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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

Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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COMMISSION SPECIAL MEETING MINUTES

Department of Land Management Conference Room

3rd. Floor, ITC Building, Tamuning

Tuesday, January 29, 2019, 1:04 p.m. – 5:12 p.m.

Public Notice: The *Guam Daily Post* on January 22, 2019 and January 27, 2019

I. CALL TO ORDER

Chairwoman Pika Fejeran: Calls the Special meeting of the Chamorro Land Trust Commission to order at 1:04 p.m.

II. ROLL CALL

Notation of Attendance

Present were: Chairwoman Pika Fejeran, Vice Chairman Joseph Cruz, Commissioner Amanda Santos, Commissioner Shawntel Techaira, Legal Counsel Nicolas Toft and Acting Administrative Director Paul Santos

Excused Absence: Commissioner Austin Duenas

III. APPROVAL OF MINUTES

1. September 6, 2018, Regular Meeting

Chairwoman Pika Fejeran: First item on the agenda, the Approval of Minutes. CLTC Commissioners were given a new copy of the September 6, 2018, CLTC Meeting minutes. Informed the Commission there were some revisions made on Page 4, which was regarding the discussion of the ratification of the switched leases.

After reviewing the September 6, 2018, meeting minutes, a motion was made by Commissioner Techaira to approve the minutes. Second by Commissioner Santos. Passed Unanimously

2. December 20, 2018, Regular Meeting

Chairwoman Pika Fejeran: Next, the December 20, 2018 minutes asked for any comments from the Commission Members.

No comments made. A motion made by Commissioner Techaira to approve the minutes. Second by Commissioner Santos. Passed Unanimously.

Rev. 02/4/2019

IV. OLD BUSINESS

1. Confirmation of the Chamorro Land Trust Administrative Director, Jack Hattig III
Chairwoman Pika Fejeran: Our Maga Haga (Governor of Guam) has appointed Jack Hattig III to serve as our Chamorro Land Trust Administrative Director. It is also recognized pursuant to the CLT Commission's Authority under 21 GCA; §75102(b) confirmation of Mr. Hattig lies solely on the Commission. The main concern is the budget that was discussed at the last CLTC meeting. The budget for the last several years has not included any salary for the Administrative Director position.

Referred the budget report to Program Coordinator III, Joey Cruz, who manages the budget for the CLTC in house.

Program Coordinator III Joey Cruz reports on Chamorro Land Trust Commission funds and appropriations as well as CLTC FY2019 projection and analysis.

Based on 21 GCA, Chapter 75; §75124 (b) Expenditures from the Fund shall be made pursuant to a resolution by the CLTC, and shall be restricted to the following expenditures: It details what the appropriations of the CLTC Survey and Infrastructure can be spent on.

Chairwoman Pika Fejeran: asked about the \$34,725.00 that is in the Land Trust Survey and Infrastructure Fund can only be spent...

Program Coordinator III Joey Cruz: in response to Chairwoman Fejeran's statement it can only be spent on the following:

- (1) For the subdivision, surveying, mapping and registration of tracts of residential and agriculture land in the CLTC property inventory; and
- (2) For the construction of infrastructure, to include access roads, water, and power utilities, to service CLTC residential and agriculture tracts of land.

Chairwoman Pika Fejeran: states we (CLTC) cannot touch that money for salaries.

Program Coordinator III Joey Cruz: replied: or operations and continues with the next section of his report.

The next document in the packet, CLTC FY2019 Projection and Analysis; with a current recruitment of an Administrative Director and an Administrative Aide, certain cuts had to be considered such as the budget allotment under the 240 Object Class. The budget was Nineteen Thousand Nine Hundred Dollars (\$19,900.00) as of January 28, 2019, the trust only spent an amount of One Thousand One Hundred Three Dollars (\$1,103.00).

With communication with the Budget Analyst from BBMR it was agreed the remainder of the Fiscal Year 2019, the trust can only spend about Four Thousand Dollars (\$4,000.00) more which would leave a lapse of about Fourteen Thousand Seven Hundred Ninety Seven Dollars (\$14,797.00).

Overall with the release of the reserves, the CLTC appropriations, the Trust can proceed with the recruitment of the Administrative Aide and the Administrative Director. In the end the Trust may possibly see a lapse of Seven Thousand Six Hundred Eighty Dollars (\$7,680.00).

Chairwoman Pika Fejeran: states basically we're (CLTC) is not going to use all that money to fund the shortfall on salaries and benefits.

