



Kumision Inangokkon Tano' CHamoru *(CHamoru Land Trust Commission)*

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CLTC BOARD OF COMMISSIONERS MEETING

CLTC Conference Room
Suite 223, ITC Building, Tamuning, Guam
Thursday, July 13, 2023, 1:00 p.m.

Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Commission Members

Arlene P. Bordallo
Acting Chairperson

David B. Herrera
Commissioner

Earl J. Garrido
Commissioner

(Vacant)
Commissioner

Alice Taijeron
Administrative Director

Public Notice: *The Guam Daily Post* on August 10, 2023 and August 15, 2023 Government of Guam Public Notice Portal, CLTC's Facebook Page, and on CLTC's website at <https://dltm.guam.gov/chamoru-land-trust-commission/>

All: Reciting the Inefresi

Chairman John F. Reyes, Jr.: Thank you, everybody, for your patience. The time is 1:44, and I call this regular meeting of the CHamoru Land Trust to order. We'll begin with Roll Call.

ROLL CALL

Chairman J. Reyes, Jr.: Commissioner Herrera

Commissioner Dave Herrera: Gaigue yu'

Chairman J. Reyes, Jr.: Thank you, sir. Commissioner Garrido?

Commissioner Earl Garrido: Esta gue hu.

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

Commissioner Arlene Bordallo: I'm here

Chairman J. Reyes, Jr.: Thank you, ma'am. Administrative Director Taijeron?

Administrative Director Alice Taijeron: Present.

Chairman J. Reyes, Jr.: And Attorney Finney?

Attorney Kristan Finney: Yes

Chairman J. Reyes, Jr.: Thank you, ma'am. Okay, first order we'll begin with the approval.

KGTF-PBS Representative: I'm sorry, guys. I'm sorry, standby, standby. We're just trying to confirm that the audio is audible.

Rev. 08/14/2023

AD Taijeron: Mr. Chair, while we're waiting, would you like me to go ahead and introduce our interns?

Chairman J. Reyes, Jr.: Yeah, so, let's go ahead and do that. So, before we go into the next agenda item, Ti, just go ahead and unmute us and go ahead and record.

AD Taijeron: Thank you, Mr. Chair. As part of the program for the Summer Intern, we actually have four interns with us until July 31st right or August...?

Unknown: August 3rd.

AD Taijeron: August 3rd. So, first we have Ms. Adia Charlyze Acda, she's sixteen years old and she is a senior at JFK. We have Seohyun or "Gabby" Kim, seventeen years old, she's also a senior from JFK. And then we have Steven Enriquez who's fifteen years old and he is a sophomore from Tiyan High School and we have Kole Toves who's fifteen years old and a sophomore from Simon Sanchez High School. And they actually wrote up their daily duties. So, we actually have them answering the phone providing customer service, greetings, asking individuals to sign in, transferring calls, etc... they've been arranging files in chronological order, aiding land agents and surveys, they've actually gone out to do field out. They're learning how to GPS locations, computer and PC maintenance aiding and errands, keeping track of customer names, maintaining cleanliness in the work place and that's just a little bit of what they do. So, I present to you our summer interns and if you have any questions for them, they're happy to answer.

Chairman J. Reyes, Jr.: Thank you, guys. Welcome aboard. And then when you graduate hopefully you're interested in joining the Land Trust. There's a lot of work.

AD Taijeron: Actually, they're experiencing that there is a lot of work. Right. They're busy, we're keeping them busy and they're learning.

Chairman J. Reyes, Jr.: Well, appreciate the help. Any help we can get we are definitely appreciative, so, thank you.

All: Clapping.

APPROVAL OF MINUTES

Chairman J. Reyes, Jr.: Alright, so, let's go ahead and move forward. We're good on PBS – on the broad cast. Approval of the minutes. So, Commissioners, we have before us the minutes from the May 18th regular meeting. And you had enough time to – we all had enough time to review.

Commissioner E. Garrido: I think there's some clarifications that need to be made from the minutes.

Chairman J. Reyes, Jr.: Okay, sure. You have the page number Commissioner Garrido.

Commissioner E. Garrido: Page 10

Chairman J. Reyes, Jr.: Okay

AA T. Tainatongo: Page what?

Chairman J. Reyes, Jr.: Page 10

Commissioner E. Garrido: And it concerns the environmental assessment and the assessment *inaudible* the raceway.

AA T. Tainatongo: The second paragraph commissioner?

Commissioner E. Garrido: I'm just wondering if there was any follow up on that?

Chairman J. Reyes, Jr.: Let's put that question to our Raceway section

Commissioner E. Garrido: Okay

Chairman J. Reyes, Jr.: Any issues or concerns on the minutes themselves?

Commissioner E. Garrido: I have one more correction

Chairman J. Reyes, Jr.: Sure

Commissioner E. Garrido: Page 20

Chairman J. Reyes, Jr.: Okay

Commissioner E. Garrido: We're making... we're citing Yeonex okay? It's a little bit more than half down from the top of the page. That should not be Unix that should Yeonex.

Chairman J. Reyes, Jr.: Y-O?

Commissioner E. Garrido: Yeah. Y-E-O-N-E-X

Chairman J. Reyes, Jr.: Oh.

AA T. Tainatongo: Company name?

Chairman J. Reyes, Jr.: Yeah. And then Ti, just for that correction just double check any company name in any file.

Commissioner E. Garrido: Page 22, third from the bottom that should be *inaudible* L-E-A-D instead of L-E-D

Chairman J. Reyes, Jr.: Oh, yes. Got that Ti?

AA T. Tainatongo: Where?

Chairman J. Reyes, Jr.: Third from the bottom

Commissioner E. Garrido: Commissioner Herrera

Chairman J. Reyes, Jr.: Lead based

AA T. Tainatongo: Oh okay, got you got you. Same page, right?

Chairman J. Reyes, Jr.: Yes – 22

Commissioner E. Garrido: Then page 26 – 4th from the bottom, They should be will. And then the next page fifth from the top

Chairman J. Reyes, Jr.: 27?

Commissioner E. Garrido: Yeah. Rod should be read or road I'm sorry, rod should be road. And then jumping over to page 38 never mind skip 38. That's it.

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

AD Taijeron: Just for clarification there's no correction on page 10 that's just a question for GRF

Chairman J. Reyes, Jr.: Correct

AD Taijeron: And then wherever it's indicated Unix Tina will change it to Yeonex and that spelling is Y-E-O or Y-O

Chairman J. Reyes, Jr.: We'll look –

AA T. Tainatongo: I will

Chairman J. Reyes, Jr.: Ti will do a research on that to get the right spelling

AD Taijeron: Okay. Just wanted to clarify, thank you.

Commissioner E. Garrido: It was a Korean Company

Commissioner D. Herrera: Construction company.

Chairman J. Reyes, Jr.: Okay thank you, Commissioner Garrido. Commissioner Herrera, Commissioner Bordallo, anything on... good? Okay, alright so we would like to take action to approve the minutes subject to the corrections.

Commissioner E. Garrido: I move for approval of the minutes

Commissioner D. Herrera: And I second the motion

Chairman J. Reyes, Jr.: Thank you, Commissioner Herrera thank you, Commissioner Garrido. Any objections? Alright, hearing none. The motion passes the approval of the May 18, 2023, Regular Meeting Minutes.

NEW BUSINESS

Okay, for the interest of time and with the constituents that we have present to discuss the Constituent piece of the agenda I'm going to just do a quick change and bring them forward to the in order just so that we can go through that first. We do have four cases and we will begin with and this will also be a little bit out of order.

Joseph Nededog Salas

The first one is for the designation of beneficiary for Joseph Nededog Salas. So, Alice I'll turn to you to get us through these.

AD Taijeron: Thank you, Mr. Chair. I just want to clarify that they don't need to motion to move the New Business, first?

Chairman J. Reyes, Jr.: No.

AD Taijeron: Okay. So, with regard to Mr. Joseph Nededog Salas I just wanted to Resolution No. 2022-01 gives the Administrative Director the authority to approve a designation of a beneficiary in accordance to law. I've approved the beneficiary for this individual, this is informational purposes and for transparency. The individual who's being named as the successor – I apologize *inaudible* to this lease agreement is a CHamoru Land Trust Commission employee her name is Jessica Dayday. She has gone through – we had another land agent review all the qualifications; she is a qualified successor. So, this is basically just for information, for public notice and transparency that I've approved it. She is a CLTC employee, however, she's gone through the process.

Chairman J. Reyes, Jr.: And again, this is just again to be clear, designation of successor.

AD Taijeron: Designation of a successor, yes.

Chairman J. Reyes, Jr.: Thank you, next up?

Vickey R. Calvo Sablan

AD Taijeron: Do we want to Vicky Sablan?

Chairman J. Reyes, Jr.: Yeah go back *inaudible*

AD Taijeron: Okay. Ms. Sablan. So, Ms. Sablan is a lessee and she is – she has an authorized representative here, she's currently unable to attend. I believe she might be on google – google meet.

Chairman J. Reyes, Jr.: Yeah, she's on Google meet. So, just before you proceed so that we – for the record, Ms. Sablan could you just state your name? For the record.

Vicky R. Calvo Sablan: Buenas todus hamyu. My name is Vicky Sablan.

Chairman J. Reyes, Jr.: Thank you.

AD Taijeron: And she also has here her authorized representative here her brother Mr. Vito Calvo K. Jr. in the event there's questions or she gets cutoff or whatever. So, Ms. Vicky Sablan comes before the commission to request for written approval from the Commission to build her garage extension. Right, in your packet there there's the building plans from Ms... and the building permits from Ms. Sablan. So, Ms. Sablan is a lessee, she is part of the 2018 Ratified listing of leases from the previous board if I'm not mistaken. And the pursuant to law she needs to come before the board or the commission for the approval to build. I can go through the fact here. Her land agent has reviewed the file has gone through the process and has provided the following. Ms. – some of the issues and or concerns that the commissioners should be aware of. Ms. Vicky Sablans date and time is December 9, 1995 at 1:19 p.m. Her residential lease was issued not in accordance to 18 GCA Chapter 6 (a) subsection 6A111. Further based on the lease agreement between CHamoru Land Trust Commission and Ms. Sablan formerly known as Vicky R. Calvo dated October 9, 2008. Under Instrument Number 780494, she defaulted on her lease agreement by not coming before the commission to request approval prior to building. Building requirements in section 17 of a residential so Ms. Sablan in essence Ms. Sablan has already started the structure for the garage extension and it wasn't until last year I believe it was when she had requested or early this year for second home loan guaranty from

Commissioner E. Garrido: Guam Housing

AD Taijeron: She's taken a loan out with Guam Housing. So, we need to guaranty she's – Guam Housing asked us for a guaranty. It triggered an inspection and land agents went out to inspect and the building was up with the exception of the roof. So, we immediately put a holt to it pending action from the commission. She's got the building permits the contractors' moved forward with everything that needed to be done with the exception of the approval of the commission.

Chairman J. Reyes, Jr.: Commissioners any questions? I yield to you to begin.

Commissioner E. Garrido: Yes, I do. On the I guess second page of the handout referring to the building permit. It says construct 3 car garage concrete roof but if you look at H, line item H it says 3 car garage garage with concrete foundation. Foundation had already been put in, correct?

AD Taijeron: Correct. Everything if I'm not mistaken in there already it's been poured with the exception of the roof.

Commissioner E. Garrido: So would this request or the permit allow to accept the current improvements on the property or is this permit just to certify the roof.

AD Taijeron: This permit is for the entire structure. So, she needs approval pursuant to the law for the – from the commission right to build. That should have happened prior too.

