



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

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*Lourdes A. Leon Guerrero*  
Governor

*Joshua F. Tenorio*  
Lieutenant Governor

Commission Members

*G. Pika Fejeran*  
Chairwoman

*Joseph I. Cruz*  
Vice-Chairman

*Amanda L.G. Santos*  
Commissioner

*Austin J. Duenas*  
Commissioner

*Shawntel L. Techaira*  
Commissioner

*Jack E. Hattig III*  
Administrative Director

## COMMISSION MEETING MINUTES

Department of Land Management Conference Room  
3<sup>rd</sup>. Floor, ITC Building, Tamuning  
**Thursday, March 21, 2019, 1:07 p.m. – 5:34 p.m.**

Public Notice: The *Guam Daily Post* on March 14, 2019 and March 19, 2019

### I. CALL TO ORDER

Chairwoman Pike Fejeran: called the CHamoru Land Trust Commission meeting to order at 1:07 p.m.

### II. ROLL CALL

#### Notation of Attendance

Present were: Chairwoman Pika Fejeran, Commissioner Amanda Santos, Commissioner Shawntel Techaira, Legal Counsel Nicolas Toft, Administrative Director Jack Hattig III

Vice Chairman Joseph Cruz and Commissioner Duenas will be present later in the meeting.

### III. APPROVAL OF MINUTES

Chairwoman Pika Fejeran: stated present to the Commission are meeting minutes for the February 7, 2019, CLTC Meeting and asked if the Commission have any comments.

Chairwoman Fejeran: asked a few questions, 1., regarding page 5, towards the end of the page, the beginning of Constituent Matters under Norma Arciga Benavente on the agenda, which was presented by Winnie Arciga Tenorio. There was a written statement that was read by Winnie Tenorio, the minutes only reflect that a written statement was read and wanted to know if there was a way to incorporate the written statement into the minutes.

Administrative Director: in response, because the letter was quite lengthy to refer to it as an exhibit.

Commissioner Techaira: in addition to the minutes stated the first numbered page indicated 1 of 32 pages, however should be 1 of 33 pages.

Vice Chairman Joe Cruz is now present

Rev. 02/4/2019

Chairwoman Pika Fejeran: stated in the future if someone has a written testimony and is read at the CLTC meeting to attach it the minutes as an exhibit.

Also noted a typo on page 7 to be corrected to ONE instead of ONCE and on page 28, towards the bottom of the page, third to the last paragraph should be WOULDN'T instead of WOULD.  
Asked if the Commission had any other comments.

No other comments from the Commission.

Chairwoman Pike Fejeran: asked if the Commission would like to approve the minutes subject to the revisions that were discussed.

Vice Chairman Joe Cruz: made a motion to approve February 7<sup>th</sup> meeting minutes subject to the corrections made as stated earlier.

Second by Commissioner Techaira – PASSED Unanimously

Chairwoman Pika Fejeran: moved onto the next item on the agenda

#### Summary & Action Items

Chairwoman Pika Fejeran: stated the Summary and Action items are designed to communicate the CLTC meetings, decisions and action items in a quicker fashion, more easy to read and understand than the minutes. The minutes take about a full month to get transcribed and to the Commission where as the Summary and Action items is a way for the Commission to allow others who were not present in the meeting to have an understanding of what was discussed.

Per Legal Counsel it was recommended the Summary and Action items are not open to the public until the Commission approves. What she would like to is as the meeting is occurring, the Director and his staff will be taking notes and forming the Summary and Action items; at the end of the meeting the Commission can review and give the approval then.

Commissioner Techaira: asked if the Summary and Action Items will be released after approval.

Chairwoman Pika Fejeran: in response, yes, it can be for the public to view after the Commission gives the approval.

Vice Chairman Joe Cruz: asked what happens in the event there is a conflict with the minutes and the summary.

Chairwoman Pika Fejeran: in response, stated it will be reviewed thoroughly.

Administrative Director Hattig: also responded, the summary will be at the end of the meeting which will be reviewed by the Commission and approved then.

Vice Chairman Joe Cruz: in response, asked who will be responsible for putting the Summary and Action Items together?

Administrative Director Hattig: in response, stated under his supervision, the staff and he will be taking notes throughout the meeting.

Vice Chairman Joe Cruz: stated his main concern is who will be doing the summary and action items during the meeting and when the commission approves the summary and action items prior to the minutes and there is a conflict, what happens then?

Chairwoman Pika Fejeran: stated, the purpose to prepare as the meeting is occurring, is the Commission and everybody will be in the same understanding.

Administrative Director Hattig: in response, suggested after the Summary and Action Items are approved by the Commission to attach it to the minutes

Vice Chairman Joe Cruz: in response, it should be a part of the minutes and should be an abstract from the minutes to discover discrepancies, if any.

Chairwoman Pika Fejeran: in response for better understanding, referenced to ongoing meeting, As of present meeting happening, notes will be taken, abstract action items, end of the meeting the Commission will review make any corrections if needed, Commission will approve after corrections are made, then when the minutes are being transcribed; the audio, the approved action items and when the minutes are submitted to the Commission, it will be the full package.

Vice Chairman Joe Cruz: stated, he just wanted to be sure because the Commission is approving a document that is secondary to the minutes prior to the minutes getting approved.

Chairwoman Pika Fejeran: referred to Assistant Attorney General Nicolas Toft for any insight on the Summary & Action Item process.

Assistant Attorney General Nicolas Toft: in response, it is really up to the Commission, there is no legal statute on what the Commission wants to safe guard.

Chairwoman Pika Fejeran: stated, the Commission wants to be sure that what they are doing is safe guarded and wants to do a good job also in the interest of being transparent. It is convenient and easy for people to read through two pages of action and summary items in terms of what was discussed and the actions the Commission took a day after the meeting as opposed to waiting thirty days to read lengthy minutes for the same information.

#### **IV. SUMMARY & ACTION ITEMS**

##### **1. January 29, 2019, Special Meeting**

Moved on to the revised Summary and Action Items for the CLTC Special Meeting held on January 29. Items revised pertained to the list of priorities given to Administrative Director Jack Hattig III. Asked if there were any comments to be made.

No comments made asked for a motion to get approved

Motion to approve January 29, 2019, Special Meeting Summary and Action Items by Commissioner Techaira.

Second by Commissioner Santos – Passed Unanimously

In addition to the Summary and Action Items being drafted as the meeting is happening to include Public Comments such as names of the commenter

Moved onto Public Comments and stated if the name listed for public comments is also a part of the agenda to please wait until the Commission reaches their name to be discussed.

## V. PUBLIC COMMENTS

1. Emilia I. Gogue – no comment
2. Teresita M. McDaniel – on the agenda
3. David B. Herrera – on the agenda
4. Joseph San Nicolas – no comment
5. Annie Siguenza – on the agenda
  
6. Cynthia Borja Fejeran – stated her name for the record and is inquiring about the property in Barrigada that she was issued. She was off island on Military training and was not able to sign the documents, according to the paperwork she saw, CLTC tried to reach out to her a couple of times but not able to. When she returned on island she came into the CLTC office to find out more information and was told her lease /lot was put to the side because it is a part of the controversy; however, informed the Commission if they look at her file, everything is in order, it's legit. She has applied in December 1995 all her documents are in place and basically wants to know what is going on. She has also been reaching out to the surveyor and no one is getting back to her. Just interested in some answers to her case.

Chairwoman Pika Fejeran: in response, thanked her for appearing before the Commission. Expressed to Cynthia Borja Fejeran she brought up a very good point and there are a lot of beneficiaries who are lumped into what she called a "Gray Zone"

Cynthia Borja Fejeran: in response, to her understanding her lease was already signed but because she was off island she was not able to sign her lease.

Administrative Director Jack Hattig III: chimed in and informed Chairwoman Fejeran and the Commissioners, Cynthia Borja Fejeran's lease is a part of the Pre-Moratorium Lease list. The lease was signed by the previous Director; everything was prepared to the statutes and then Director Borja placed a red X right over the lease and now it is in the Commission's purview.

Chairwoman Pika Fejeran: asked if Cynthia is listed under New Business in the Pre-Moratorium Lease list and asked to verify if she is on the list.

Land Administrator Margarita Borja: in response, stated she is on the list

Chairwoman Pika Fejeran: informed Cynthia Borja Fejeran she is on the list and the list is on the agenda which will be discussed and the Commission is working together to find a solution for her along with all the others on placed on the lists.

