



Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Commission Members

Arlene P. Bordallo
Chairperson

Earl J. Garrido
Commissioner

Joseph F. Artero-Cameron
Commissioner

Fabienne Cruz Respicio
Commissioner

Jeremy J. Rojas
Commissioner

Joseph B. Cruz Jr.
Acting Administrative Director

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

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CHamoru Land Trust Commission Special Board Meeting **Friday, June 6, 2025 from 1:03PM to 2:08PM**

CHamoru Land Trust Conference Room, 590 S. Marine Corps Drive, ITC Building, Suite 223, 2nd Floor, Tamuning, Guam. Public Comments may be made at cltc.admin@cltc.guam.gov. To view the meeting virtually, log in the GovGuam Live-YouTube or Google Meet and join into Video call link: <https://meet.google.com/Xgx-jkys-saf>

MEETING MINUTES

Public Notice: *The Guam Daily POST* on May 30, 2025, and June 4, 2025

PRESENT:

Commissioners

Arlene P. Bordallo, Chairperson
Earl J. Garrido, Commissioner
Fabienne C. Respicio, Commissioner
Jeremy J. Rojas, Commissioner
Joseph F. Artero-Cameron, Commissioner (via Google Meet)

Management and Staff

Joseph B. Cruz Jr., Acting Administrative Director
Norman Lee Miller Jr., Deputy Attorney General
Glenn Eay, Acting Land Agent Supervisor
Eileen Chargualaf, Land Agent II
Jhoana Casem, Land Agent II
Lydia Taleu, Land Agent I
Charlene Mayo, Land Agent I
Pierce Castro, Planner II
Jenny Lucas, Program Coordinator II
Dexter Tan, Program Coordinator I

OLD BUSINESS

A. FY25 Appropriation of Nine Million Dollars (\$9,000,000)

Summary

The CHamoru Land Trust Commission, including Chairperson Arlene P. Bordallo, Commissioners Earl J. Garrido, Fabienne C. Respicio, Jeremy Rojas, and Joseph Artero-Cameron, along with their Attorney and Director Cruz (Acting Administrative Director, Joseph B. Cruz Jr.), discussed the \$9 million FY25 appropriation for surveying and infrastructure, focusing on six (6) specific tracks and utility services, particularly for Tract 1113 and its potential benefit to Tract 1022 which has illegal dumping issues. Two motions were passed: one authorizing the acting administrative director to initiate agreements with utility agencies and the Department of Land Management, and another authorizing the expenditure of funds upon completion of these agreements, with any amendments or cost increases requiring board approval. The board will receive progress reports at each subsequent meeting.

Details

- **Meeting Called to Order and Attendance** Chairwoman Bordallo called the CHamoru Land Trust Commission Special Board Meeting to order. Commissioner Earl Garrido, Commissioner Jeremy J. Rojas, Commissioner Fabienne C. Respicio, and Commissioner Joseph F. Artero-Cameron were present, along with their Attorney and Acting Administrative Director Joseph B. Cruz Jr.
- **FY25 Appropriation for Survey and Infrastructure Fund** Director Cruz provided a history of the \$9 million FY25 appropriation for the CHamoru Land Trust Commission Survey and Infrastructure Fund. The fund's expenditures are restricted to surveying, mapping, registration of land, CLTC property inventory, and infrastructure construction. Initially proposed for eleven (11) parcels, the project was scaled down to six specific tracks due to funding limitations.
- **Discussion on Specific Tracks and Utility Services** AAD Cruz detailed the six proposed tracks, highlighting Tract 1113, Block 16 (Astumbo Elementary School) for water, wastewater, survey, and power utilities, which could also benefit track 1022, an area with illegal dumping concerns. Connecting to the infrastructure proposed for Tract 1113 could significantly reduce the cost of providing utilities to Tract 1022 compared to an earlier pilot project. Commissioner Rojas inquired about coordinating with utilities to ensure the expandability of the infrastructure to service other lots. AAD Cruz stated that, based on information from GWA, expansion is possible with the potential addition of lift or pump stations.
- **Addressing Illegal Dumping and Existing Subdivisions** AAD Cruz discussed efforts to mitigate illegal dumping, suggesting the presence of their lessees could help. Commissioner Respicio asked about the intention for water and wastewater services, confirming the plan is to bring city sewer systems to both the already subdivided lots (474 sq meters each in Tract 1022) and the proposed subdivision in Tract 1113, also intended for 474 sq. meter lots. AAD Cruz confirmed that GWA is aware of their intentions and that their project cost analysis included needed pump support for expansion.