Commissioner D. Herrera: Mr. Chairman, can I please? If you look at item on B on this application right, it's asking the applicant of ownership and here it's showing public or private so I know we had a case like this way back *inaudible* in 2022 right and I was requesting for DPW to include CLTC as the land owners just to be user friendly for those that are building homes. I know it was denied to include or amend the form because we are not a regulatory agency but here again see this is a redundant issue where the applicant comes in with the intent to build and checkmark ownership as home and you know because it's just 99-year lease so I like to make a motion to approve this person to proceed and build and perhaps I could also make a motion to have our legal counsel work with DPW to amend the *inaudible* agency to include CLTC just to be user friendly so that we don't come back and you know just last year we had another applicant that had the same problem so that applicant was a veteran she was a teacher and we had to stop the progress of the building for about maybe a year and a half and she was a Guam Housing Corporation applicant so just to prevent you know case like this

AD Taijeron: So, we'll seek clarification because it indicates here ownership but is it ownership of the building or ownership of the land and right next to there's a public box it indicates a public box there so I think DPW probably just needs to indicate is are they asking ownership of the building because if it's ownership of the building it belongs to the lessee. If it's ownership of the land of course it's CLTC so we'll seek clarification and we'll have legal counsel work with them right.

Commissioner E. Garrido: Director

AD Taijeron: Yes, sir.

Commissioner E. Garrido: Have you had a conversation with tenant?

AD Taijeron: Yes, briefly I mean via message

Commissioner E. Garrido: Was there a reason given for not complying?

AD Taijeron: Yes. Unaware

Commissioner E. Garrido: Unaware

AD Taijeron: Yes. There was discussions between she and some land agents previous administrative director and she was not made aware of that so it's on the part of CLTC and on the part of the lessee right to review all of that. As a result of this, based on our discussions, I've had our land agents, I said, moving forward we need to make sure that individuals are notified, that pursuant to the law and pursuant to the lease you need to seek approval prior too whether you're going to build or demolish right whatever is going to be done on the land. You need approval first. We're also going to work on an AD a full-page AD with regard to things like that to notice the public on it.

Chairman J. Reyes, Jr.: And bring additional awareness right

AD Taijeron: Yes, awareness on the issue

Chairman J. Reyes, Jr.: I did have one question, Commissioners, may I? So, there's a section here in Section 7 for Land Management, 3rd page, Alice. What is that? Is that just a zoning section because there's an approval but if Land Management is approving, what are they approving? That's my question and what they would know if this is a CHAmoru Land Trust property so there should be – who's going to be the gatekeeper to then bring it down to our attention, right? *inaudible* could add that to some of the clarity in these forms. Because in the litigation of the gate keeper would be Land Management because they need to sign off on this, they should fold us into the mix somehow.

AD Taijeron: So, thank you, Mr. Chair. I actually had discussion with our team and I think it was one them that had indicated that DLM we were informed that they really just look at the zoning, they don't look at ownership so that's another discussion that we're going to have with them. And like you really need to take a look at the ownership to minimize these types of situation issues.

Commissioner E. Garrido: Okay, question.

AD Taijeron: Yes, sir.

Commissioner E. Garrido: What is your recommendation, Director?

AD Taijeron: The land agent has recommended no. But it is the prerogative and authority of the board.

Chairman J. Reyes, Jr.: Yeah

AD Taijeron: Because of the violation.

Chairman J. Reyes, Jr.: Any other questions, Commissioners?

Commissioner E. Garrido: I'm good

Chairman J. Reyes, Jr.: I mean... I – we continue to come across these, right, the team is very well aware and we decided we're to bring additional awareness. There's also been additional awareness of people coming in that

have been affected by the typhoon. So, we're definitely seeing – we will see more of this. So, you know, I don't want to necessarily get that to continue to be a stumping block we got to tighten this process up. So, but I look to you guys to proceed.

AD Taijeron: And just for the record we spoke with legal counsel and she had recommended that she be allowed to come before the board to seek approval to present her case and seek approval from the commissioners.

Commissioner E. Garrido: So, are you the representative?

Unknown: Yes, incase my sister's not able too

AD Taijeron: Ms. Sablan is on if you had questions for her

Commissioner E. Garrido: No, you answered my question.

Vicky R. Calvo Sablan: Yes

Chairman J. Reyes, Jr.: No, thank you, Ms. Sablan. I don't think the commissioners have additional questions. I look at them to kind of accept so...

Commissioner D. Herrera: Well, Mr. Chairman it's the permitting process here is where the gap is so if the applicant you know on Item A, B or C and if you see CLTC then also *inaudible* CLTC again, with encountered this last year and see it's not even a year we have another one so... and we got about maybe twelve thousand applicants so I think it's our application process that needs to be amended or even if it's under DLM

Chairman J. Reyes, Jr.: I think there's opportunity in different sections and you know we just make sure that Alice

Commissioner D. Herrera: Because you know these are single family dwelling owners trying to improve their livelihood so things – we could make user-friendly.

Commissioner E. Garrido: I got a couple more comments to make. I agree with you with the public notice, general public notice to educate the people who fall under this type of situation but I also think you need to have a discussion with the permitting section to include CLT regardless it is CLTC land or not and we'll just...when it's applicable they come and get clearance.

AD Taijeron: Okay. Thank you, sir.

Commissioner D. Herrera: I'd like to make a motion to approve this applicant request to *inaudible* carport garage

Chairman J. Reyes, Jr.: Okay. May I get a second

Commissioner A. Bordallo: I second

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

Commissioner E. Garrido: I just want to put Salas a notice –

AA Tainatongo: Sablan

AD Tainatongo: Ms. Sablan

Commissioner E. Garrido: Sablan – in the future please coordinate with CLTC because you are on CLTC land. It's going to be a stiff penalty for you if we decide against approving you because you've got so much invested in it already so...as a humanitarian, I will approve going forward with your permit

Chairman J. Reyes, Jr.: Thank you, Commissioners. Any objections to confirm? Okay, hearing none, motion passes to approve the building permit for Ms. Sablan.

Ti, you good?

AA Tainatongo: Yes

AD Taijeron: We will prepare a letter indicating the board's action and she'll take that DPW

Chairman J. Reyes, Jr.: Okay. Cool. Thank you, thank you, Ms. Sablan for joining us today.

Vicky R. Calvo Sablan: Can I ask a question?

Chairman J. Reyes, Jr.: Yes

Vicky R. Calvo Sablan: Guam Housing and Moylan's Insurance are waiting for an update of maybe when I will be able to get – first of all I want to say, thank you for approving it – for giving me the approval to continue my construction but Guam Housing and Moylan's Insurance are both asking of an update of when I would possibly get this letter to move forward only because the roof was prepared for pouring since April 20 and then we had a typhoon so I'm really at the mercy of this letter that I get from the board. If possible, can I get a date and then that'll be great

AD Taijeron: We'll get it out as soon as possible. As soon as we're done with this meeting. Jhoana is already taking notes and we'll prepare the approval letter from the Board based on the motion. Not by close of business today. Give us until Monday, if possible. We'll try and get it out to you earlier.

Vicky R. Calvo Sablan: Yes and my brother is there – he'll be able to pick it up from you

AD Taijeron: Sure

Vicky R. Calvo Sablan: Or however way I could get that letter either via email or hard copy.

AD Taijeron: We will send it certified which is part of our process to ensure that there's records that it was sent. We'll send it certified we can also email the signed copy and provide one for your provide if you wanted to pick it up. We'll provide it via emails.

Vicky R. Calvo Sablan: Thank you. And also could you help me with expediting my I guess my slot time with my inspection with DPW?

AD Taijeron: Once you get the approval letter you could probably speak with the DPW team.

Vicky R. Calvo Sablan: Okay. Do you have a point of contact if you can assist me with this because my contractor will be the bottom of the list you know because of this typhoon and everyone is trying to build you know reconstruct their homes so now my contractor's name will be at the bottom of the list when they already there at the *inaudible* so if you can help me with this that'll be great. So...

Chairman J. Reyes, Jr.: Ms. Sablan we'll take that offline and Alice can reach out to you if there's anything that she could assist with or give you a contact

Vicky R. Calvo Sablan: Okay, thank you, sir.

Chairman J. Reyes, Jr.: Okay, thank you, everybody. Next up, Alice, please.

AD Taijeron: Mr. Norman Castro Aldan – Mr. Aldan is requesting for his residential lease agreement. He came to us needing the lease for FEMA and SBA right Jhoana?

Land Agent II Jhoana Casem: For FEMA

AD Taijeron: For FEMA. He's requesting assistance for FEMA as a result of the storm, they lost his home. So, right now, Mr. Aldan if I'm not mistaken and his family are homeless. So, the issues with Mr. – so the board is fully aware the issues with Mr. Aldan is his lease outside of the 8:07 time frame. His application is December 2nd 1995 at 11:50 a.m. We are currently on 8:07 just for full discloser. The Board of Commissioners approved a lease issuance at the June 6th, 2019 Board Meeting so we need to know if we can proceed with this lease issuance even though it's outside his date and time. Mr. Aldan is part of – was part of the reversion, the Null and Void so he's – initially he transferred his application rights to his wife that was Null and Void so he's back so it's now Mr. Aldan's lease. He is part of the Null and Void listing so... he's just asking for the issuance of his lease. Our land agent has concluded that his date and time is outside – he's at 11:50 December 2nd we're at 8:07 his request for his residential lease is not in accordance to 18GCA Chapter 6 6A, Application for Leases which have to go – the recommendation is not to provide the lease until his date and time is up pursuant to law

Commissioner D. Herrera: Mr. Chairman – he’s a victim of

AD Taijeron: Mawar – he and his family are homeless

Commissioner D. Herrera: So, there’s a home on the lot?

AD Taijeron: There was a wooden or tin structure on the lot prior to storm is our understanding and as a result of the storm the storm blew the home away

Commissioner D. Herrera: Was he a prior LUP – Land Use Permit or prior occupant

AD Taijeron: No. He has a lease

Commissioner D. Herrera: Through the lottery?

AD Taijeron: I’m sorry?

Commissioner D. Herrera: Through the lottery

AD Taijeron: Yes.

Chairman J. Reyes, Jr.: Not lottery

AD Taijeron: Not lottery – the application. His application is December 2nd 1995

AA Tainatongo: He’s referring to Land for the Landless

Chairman J. Reyes, Jr.: None of that, pre-occupier, Land for the Landless

Commissioner D. Herrera: And he’s qualified under Public Law 35-112, the new law – from Superior Court

AD Taijeron: Yes

Commissioner D. Herrera: The settlement agreement

AD Taijeron: Yes he actually has a lease here it was signed by the former Acting Administrative Director and notarized the only thing that was missing is his signature and the Chairman’s signature and it wasn’t signed at the time I think there was stop – a pause on these leases

Commissioner D. Herrera: And that date is

AD Taijeron: It was signed on April 11, 2022 by the Administrative Director

Commissioner D. Herrera: In compliance with 35-112

AD Taijeron: I’m not familiar with – I’m sorry, sir.

AA Tainatongo: The Chapter 75A, ma'am.

AD Taijeron: Okay, yeah. Well, he's at

Chairman J. Reyes, Jr.: But he's already

AD Taijeron: Well 75 is applicable to Mr. – not 75A

Attorney Kristan Finney: Well, 75A is applicable to everybody who did not have a lease.

AD Taijeron: Okay, so does Mr. Aldan have a lease or not is the question

Chairman J. Reyes, Jr.: So, that was going to be my question Attorney Finney. Does he have a lease or not because then that would determine if it's 75 or 75A

Attorney Kristan Finney: Well it's like he had an approval to have a lease but he hasn't signed it and they haven't signed it.