Moved onto the next person for public comments

7. Tomasa Aguon – stated her name for the record, Tomas Aguon and also stated she is appearing

before the Commission on behalf of her husband Felix Muna's application. She came into the office and had statements notarized supporting her presence at the property located in Pagat Mangilao since 1991. She started pursuing her case since 2016 but felt she was not successful with anyone. Finally, she met with Land Agent I Lorraine Nededog and her and husband completed an application and turned in

the necessary documents. She had a Land Use Permit issued to her on February 12, 1989, by Governor Joseph Ada, built a house on the lot in Pagat Mangilao in Kenny's Road, registered with Public Works and farmed on the land. In 1994, her and her husband had to leave Guam due to her husband having a medical condition. However, she gave her brother in law, Ignacio Aguon who is now deceased a special power of attorney at the time.

In March of 1996 her and her husband, Felix Muna returned to Guam visited with her brother in law, Ignacio Aguon who by then Ignacio Aguon and his children were living on the property. Tomasa Aguon tried to reason with his children but because of Ignacio Aguon's health condition she allowed him and his children to live in the house she and Felix Muna built.

Presently, her nephew Gregory Aguon (son of Ignacio Aguon) who has a CLTC Application is now fighting with her claiming the property belongs to him.

Informed the Commission the reasons above is why she is present and is requesting from the Commission and the Administrative Director of the Chamorro Land Trust to look into her nephew Gregory Aguon's application and is under the assumption there may be fraudulent document from Gregory Aguon which allowed him continue to try to get a lease for the property that was originally hers.

Chairwoman Pika Fejeran: asked Tomasa Aguon if she has a current lease with the Trust and if she is occupying any CLTC property?

Tomas Aguon: in response, no, but has a Land Use Permit

Chairwoman Pika Ferejan: in response, the Commission is familiar with Gregory Aguon, and stated for clarification your brother's son?

Tomasa Aguon: in response correct.

Chairwoman Pika Fejeran: in response, stated Gregory Aguon's wife, Anjolisha Aguon has appeared before the Commission a few times and expressed appreciation to Tomasa Aguon for appearing before the Commission and like most of the cases that come before the Commission are not simple cases where the Commission can make a decision right then. And asked to allow the Commission some time review and reach a conclusion.

Vice Chairman Joe Cruz: requested for a staff report to be completed for both parties, Tomasa Mesa and Gregory Aguons

Chairwoman Pika Fejeran: called the next person on the sign in sheet

8. James Sandlin: stated his name for the record. His reason for appearing before the Commission is in regards to his SBA disaster home loan.

*Summary: January 17, 2019 CLTC Meeting - He applied for an SBA Loan for Typhoon Manghut, a recent storm that passed. Provided SBA with all the necessary information that was required by them (SBA).*

*Because CLTC is the lessor, it is required by SBA to get a written approval from CLTC and Guam Housing.*

*A motion was made by Commissioner Techaira to approve the Assignment of Lease with SBA, provided they obtain a letter from Guam Housing Corporation, remove the two structures to comply with the Agriculture Lease terms and agreement; second by Commissioner Duenas. Passed unanimously.*

The initial SBA loan amount given to James Sandlin when he appeared before the Commission in January was for \$64K. Due to a loan modification and an increased amount of almost \$208K given to James Sandlin by SBA is why he is present before the Commission today, March 21, 2019, CLTC Meeting.

Chairwoman Pika Fejeran: asked James Sandlin what will he be doing with the proceeds?

James Sandlin: in response, as stated in the CLTC meeting held in January, he is supposed to break down the existing extended home and renovate and extend his concrete home to house his children.

Administrative Director Jack Hattig III: stated there are a few structures on the property that were not in compliance and were supposed to be removed; asked James Sandlin if it is a result of the loan or prior to issuance of the loan.

James Sandlin: in response, it is a result to the loan

Administrative Director Jack Hattig III: in response, recalled James Sandlin stating that (referring to the removal of noncompliance structures) in his proposal and wanted to bring the concern to the Commission's attention. In January, when the Commission approved the Assignment of Lease with SBA the conditions, the intent of the loan was to be in compliance. To assure James Sandlin was or is in compliance. Currently as of now, James Sandlin is not in compliance.

James Sandlin: in response, did agree he is not in compliance

Administrative Director Jack Hattig III: stated, that is one of the caveats he wanted to bring to the Commission's attention.

Vice Chairman Joe Cruz: asked, in regards to James Sandlin, what is the noncompliance issue?

Administrative Director Jack Hattig III: in response, stated, there are three structures and the lessees are only allowed one structure based as stated on the lease terms and agreement along with PL 23-38; Section 6.6.

Vice Chairman Joe Cruz: asked if the structures have one activity and if the structures are considered an accessory to that activity. Also stated if the structure is considered an accessory to the primary it shouldn't be an issue.

James Sandlin: chimed in and stated, it was his original structure and that is where his kids were staying. For him to break the structures down cost a lot, with the SBA loan given to him which would be disbursed in three increments which one of the increments would be to demolish the old structure

then personal property and the final disbursement is to renovate and extend. With the loan he now has funds to break down the old structure completely which would bring him into compliance.

Commissioner Techaira: asked for more clarity; is it one house with three kitchens or is it three different dwellings?

James Sandlin: in response, it is one dwelling

Commissioner Techaira: asked, how is it three structures

James Sandlin: in response, stated he has one kitchen

Unknown Individual: in response, stated it's like an extension.

Commissioner Techaira: asked again, how is it three dwellings if there is only one kitchen?

Vice Chairman Joe Cruz: asked, in regards to the demolition, is it an existing structure used as a unit, a room or as storage?

James Sandlin: in response, it was used as a storage, but when his kids needed a place to stay and that is when it was converted to bedrooms.

Vice Chairman Joe Cruz: asked for clarification, if the structure is going to be rebuilt?

James Sandlin: in response, no it is going to be completely broken down.

Vice Chairman Joe Cruz: asked, if the square footage on the current house would be increased.

James Sandlin: in response, yes.

Vice Chairman Joe Cruz: asked, into how many bedrooms will it be increased by

James Sandlin: in response, currently there is three bedrooms and is looking to building three more bedrooms.

Commissioner Techaira: asked, how was there a noncompliance issue

Vice Chairman Joe Cruz: in response, there is a separate structure on the property that is separate from the primary structure

Chairwoman Pika Fejeran: stated and pointed out, James Sandlin's lease is an agriculture lease. An inspection was conducted on March 18, 2019. There are three fruit trees on the property, one Mango Tree and two Papaya Trees.

James Sandlin: in response, stated and referred to a she (unknown individual) discovered a Lemon Tree, Avocado Tree and a Mulberry Tree.

Chairwoman Pika Fejeran: stated a motion is needed

Vice Chairman Joe Cruz: Motion to approve the revised application of the request of James Anthony Sandlin also in reference to the previous approval that the Commission did in January 17, 2019.

Chairwoman Pika Fejeran: stated, "the motion has been made to approve the Small Business Administration Loan Guaranty for our lease holder, James Anthony Sandlin" "and to clarify, this is for the New Agreement of Real Estate Lease that has been submitted in the loan amount of \$207,900.00".

Commissioner Techaira: Second the motion

**PASSED UNANIMOUSLY**

**[Multiple Discussion]**

9. Frank Cabrera: stated his name for the record. Frank Cabrera and his present before the Commission in regards to a 2013 authorized five acre agricultural lot. In 2000 was given a five acre lot in Malojloj and he had to get the lot surveyed, spend his money to get the property surveyed.

He contacted Frank Castro, Surveyor and was told by Frank Castro he could survey the property but would need fifty percent deposit to start the survey and upon completion the remaining fifty percent. \$1500.00 was given to start the survey, half way through the process he was told by Frank Castro the property is not an appropriate lot for agriculture. The property was full of rocks and was told to see for himself.

A Land Agent from Chamorro Land Trust went with him to see the property and saw the area was full of rocks, went back to Chamorro Land Trust and requested for another lot.

As of today, he spent \$1500.00 for survey and has not received a property. Although, he was shown a lot in Inarajan he decided distance was an issue. He currently lives in Piti and the distance to drive to Inarajan took him almost an hour and felt sleepy and said it is too far for him to farm.

He was also shown another lot in Agat which was very nice. However, adjacent to the lot in Agat he was told a Southern Sports Complex Center in the future and a third of the property was good soil, but further in the property there was construction material that was dumped. He asked about the topography of the area further in, and was told the property dropped and there are sink holes.