- Concerns about Road Paving and Utility Coordination** Commissioner Rojas raised the importance of including road paving in the project, given the number of residents affected. AAD Cruz mentioned that paving was not detailed in GWA's initial cost projection, and they would be meeting with GWA's general manager to discuss it further. JM Casem emphasized that the board would be updated on any changes or increased expenditures.
- Motion to Authorize Agreement with Utility Agencies**
Commissioner Cameron made a motion to authorize the acting administrative director to initiate the process of executing a memorandum of agreement with the Department of Land Management, Guam Waterworks Authority, and Guam Power Authority for their services as detailed in the report. The motion stipulated that any necessary amendments recommended by these agencies must be presented to the board for approval. Motion seconded by Commissioner Respicio. There was no further discussion. Chairwoman Bordallo called for a vote. Motion passed, 4-0.
- Motion to Authorize Expenditure of Funds**
Commissioner Cameron made a second motion to authorize the acting administrative director to encumber and expend funds up to the projected costs upon completion of the memorandum of agreement. This motion also stated that any cost increases exceeding the projected amounts would require board approval. Motion seconded by Commissioner Respicio. There was no further discussion. Chairwoman Bordallo called for a vote. Motion passed. 4-0.
- Discussion on Prioritizing Projects and Road Costs**
 AAD Cruz addressed how they would proceed with the six selected projects, stating they would discuss the approach with the utilities and emphasize Tract 1113, ultimately bringing recommendations back to the board for approval. Commissioner Rojas reiterated the need to include a quote for road costs when working with the agencies to improve the living standards of the residents. AAD Cruz assured they would do their best to negotiate the inclusion of road costs.
- Inquiry about Utility Inventory and Project Timelines**
 Commissioner Rojas questioned if the utilities have the necessary inventory for the projects and the estimated timeline for getting everything together. AAD Cruz indicated that GWA typically contracts out most of its work, while GPA has in-house staff for such work. They hoped that materials would be readily available, but acknowledged the process involves environmental assessments and design work.
- Performance Bonds and Accountability**
 Commissioner Rojas inquired about requiring performance bonds from GPA and GWA, given that CLTC would be their customer. AAD Cruz explained that, as a government entity engaging another, the requirement for a performance bond might differ. However, Attorney Miller, Commissioner Garrido, noted that GWA typically imposes performance bonds on their contractors and expects similar accountability in their agreements with government entities.

- **Discussion on Unexpended Appropriations and Future Projects**
AAD Cruz clarified that the unexpended appropriation of approximately \$310,000 could potentially be used for contingency funding, increased project costs, or other projects if the initial \$8.6 million is sufficient. They would also be seeking a cost estimate for road paving.
- **Commissioner Cameron's Inquiry on Other Commission Funds**
Commissioner Cameron asked about other monies under the commission, particularly funds intended to safeguard constituents in the event of typhoons. AAD Cruz explained that CLTC has several special and revolving funds, with three currently active: CLTC operations fund, survey and infrastructure fund, and the eligible beneficiary home loan fund (formerly CHamoru Land loan guarantee fund). The home loan fund, supported by real property taxes on CLTC lease property and a recent infusion of funds from the governor, is for mortgages that go into default.
- **Safeguarding Loan Funds and Potential Legislation**
Commissioner Cameron raised concerns about potential legislation diminishing the funds available for low-interest loans for constituents needing to upgrade their property due to storms. AAD Cruz stated that the act specifies the fund is under the custody of the certifying officer (director), and they are working on an SOP for revenue collection and regaining custody of those accounts. Attorney N. Miller, Commissioner Garrido, noted that while budget acts often restrict the governor from transferring money out of the land trust fund, any legislative changes could impact this.
- **Motion for Progress Reports**
Commissioner Cameron made a third motion to require the acting administrative director to report to the board on the progress of these projects at each subsequent regularly scheduled meeting until completion of all the projects. Motion seconded by Commissioner Respicio. There was no further discussion. Chairwoman Bordallo called for a vote. Motion passed, 4-0.
- **Clarification on Appropriated Funds**
Commissioner Respicio sought clarification on the \$4 million appropriation for the loan guarantee fund, asking if it was currently in their possession. AAD Cruz confirmed the funds are in an appropriation account and readily available, but are intended to support issued and future loan guarantees. They are seeking to reclassify the appropriation to move the funds to a bank account. Attorney N. Miller cautioned that appropriated funds could be unappropriated if not spent and authorized in subsequent years.
- **Loan Management and Financial Obligations**
Attorney N. Miller explained that paying off a loan allows ownership of the house and land, potentially leading to larger financial benefits for the trust. They emphasized the importance of understanding the total amount of loan guarantees and anticipating potential defaults when discussing finances with the legislature. Attorney N. Miller likened the commission's position to a bank in managing a loan loss mitigation fund, needing to have sufficient funds to cover potential defaults.

- **Project Timelines and Utility Coordination**

AAD Cruz addressed a question about the timeline for Tract 1113, stating that if it takes a long time, they will return to the board to discuss reallocating funds to other tracks. They hope that utility companies and contractors can work simultaneously, but will have more clarity after their upcoming meeting. AAD Cruz noted that the infrastructure is sufficient and their recent sewer projection is up-to-date, unlike the older projection for Tract 1022.

- **Financial Accounting and Legislative Understanding**

AAD Cruz clarified that once the commission enters into agreements with utilities obligating them to work and the commission to pay, the money is considered spent for accounting purposes, even if the physical work is delayed. This understanding is important when discussing finances with the legislature, as they may not immediately see the funds being used. AAD Cruz mentioned a target deadline of September 30, 2025, to execute permits.

- **Meeting Adjournment**

AAD Cruz indicated that the presented item was the only one for the special meeting and asked the commissioners if they had any motions or further discussions. Chairwoman Bordallo asked for a motion. Motion to adjourn the meeting made by Commissioner Rojas and seconded by Commissioner Garrido. There are no further discussions. Chairwoman Bordallo called for a vote. The motion passed, 4-0.

The meeting adjourned at approximately 2:08PM

Transcribed by: Jessica Dayday, Land Agent II

JULY 17, 2025

Approved by motion in the meeting of _____

Chairperson Arlene P. Bordallo

Arlene Bordallo

Date *7-17-25*