AD Taijeron: So there's no lease

Chairman J. Reyes, Jr.: May I ask, had we done a lease, the initial review of Mr. Aldan's qualifications for eligibility

AD Taijeron: Not under 75A

Chairman J. Reyes, Jr.: Okay

AD Taijeron: Did we conduct a 75A for Mr. Aldan

Land Agent II J. Casem: No, because he was approved by the board prior to January 2021

AD Taijeron: His lease was actually June 16th

Chairman J. Reyes, Jr.: Of 2020?

AD Taijeron: 2019 – oh, I'm sorry, so June 6th 2019 CLTC Board of Commissioners approved to revert the residential application back to the original applicant and issuance of a CLTC lease agreement to Mr. Aldan

Chairman J. Reyes, Jr.: In 2019?

AD Taijeron: 2019 – June 6th 2019

Chairman J. Reyes, Jr.: So, in this case until we're able to get all of that sorted; are we able to provide FEMA with a bridged letter that says, this person is in process of getting a lease – please service his request

AD Taijeron: I provided a letter to Mr. Aldan – actually it's addressed to FEMA indicating that Mr. Aldan is in the process of his lease – getting his lease issued

Chairman J. Reyes, Jr.: So, Commissioners may I recommend that we table this and have the land agent review whether or not along with our attorney whether or not 75 or 75A applies given that in June of 2019 right it was approved yet nothing was signed.

Attorney Kristan Finney: Yeah. I'm sorry, it does say an application that hasn't been approved by January 1, 2021, is subject to 75A. So, if his application was already approved then you can do 75

AD Taijeron: So, he's eligible under 75

Chairman J. Reyes, Jr.: Okay, eligible under 75 which is no research that needs to be done however the date and time is still an issue. We're only at 8:07 and he's at 11:...?

AD Taijeron: 50

Chairman J. Reyes, Jr.: 11:50. Does that bridge letter get the constituent what they're going to need until his lease is

AD Taijeron: We haven't heard back from Mr. Aldan if it served his needs – his purpose. We can follow up with a call but no news is good news. He hasn't come back for anything more.

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

AD Taijeron: He is asking for his though. So, that's why it's brought to the board.

Commissioner D. Herrera: Chairman – generally if – right now he's homeless so FEMA will come to accommodate building foundation into the homes construction and then *inaudible* and if he qualifies then *inaudible* so since he was improved back in 2019

And our mandate is January 1st 2021 I make a motion to approve this individual

Chairman J. Reyes, Jr.: So, let me just... given the scenario given the situation. Do you guys have any concerns again I'm going to ask the question because you know once we start setting the precedence, it could

Commissioner D. Herrera: Yes, I understand. But again, the lease was approved before January 1st 2021 before the settlement agreement between the Federal Government isn't that when

Chairman J. Reyes, Jr.: But his date and time.

Commissioner D. Herrera: Understand

Chairman J. Reyes, Jr.: Just want to make sure

Background interruption

Commissioner D. Herrera: But it's just the situation that he's homeless not landless but homeless and I take Mr. Garrido's position here *inaudible*

Continued background interruption

Chairman J. Reyes, Jr.: Understood – these are critical times and

Background interruption continues

Commissioner D. Herrera: *inaudible*

Chairman J. Reyes, Jr.: If they can be served in a bridge letter that may help. For us, and again if the process continues and he can get approved by SBA – he's going to actually need a lease at that point

So, I leave it to the commissioners to decide. I want to make sure that we're very clear. Again, given the situation but also with the date and time we just need to be very clear that we start – and these are some of the things that are pending – help from the legislature with our resolution with all the things that we could get support to amend some of the things that the law right for us to be able to act upon.

Commissioner D. Herrera: And generally Mr. Chair, the FEMA will provide the constituent of about maybe two or three hundred dollars for lodging

Background interruption

Commissioner D. Herrera: And it will continue until the home is constructed so... Again, we may approach the SBA or another avenue

Chairman J. Reyes, Jr.: Okay, so I just wanted to have that dialogue so we are ready

Any other questions?

Commissioner E. Garrido: Yes

Chairman J. Reyes, Jr.: Commissioner Garrido, go ahead, please.

Commissioner E. Garrido: He's still far away from the actual date time scheduling, right?

AD Taijeron: About 3 hours away

Commissioner E. Garrido: Three hours away?

AD Taijeron: Because we're at 8:07 so 8, 9, 10...11... four hours
He's 11:50 a.m.

Chairman J. Reyes, Jr.: So, same date

Commissioner E. Garrido: So, I'm willing to approve it contingent to him meeting the time and date for when we issue a lease.

In other words, this is all chronological, right? So, we can not give him a head of somebody else. So, maybe four or three. I would approve but not release it until

AD Taijeron: His date and time

Commissioner E. Garrido: Until he hits his number

AD Taijeron: Until 11:50 until we get to 11:50, okay

Commissioner E. Garrido: Yeah. And that way the approval will be recognized by FEMA and he can benefit from the disaster relief.

AD Taijeron: Okay. So, I just want to be clear. The commissioners will potentially approve the issuance of the lease however we will work on it but it will not be

Commissioner E. Garrido: Effective

AD Taijeron: Effective until we get to 11:50 a.m.

Commissioner E. Garrido Yeah

Chairman J. Reyes, Jr.: Sure. With that condition, that works for me.

AD Taijeron: Yeah, we just have to work faster on the 8:07

Commissioner D. Herrera: Well, you know what's the caveat there is they have their own legal counsel with FEMA and SBA. So, if your lease is already consummated, sir? The answer is, no. Subject to... but you know, I'll stick my neck out to approve his lease

AD Taijeron: Approve it and then issue at 11:50

Chairman J. Reyes, Jr.: I'm okay with that. We just got to make sure we get the votes to approve it.

Commissioner E. Garrido: And Arlene

Commissioner A. Bordallo: No problem

Commissioner E. Garrido: Okay, so, I move with giving a conditional approval until the number comes up

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

Commissioner D. Herrera: I'm making the motion

Chairman J. Reyes, Jr.: Commissioner Garrido made the motion. May I get a second?

Commissioner D. Herrera: I'm making the second

Chairman J. Reyes, Jr.: Thank you, Commissioner Herrera. Any objections? Okay, hearing none, motion passes for the approval of Mr. Aldan's lease with the condition

AD Taijeron: For clarification, it's a conditional approval. We can begin the process and will not be issued until his date and time

Commissioner E. Garrido: Correct

Chairman J. Reyes, Jr.: Correct. Ti, is that good?

AA Tainatongo: Yes

Chairman J. Reyes, Jr.: Okay. As long it's good then we're good.

AD Taijeron: Just for clarification, I apologize. Conditional approval we're good to go at 11:50, correct? We get to 11:50, there's nothing else needed no more board. I'm asking legal.

Attorney Kristan Finney: If that's what the board is approving then, yes.

AA Tainatongo: Do you want to mention the lot description. I mean did he survey already, is it a portion of... just so that when 10:59 comes

Interrupted AD Taijeron: He's already – he's already on the lot. But yeah. Basically, it's just signature that is needed.

Chairman J. Reyes, Jr.: Just reference the *inaudible* lease. Okay, you good with that?

AA Tainatongo: Yes

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

AD Taijeron: I have one more

Chairman J. Reyes, Jr.: Yes. And then we're up to Ms. Afilleje

AD Taijeron: Ms. Afilleje – with Ms. Afilleje we just need an addendum the date and time – she's with date and time if I'm not mistaken. We just need an addendum to correct – there's already an existing lease, the addendum is to correct go from a portion of to a lot – the lot description, it's already been

surveyed. She's actually a takeover from her father. December 2nd at 10... 1995 at 10:52 a.m. So, we can do the same that we did for...

Chairman J. Reyes, Jr.: But there's a lease already

AD Taijeron: Yes, she already has a lease and this is another Mawar request. And so, she has a lease and we're just providing an addendum to the lease to go indicate the actual lot description. She's right now on a portion of

Chairman J. Reyes, Jr.: So, did you write a bridge letter though, just to move things along?

AD Taijeron: What did we provide to Ms.... Yeah, we did.

Chairman J. Reyes, Jr.: Okay. So, this is just to add the addendum for the lot description, that's it?

AD Taijeron: Yes

Chairman J. Reyes, Jr.: So, why do we need to... sorry, just humor me. Why do we...

AD Taijeron: Her date and time again is not up. And That's one of the things that... do we bring to the board

Commissioner D. Herrera: She's at 10:52?

AD Taijeron: Yeah.

Commissioner D. Herrera: December....?

AD Taijeron: 2nd 1995

Commissioner D. Herrera: Okay. And this lot is located at...?

AD Taijeron: In Yigo

Land Agent II J. Casem: In Dededo

AD Taijeron: Dededo. Municipality of Dededo

Commissioner D. Herrera: And it's a portion of...?

AD Taijeron: The current lease says it's a portion of, so usually when they've gotten it surveyed right, we change it to the actual lot description.

Commissioner D. Herrera: And a portion of Lot 10122?

AD Taijeron: 101125-25 is the lot. Lot 10125-25 is the lot

Commissioner D. Herrera: Ysengsong...?

AD Taijeron: Ysengsong, Dededo?

Land Agent II J. Casem: She's along NCS Road.

AD Taijeron: The addendum is the amendment? This is the one that indicates... We might have to make an amendment to the lease given the description. The lease indicates .25 acres and the addendum indicates .5 acres.

Commissioner E. Garrido: So, it's half acre

AD Taijeron: Yeah. So,

Chairman J. Reyes, Jr.: What was the discrepancy?

AD Taijeron: From .25 to .5

Commissioner E. Garrido: Is this an agricultural or residential?

AD Taijeron: Residential

Chairman J. Reyes, Jr.: So, how come the lease was wrong? Or not wrong but – how did we get to know that the discrepancy of the...

AD Taijeron: The survey. When the property was surveyed. And they do the actual points so the surveyor came back with the .5 and whereas prior to the actual survey it indicates here describes the property as .25. So, legal has recommended we get an amendment to the original lease so that it coincides with our addendum because they're two different things.

Me: in my head.... Why can't they just issue or request for a second addendum to reflect the legal lot description

An amendment changes the terms and conditions of a contract and addendum is a subtle difference in description or appearance such as shade or c

Attorney Kristan Finney: Just so that you don't have conflicting descriptions

Commissioner D. Herrera: Do you have the map?

AD Taijeron: Yes, there is a map, right here. Did you want to see?

Commissioner D. Herrera: It's already recorded?

AD Taijeron: I think this is an in-house map

Chairman J. Reyes, Jr.: If it was surveyed, then it should have been recorded.

Commissioner D. Herrera: And that's the problem we're having right, a lot of large properties, surveyor will come in and bypass the check print process they'll bypass the DLM requirements with the Guam Land Use Commission like the situation we're facing and then they survey the property, give the lessee the map on a portion of but the map is not recorded it didn't go through the Guam Land Use Commission process then it can backfire to us and...

AD Taijeron: I believe this map was prior to... there's up to a certain point and time where they didn't have to record the maps and I believe this is one the cases where these maps were not recorded, right. So...

Commissioner E. Garrido: Now, is that a failure from the surveyor or Land Management?

Land Agent II J. Casem: CHamoru Land Trust, I believe, in-house approved maps.

AD Taijeron: In-house approved maps.

Commissioner D. Herrera: What is the...

Land Agent II J. Casem: 31-170

AA Taijeron: 31-170 – Public Law

Commissioner D. Herrera: You know, it's a hazard there right

Chairman J. Reyes, Jr.: Yeah, but going forward, we now need

AD Taijeron: Oh yeah, survey and recorded maps.

Commissioner D. Herrera: You don't want a tire shop in the middle of your vegetable

No, really that's the... and then it's the constituent that would suffer the consequences from our process. That's it Mr. Chair

Chairman J. Reyes, Jr.: Alright so, just to be clear we need to approve this addendum to correct both the lot description and the lot size?