He was also shown property in Dededo, the land was flat and was told the area was surveyed all the way up to the lot he would have been issued. Survey would have to be completed and the property would be cut into the five acres to be issued to him, but that was not done.

The Administrator also told him, there may be some property in Barrigada Heights that CLTC may be able to issue to him, but that didn't happen either.

He went to the Attorney General's office to see what can be done to get his \$1500.00 back that he paid to Frank Castro for survey. Unfortunately, the AG informed him the time lapsed and is not able to get his money back. Because he is not able to get his money back he would still like to proceed with getting property.

Chairwoman Pika Fejeran: asked, if he was ever issued a Notice of Intent to Award.

Frank Cabrera: in response, yes.

Chairwoman Pika Fejeran: stated, the Commission has a lot of work. There are many applicants in the same situation who have spent money and are still waiting to be issued property.

Administrative Director Jack Hattig III: chimed in and asked if possible, he would like to have the opportunity to engage with Mr. Cabrera, pull his file and go over his request in detail. And from there, we can provide more information to the Commission and hopefully come to a resolution.



Chairwoman Pika Fejeran: asked Mr. Cabrera that he work with Administrative Director Hattig and the CLTC staff to figure something out and then it all be presented to the Commission.

Chairwoman Pika Fejeran: asked if there is anyone else present who would like to provide public comments.

10. Irene Jackson – on the agenda

Chairwoman Pika Fejeran: moved onto the next item on the agenda

**VI. OLD BUSINESS**

1. Constituent Matters
  - a. SBA Request – Loan Guaranty

**i. Ericka Jean Benavente** requesting for Loan Guaranty in the amount of \$85,000.00 thru U.S. Small Business Administration for the construction of a residential building on leased Lot 10125-11-3-6-2. Subject to Addendum to correct Lot Description  
Because CLTC is the lessor, it is required by SBA to get a written approval from CLTC and Guam Housing.

Chairwoman Pika Fejeran: reviewing staff report for Ericka Jean Benavente, stated it is the same type of loan the Commission approved for James Sandlin. She is a pre-occupier in Dededo and currently has a residential lease.

Ericka Jean Benavente – states her name for the record and informed the Commission she is present because she is requesting to get an approval from Chamorro Land Trust to build her home through and SBA loan.

Chairwoman Pika Fejeran: asked what would the loan be used for

Ericka Jean Benavente: in response, to build a permanent structure for her home

Vice Chairman Joe Cruz: stated, Ericka Jean Benavente was located 10125-30 on the Master Plan, and asked if there is any documentation indicating she is no longer on the property lot he described.

Land Agent II Eileen Chargualaf: chimed in and stated, there is an addendum request to reflect the changes in regards to the lot description.

Chairwoman Pika Fejeran: in response, there are now two items for the Commission to review for decision. One is to approve the SBA Loan Guaranty of \$85K and the second is for the approval of the addendum to reflect the recorded survey map for the property Ericka Benavente is occupying.

Chairwoman Pika Fejeran: stated, she sees Ericka Jean Benavente is an occupier and has been on the site since 1980 and asked if it was her parents that were occupying or living on the property since then.

Ericka Jean Benavente: in response, her father has a house in front of the land, as she was growing up she and her family were farming on the land.

Chairwoman Pika Fejeran: in response, was okay with the response, was curious and has no objections.

Commissioner Techaira: stated she has no objections.

Commissioners have no further questions

Motion made by Commissioner Techaira to approve SBA Loan Guaranty of \$85,000.00 for Ericka Jean Benavente subject to addendum to reflect recorded survey map 198-208 Doc#932595.

Second by Commissioner Santos – PASSED Unanimously

*Please note: Motion made by Commissioner Techaira stated, recorded survey map no. 198-208 should have stated recorded survey map FY 198-2018, instrument no. 932595. Attached to minutes Exhibit A. Recorded Survey Map Instrument No. 932595.*

Chairwoman Pika Fejeran: thanked Ericka Jean Benavente for going thru the SBA process and what she is doing is utilizing the resources to use the CLTC land for the intended purpose.

- ii. **Priscilla Catalina Garrido Indalecio** requesting for Loan Guaranty in the amount of \$188,400.00 thru SBA in regards to Assignment of Real Estate Lease. Purpose of the loan is to remove debris and construction of a residential structure. CLTC Staff recommendation to approve SBA Loan Guaranty of \$188,400. and authorization for clearing and grading.

Chairwoman Pika Fejeran: reviewing packet and staff report for Priscilla Indalecio. Stated the original applicant is Lydia Guerrero Garrido who was a 1995 applicant, and in 2003 was issued a residential lease. In 2016, Lydia Guerrero Garrido requested to transfer the lease to Priscilla Indalecio.

Priscilla Catalina Garrido Indalecio: stated she is present before the Commission and is requesting to get an approval for a loan guaranty.

Chairwoman Pika Fejeran: asked if the Commission has any questions

Commissioner Techaira: in response, has no questions and is willing to make a motion to approve the loan guaranty request.

Administrative Director Hattig: in response, brought to the Commission's attention in regards to the Assignment of Real Estate Lease is one more document that is pending from SBA.

Priscilla Catalina Garrido Indalecio: in response, she did speak with SBA and was informed by SBA that not everyone has the same loan. In regards to her loan, she has the car removal which was calculated into the loan amount. The whole loan included, the car removal on the lot, rebuild the house and to remove the trash and other items.

Also stated, the only thing SBA needed from Chamorro Land Trust is the loan guaranty.

Chairwoman Pika Fejeran: asked how does the loan guaranty get documented without the Assignment of Real Estate?

Administrative Director Jack Hattig III: informed the Commission, the Loan Guaranty is only for the home not for the other items.

Vice Chairman Joe Cruz: asked who is funding the removal of junk cars.

Multiple response: SBA is funding the removal

Administrative Director Hattig: in response stated, CLTC's responsibility is the loan portion for the home.

Vice Chairman Joe Cruz: asked if there was a way to request for a separate disbursement for the home only?

**[Multiple discussion]**

Chairwoman Pika Fejeran: stated, the SBA documents she is reviewing does acknowledge that a guaranty from the Trust is required.

Assistant Attorney General Nicolas Toft: advised the Trust, the Guaranty only applies to the home not for the removal of the debris.

Chairwoman Pika Fejeran: asked what about the demolition of the home, referring to James Sandlin's approval.

Administrative Director Jack Hattig III: stated, that creation of the home which needed to happen, it is specific to the home, the demolition needed to happen in order for the home to be built.

Vice Chairman Joe Cruz: in response, depending on the program applied for, that would be a Grant where she (referring to Priscilla Indalecio) wouldn't have to pay back.

Administrative Director Jack Hattig III: in response, stated, the documents are written as a loan not a grant.

Commissioner Techaira: stated, the removal of the junk cars and the debris would work in the favor of the Trust to where it will beautify the property, herself personally would not want all the junk to be lingering around the property.

Chairwoman Pika Fejran: stated, she agreed. Asked Assistant Attorney General Nicolas Toft if CLTC can guaranty the full amount of the loan?

Assistant Attorney General Nicolas Toft: in response, the statute says, it shall be for a home or commercial loan purposes. It depends if you want to interpret that as adding wider purposes.

Chairwoman Pika Fejran: in response, understands but in order for her (Priscilla Indalecio) to build a habitable home on the property; first need to remove whatever items that shouldn't be on the property and interpret the statute to include whatever has needs to happen for the home to be built.

Administrative Director Jack Hattig III: asked, will the decision open up for another CLTC lessee getting a loan or getting something to remove debris from their property; does it now enforce CLTC to assume the expense as well even if they are not going to build anything?

Chairwoman Pika Fejran: in response, stated she is interpreting the situation as far as the removal of cars is a requirement in order for her to build a home.

Vice Chairman Joe Cruz: asked Priscilla Indalecio if she has a construction plan?

Priscilla Indalecio: in response, yes and her husband is working on the plan

Vice Chairman Joe Cruz: in response, stated his reason for asking the question is because Priscilla Indalecio is asking the Commission to approve a guaranty loan for \$188k. to include clearing and grading; it's important for the Commission to know how is clearing and grading related to the plan.

Chairwoman Pika Fejran: in response, stated what she thinks the Commission can do is approve the loan guaranty, once the construction plans are made Priscilla Indalecio can come back to the Commission and present the plans to then.

Vice Chairman Joe Cruz: stated, the recommendation has already been made to approve the loan and to include grading and clearing, suggested to take the recommendation of grading and clearing out until the next phase with the construction and grading plan. Also stated, whoever the staff is that prepared the report, has all the recommendation all at one time.

