borja (CLTC): Yea, the majority of them out there are not...are Micronesians.

Administrative Director Michael Borja: It's tough to evict them because they will pick up and move and when you come back they will be on another parcel of land down the street. The situation is really, pretty sad.

Commissioner Pascual Sablan: What is the basic requirement to be get land for the landless?

Administrative Director Michael Borja: Well that program is closed, they had the U.S. Citizen (inaudible) and no ownership of land.

Margarita Borja (CLTC): There was priorities but the main priority is you have to be a resident of that village, U.S. citizen and there were preferences as far as military and all that.

Commissioner Pascual Sablan: We still have one hour more to go madam chair. I move that we adjourn the meeting.

Commissioner Amanda Santos: I second it.

Chairwoman Pika Fejeran: Motion has been made, commissioner's comment has been stricken from the agenda. Adjourn. Thank you everybody.

VIII. COMMISSIONER'S COMMENTS

IX. ADJOURNMENT

Chairwoman Pika Fejeran moved to adjourn the meeting. Commissioner Amanda Santos seconded the motion. Meeting adjourned at 4:54 p.m.

Transcribed by: Ruth Sakuma, Administrative Assistant: RSakuma

Approved by Board motion in meeting of: May 18, 2017

Michael J.B. Borja, Administrative Director: MJB

Date: 5/18/17

Chairwoman Pika Fejeran: PFejeran

Date: 5-18-17