AD Taijeron: Yes. Did you want the...or are we good for now?

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

Commissioner E. Garrido: Motion?

Chairman J. Reyes, Jr.: I look to you to make the

Commissioner E. Garrido: I'll make the motion Mr. Chair

Chairman J. Reyes, Jr.: Okay, any objections?

Commissioner A. Bordallo: None

AA Tainatongo: Can you read out the lot number

Chairman J. Reyes, Jr.: Yes. Hearing none motion passes to correct the lot description to 10125-25 and the lot size from .25 to .5

AA Tainatongo: .5 to .25?

Chairman J. Reyes, Jr.: .25 to .5

Commissioner E. Garrido: 215 is the last

AD Taijeron: Lot 10125-25

Chairman J. Reyes, Jr.: Okay, thank you, Commissioners. Ti, we good with that?

AA Tainatongo: Yes

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

AD Taijeron: Thank you, Mr. Chair.

Chairman J. Reyes, Jr.: Alright, that concludes our new business for our constituents. We will now move back up to our old business for Lot 7161-R1, Yigo. And I'll turn this over to Mr. Cruz or you Alice?

AD Taijeron: Oh, for me but it was going to be part of my Agency Report. We received a letter from Mr. Joey Crisostomo. It should be in your packets. Mr. Crisostomo is part of the Guam Racing Federation- provided a letter informing the commissioners – they were requesting for a 120-days lease extension for the Guam International Raceway while under new leadership. So, they indicated that Mr. Simpson had resigned from his position as General Manager. The letter was dated June 28 and they have new GR – Guam Racing Federation Board of Directors. Mr. Crisostomo is on the board. So, basically the request is for an extension for 120- lease extension for Guam International Raceway while under new leadership. Now, with regard to Lot 7161-R1 formerly known as the Guam Raceway, right we'll refer to it as it's correct description of Lot 7161-R1, Yigo. The commissioners can take on their discussion with regard to its designation and the request from the Guam Racing Federation for an extension of their lease. So, that the commissioners are aware, there is no lease at present with the Guam International Raceway. The company received a letter of forming them of the eviction on June 2nd. We are still waiting – so, if I'm not mistaken, typically there ought not to be anybody there. We also issued and sent a letter to their subtenant, Guam Adventures and there's also a letter in here from Guam Adventures – so, there shouldn't be anybody there at this point in time. We are still waiting guidance and information from legal with regard to the unlawful detainer and or how to proceed given that this is with

their attorneys. Guam Racing Federation my understanding is their attorney is Cunliff and Cook. So, we're still waiting guidance and counsel from legal with regard on how to proceed.

Commissioner E. Garrido: We're are we at exactly on that?

Attorney Kristan Finney: So, that's being handled on the deputy level so, I don't have an update on that for you today but it's being looked at. But I would just want to add was – the actual lease expired quite some time ago and then they were continuing to be there as a holdover basis – month-to-month. And the board had determined to end that holdover occupancy and then they had requested an extension previously and the board denied and so as of June 2nd that holdover occupancy ended so there's nothing at this point that you can extend because it's already finished. You know what I'm saying? Like if you're still in it then you can continue to extend it but once it ends there's – now, there's nothing to extend so I just wanted to make sure that that was cleared to you guys.

Chairman J. Reyes, Jr.: So, what does that mean for us? So, we can't as the commission as the board – we basically can't extend the extension?

Attorney Kristan Finney: You can't extend it because it already ended as of June 2nd. So, there's nothing again, there's nothing that you can extend because it finished.

Chairman J. Reyes, Jr.: So, how do we – may I? How do we hold ourselves accountable to ensure that you know there's no more activities happening there if that's the guidance that we're getting right? Because there's still a business that's in there, there's still activities again, we're very – we're advocates of the activities not necessarily what was happening outside of those activities that they support and if we can't necessarily say; you know, change the locks, lock the gates, etc... until there's additional guidance, what do we do?

Attorney Kristan Finney: Yeah, again, I don't have an update for you know but I can tell you that it is being looked at and your legal options are being evaluated.

Chairman J. Reyes, Jr.: So, do we leave it as is?

AD Taijeron: May I ask? My concern is the liability that may be borne upon the CLTC because there isn't anything – there ought not to be anybody there – it should have been cleared. I would think that anybody there contrary to any agreement or absent an agreement is trespassing. What can do to protect the CLTC from potential liability of these individuals trespassing and or to continue activities that may be occurring at the 7161-R1 lot? Because we can't put up a lock? Can I put up a sign that says, No Trespassing? Or is that going to be considered hostile? The team is ready for us to print out the sign that says, No Trespassing. So, I understand that there's other laws that play into this with regard to landlord – tenant. But the CLTC's hands are being held tight without the guidance we need to move forward. And one of my greatest concerns is the

potential liability should something happen because there's no insurance from – there's nobody that should be there at this point in time.

Commissioner E. Garrido: Yeah, the insurance should have been terminated on June 2nd.

AD Taijeron: Yes, yes. For intents and purposes, there is no relationship with anybody formerly on that property. There ought not to be... I say it again, there should not be anybody on that property at this point in time.

Commissioner A. Bordallo: No subleases

AD Taijeron: No subleases. Nobody should be on Lot 7161-R1 at this point in time. There is no relationship with anybody at this point in time. That being said, we've received word that there is still activities that is still being taking place, people are being allowed in right, I don't have - I don't think I have a gate key to that property. So, my concern again is the liability that will be borne upon the CLTC of anything that may occur. And then these activities that continue to happen outside of CLTC approval and or authority I mean I think it's against the law – I don't know, I'm not a lawyer so, if you could get something as soon as possible I'd really appreciate it.

Attorney Kristan Finney: I'll make sure those concerns are...

Commissioner E. Garrido: Can I bring a new voice to this conversation?

Chairman J. Reyes, Jr.: Yes

AD Taijeron: Of course

Commissioner E. Garrido: Since we're talking about the raceway, Mr. Crisostomo right now is in charge of the raceway. Can we have input from him?

AD Taijeron: That's on the commissioners. Right now, we are the discussion with regard to designation under action from the commissioners and we're talking about his letter. So, I leave it to the commissioners, that's up to you if you like to call him forward.

Commissioner E. Garrido: Can you come up here

Chairman J. Reyes, Jr.: Mr. Crisostomo, for the record, please state your name.

GRF Board of Director Joey Crisostomo: My name is Joey Crisostomo and I'm a Board Member of the Guam Racing Federation.

Chairman J. Reyes, Jr.: Thank you, sir. Commissioner Garrido do you want to...

Commissioner E. Garrido: Do you see the dilemma we have on hand?

GRF Board of Director J. Crisostomo: Yes, yes, I do. And just thinking of a way around it would be the Guam Racing Federation will address a new letter to renew the expired lease agreement for 120 – 180 days, keep the insurance going on it, the one million dollar [59:39]

****Minutes continued by Catherine Q. Cabrera ****

GRF Board of Directors Joey Crisostomo: I don't think we canceled that, that's the easiest, coming from an enthusiast, CHamoru and coming from Guam and all the racing going on and the activities going on out there. I'm afraid even a short break from stopping the raceway and the activities out there, they going to go somewhere. There are a lot of cars out there that want to go to the track at least Saturday and Sunday to drag and race and two weeks ago I was asked "what do we do "and I said NO Racing. Go out there and clean the track, bring bush cutters or blowers, clean up and if they want to test their product, test it but no racing. And I told that, the same thing to the motorcycle guys, I said listen we cannot have any racing going on right now, no activities, no exchange, no anything and do a cleanup and...(Interrupted by AD)

AD Taijeron: Sorry Mr. Crisostomo, I just need be sure I heard you correctly, you were speaking to these groups.

GRF Board of Director Joey Crisostomo: To the clubs and to the organizations

AD Taijeron: But you told me no racing but you told them to go and clean

GRF Board of Director Joey Crisostomo: To go and clean, yeah. Because after the typhoon there was a lot of damages, not to mention the downed lines, trees we got poles, ah buildings were damaged. And if we were to let it sit for one month, in one month time everything gone dry. Power lines are going to be gone and all copper, that already started. We got word that some lines are missing already from the all-wheel track, um people have, as a racing federation put together a short-term lease based on the present um terms with no grading, no mineral extractions, just cease that activity put in it 120-180 days and then we, you know, do kind of work together for, come up a viable lease for GRF and the um the CHamoru Land Trust. I was also asked by our tenant there Guam Adventures, talking with him on that, he asked me what he should do? I said, you know your providing a big piece of a puzzle to tourism, other than the beaches and so forth um we get a lot of tourist support through their program there, the race track. I told him, right now um clean up your trash and go ahead and use it just for now, but again it is CLTC property, they are the land owners and uh we have to abide and been good tenants and good landlords so.

AD Taijeron: Can I just clarify something Mr. Crisostomo?

GRF Board of Director Joey Crisostomo: Yes

AD Taijeron: Just so were clear so that legal counsel can jump in so we understand, we cannot extend, we cannot issue a lease, we would have to go

to the open bid process. There is no longer, how can I put this correctly, a relationship with the racing federation, it ended, so we can't extend the lease, we can't write up another lease, we actually have through the bid process if I'm not mistaken, in that respect just so you understand. Um with regard with short-term licensing, that's something that we need to take a look at, I don't think there is anything wrong that I have to review it again, I've been reading so much that would provide that, um that is something we have to look at to see if something that can be done. But at this point in time, we would have to go through the bid process, basically going out there, request for proposal, putting out there to the public, advertising it and people who are interested would come in. I am going to caution you, that you continue and inform people to go ahead and go in. Be careful, because nobody should be there at this point in time. I really do not want to seem like I am a difficult landlord, I'm not, I'm not a hostile landlord or as a reminder the racing federation, Dear Mr. Simpson that relationship ended, or had to be ended because of the violations that he was and the other members were aware of what was happening, we had to do it. Again, we do not oppose the activities, we support the activities. At this point in time, our commissioners need to determine how are we going to proceed with that piece of property. Um moving forward, I would love for us to be able come up with something but at this point in time it has to go public if I'm not mistaken.

Commissioner Garrido: Even if we're willing to consider short term licensing agreement, we can because the predecessor had already made it applicably clear that he was going to fight eviction. We have the AG already working on the container suit, to physically remove the raceway from the property. Now, are you willing to abide by the terms of eviction?

GRF Board of Director Joey Crisostomo: I have, you know talk to our Attorneys on that, but ah

Commissioner E. Garrido: That is stopping us from entertaining anything because right now it's locked up in a legal entanglement.

GRF Board of Director Joey Crisostomo: If we abide by the Is there any way forward? At any time, Is there any way forward? Resolving the issues that we're having

Commissioner E. Garrido: Well right now, right now there's no way forward because of the legal entanglement. We can't really consider going into an agreement because Mr. Simpson already made it publicly clear that he's going to fight it, so you're asking us to consider a lease but yet in the background we still have a legal issue to deal with.

Chairman John Reyes Jr.: Commissioner Garrido, not to interrupt, but um...

Attorney Kristan Finney: It's kind of related to what you're talking about the one, just kind of wondering like you know trying to understand under what authority um Guam Racing Federation believes that it has to tell people go ahead and come on to the property. That's what I was wondering like if they

believe that they're still entitled to be there or uh again, how are they telling people oh yeah, it's ok go ahead and do it.

Chairman John Reyes Jr.: I mean they have key right that's the thing, then again because we didn't give specific, the typhoon came, June 2nd came right um I don't know, on what authority? They still have the key

Attorney Kristan Finney: I mean they we clearly told to vacate the premises, I'm just wondering and the other thing though is again related to what you're saying about you can do or whatever. You do have this law that's specific to that property that says that you can lease it as a raceway I think it's spelled out in this law what you can um

Chairman John Reyes Jr.: Specific to your bill

Attorney Kristan Finney: right, right it does take you back to the process that's in 75A but you know it has an exception for this property if it's used for these purposes that you can, you know, you don't have to, you don't have to get it registered whatever if it's not that kind of thing.