Chairwoman Pika Fejran: in response, "perhaps maybe they were just throwing everything in the kitchen sink, but it's up to the Commission how we decide".

Vice Chairman Joe Cruz: stated, the Commission will approve the loan.

Chairwoman Pika Fejran: stated, a motion has been made to approve the SBA Loan Guaranty in the amount of \$188,400.00 for Priscilla Catalina Garrido Indalecio.

Commissioner Techaira: Second the motion

Chairwoman Pika Fejeran: asked if there are any further discussion

Vice Chairman Joe Cruz: none

Commissioner Techaira: asked, who made the first motion

Chairwoman Pika Fejeran: in response, Vice Chairman Joe Cruz.

PASSED Unanimously

*Note: Verified with Audio, there was no first original motion made to approve the SBA Loan Guaranty in the amount of \$188,400.00 for Priscilla Catalina Garrido Indalecio.*

*Assistant Attorney General Nicolas Toft advised the motion needs to be restated as first motion.*

Chairwoman Pika Fejeran: moved onto the next item on the agenda

**iii. Linda Hernandez** requesting to the transfer of her existing lease for Tract 10316, Block 15, Lot 21 to Tract 1113 Block 12 Lot 1 (Sagan Linahyan) and Loan Guaranty in the amount of \$136,000.00  
MOA between CLTC and the Guam Housing Corporation  
Purchase of "Model" Home situated thereon consisting of a Concrete Residence FMV of \$136,000.00

Chairwoman Pika Fejeran: reviewed the packet for Linda Hernandez, stated there are two requests for the applicant. 1. Is an addendum to move her lease from Tract 10316 to Tract 1113 and 2. The request to approve her Loan Guaranty in the amount of \$136,000.00.

Guam Housing Corporation and Linda Hernandez are present before the Commission requesting to allow Linda Hernandez to move from her current leased lot area into Tract 1113.

Years ago CLTC and GHC entered a Memorandum of Agreement that Guam Housing will get model homes on ten lots within Tract 1113. One home has been built which is the home Linda Hernandez would like to move into; the Commission would have to approve the Addendum to her lease in order for her to move into and also approve the Loan Guaranty.

The MOA and the work Guam Housing Corp. has been doing on behalf of the CLTC and the applicants is what needs to happen on the CLTC properties. Many times the applicants don't have the resources to go through the entire lengthy and costly process to get a home built. Guam Housing has stepped in to assist with the process and have homes built for our applicants and lease holders to move into.

Asked Guam housing, what was the process to get contractors and construction going for the homes to be built.

Acting Vice President for Guam Housing Corp., Alice Taijeron: in response, it is great opportunity for Linda Hernandez and a wonderful partnership with Chamorro Land Trust.

How the program works, GHC puts out an initial IFD, Invitation for Design seeking, any contractors who have affordable homes and are willing to build on the ten tracks in Sagan Linayan. The first home that was built is the one Linda Hernandez is trying to move in to. If there are applicants who are interested and qualify in the home loans that are being offered by Guam Housing, the next step is for those individuals to get permission from Chamorro Land Trust.

The individual needs to go through the loan process, get pre-qualified and what is that is done, GHC would work with CLT to get the land swap. At present, there is one, it is infrastructure ready, the individual would have to apply for the water and power connection; however, it is a 3 bedroom, 2 bath with nice amenities in the inside.

Guam Housing is also working on putting out another bid to hopefully be able to build more homes for Chamorro Land Trust. It is a really easy process, just getting the pre-approval and if the applicant is a Chamorro Land Trust applicant, it is just requesting for the swap, in terms of assigned leased lot to one of the GHC home projects.

Chairwoman Pika Fejeran: asked, the previous loan guaranties that were approved, there are no structures built yet, in case with GHC home projects, the homes are built; would that mean GHC assumes all the cost?

Acting Vice President for Guam Housing Corp., Alice Taijeron: in response, the contractors assume the cost and the contractors are willing to wait for the payment via the loan.

Commissioner Techaira: asked what is the program called

Acting Vice President for Guam Housing Corp., Alice Taijeron: in response, GHC has several programs, GHC assists all applicants to where they can qualify under the different programs.

Chairwoman Pika Fejeran: stated, it was one contractor one home built, considering there are nine adjacent lots that are set to be built; would GHC be considering one invitation for design to allow one contractor to build all nine homes all at once verses one at a time?

Acting Vice President for Guam Housing Corp., Alice Taijeron: in response stated she will definitely take it into consideration.

Chairwoman Pika Fejeran: asked how did Linda Hernandez get a chance to be one of the lessees for the Sagan Linayan home? How was her lease identified and how was Linda Hernandez as lease holder identified to move into the home?

Land Agent II Jhoana Casem: in response, stated when a client comes into the office, the Sagan Linayan area is offered. In regards to Linda Hernandez she inquired on her own, but it has been offered to other clients before. It is matter of the client having to get the approval with Guam

Housing, the clients may be interested and when they go through Guam Housing, they don't get approved.

Acting Vice President for Guam Housing Corp., Alice Taijeron: stated, on part of Guam Housing, potential applicants are informed when they do come in, GHC inquires if they are a lessee or an applicant of Chamorro Land Trust.

**[Multiple Discussion]**

Question from the audience: asked if the program applies to the lease applicants and stated it is not a new program, the program has been offered in the past and for him, he has applied in 2000 but because he did not have a lease, GHC couldn't give him an approval.

Chairwoman Pika Fejeran: in response, she (referring to Linda Hernandez) has an existing lease and she will be transferring from her existing property to the Sagan Linayan home. It is in the understanding GHC will only allow those types of lease transfers.

Public Audience: stated, those with existing leases are the only ones who will be able to apply for this (referring to GHC programs)

Chairwoman Pika Fejeran: it is only specifically for the same program which Linda Hernandez went through. However, it is in the understanding GHC has other programs available for those who does not have a lease.

Moved on and asked for a motion

Motion made by Commissioner Techaira to approve an addendum for Ms. Hernandez to relocate from Lot 21, Block 15, Tract 10316 to Lot 1, Block 12, Tract 1113 Dededo and approval for loan guarantee in the amount of \$136,000.00.

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: moved onto the next item on the agenda. Addendum / Lease Request

**b. Addendum Requests**

- 1. Johnathan Mesa Hudson** requesting for a Residential Lease due to needs of his child  
Original applicant, Teresita Martinez Mesa submitted a hand-written letter to CLTC requesting to transfer to her son due to her already owning a property. The request was approved in February 13, 2014.

Chairwoman Pika Fejeran: reviewed the file and stated, there is a Notice of Intent to Award, there was a tract of land and for all intents and purposes has his name on it, had the property surveyed, the map is recorded and is now waiting for a lease to be issued to him.

Because there was no lease, he is not a part of the 102 Null and Void leases, but the Commission did understand at the time that there is a whole list of applicants whose application rights were switched in the same manner.

Mr. Hudson has paid for his own survey and asked if Mr. Hudson is present.

Land Agent II Jhoana Casem: in response, no he is not present. CLTC has tried to contact him with the contact numbers in file but he is out of reach or his contact numbers are not working. Although he did come into the office and the last contact number he provided is not going thru.

Assistant Attorney General Nicolas Toft: stated, in this situation (Johnathan Hudson's situation) he has put forth money for the survey but there is no legal authorization to grant him. One of two things, either his mother comes back in and cancel the transfer or switch from there the mother can take the lease for seven years and then transfer it to her son. Or wait for the Rules and Regs we (CLTCP) propose to the legislature to be approved under which the type of switch is something the Commission can approve.

Chairwoman Pika Fejeran: stated, it does say Teresita Martinez Mesa appeared before the Board to relinquish her application rights because she is a property owner.

Assistant Attorney General Nicolas Toft: in response, right but there is no CLTC lease or something that may disqualify her.

Chairwoman Pika Fejeran: stated, Teresita Mesa is December 2<sup>nd</sup>. 1995 Applicant. The application is probably one of those who back then didn't own land but throughout the years she was able to get property and when her time came up, she already owned property and is ineligible to get CLTC residential property and decided to give it to her son. And is sure the CLTC staff told her she can transfer her application rights to a family member.

Assistant Attorney General Nicolas Toft: asked if the file was available and to go over the file to see if her son Jonathan Mesa Hudson is listed as a beneficiary.

Chairwoman Pika Fejeran: reviewed the file and stated there is a Special Power of Attorney which appoints Jonathan Mesa Hudson to obtain a lease from Chamorro Land Trust on her behalf.

Assistant Attorney General Nicolas Toft: in response, that would be fine because it is not a transfer but the other side to that is when we do the check to ensure they are doing their duties and complying under the residential rules, it may be tricky if Teresita Mesa is nowhere to be found under the lease.



Suggested to hold off on any sort of action and have the staff make any attempts to contact him if they can and explain the situation to him and see which one of the two options they pursue;  
Whether it be wait for the seven years or wait for the Rules and Regs. to be passed or have the mother execute the lease move in.

Chairwoman Pika Fejeran: stated, based on Assistant Attorney General Nicolas Toft's advice to table Jonathan Mesa Hudson until the Director speaks with the original applicant and her son Jonathan Hudson.

**c. Survey Authorization**

**1. Teresita Mendiola McDaniel** - tabled until more information is gathered

**2. Irene Martha Jackson** request to pursue issuance of SBA Loan Guaranty  
Pre-occupier, December 28, 1995 applicant has a residential lease which was issued in 2002.

Chairwoman Pika Fejeran: reviewed the packet.

Irene Martha Jackson: stated she is trying to get an SBA loan and what she is requesting from the Commission is a Commitment. Also stated SBA is aware she is living on Chamorro Land Trust property and has a lease that is not recorded. In order to have her lease recorded, she needs to have the property surveyed.

Chairwoman Pika Fejeran: In response, stated a Survey Authorization is needed from CLTC to get the property surveyed. The lease was issued in 2002 and asked Irene Jackson if the property was ever surveyed.

Irene Martha Jackson: in response, no she never had the property surveyed.

Chairwoman Pika Fejeran: asked if Irene Jackson's lease is subject to survey?

Land Agent II Jhoana Casem: in response, yes, a scheme was created so Irene Jackson can move forward to have the property surveyed due to her SBA loan request.

Chairwoman Pika Fejeran: stated because it is a survey authorization request, she has no further questions and asked if the reason why the case is being presented to the Commission is because the Resolution has not been sign?

Vice Chairman Joe Cruz: asked if the Commission approved the scheme?

Land Agent II Jhoana Casem: in response, yes it was signed at the last meeting that was held which was on March 7, 2019.

Chairwoman Pika Fejeran: asked for a motion to be made to approve survey authorization for Irene Martha Jackson on Tract 15344, Block 9, Lot 15-1 Mangilao and upon completion and recording of the map to issue an addendum to the lease.

**SO MOVED by Commissioner Techaira – PASSED Unanimously**

Chairwoman Pika Fejeran: explained to Irene Martha Jackson, her Survey Authorization is approved, once the survey has been completed and the map is recorded; the Commission has also moved to issue an Addendum to the lease reflecting the actual lot description. Also informed, Irene Martha Jackson, she'll only need to come back for the loan guaranty after the above said items on the motion in complete.

**3. Gilbert John Castro Sanchez – Tabled for CLTC Meeting scheduled April 18, 2019.**

Chairwoman Pika Fejeran: moved onto the next item on the agenda.

**d. Transfer of Application Lease Rights**

**1. Lynn Quichocho Molo – Not present, tabled for CLTC Meeting scheduled April 18, 2019.**

**2. Jennifer Ann Pangelinan (deceased) – appearing before the Commission is Paul Bernard Jr. Pangelinan**

Athena Pangelinan is the original beneficiary for Jennifer Ann Pangelinan and is waiving her rights as the original listed beneficiary to Paul Bernard Jr. Pangelinan.

Chairwoman Pika Fejeran: stated, there is a property identified as a pre-occupier. Confirmed with Assistant Attorney General Nicolas Toft the request does need Board approval for this case.

Assistant Attorney General Nicolas Toft: in response, correct.

Chairwoman Pika Fejeran: stated there is a notarized letter requesting to relinquish Athena Pangelinan's rights as the original beneficiary to Paul Bernard Jr. Pangelinan. It indicates in the file they are pre-occupiers who have been occupying T18113, B8, L6, Mangilao.

The Commission is asked to approve the transfer of both beneficiary rights and application rights to Paul Bernard Jr. Pangelinan for a lease on the property that he has been occupying.

Asked Assistant Attorney General Nicolas Toft: for confirmation the case presented is different from the other case which was tabled. (referring to Teresita Mendiola McDaniel).

Assistant Attorney General Nicolas Toft: in response, correct. In this particular case, there is a death under Section 5.8 of the Rules and Regs which is allowed.

Chairwoman Pika Fejeran: asked if the Commission has any other questions

No other questions from Commission

Motion made by Vice Chairman Joe Cruz to approve the request for Paul Bernard Jr. Pangelinan as a beneficiary and applicant on Tract 18113, Block 8, Lot 6, Barrigada.

**Second by Commissioner Techaira – PASSED Unanimously**

Chairwoman Pika Fejeran: stated to prepare lease subject to survey so Paul Bernard Jr. Pangelinan can get his Utility Authorization.

*Note: Verified with Audio recording, Motion made was on the wrong Municipality which was Barrigada.*

*Motion to be restated to reflect correct Municipality, Mangilao.*

- 3. Marilyn San Nicolas** deceased applicant who named three of her children as beneficiaries. All three children are requesting to relinquish their rights as beneficiaries to their father Joseph Lizama San Nicolas.

No lease was issued, Mayor's Certification shows family has been occupying the lot (Lot 8, Block 3, Tract 10316 Dededo) since 1982. Has a Land Use Permit No. 3669, under Joseph Lizama San Nicolas

Chairwoman Pika Fejeran: reviewed the packet and asked if Joseph San Nicolas has a CLTC application.

Joseph San Nicolas: in response, yes but a recent application.

Chairwoman Pika Fejeran: asked Joseph San Nicolas if he is currently occupying the property?

Joseph San Nicolas: in response, not yes but because he is asking to get water and power connected he was informed by the CLTC staff he would have his wife's name transferred to his.

Vice Chairman Joe Cruz: asked if the Land Use Permit No. 3669 is for the same site as Lot 8, Block 3, Tract 10316?

Administrative Director Jack Hattig III: in response, yes it is the same location.

Chairwoman Pika Fejeran: Asked for a motion

Motion made by Commissioner Techaira to approve the transfer to Joseph Lizama San Nicolas, in compliance with P.L. 23-38; Section 5.8 for Lot 8, Block 3, Tract 10316 Dededo

**Second by Commissioner Santos – PASSED Unanimously**

Chairwoman Pika Fejeran: moved onto Other Matters in the agenda

**e. Other Matters**

- 1. Enriqueta Quinata Dionson – not present Tabled for April 18, 2018**

**2. David B. Herrera** requesting for additional acreage for his cattle

No date specified on Mayor's Certification for pre-occupying status, requested to have agricultural property, issued a survey authorization for 13.1 acres in Agat, survey is pending completion with Frank LG Castro

Chairwoman Pika Fejeran: requested for David Herrera to come forward and explain his request.

David Herrera: Speaking the Chamorro language asked the Commission if it would be okay to explain his request in Chamorro or if they preferred to have him speak in English.

Chairwoman Pika Fejeran: in response speaking the Chamorro Language, stated to speak in English.

David Herrera: stated his name and read a letter to the Commission in regards to his request.

**Letter attached to minutes, Exhibit B.**

Chairwoman Pika Fejeran: asked David Herrera for his grazing plan.

David Herrera: referring to the lots shown on TV screen, stated his problem is in order for him to enter into the property, he would have to climb at least 40ft. hill which he feels is very steep. He if is able to get a lease, he would be able to get equipment to cut the hill down, but wants to reserve cutting the property. And what he is doing down is planting trees such as Mahogany, but with the grass fire that happened at least 50 percent of them burned. He requested for more seeds from the Dept. of Agriculture, once he knows where the perimeters are at, he would be able to design a system along those perimeters for a fire break at an estimate of 10 or 15 feet around. As of now he is not sure because he was quoted \$10,000. to \$15,000.00 to have the property surveyed.

Chairwoman Pika Fejeran: looked further into David Herrera's file and stated, in 2014, the Board approved David Herrera's use of lot 18 in Agat for grazing but no lease has been issued and there is no survey.

Asked David Herrera if he is requesting for the adjacent lots next to the lot that has been identified for him to incorporate those lots into his lot assigned to him.

David Herrera: in response, yes. Further explained the some of the lots was a ponding basin and the families put gravel rocks and those are lots or properties which he grew up in with Robert Fejeran, Danny Fejeran and Kathy Fejerean.