Chairman John Reyes Jr.: If bypasses all of that, so again there's the law right there's still that law but at this structure because, can we even move forward with that kind of thing? Can the board start the process of moving forward with a lease?

Attorney Kristan Finney: As you were pointing out, you know before moving forward with anything, you still have your issue with the former tenant refusing to vacate the property, you would, you would to deal with that and that's why I was wondering, from their prospective how do they believe that they still have a right to be there on the property and tell other people, go ahead and come to the property.

Chairman John Reyes Jr.: Again, then again, the letter came and we're here to discuss and you know to make it now, if that's the what (inaudible) perceiving, what the next steps for guidance

Attorney Kristan Finney: But if were clean then they vacated the property and all that then you would not have an issue with the you know, the former tenant continuing to occupy the property and then you would be able to move forward with whatever you're going to do with it.

GRF Board of Director Joey Crisostomo: How fast of a timeline would that be if, if it did go that way?

Commissioner E. Garrido: It's with the Deputy right now

Attorney Kristan Finney: Well, again evaluating what to do given that the former tenant continues to occupy the property but again if that were not an issue then you would be able to move forward, how fast? There's so many things that depends on that you know, I couldn't give you a prediction but, you

know what it would still need some sort of a public process and still an opportunity because the federation had the right, the first refusal right and they had the timeframe to come to an agreement but passed a long time ago. And so now it has to you know be opened up, but they can't start that process, you guys can't start that process right until, until the issues with the former tenant are resolved.

Chairman John Reyes Jr.: So even for us to begin the process to for designation, we should halt.

Attorney Kristan Finney: You, I mean you can certainly discuss it, you were planning to talk, there's no reason that you can't you know to begin that whole process but before you can move forward you know, the Commissioner pointed out that you still have to clear up your issues. So, you it shouldn't stop you from discussing and figuring out what you want to do and how you want to proceed and all that.

Commissioner A. Bordallo: I have a suggestion, your lawyers or lawyer should sit down and come up with a friendly way of resolving things. We want to help, we want you guys to stay but the time has already ended, but you still have a 50-year lease that is public law. But So, Joey get all your lawyers and their lawyers and try to come to what to do now.

Commissioner E. Garrido: See, when that bill expires for that 50-year lease was a convenient in it that said, the lease was to be worked out the CLTC, now your president at the time did submit the lease, it was divisions made to it by the previous chairperson or administrator and was submitted back to the president and he never responded so killed the plot for your guys, do you understand what I'm saying? There was a time line to be met, he didn't follow up, I mean you know. In the terms of the lease it was supposed to be negotiated, he submitted it the provisioned were made and submitted back to him and it ended there.

GRF Board of Director Joey Crisostomo.: I'm not sure about the details on what happened on that

Commissioner E. Garrido: Pika was the one that made provisions

GRF Board of Director Joey Crisostomo: Pika Fejeran

Commissioner E. Garrido: Yes, and that was back in 2018, 2019. And ever since then the raceway had been on month to month, so there was no lease in effect and as a matter of fact that 50-year lease stipulated that the raceway was given the first right of refusal and also with a fixed timeline and if they were not able to get the lease then we would be able to go out and do an RFP. But we said it all along, we're not against the activities, we're supporting activities. It was just what was happening in the background

GRF Board of Director Joey Crisostomo: Yeah, so putting that aside and moving forward and um what can we do?

Commissioner E. Garrido: Just address first the refusal to vacate the property, because of that entanglement we can't go anywhere until we resolve it. Right

GRF Board of Director Joey Crisostomo: Can I ask Cris Nelson? Cris is with Guam Adventures and I hate to see if this closes down especially tourism on any business.

Cris Nelson (Guam Adventures): I'm happy to answer any questions.

AD Taijeron: Just for the record Mr. Chair, Mr. Nelson also sent a letter from Guam Adventures in your packet.

Chairman John Reyes Jr.: For the record purposes

Cris Nelson (Guam Adventures): My name is Cris Nelson, I'm with Guam auto sport doing business as Guam Adventures, sorry I'm kind of nervous. I am here, we have been, we are still on the property mostly up till the typhoon hit really hard as, it was 10 years ago that we came before CLTC in January of 2013 and asked for permission to operate the race track as a licensed sub tenant and the commission talked about it and asked questions and made some recommendations and approved us to operate up there. It was a tough go up there, the planning purposes on getting it going and putting in bringing in cars, mechanics and training drivers and never existing on Guam, starting this from scratch but we had a vision and the commissioners at that time had good ideas because they were familiar with the property and invested tremendous amount of time and money and resources into doing what we said we were going to do in which was to make the Guam international race park a tourist attraction and so the International a few times a year, each and every year for our visitors. So I'll never forget that, I've been there since day one since the day that we opened so any questions about it I can answer. Bringing the cars in and I remember our first guest and then it rained, and you can't run the cars on the race track when it rains, then the 3rd month we were broken into. Things were taken, the storms, then a break on a portion on 911 and five thousands that has to come from Germany and there just been a lot of, it's a tough business to get going but we stuck with it and we learned, we learned along the way what worked and what didn't work and our goal there, we were really focused on small groups not big bus groups but small groups, families that come and, when we get it right we are able to give people the best day that, that the best day they have, maybe the best day of their year that they have outside of a wedding or the birth of a child, I mean, if their lucky they would have a once a year with their family. So we get one of those four, five days and if we do our jobs correctly, we have a really good chance of giving the best day that they've had of their year with their family and their loved ones, we do it safely. We have been there for 10 years and have not one serious injury and when you're doing the kind of business that we do, that's really something that I'm proud of. We have been a really good sub tenant for CLTC up there, we've maintained Insurance like we said we would, it's expensive. Our insurance has been on top of what the requirements the federation has and you talk about, Tourism such

an amazing thing and when you live in a beautiful place, a lot of people live in places where they want to leave, we're lucky enough in a region where people want to come and I feel tremendous responsibility on that, it's not a, a lot people say tourism is everybody's business but for us it's a family business, it's people coming here and us taking care of families, groups and best friends one day at a time and we support 14 families with our business and so in 2018, in 2013 there was talk about why would, there was talk about what the future of our business was going to be because we were investing so much money, and the commissioner said I know in 2018 you'll be back here with Guam race way federation to sign a new lease, we support that and that was one of the big reasons why we participated and why we put so much effort into this, and 2018 came and it was a scary time because the lease not coming through and we have been on pins and needles since then of what to do, and this year came and we have reservations and commitments as a business, we're been in this business for 10 years, went through Covid, didn't lay anybody off, we've been the most responsible business that I know how to operate and so when I heard that we weren't a licensed sub tenant it was really tough for me to hear that because we were, we did come and do the preparations before we, before we got involved, and I just want to make sure that's clear we went before the board.

Commissioner E. Garrido: Which board?

Cris Nelson (Guam Adventures): CLTC

Commissioner E. Garrido: When?

Cris Nelson (Guam Adventures): January of 2013 and this year, yes we are aware of what's happening but we were never given like an eviction notice, we're trying to, we're hoping that the two major parties the Guam Raceway Federation and CLTC can work out the big agreement, but were just trying to operate, trying to keep our employees, working employees that have families that our business supports and I just, when we're operating and not doing it, I so much respect of what you guys are doing and what you need to do and I just want to be here today to know where we are coming from, I'm not here to defy any laws or anything like that. We're just trying to operate to keep our people going. It's been a really tough time for all tourism businesses and going through Covid and we thought it was going to be 6 months than 6 more months and 6 more months and it's been 3 years that anybody had any revenue at all, we're just starting to see the end of that, we're just starting to see some tourist come back and I'll tell you, when we get it right after, I'm really proud of what we're able to offer to not to the tourist but also local families, birthdays and dates. We specialize to make people happy, and if there's any way, we can figure out a way we can, we can operate. We're still coming, but we have 10 years out there, if we have to move, we will move, we will move but there not another place like that where we can operate our business safely with the types of activity that we offer. I'm here for our employees, I'm here for our guests. And if there's any way, we can be allowed to wind down operations through the summer so we can honor the reservations that we have and get our stuff out and return the property and that will be a terrible thing for us but we will do that.

But if there is any way we can stay, you got a good tenant, we're still paying rent.

Commissioner E. Garrido: But not to us, you're subtenants

Cris Nelson (Guam Adventures): We're sub tenants, but we continue to pay

Commissioner Herrera: Your welcome to submit your bid if your like

Cris Nelson (Guam Adventures): It's just hard to stop and start a tourism business

Commissioner D. Herrera: It's to stop

Commissioner E. Garrido: My heart goes out to you, the bottom line is that you're a sub tenant of the raceway, so you really don't have the legal relationship with the CLTC, your relationship is with the Guam raceway federation. There is with CLTC. We can't even negotiate with you because of the legal entanglement that is ongoing right now, I sympathize.

Chairman John Reyes Jr.: Thank you Mr. Nelson for your time for joining us today. So, again I'm going to point out

AD Taijeron: Just for record Mr. Chair, we did send a letter to Mr. Nelson on June 14, just informing him of the issue that we would need to vacate, right. That was just a notice, so that he's aware, with regard of all that was happening to vacate. Mr. Nelson, I, much like Commissioner, I'm sure we all do, it's unfortunate that what occurred with the Guam raceway federation has impacted you. I'm really trying to move this along so we can get back to business. If the commissioners decide for us to RFP it out, because we can, right. There isn't anything that says the Guam raceway federation and or Guam Adventures can put in a bid for it but we can't move forward until we resolve these legal issues right, which is frustrating because we want to move forward, we want to be able to get people back to, we don't oppose the activities, we don't, we just continue until this is resolve. We will continue to discuss with legal counsel, we will get more information on what can be done. I assure you my team is looking at everything, we're reading everything we can to try and figure out how to resolve this, it goes back, Mr. Crisostomo, it goes back to

Commissioner E. Garrido: 2019

AD Taijeron: I'm really sorry. But know we are trying to move as quickly as we can

GRF Board of Director Joey Crisostomo: We'll figure something out

Commissioner E. Garrido: The first step, (inaudible)

Chairman John Reyes Jr.: Just to be clear, there's nothing the board can do and have to wait

Commissioner E. Garrido: But if you like, you can drop your petition so we can open the doors to hear proposals, right now you're offering me a gold mine

GRF Board of Director Joey Crisostomo: Yeah

Commissioner E. Garrido: I can't because of the legal entanglement.

AD Taijeron: I think Mr. Chair, if you discuss Lot 761-R1 to remain as commercial and to follow public law 34-142 which allows for the 50-year lease, you can begin discussions with that if, if it's the commissions desire for us to start looking or preparing an RFP discussing it, we can begin that, conditions pending legal guidance, we can start the work with regard to that. As soon as they say, go ahead we're done, we're good, we're clear then it goes out. If that makes sense, you just need to tell us, this is how we're going to designate it, this is what we're going to do, then we can start the research and the process. So, when we get the green light, we will issue it out.

Charmain John Reyes Jr.: Ok, Thank you, Mr. Crisostomo, Thank you, Mr. Nelson, Thank you. Will get this out to you

GRF Board of Director Joey Crisostomo: yeah, we'll be in touch with you guys, we'll be working on it.

Commissioner E. Garrido: Can I request a five-minute break?