Chairwoman Pika Fejeran: in response, stated a disclosure, Robert Fejeran is her father in law.

David Herrera: in response, yes and further explained those property become flood zones but for Cattle Grazing, he has been working with Dept. of Agriculture in Hawaii and in Australia and found grass that would grow there, on red soil but it does need a lot of work.

Chairwoman Pika Fejeran: stated, it there is about six adjacent lots that have been issued leases and if it is not usable for the intended purpose, the Trust is doing a disservice by placing them there. Also considering the plans David Herrera has and the way the land would be used would be in the best interest to work with those individuals who were issued the lots and David Herrera to get him the access he needs and to preserve the property. At this point like, David Herrera mentioned there are people who were already issued those properties.

David Herrera: in response, stated, one of those individuals has been relocated to another property.

Chairwoman Pika Fejeran: stated, suggested for the CLTC staff to engage with the other individuals to see if they can be relocated to another property that useable. But in regards to the lot David Herrera is currently occupying; there is no lease, there is no survey.

Vice Chairman Joe Cruz: in response, stated, what needs to be worked on is to see if there is a covenant on the PUD when tract 319 was created and if it is included on Lot 18 then that would need to be removed from the PUD before you can safely say the lot can be used for grazing. Zoning is for GHURA housing.

David Herrera: in response, yes, it was a housing development.

Chairwoman Pika Fejeran: in response, asked how does a PUD affect Chamorro Land Trust Properties?

Vice Chairman Joe Cruz: in response, the lot designation as Tract 319, the tract has a covenant over all the subdivisions even if it is not developed due to the zoning under PUD.

Chairwoman Pika Fejeran: in response, asked if there is no covenant, what can CLTC do then?

Vice Chairman Joe Cruz: in response, the status will fall back on Chamorro Land Trust or is it still under GHURA? Under Tract 319, it was GHURA housing development.

Chairwoman Pika Fejeran: stated, the Commission needs to do more research on the David Herrera request. Asked to confirm the properties that have been leased to see if it can be developed for the lease holders and if cannot then the CLTC staff reach out to those individuals to see if they can be relocated.

No action taken at this time pending more research.

Administrative Director Jack Hattig III: asked to go over Enriqueta Quinata Dionson although she is not present.

**Enriqueta Quinata Dionson** requesting for Survey Authorization and lease due to her ailment  
2006 Applicant LUP holder, LUP No. 3474 under Arceli C. Sarmiento

Chairwoman Pika Fejeran: reviewed the file and asked if the applicant is currently occupying and if there are no utilities or survey and lease?

Land Agent II Jhoana Casem: in response, yes the applicant is occupying and there are no utilities. The scheme was created and approved at the last meeting, in lieu of Enriqueta Dionson trying to obtain an authorization for power due to her illness a doctor's note would be provided and is in her file. It would be up to the Commission to approve her lease and issuance of Utility Authorization.

Chairwoman Pika Fejeran: asked why was a new parceling done earlier in the year?

Land Agent II Jhoana Casem: in response, stated there was a request, Enriqueta Dionson came into the office in hopes to get an authorization from CLTC but because there was no survey done, CLTC had to scheme out the whole area, the whole parcel area was not schemed originally through the Master Plan.

Chairwoman Pika Fejeran: in response, Enriqueta Dionson is requesting to approve the issuance of a lease subject to survey and to include an authorization for utilities.

Land Agent II Jhoana Casem: in response, yes, however, once the survey is done, there would be an addendum to reflect the actual lot.

Chairwoman Pika Fejeran: asked if the Commission if they want to approve the lease for the applicant subject to survey.

Motion made by Commissioner Techaira to approve issuance of an Agriculture Lease for Enriqueta Dionson for Lot 10120-120 Dededo.

**Second by Commissioner Santos – PASSED Unanimously**

Chairwoman Pika Fejeran: moved onto the Feja Families.

**Feja Families**

**1. Mae Guerrero Lizama**

Jermain Guerrero: stated he wants to know what he needs to do in regards to the transfer, what is the process he needs to do in order to transfer Francisco Feja's property to his mom's sister?

Land Administrator Margarita Borja: in response and shown on the TV screen, explained property location for Francisco Cruz Feja.

Chairwoman Pika Fejeran: stated Francisco Cruz Feja on lot 5402-R5NEW-27, half acre lot, signed lease in 2008.

Francisco Cruz Feja deceased, benefactor listed is Doris Santiago (Jermain Guerrero's mother) also deceased.

Asked Jermain Guerrero, if what he is asking for is to have the Commission assign the lot to his auntie based on what he and his siblings are requesting for? And asked for the name of his Auntie.

Jermain Guerrero: in response, Mae Guerrero Lizama

Chairwoman Pika Fejeran: asked how many children does Doris Santiago have and if her husband is still alive?

Jermain Guerrero: in response, five children and yes he is still alive.

Chairwoman Pika Fejeran: for affirmation, referred to Assistant Attorney General Nicolas Toft, stated, for a beneficiary assignment, all the interested parties sign affidavits relinquishing their rights to a certain individual.

Assistant Attorney General Nicolas Toft: in response, yes.

Jermain Guerrero: asked if the affidavit is available at CLTC or would he have to provide it himself.

Multiple Response: you would have to provide the affidavit however, CLTC does have notaries available.

Chairwoman Pika Fejeran: informed Jermain Guerrero, the affidavits are from all his siblings and is father designating Mae Lizama.

Land Administrator Margarita Borja: asked to ask a question to Mae Lizama who is also present in the meeting.

Asked Mae Lizama if she applied and paid the \$50.00 application fee.

Mae Lizama: in response, yes.

Land Administrator Margarita Borja: stated, she's an applicant however, just applied yesterday (March 20, 2019) or two days ago that she applied. And wasn't aware they were going to try to go through this process. If that was the case, Mae Lizama didn't need to apply in regards to paying the \$50.00 application fee. All that needed to be done was to fill out the application and take over the application of Francisco Feja.

Also stated and asked, Mae Lizama paid her application fee, would her application be terminated.

Chairwoman Pika Fejeran: stated Mae Lizama wouldn't be standing in line. CLTC would use her application information to stand in for Mr. Feja since she will have the lease. Informed Jermain Guerrero, he would have to appear before the Commission once all the affidavits are done in order for the Commission to move further on the lease.

## **2. Jermain Guerrero**

Jermain Guerrero: asked about his property and the status of his lease. He stated, he notice throughout the meeting, the Commission has been approving properties for leases without a survey, he on the other hand has completed his survey for his property but was not issued a lease.

Chairwoman Pika Fejeran: reviewed Jermain Guerrero's packet, stated there are three family members who had their surveys done but no leases were issued. Going through the list are the

following: Abraham John Guerrero (older brother), Frederico Quinata Santiago (step dad) and himself Jermain Guerrero.

Jermain Guerrero: informed the commission, there was a survey completed and the Surveying Co. was supposed to submit the map to DLM and not sure what happened after that.

Chairwoman Pika Fejeran: asked who is the surveyor?

Jermain Guerrero: in response, his surveyor was Artiga and according to Land Administrator Margarita Borja, Mr. Artiga had recently lost his license.

Land Administrator Margarita Borja: in response, it was not recently but it was during that time frame Jermain Guerrero's property was surveyed where Mr. Artiga's license was revoked. Jermain Guerrero has a map and needs to be approved, his map never went through the process. It was submitted for an initial check but it never came back for the final.

Chairwoman Pika Fejeran: asked, if the map can be taken through the whole process? What does CLTC need to do?

Land Administrator Margarita Borja and Engineering Tech. Melvin Javier: stated CLTC would have to verify with Mr. Paul Santos, Chief Cadastral in regards to what other steps or what needs to be done to get it the map approved.

Chairwoman Pika Fejeran: asked that CLTC try to take care of the map approval in-house with Dept. of Land Management since Jermain Guerrero has already done his part.

Engineering Tech. Pierce Castro: asked Jermain Guerrero if the points were set on the property.

Jermain Guerrero: in response, yes, the points were all set.

Chairwoman Pika Fejeran: asked the Commission to take a look at Jermain Guerrero's staff report in regards to requesting issuance for a lease for Lot 21, Block 9, Tract 15213, Mangilao containing an area



of .05 acres with the understanding that a map has been submitted and the survey has to be finalized and the map recorded. And ask the lease still be put together.

Commissioner Techaira: stated the Commission can do it.

Chairwoman Pika Fejeran: asked for a motion

Motion made by Commissioner Techaira to approve the issuance of a ground lease for Lot 21, Block 9, Tract 15213, Mangilao.

**Second by Commissioner Santos – PASSED Unanimously**

Chairwoman Pika Fejeran: stated to Jermain Guerrero his lease has been approved and moved on to Frederico Quinata Santiago

- 3. Frederico Quinata Santiago** requesting to process his agriculture application and issuance of a Ground Lease.

Was issued a Notice of Intent to Award on August 16, 2004, for a portion of Lot 5402 containing an area of no more than .05 acres. Part of the Feja family.

Chairwoman Pika Fejeran: reviewed the staff report. Stated the request is issuance of a Ground Lease.

Administrative Director Jack Hattig III: asked Frederico Santiago if he knows the status of his survey.

Multiple response: the status is the same for all three lots (lots shown on TV screen) the lots were surveyed a map was submitted to DLM but not approved.

Chairwoman Pika Fejeran: stated to have a motion

Motion made by Commissioner Techaira to approve the issuance of a Ground Lease for Lot 20, Block 9, Tract 15213, Mangilao for Frederico Quinata Santiago.

**Second by Commissioner Santos – PASSED Unanimously**

- 4. Abraham John Guerrero** – request to process Agriculture Application as a pre-occupier and issuance of an Agriculture Lease. Part of the Feja Family

**1995 Applicant; application no. 1040**

Notice of Intent to Award was issued in January 25, 2006, for a portion of Lot 5402

Chairwoman Pika Fejeran: stated the third property under the same circumstances is for Abraham John Guerrero for lot 22, Block 9, Tract 15213. Asked the Commission for a motion.

Motion made by Vice Chairman Joe Cruz to approve the request for a Ground Lease on Lot 22, Block 9, Tract 15213 for Abraham John Guerrero

**Second by Commissioner Santos – PASSED Unanimously**

- 5. Francisco Cruz Feja** is an original applicant who is now deceased, named Emanuel Guerrero, aka: Howard Guerrero as a benefactor.  
Emanuel Guerrero, aka: Howard Guerrero is a current Agriculture Lessee and is requesting to transfer his rights as a benefactor to his daughter Valerie Guerrero

Chairwoman Pika Fejeran: reviewed the packets to be sure the Commission is following the sequence. Stated, Francisco Cruz Feja designated his nephew Howard Guerrero to be his beneficiary.

Howard Guerrero stated his name for the record and explained how his legal name is Emanuel Guerrero and is also known as Howard Guerrero.

Chairwoman Pika Fejeran: in response, stated there is an Affidavit of Identity in file and asked as a designated beneficiary to Francisco Cruz Feja's property, what would he like to do with it?

Unknown Family member asked for the property to be identified on the TV screen  
Property lots shown on TV screen and identified. Lot 1-1

Land Agent Margarita Borja: stated and asked Howard Guerrero if he is aware of the history for the lot. Multiple lots shown on TV screen. It was explained to Howard Guerrero, Francisco Cruz Feja asked for a specific lot to be issued to Linda Calica (Feja Family Member and CLTC applicant) then, Francisco Cruz Feja requested for the lot behind Linda Calica but it was already issued to another lessee.

Howard Guerrero: in response, asked why did CLTC issue the lot to another person, in the area, they are all Feja families and they have siblings who want to live in the property?

Chairwoman Pika Fejeran: stated, with understanding the actual property, the agriculture property, there is no description, no survey to tell the Commission where it is.

Howard Guerrero: stated, it was during a time when his grandfather was given 13 acres of property in the area.

Unknown Family Member: stated, in 1953

Chairwoman Pika Fejeran: in response, is aware there was 13 acres, then 7 acres and went down to 1 acre from the Arruendo program.

Unknown Family Member: asked why one acre?

Land Administrator Margarita Borja: stated the property went down as far as Delfina Arciga. Her last Land Use Permit was only for an acre.

Unknown Family Member: asked if the property the Land Administrator Margarita Borja is referring to is the property that was under her great grandfather?

Land Administrator Margarita Borja: in response, she believes it did originate from him.

Chairwoman Pika Fejeran: in response, wanted to be sure the properties identified on the TV screen is the correct properties everyone is referring to.

Land Administrator Margarita Borja: in response referred to two other lots shown on TV screen and stated the lot pointed out is where their grandfather was staying and the lot was supposed to be given to his dad, but for some reason the lot was given to Linda Calica.

Lot shown on TV screen and identified as two different half acres was given both to Francisco Cruz Feja, an agriculture and a residential, which one should have gone to Emanuel but instead it was given to Linda Calica.

Also stated, what CLTC did was create other lots (shown on TV screen). With the lots that were created, if approved by the Commission can be issued to Howard Guerrero.

Chairwoman Pika Fejeran: in response, stated okay and asked what does Howard Guerrero want to do?

Land Administrator Margarita Borja: in response, what Howard Guerrero wants to do is transfer his beneficiary rights to his daughter Valerie Guerrero.

Valerie Guerrero situation is now going to connect with Lorette Guerrero. Valerie Guerrero is a 2006 applicant who switched application dates with Lorette Guerrero who are a part of the 102 "Null and Void" leases. If approved, asked if Valerie Guerrero's application will be "Null and Void" due to the switch and now becoming a 2006 applicant or would it just be considered a transfer from Francisco Cruz Feja's file and process the transfer and request in that regard.

Unknown Family member speaking earlier now identified as Lorette Guerrero.

Chairwoman Pika Fejeran: in response, stated the Commission has decisions to make. The first is to assign the Agriculture lease the Commission is presently reviewing from Francisco Cruz Feja to one of the vacant lots of 5-1 or 5-2 because it the lot description was not described on the lease. 2.) To approve the transfer of beneficiary rights from Emanuel Guerrero aka: Howard Guerrero to his daughter, Valerie Guerrero, however; in order to complete the process. Also stated, if the switch between Valerie and Lorette Guerrero is considered to be "Null and Void" then it is like it never happened, but there was a lease.

Administrative Director Jack Hattig III: in response stated, it is like the switch never happened.

Land Administrator Margarita Borja: in response, stated there was a lease issued to Lorette Guerrero as a 1995 due to the switch which is now being held up because it is part of the 102 "Null and Void" list.

Chairwoman Pika Fejeran: in response, stated, if the Commission was to approve the request to transfer beneficiary rights to Valerie Guerrero moves in, the lease would be under Lorette.

Administrative Director Jack Hattig III and Land Administrator Margarita Borja: both stated after the process to take them off the 102 "Null and Void" list.

Chairwoman Pika Fejeran: stated, the Commission would have to make a motion to assign the Agriculture Lease of Francisco Cruz Feja.

Lorette Guerrero: chimed in and stated her brother in law Michael Arriola who applied in 1995 on behalf of her sister Samantha who at the time was a minor; now they are married.  
Asked if Valerie and if given to Michael Arriola (Samantha) to be placed next to each other.

Lorette Guerrero and Howard Guerrero: stated, they will take the 5-2, Tract 15213 for Valerie Guerrero.

Chairwoman Pika Fejeran: asked if the Commission approve the transfer of beneficiary rights from Emanuel Guerrero, aka: Howard Guerrero to Valerie Guerrero and the placement of the current lease (lease reviewed in file) of Tract 15213, Lot 5-2 Mangilao.

Commissioner Techaira: SO MOVED the motion

Second by Vice Chairman Joe Cruz- PASSED Unanimously

Chairwoman Pika Fejeran: stated, the lease will now be under Valerie Guerrero's name for Tract 15213, Lot 5-2.

Chairwoman Pika Fejeran: moved on to the next Feja Family member, Allen Michael Bukikosa Arriola.

**6. Michael Allen Bukikosa Arrioloa** request to process Residential Application and issuance of a Residential Lease.

**Application date: December 2, 1995 – Application No. 647**

Was issued a Notice of Intent to Award in January 30, 2007.

Chairwoman Pika Fejeran: reviewed the file and asked Howard and Lorette Guerrero if there are any other family members that could possible come to the Commission and ask why the lots were given to them?

Howard Guerrero and Lorette Guerrero: in response, stated no and if they applied in 1995 then it should be okay, fair game.

Member from the public audience: asked in regards to Lot 5-1, would it be under Michael Arriola's name or under Samantha's name?

Lorette Guerrero: in response, stated it would be under both names because they are married.

Chairwoman Pika Fejeran: in response, made the correction and stated it would only be under Michael Arriola's name on the lease, it is only held under one person's name.

Multiple discussions among family members.

Chairwoman Pika Fejeran: stated and informed Howard and Lorette Guerrero, Michael Arriola needs to hold the lease for seven years before he can transfer it to his daughter's name.