Chairman John Reyes Jr.: It's 3:12, give the commissioners a five-minute break, see you back at 3:18. Ok, needs for your patience, took a big break, so we'll continue discussions on the item Number 4, 7161-R1 Yigo, again just iterating what our guidance was that we can begin discussions for the designations of 7161-R1. We also are not able as a commission to do any extensions to the request that was from the Guam raceway federation. And that things are still in discussion with legal, hoping that can get resolved so we can move forward. And, I guess we can begin discussions commissioners to take action to make the designation, that is in line to existing public law, Alice can you just remind me of that number

AD Taijeron: 34-142

Chairman John Reyes Jr.: 34-142, which was done back in 2018 I believe

AD Taijeron: November 30, 2018

Chairman John Reyes Jr.: November 30, 2018 to get to the leasing process. Commissioners I think the easiest thing that we can do, in light of all this discussion is to proceed with a designating the property as commercial, correct? Alice

AD Taijeron: When you say designated you can discuss right, according to the law, it states here. Notwithstanding any other provisions of law, this authorizes

the CLTC to lease Lot 7161-R1 in the municipality of Yigo, prepared for 50-years for commercial purposes, to include the operations of a raceway related to port facilities. We can actually move forward in issuing, legal counsel can correct me if I'm mistaken on this. A request for proposal, RFP. An invitation to bid for commercial purposes on the property. And we can do that to include the operations of a raceway. And we can put that in our RFP

Chairman John Reyes Jr.: Ok, I would, I mean, keep it simple, right. Designate for commercial lease pursuant to the law. It's all there, keeping it simple. Pursuant to the law 34-142. So, commissioners, we can discuss. Any questions for legal, but if there is anything we can follow. And we can begin that process and something else can be happening but we shouldn't stop this process, right because there's still build up for Parks and Rec, right. There could be another bill that get sprung up and we're still doing this process so. I think it would be easier and simpler that we move to designated for commercial pursuant to public law 34-142. That's my thoughts and I yield to you for open discussion.

Commissioner D. Herrera: I would like to make a motion, there was no discussion to designate a lot 7161-R1 in Yigo in accordance to public law 34-142. It's designated as commercial zone and for the property to go through Department of Land Management procedure.

Chairman John Reyes Jr.: I think it's designated for commercial use

Commissioner D. Herrera: Ok, not commercial zone

Chairman John Reyes Jr.: Correct

AD Taijeron: It would exceed

Chairman John Reyes Jr.: In the zoning perspective, designated for commercial use

Commissioner D. Herrera: Ok, commercial use

Chairman John Reyes Jr.: Just to clarify Commissioner Herrera your motion, motion to designated 7161-R1 as commercial use pursuant to public law 34-142.

Commissioner D. Herrera: Yes

Chairman John Reyes Jr.: Ok, before we proceed Commissioner Garrido, have any questions

Commissioner E. Garrido: Yes, why are we just going to make a half way move? Why won't we just designate it zone commercial instead of commercial use, the reason I bring that up is, there's a formula that plays into it about the percentage of face value of the property. If commercially then they have to go commercial. Commercial use and it still retains agricultural. It's not manning

Attorney Kristan Finney: So, this commission wouldn't have the authority to designate the zone of the property but when you put it out for RFP that you know, whoever proposes to use the property might have to consider applying for a zone change or whatever if that's the way you guys want to go. So, you might want to just leave that alone, leave it as it is as far as the actual zone of the property, because that's outside of what you guys can do.

Chairman John Jr.: The zoning, right, we don't have the zoning authority.

Commissioner E. Garrido: No, I know we don't have zoning authority, they have to go to the land use commission

Chairman John Reyes Jr.: That's part of the packet, right. We can put those stipulations on what a curfew zone, anyone that applies, then they have to get it rezoned but it's for commercial use. Now again, we're just doing this entire that anything may happen, they can come to the point where, we change our mind, then say cut it up and only have 60 acres for X and the rest remains in the agricultural, but if we're going to keep it simple it's we follow 34-142 is it, are we cutting ourselves short right, are we shorting ourselves but, given the predicament, if we want to move forward, this is the path of these resistance, if we decide to make it different, then there's lots of discussions that I would prefer to have then just

Commissioner E. Garrido: We can make it a board in progress later on.

Chairman John Reyes Jr.: Yeah, I really think there a lot of opportunities here, I really think we could cut it up and make it smaller for this purpose, again I'm not sure when we will see that Grand Prix for Guam. I think it's a great idea and at some point, could it happen, but they have exhausted a lot of resources and we're not anywhere near so, but again I appreciate the, you know if we take a step back and just not do anything and not progress and really figure this out, how you want to manage or do this property of handle this property or our path on these positions is we got a log to begin this process and at least something

Commissioner E. Garrido: Well, my vision also was to partition that property. The existing footprint that's there that has been developed, I would like to see that cut up and the rest of it

Chairman John Reyes Jr.: I think we have every opportunity to do that and that whole area is about 60 acres to allow. Again, I'm just throwing out there, ideas, this can all be done through the RFP process and that's going to take some vetting and I will also like to see the commissioners get to see what that RFP looks like.

Commissioner E. Garrido: Kristan, what's prevents us from partitioning the property?

Attorney Kristan Finney: What prevents you from partitioning it? So, what I've was going to say that directly answer your question but you don't follow this law

this 34-142 then you would need to follow everything in 18 GCA Chapter 75A which is your whole commercial rules right. You have to somewhat have to follow them here anyway, you get to

Chairman John Reyes Jr.: Get some concession

Attorney Kristan Finney: Yeah right, if you follow this law and if you don't, you have to follow all those provisions and then the reason that I think that's important cause we're talking about you know that you're going to partition some of it out or whatever, if you do something that going to take you back to that then you may run into some issues with your restriction on the 9 percent. So, just putting that out there

Chairman John Reyes Jr.: And that's another cake right is our 9 percent, commercial over everything

Commissioner E. Garrido: Agricultural

Chairman John Reyes Jr.: Agriculture, so. Any questions? Alice any concerns?

AD Taijeron: No, that's was it, Attorney Finney brought it up if we designated it would go over, so we basically just authorize us to lease it. Put our RFP out to lease it for commercial purposes.

Commissioner A. Bordallo: Basically, the requests for proposal is to find out what the public interest is on that lot.

AD Taijeron: Actually, CLTC will develop the specifications for that, for commercial purposes, and it says here to include that the operation of a raceway so we can put that in the language and then bidders will come in and say ok for commercial purposes we'll do this for them and do this on this side for commercial. But before anything goes the commissioners have the opportunity to review and provide input.

Chairman John Reyes Jr.: for sure, So

Commissioner E. Garrido: I second the motion

Chairman John Reyes Jr.: Let's just for clarity purposes for Tina

Commissioner A. Bordallo: What was discussed

Chairman John Reyes Jr.: For clarity, please state the motion, just so that we can

Commission E. Garrido: We didn't change it

Chairman John Reyes Jr.: Just to make it formal

Commissioner D. Herrera: Just for clarity, I would like to make a motion to the Chairman to designate Lot 7161-R1 in Yigo for commercial use.

Chairman John Reyes Jr.: Can you add the public law?

Commissioner D. Herrera: Oh, and in accordance with public law 34-142

Chairman John Reyes Jr.: Thank you Commissioner Herrera. Is there a second?

Commissioner E. Garrido: Second.

Chairman John Reyes Jr.: Thank you Commissioner Garrido. Any objections?

Commissioner A. Bordallo: None

Chairman John Reyes Jr.: Ok yeh none, the motion passes to designate lot 7161-R1 in Yigo for commercial use in accordance with 34-142. Ok commissioners thank you so much, that has been lingering in our action items and I think the important circumstance where we're at, but these are the paths forward and we'll continue forward and Alice will do the expediting of this, thank you, I just threw that in there. Alright, let's get some updates for 95 applications

AD Taijeron: My apologies, Mr. Chair and Commissioners, we do not have any updates, we are still at 8:07am. We were working and then we had half the staff out with Covid and then the storm, so we're just trying to catch up

Chairman John Reyes Jr.: Ok, thank you. Just one thing to on to add to the applications, I know it's a daunting task but let's just continue to move forward as best we can. With the intent and purpose, nothing prohibits us from moving on to the next with proper notification and

AD Taijeron: I'm sorry Mr. Chair, Can I verify with PBS? Are we still online? Are we still recording?

PBS: Yes

AD Taijeron: Ok, I just got notice that we were potentially offline.

Joey Cruz, CLTC: Rob are we good?

Chairman John Reyes Jr.: Alright, our strategic plans right so again just to illiterate it is a document that is very alive and hope we can continue to make those changes as we go through the years to come and again things change, diets change, plans change so let's continue to make sure we don't do that. So, any questions on the last two. Ok, alright move on to our financial reports. Mr. Cruz or Alice

AD Taijeron: Just financial reports, it's in your packet, so we have a breakdown on revenue collection report for fiscal year 2023. We're going to be a little more

aggressive in regards to collecting and also I have an AG report that indicates the companies and I had a discussion with Joey today, I need the list of companies, how much are they behind and we'll start sending out letters saying payment needs to be made right so we'll be a little more aggressive there, nothing major to report other than collecting. We do provide the monthly revenue collection report to the Governor and the Speaker pursuant to law, it also in the packet.

Commissioner A. Bordallo: The only thing is there no expense on the monthly

AD Taijeron: So, revenue generating, Joey, have we have expended, we're not spending a whole lot.

Joey Cruz CLTC: We do have expenditures

Commissioner A. Bordallo: Yeah, you don't have it in the report

Joey Cruz CLTC: I'll have it next week

AD Taijeron: I'll have Joey do the expenditures

Commissioner A. Bordallo: we want to know if we're making money or not

Chairman John Reyes Jr.: Thank you commissioner Bordallo. (in auditable)

AD Taijeron: Report, we have a letter from Attorney Cunliffe & Cook regarding Ko'Ko recycling, so I understand this has been an issue previous and what I asked the team is to put together all the documents pertinent to Ko'Ko recycling. There asking for, I also sent this to legal counsel for her review, an agreement not to charge lease to be allowed to be on this property etc. and I'm just going to wait for legal guidance on that, we can't, I don't know if we can issue a lease without and RFP and I need more information in regard to historical data regarding any discussion that took place with Ko'Ko recycling and their attorney and Mr. Bello. I'm really unfamiliar with this issue, I've heard, been briefed so I'm seeking legal guidance and we're currently putting information together. The letter is in your packet for your information.

Commissioner E. Garrido: In regards to that, you also added the previous contract with Ko'ko and how they ended up getting an award.

AD Taijeron: Yes, I have asked the team to bring everything to the table

Commissioner E. Garrido: And also, if we were to lease out that land that he asking to control lease free, what is the value of that property? And I believe there is a connection with global recycling. How global plays in the scheme of things and why haven't they been making payments, which we don't have a lease with them.

AD Taijeron: So, much like we did with GRF, we are pulling together all the information that we have

Commissioner E. Garrido: What bothers me is that word, it was not a judgement.

AD Taijeron: And then with global, so far, I have not seen any other than a use agreement from the former Administrative Director, a year back I am not finding anything else but the team is putting out the information together. I have Joey taking that.

Commissioner E. Garrido: They do good work, provide good again.

AD Taijeron: We'll provide everything they have

Commissioner E. Garrido: Like I said, I still can't wrap my head around that would work with, it's not a judgment. The only way I can work my way toward that I need to see the initial agreement between Ko'Ko and CHamoru land trust.