Howard and Lorette Guerrero: both acknowledged information given by Chairwoman Pika Fejeran in regards to the lease transfer.

Chairwoman Pika Fejeran: stated in the case of Michael Allen Bukikosa Arriola, there is a request to issue a Residential Lease at Tract 15213, Lot 5-1. And considering the fact the Mr. Arriola's wife is a Feja and the Feja's have a lot of history on the land and asked if the Commission wants to make a motion to approve the lease.

Motion made by Commissioner Techaira to issue a Residential Lease to Michael Allen Buikikosa Arriola for Lot 5-1, Tract 15213, Mangilao.

Second by Vice Chairman Cruz – PASSED Unanimously

Chairwoman Pika Fejeran: moved on to Lorette Tenorio Guerrero (Feja family)

- 7. Lorette Tenorio Guerrero** – requesting to process Residential Applicant as a pre-occupier and the issuance of a Residential Lease.

**Application Date before switching with Valeria Guerrero:** March 22, 2006,

**Application No.** 006485

Switched application dates and time with Valerie Guerrero:

Switched application date: December 7, 1995

Chairwoman Pika Fejeran: stated as it was described earlier in the meeting Lorette Guerrero is a 1995 switched applicant with Valerie Guerrero. The "Null and Void" lease is under Lorette Guerrero. Stated Lorette is currently residing on Lot 5402, her original application date is in 2006 and is a descendant of pre-occupiers and is now coming to the Commission requesting to honor the family history and consider Lorette to be a pre-occupier so she may continue to occupy on that property.

Asked Assistant Attorney General Nicolas Toft is there any issues with the Commission to declare Lorette Guerrero as a pre-occupier after the fact she was consider to be a part of the 102 “Null & Void” list?

On her application, Lorette Guerrero did not indicate she is a pre-occupier.

Lorette Guerrero: in response, stated that is what she had mention to the Legislature. But did provide a Mayor’s Certification.

Assistant Attorney General Nicolas Toft: in response, stated the Mayor’s Certification did not provide an effective date on it. With the Pre-Occupation it would have to have a date to indicate when the pre-occupancy took place. It would need a certain date, prior to 1995.

Chairwoman Pika Fejeran: asked if there was an issue getting the survey done?

Lorette Guerrero: in response, stated she initially hired Blas Atalig and then a complaint was filed and hired Mr. Castro and the survey is done.

Land Administrator Margarita Borja: in response, informed the Commission Lorette Guerrero completed everything, the survey and the lease. But it was stopped when the controversies started.

Chairwoman Pika Fejeran: stated she is not able to find the Mayor’s Certification in the file.

Land Administrator Margarita Borja: stated, Lorette’s Mayor’s Certification only indicated she is living on Tun Kiko Feja St. but does not have a date as to when she started to live there.

Chairwoman Pika Fejeran: stated she would be comfortable understanding Lorette Guerrero’s lineage and the Feja family occupying since the 1950’s or even before then and is comfortable honoring the Pre-Occupier status.

Vice Chairman Joe Cruz: asked in regards to the application indicating Lorette Guerrero is not occupying would that come back in question in the future?

Land Administrator Margarita Borja: in response, stated Lorette Guerrero filled out a Status Change Form indicating from her original NO she is not occupying to YES she is now occupying.

Chairwoman Pika Fejeran: asked if the Commission wants to make the finding that Lorette Tenorio Guerrero is a pre-occupier and with that finding; does the Commission want to approve the issuance of a Residential Lease for the property she is currently occupying as a pre-occupier.

Motion made by Vice Chairman Joe Cruz to approve the application for Lorette Tenorio Guerrero on a Residential Lease as a pre-occupier on Lot 19, Block 9, Tract 15213.

Second by Commissioner Santos – PASSED Unanimously

Lorette Guerrero: asked about her lease to get her Loan Guaranty

Assistant Attorney General Nicolas Toft: advised the Commission to create a new lease.

Lorette Guerrero: asked to ask a question on behalf of her dad in regards to the seven year leasing.

Her dad is asking to divide his agriculture property to his two sons and if he can list them both as beneficiaries.

Assistant Attorney General Nicolas Toft: in response, you can only list one beneficiary.

Lorette Guerrero: asked if one son is listed as a beneficiary and when the time comes, can that one son split the property to give the other son.

Administrative Director Jack Hattig III: in response, splitting property is not allowed under the current Rules and Regulation.

Chairwoman Pika Fejeran: in response stated, when the time comes, one son can relinquish half an acre to the other son.

Asked Lorette Guerrero if any of them are CLTC applicants.

Lorette Guerrero: in response, stated, one of them is under the Land for the Landless program in Astumbo and the youngest brother is not a CLTC applicant. Also asked on behalf of her family wanted to know if there are any more lots available in the Feja area?

Land Administrator Margarita Borja: in response, stated, the only areas CLTC came up with is the Delfina Arciga area (Lots shown on TV screen) which will be presented to the Commission as well. If there are any other availability for lots, it will be on the back side of 5402 (lot shown on TV screen)

Lorette Guerrero: stated she has family members living in the states who are concerned and would like to know and thanked the Commissioner.

Chairwoman Pika Fejeran: moved on to Christina C. Guerrero

Christina C. Guerrero requesting for a Survey Authorization to determine the encroachment onto the neighbor's lot. Her house is encroaching on CLTC client Tricia Flores Templo's lot on Tract 10316, Block 15, Lot 23 Dededo. Tricia Flores Templo's lot has been surveyed and is in the plans to have a fence on her area.

Christina C. Guerrero: Stated her house is encroaching onto the neighbor's lot. She was on the property since 1991. She relinquished her rights to the lot in the back and was given the Lot 26 in the

front not knowing she was supposed to be on lot 23. The individual who is there paid for their survey and was given a map is now her house is sitting on half of the individuals lot.

Chairwoman Pika Fejeran: stated Lot 23 is the lot on the left (lots shown on TV screen).  
What the lease says is a portion of and not more than one half acre subject to survey.

What should have happened is when the lease was signed, Christina Guerrero should have had the property surveyed. That didn't happen, so now the Commission needs to find a remedy for the situation for both lessees.

Land Administrator Margarita Borja: stated, basically what happen is, there was a surveyed done on all those properties (shown on TV screen). It showed the house within the property, however, as time went on and on the survey map, everything as of present day reflects on the survey.

Chairwoman Pika Fejeran: asked Christina Guerrero to show the Commission her house and lot that is displayed on the TV screen.

Christina Guerrero: after showing her house and lot on the TV screen asked if she can get a Survey Authorization.

Chairwoman Pika Fejeran: asked if the survey can be done in house and for a motion to approve a survey authorization.

Motion made to by Commissioner Techaira to approve Survey Authorization Tract 10316, Block 15, Lot 26, Dededo under Christina C. Guerrero.

**Second by Vice Chairman Joe Cruz – PASSED Unanimously.**

Administrative Director Jack Hattig III: stated an individual from the audience would like to make public comments.

Peter Rosario stated his name for the record and informed the Commission he lives in Dededo, Ysengsong behind La Familia Mart and has been living on the property for six years. He also informed the Commission he doesn't have any water and is requesting how to get water or the possibilities of transferring to another lot where there is water.

Chairwoman Pika Fejeran: asked to refer his case to the Administrative Director or with one of the CLTC Land Agents to get more information and prepare a staff report.

Administrative Director Jack Hattig III: had Land Agent I, Lydia Taleu assist Peter Rosario.

Administrative Director Jack Hattig III: asked the Commission to review other agenda items in particular the Budget Project due to the budget call coming out soon.



Chairwoman Pika Fejeran: asked when is the budget due?

Administrative Director Jack Hattig III: The time line will be laid out and that was the reason for the Budget Projection to be placed on the agenda, however, it can be discussed on the Administrative Matters Meeting scheduled for April 4.

Chairwoman Pika Fejeran: asked for the following items to be table for the next CLTC meeting scheduled for April 4, 2019.

Also informed the rest of the Commission on April 4, 2019 will be a CLTC Working Session scheduled from 1PM to 4PM then from 4PM to 5PM the CLTC will have the Administrative Matters Meeting.

**VII. NEW BUSINESS**

1. Submerged Land
2. Land Inventory
  - a. Residential
  - b. Agriculture

**VIII. ADMINISTRATIVE MATTERS**

1. FY 2020 Projection
2. Guam Racing Federation

**IX. ADJOURNMENT – 5:34PM**