AD Taijeron: Ok, initial contract ok. So, I place this in here for your information just so your aware we are trying to collect that information, on all of these issues Ko'Ko, global, everybody that's out there. Alright, so that's on Ko'Ko recycling. On June, I received, I understand in our last meeting we had a discussion on the Guam international country club and I know there are still questions the commissioners may have. In our previous meeting everyone received a letter from Guam international country club indicating their desire to potentially convert the property into a solar farm. Right, and I received an email a couple days ago, they wanted to meet, they've come up with a plan. I will meet with them prior to them meeting with the commissioners, I don't think they need to meet with the commissioners, they would come to board in order to do that to ascertain what exactly their plans are and where they want to go. I do want to point out to the commissioners and if it's not in your packet, I apologize, we make it available to you. Initially lease and laws that mandate the use of the property for GICC. So, we'll make that available to you for your review then we'll discuss after my meeting with them. They are asking for July 21st, there is so much happening so I'll try to get that in as soon as possible. Yes, with regard to GICC, so just as a reminder their monthly payment is 24,044.08, this far, payment from April to July we've collected 274,528.96, so they are past due more than 90 days, I would say this is like years back, 721,322.40 now with regard to how much they pay for their arrears, it fluctuates, because the commission did not ask for anything specific basically left it up to them to decide how much they're going to pay in addition to their lease. Their monthly payment

Chairman John Reyes Jr.: Their monthly payment. Sorry Alice, correct me if I'm wrong. Wasn't there some sort of schedule that was sent out

AD Taijeron: They had to finish it off by 2025

Joey Cruz CLTC: I think so, time box versus amount

AD Taijeron: So, that's it with GICC, I'll keep the commissioners informed in regards to our meeting. Hires, we have a PC 1 and PC 2 positions out,

government wide, we're just waiting for names and lists from DOA and hopefully we can schedule interviews and get people on board. I believe DOA is creating a list right. Any questions with that? And we're going to continue to hire as much as we can and as quickly as we can of course it's always with DOA. Ypao point, so I have been in discussions with the director from EPA, my understanding is that US EPA is doing the cleanup and CLTC is supposed to provide them authority or approval to process and do all of that, so we're working on composing the letter to US EPA giving them back the authority. So, they will be cleaning up Ypao point, now, which side they're going to clean up and if they're to clean up the entire site has yet to be determined. I have not gone to that detail discussion with the EPA director. But They will be responsible

Commissioner E. Garrido: Which EPA? Federal or local?

AD Taijeron: US EPA will do the cleanup and I'm connecting with EPA whose communicating with the US EPA. Local EPA, director, Michelle Lastimosa We have been in communications with that

Chairman John Reyes Jr.: And the site closes on this Saturday

AD Taijeron: Yes, July 15th, Yes

Chairman John Reyes Jr.: Saturday, we need to be very certain, Alice

AD Taijeron: Oh Mr. Chair, just for information purposes, we put out a bid for new office space, we have to work with GSA on this, because we got the same offer, we put out a bid for 5,000 square feet, right Joey it's 5,000. And we got a response from the current landlord and we asked what floor will that be on and said it's on the same floor. Initially this space is like 4,400, like 600 square feet less. It's less than the 5,000 that we're asking for again we're going to have to iron that out but it has been out, if we don't get another bidder, we'll have to keep putting it out, right now we are month to month. I'll do everything I can to ensure

Commissioner D. Herrera: At least per month when you last sign this

AD Taijeron: What page are, 12

Joey Cruz CLTC: 13, a little over 10,000

AD Taijeron: It's increased by almost 3 dollars a square foot

Joey Cruz, CLTC: We currently pay 2.35, the proposed rate now is 3.05

AD Taijeron: So that's ongoing, right and then, and last your packet, there's a public hearing on Wednesday, July 19th regarding bill 116 introduced by Speaker Therese Terlaje also our chairperson, the bill is attached also has to do with undated information in regard to mining and quarrying and things like that so if you're interested it's there for, to provide testimony and as to review

the bill and making my determination regarding that bill and participating. I think that's it for our agency report.

Chairman John Reyes Jr.: Commissioners Any questions for Ms. Taijeron?

Commissioner E. Garrido: That was agency report?

Chairman John Reyes Jr.: Yeah, agency report. In relation to the agency, any questions on that

Commissioner D. Herrera: You mention about the hiring

AD Taijeron: Yes, so PC, the Program Coordinator 1 and Program Coordinator 2 was already published government wide, I believe we're waiting for a list from DOA

Commissioner D. Herrera: Ok

AD Taijeron: Then we will work on the next group; next few positions

Commissioner D. Herrera: And this one we don't need a solution of legal, and the reason why I'm asking, they have been allegations for the Guam mass transit, they have hired their own executive director and are charged by the AG for illegal, abuse. Are you familiar with that?

AD Taijeron: Yes, based on what I read in the newspaper, ah yes

Commissioner D. Herrera: Including DOE, so, are we safe on this one? Because I know we had you on board right but I wanted to clarify this to kind of specify we want to hire X position and this is the category based on the pay scale I mean, you don't want to be personally liable

Commissioner E. Garrido: These are classified positions?

AD Taijeron: Yes, these are classified positions, there are going through DOA, there going the process, they'll go through the hiring process, interview process pursuant to DOA rules and regs that in regards to our positions. All of our positions going out are unclassified right so they'll go through the process, with regard to, the only unclassified position you have in mind, we do have a detailed individual, here, she's um. I have expended funds contrary to that

Commissioner D. Herrera: I would like to recommend right, since you're our administrative director I would like to have the agency a deputy or an administrative manager.

Chairman John Reyes Jr.: Like an administrative officer

Commission D. Herrera: yes sir

Chairman John Reyes Jr.: Ok

Commissioner D. Herrera: Just by, here for almost a year and a half. I'm the last who has the background and who has all the data here like a PC4 and the PC4 is underrated by all the responsibilities that the position taking and I would like to recommend the position be converted to a classified position as an administrative officer or a deputy director if it's a classified position.

Chairman John Reyes Jr.: Yeah, very good point

Commissioner D. Herrera: Because of the work load and the scope of responsibility, I will use this as an example, Global, global has a report that about 90 pages back-to-back like this and then we have the 800 pages report for the Guam raceway federation and then we have another upcoming year that requires all the details and you know if the document. I can honestly say this PC4 has been here since I've been here back in the 90's, you know he has tremendous amount of knowledge and I think he's under paid and to be frank and straight, he is very capable, it should a warrant a reclassification of position and I'll stand in that position and if I am willing to be a cited by the AG for abuse then I'll I will face the board.

Chairman John Reyes Jr.: Thank you, commissioner Herrera. Definitely speaks of tremendous work of our PC4. But I think Alice what will be our hiring strategy is the analysis of putting in the administrative officer of sorts or a deputy. If the budget can sustain it or what we can do to, commission Herrera

Commissioner D. Herrera: Classified position right Alice, you were saying

AD Taijeron: So, most deputy positions are unclassified. Right, now in regard to our PC4 I'm very well aware, I think, I'll take a look at the definition of the administrative officer to see if that everything he does will warrant that and if pay is better or comparable of that position has a better trajectory than a PC4. When you're a PC4 for so many years the only way to go is administrative moving up from there if I'm not mistaken. Something that we have been discussing and I have been thinking about given his responsibilities is a controller position.

Commissioner D. Herrera: Right yeah

AD Taijeron: Controller position

Commissioner D. Herrera: Administrative officer for the transactions

AD Taijeron: Yes

Commissioner D. Herrera: That's where I'm coming from

AD Taijeron: So, I'm looking at a controller position, I will work on that and bring to the board, yes, I recognize that our PC4 we work closely together, I even ask him about being deputy, he doesn't want. He doesn't want commissioner Herrera, right, I think he might fit better in a controller position.

Commissioner D. Herrera: That plus a supervisory position for the land agents

Chairman John Reyes Jr.: Yes, it would help for sure and we have the flexibility, we were fortunate enough to continue to get a budget to sustain additional income. I think, it's been a hard climb to get people to interview, they are definitely trying to get them to

AD Taijeron: I know we've been asked about this, but honestly what's happened is people declined, they don't want the position, I'm hoping now with the adjustment and bringing everybody up to present time with regard to the 22 percent that people will be more interested in these positions that we're advertising for. We do need people, we are understaffed. Our land agents, I mean, I am constantly assigning cases can they follow up, follow through. Our land agents have a lot of cases in addition to everything else that they need to do. Right, we are trying to clean everything up and there's other things that need our attention so I am trying to expedite everything.

Commissioner D. Herrera: So, the 22 percent is already implemented already, so it's in their pay check now.

AD Taijeron: Yes sir

Commissioner D. Herrera: Ok, maybe we need another 22, no seriously, cause we came from the airport and we just hired, I mean we were trying to hire and DOE is advertising a lot of

AD Taijeron: Taking a lot of, I'm afraid to lose them, I'm afraid to lose our PC4 to a you know the feds or private sector, they do pay better, the benefits so.

Commissioner D. Herrera: Thank you Mr. Chair

AD Taijeron: Thank you commissioner Herrera

Chairman John Reyes Jr.: Any other comments commissioner Garrido

Commissioner E. Garrido: Couple things, one of them was before your time, this was back in November.

AD Taijeron: Ok

Commissioner E. Garrido: There a plot down in Tumon, basically across from the world restaurant

AD Taijeron: Yes

Commissioner E. Garrido: That's CHamoru Land Trust land

AD Taijeron: Yes

Commissioner E. Garrido: And I believe there was a interested party that wanted to lease that

AD Taijeron: Yes

Commissioner E. Garrido: I did comment back then, we should rezone that property before we lease it out. Right now, it's showing as agricultural lot.

Chairman John Reyes Jr.: Right, down in Tumon

Commissioner E. Garrido: And it's in an area that should be classified as hotel.

Chairman John Reyes Jr.: And I think that's under the GEDA inventory as well

AD Taijeron: Property Management

Commissioner E. Garrido: Is it under GEDA?

AD Taijeron: GEDA, Property management, yeah

Commissioner E. Garrido: And another thing I would like to bring forward and I hope we can get a quick response to is, I've asked a couple times before, is inventory of CLTC holdings. Especially up north, because that seems to be where are the water is boiling.

AD Taijeron: So, you want a list of all the properties we have, yes

Commissioner E. Garrido: All residential, agricultural and commercial.

AD Taijeron: Ok

Chairman John Reyes Jr.: I know that's in the database, it's just a matter of how to extract it to the decibel, can I just add that the land registration, is that applicably

AD Taijeron: I haven't, I think I have one case where we had 2 land agents go up to testify for registration if I'm not mistaken, that was early on, with Eileen and

Joey Cruz, CLTC: I believe that was the Piti lot

AD Taijeron: The Piti lot yeah

Joey Cruz, CLTC: I think that has been settled already

AD Taijeron: So, I haven't had or seen, Mr. Chair and commissioners, this is on my agenda to do. Because we are experiencing issues with a people on unregistered land, people with leases from CLTC on unregistered land and so, that's something we're reviewing and trying to adjust

Commissioner D. Herrera: Based on the inventory that he's asking, so this map right behind you, interface the properties and have maybe Mr. Pierce, if you look at the left map and the right map, that specifically kind of material, remember we are having a public hearing on Fidian, a portion of the quarry. So, if you look at map on the right and the map on the left. Do you see the green color circle, that's part of the hard rock material, and this is why the quarry people from Smithbridge to Hawaiian Rock are looking for properties within that area to extract for projects that require ... *(inaudible)*
Specifications for example, runways, material for hotels and other things. So that big portion there will show us that Chamoru land trust, in that area, because we don't know where Fidian, we know it's next to Gloria Nelson compound.

Chairman John Reyes Jr.: GPA

Commissioner D. Herrera: right, so, even if you get the mapping for that before the public hearing, that will give us a well-rounded understanding how much, the portion or somebody excavated.

Chairman John Reyes Jr.: Thank you, Commissioner. Commissioner Garrido anything else

Commissioner E. Garrido: No, that's it for now

Chairman John Reyes Jr.: Thank you commissioners, thank you Alice. We are now public comments. Let's start with google meets, anyone on the line for public comments?

Tina Tainatongo, CLTC: Eileen Gilbert is from the Navy and not too sure about Tristan

Chairman John Reyes Jr.: I think Tristan is from the speaker's office. Ok hearing from the google meets in the gallery, an opportunity for public comments. Please come to the front, if you don't mind, for the record please state your name

Yohei Koike, GICC General Manager: My name is Yohei Koike, I'm the general manager, thank you for your time, I know it's been a long day and I just want to make short, and I just want to inform you guys that we don't have certain amount we have to pay from arrears, we only know until when we have to pay since 2016, but we were paying 42,000 dollars original our monthly pay is 24,000 roughly and you can help me Joey it's 24,000 something right

Joey Cruz, CLTC: 24,044.08

Yohei Koike, GICC General Manager: Oh, thank you, and the arrears of 17,000 dollars additional we were paying in the first month, first 2 months after the meeting, this meeting I got total of 42,000 dollars, but because of every 1st of the month, all payment was paid, and then after the meeting we were

compiling the payments for the monthly payments on top of that we paid 17,000, twice, once, we paid a total of 42,000.

AD Taijeron: April to July right

Yohei Koike, GICC General Manager: And the last 2 months after the typhoon, we couldn't, I have so much damage on the golf course, and maintenance shelf, ceiling blew away and we have to secure and we have our emergency repair. I am so sorry that we couldn't come up with the 17 toward the arrears but we will catch up by August 1st payment. I don't think we are violating the promise because we don't have set amount arrears, plus, I just want to let you guys know that we will be catching up by 1st of August

Chairman John Reyes Jr.: As long as the monthly fee is on time

Yohei Koike, GICC General Manager: Yes

Chairman John Reyes Jr.: You have your time box, thank you so much

Commissioner E. Garrido: Ah, before you get up, you submitted a letter to convert the golf course to a solar farm.

Yohei Koike, GICC General Manager: Yes

Commissioner Garrido: You have to go through a bid process in win that solar farm bid

Yohei Koike, GICC General Manager: Yes

Commissioner E. Garrido: but I don't know your lease agreement allows you to convert into a solar farm, I think that needs to be done through the legislature.

Yohei Koike, GICC General Manager: Yes.

Chairman John Reyes Jr.: Please state your name.

Carlos Camacho, GICC: I'm Carlos Camacho, financial advisor to GICC has asked me if I could look into their situation into how to best use since I have to understand the dynamics. And trying the understand the best use we can do, we think, a couple things that made it very possible, the Biden administration started with the redemption act that provided our tax credit, developer. Tax credit on energy, solar energy. So, before we answer the question of when will we be up. We want to develop for potential solar energy opportunity, we think redemption act, tax credit can lower down our cost of investments, watching how the dandan stuff and marble stuff and what their cost is, their investors think it's wise for them to diversify, we all know that we need to go the legislative process first, because, the law says the legislature is the only one to change the intent. So, literally going through the hoops of concepts on this one, we did all that and we wanted to make sure how we, how do we protect the

cash flow sustainability and we got that presentation which we were going to present to the director. We can provide it here today

Commissioner E. Garrido: You would have to deliver... *(inaudible)*

Carlos Camacho, GICC: This cash flow shows what they would have paid as a golf course from point a to point b from what they have on schedule term, what we propose to pay again, we're proposing with the senator for them to propose and independent MIA appraiser, so they can appraise the lot to best use so you guys and use whatever present value cash flow, what we're doing in our financial model is to make sure, the solar agreement, you right, the question is? How you know you going a

Commissioner E. Garrido: No, that wasn't my question, my question is? The use of the property?

Carlos Camacho, GICC: Yeah, so the use of the property

Commissioner E. Garrido: Doesn't include the solar

Carlos Camacho, GICC: That would need legislative change, we decided to, we heard some comments, Joey I think and all that. We want to use the cash flow there for guys on all those civil programs and for your development, but how do sustain a cash flow? So, we wanted to use the same model as endowment of corpus fund. So, the money will sit in a fund, earn a rate whatever your financial advisor that GEDA does for ancestral land commission. Last we heard, they did their investment, did a 4 percent return, be aggressive, conservative one focus on their annual investment, money they put in from the crown lands, so much dollars a year, so we did that presentation to show if we put 7 to 9 million dollars up front, prepaid, assuming what the MIA appraisal comes in. That way you, endowment, you guys will control that. Lock box money for you guys, you guys will earn that through your funding source though your financial advisor which will be GEDA. Same a ALC, 4 percent would yield that kind of cash flow that will more than the ground lease that we're presently paying. Now, in this presentation that we're going to show the director, it shows how strategically there going to master plan the golf course because it will hit 3 economic benefits, 1, we are, we know that Therese Terlaje is trying to protect anything in the aquafer, mining minerals anything penetrating through the aquafer. The golf course is using a lot of fertilizer and all that, I'm not trying say that, used to maintain the gold course, so, to take the northern aquafer, we're diversifying into a solar farm right, environmental benefit, economic benefit because, if the cost of their solar is lot more that then takes over the rate payers, 60 megawatts then marvel helps 10,000 families, 45,000 megawatts helps another 8,000 families and their property will yield potentially 60 megawatts of solar energy, now you're right. We don't know if you're going. Give the authority to give the opportunity and I'll give an one example of my case, one of my cases when she was at Guam Housing director, prior to that, for 20 years the Lada project did not develop, ghost town, track. I did the same thing for my client at that time it was Maeda corporation, we changed the law to allow a lower income housing rental program. Today, 399 families live there in a

different contract, different contractor but the end use was the benefit, that use of that property. So, we're looking something very similar to this, we think it has a lot of accolades, of course, we need that legislative authority, we don't know, there's 15 of them down there, we watch, we watched when you guys did the raceway track, and we were all listening, it was all about the cash flow, based on the cost and all that. What we're going to present is all about the cash flow. What we're going to present is sustainable cash flow. And when that is happening and the solar is being built, they will still be paying their existing rent until such time it matures over to the solar part. It's not going to have any hiccups, ok stop because the law passed, we're not going to pay, the rent going to still happen until it matures over to them, in a nutshell.

Chairman John Reyes Jr.: Thank you Mr. Camacho. So, I'm sure the commissioner, uh the director will hear that presentation and she will present at that point in time.

AD Taijeron: Thank you Mr. Chairman. Can I say something? Ok Mr. Camacho, thank you briefing of the commissioners. We will schedule an appointment to review your presentation, however, I must say it's rather presumptuous for you and GICC to think that it's only about cash flow, Cash flow is very important to the CLTC, for so many years they've not receive the funding they need to carry out the mission mandated by the legislature, right. Cash flow is very important, but for me, sitting here as the Administrative Director for the CHamoru Land Trust Commission, I think about it's a very delicate balance to help our beneficiaries and to protect our environment. Protect our environment so, with regard to your presentation I would hope that in addition to cash flow which is important right, but it must be balanced with the importance of protecting our environment to ensure, to ensure that our people, our beneficiaries can benefit in both ways, so be sure in that presentation there's way to protect the environment, to ensure we don't degrade the environment, just taking that into consideration, it not always about cash flow, taking very much aware of that and the need. Take that in consideration the need to protect our environment for our beneficiaries and our island right. Land is inelastic, Guam is never going grow, we continue to be flooded, increase in population and demand on our water and I am very concerned, I'm not familiar with solar, I'm going to get familiar with solar power and the potential impact that it may have on our land, leakages, spills into our aquifers that people feed our island. So, in your presentation makes sure there's information regarding that, because I will. I'm sorry Mr. Chair, I'm just very, I was rather taken back by that, somewhat resumption that is always about the cash flow. No.

Carlos Camacho, GICC: I'm sorry, I only stated that because I was watching your public hearing about a week ago, 2 weeks ago. That was the key question they keep asking was the reason why, I'm just asking because of what I was hearing.

Commissioner E. Garrido: No, that issue was, raceway started without a feasibility study. And that's why cash flow was brought up, I just want to leave it at, I don't want to.

Chairman John Reyes Jr.: I was going to say, let's leave it at that. We will anticipate your presentation to the director and anticipate your presentation to the board or vice versa, you can also present to the board, we'll leave that up to Alice to connect or coordinate.

Commissioner E. Garrido: No going back to you guys, since you're trying to make a bid for solar energy project in that area, are you also anticipating the cost of constructing a transmission line for the solar energy farm into the GPA grid

Carlos Camacho, GICC: Well, since you asked that and I (in auditable) what the beauty of it. We looked at other sites that are going to the solar industry, they had to do a lot of offset structures that are millions of dollars away. The grid for this property, right next to this potential property is not too far away.

Commissioner E. Garrido: I'm quite aware that's Dededo power plant.

Commissioner D. Herrera: GPA plant

Commissioner E. Garrido: And the new power plant is just down the street again, but if like a little bit of recommendation from me for the transmission line because they did it for dandan, underground that way they don't have to worry about typhoon since you passing on the power onto the GPA grid

Carlos Camacho, GICC: When you see the presentation, you will see how far, or close we are to the grid

Commissioner E. Garrido: Yeah, but you have to go along easement, you can't cut along

Carlos Camacho, GICC: Of course, of course. That's the strategic silver lining that is.

Commissioner E. Garrido: Instead of overhead, I'm pretty sure that's an issue you need to resolve with GPA, I'm just giving you a heads up, maybe that might be a plus for you when you present your proposal.

Carlos Camacho, GICC: Yeah

Chairman John Reyes Jr.: Thank you, any other questions? Alright, thank you so much for your continued payments. Lastly, we'll move into comments commissioners. Any questions on comments.

Commissioner E. Garrido: I think I made enough comments.

Chairman John Reyes Jr.: Commissioner Herrera?

Commissioner D. Herrera: No that's it, sir.

Chairman John Reyes Jr.: Commissioner Bordallo? Ok actually just for the record, I missed reading the public notices. So, for the record I'm going to capture that. The public notices for today's meeting was published in Guam daily post on July 6, 2023 and July 11, 2023. Notices were also posted online at the CHamoru land trusts website at guam.gov the CHamoru Land Trust, and the commissions facebook page and the government of Guam public portal at notices@guam.gov this meeting is being live streamed on YouTube @govguamlive and made possible by our partners at PBS so I missed that housekeeping item and then commissioners just as you are aware today is my last meeting, and last day with the commission as we discuss. I humbly, humbly appreciate and thank you so much for your support and dedication to the commission and I'm sure you will continue, and I trust that you will be an awesome team so thank you so much in supporting me and I appreciate all the help and wealth of knowledge in support in getting us through the red table, especially with the 2 big projects

Commissioner E. Garrido: It was a 2-way street

Chairman John Reyes Jr.: I know but I couldn't have done it without you. With that said, I will ask Commissioner Bordallo if she can act as the acting commissioner, until...

AD Taijeron: Acting chair

Chairman John Reyes Jr.: I'm sorry as the acting chairperson or chairwoman until one is appointed or decides on one. There are also names that are being submitted to the governor to appoint to really try hard to get us to a full commission seat so again Attorney Finney, thank you again, it's was a short period but made a lot of and I appreciate that with Alice and her staff so with that said may I get a motion to adjourn?

Commission D. Herrera: For the record I like to thank you sir for your exceptional leadership, personally thank you

Chairman John Reyes Jr.: May I get a motion to adjourn? Sorry lastly our next meeting August 17th that's a Thursday 2023 at 1pm. Motion to adjourn please

Commissioner D. Herrera: Thank you I would like to make a motion to adjourn Mr.

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

Commissioner A. Bordallo: I second

Chairman John Reyes Jr.: Commissioner Bordallo, thank you. Any objections? Hearing none. The time is 4:19 committee meeting is adjourned

*****NOTHING FOLLOWS*****