Program Coordinator III Joey Cruz: in response, in addition, to the budget report, there is an appropriation for Contractual, one pending expense which is the audit cost that has not been encumbered. Other requirements under the projection analysis would cost the Trust Twenty Seven Thousand Dollars (\$27,000.00) which would leave a lapse of Thirty Six Thousand Two Hundred Three Dollars (\$36,203.00). The lapse will also be requested to move to fund the shortfall.

Chairwoman Pika Fejeran: restates the Contractual Budget the \$27, 000.00 is for the audit and asks about the \$63,331.00.

Program Coordinator III Joey Cruz: in response to Chairwoman Pika Fejeran, the \$63,331.00 is the expenses all encumbered as of October 1, 2018 to January 28, 2019, which is for publications and CLTC's share of attorney fees.

Chairwoman Pika Fejeran: for confirmation, the \$63,000.00 expense or encumbered is what we (CLTC) has spent and what is anticipated to be spent.

Program Coordinator III Joey Cruz: in response, yes.

Chairwoman Pika Fejeran: reconfirming the budget for FY2020 is being worked on with BBMR

Program Coordinator III Joey Cruz: in response, yes. FY2020 budget is being worked on and the (CLTC) should be receiving the return of the FY2020 budget analysis.

Program Coordinator III Joey Cruz: the next document is the staffing pattern, the baseline of what is used for the staffing pattern requirements in our analysis.

All the benefits for medical and dental for the recruitment of the Admin Aide and the Administrative Director was set at the highest because it is unknown what type of plan they will choose.

Chairwoman Pika Fejeran: currently we have an Admin Aide position that is vacant and asked about the Private Secretary Position that is vacant.

Program Coordinator III Joey Cruz: in response, we (CLTC) tried to factor the Private Secretary position into the projection, however, if we were to sacrifice the Admin Aide for the Private Secretary, there wouldn't be enough money.

Chairwoman Pika Fejeran: replied, there are two vacancies and we (CLTC) can fill the Admin Aide but cannot fill the Private Secretary, so we'll (CLTC) will be foregoing the Private Secretary for the salary of the Administrative Director.

This is also considering that one of the Land Agent I has resigned.

Program Coordinator III Joey Cruz: In response, yes, we already moved the encumbrance.

Chairwoman Pika Fejeran: That also means we would not be able to fill that position until such time.

Program Coordinator III Joey Cruz: in response, yes if there is enough money for next fiscal year.

Chairwoman Pika Fejeran: states, in total, we are giving up some expenditures that were allocated for supplies, contracts and miscellaneous; in addition to filling the Private Secretary and filling the Land Agent I positions that is vacated as of today.

Chairwoman Pika Fejeran: after justification, clarification and understanding of the CLTC budget, appropriation funds it is clear that BBMR and Joey (Program Coordinator III) were able to find funding to support the hiring of the Administrative Director. Our (CLTC) budget can handle it, (referring to the expense to employ an Administrative Director).

Stated we (CLTC) has someone who is eager and ready to start, he (referring to Mr. Hattig) is ready to take on a complex program. Employment packet was submitted to the Commission and there is nothing in Mr. Hattig's employment packet that is concerning. Also informed the Commission the effective start date of Mr. Hattig's employment will be effective February 4, 2019.

Invites Mr. Hattig to come forward before the Commission.

A motion made by Vice Chairman Joe Cruz to approve the confirmation of Mr. Jack Hattig III as the Administrative Director of the Chamorro Land Trust. Second by Commissioner Santos. Passed Unanimously.

After the confirmation of the Chamorro Land Trust Administrative Director, Mr. Jack Hattig III, the commission had a list of priorities that was given to him and were discussed. These priorities are to improve transparency of the Commission and re-establish our (CLTC's) integrity.

The list of priorities also included general job duties given to the Administrative Director from the Commission are the following:

- ❖ To exercise the power and authority delegated to the Administrative Director given only by the Commission.
- ❖ To manage the CLTC Staff, the budget and the assets.
- ❖ To ensure program compliance with all applicable laws, rules and regulations.
- ❖ To report to the Commission all activities on a semi-monthly basis at the CLTC Meetings.
- ❖ To carry out any and all activities as directed by the CLTC commission.
- ❖ To monitor all the legislative bills pertaining to the Chamorro Land Trust; as the previous Director did, he would inform the commission about the bill and draft testimonies and attend public hearings.

Priorities for 2019 are the following:

- ❖ Executive Order 2019-01; to Re-Establish the Chamorro Land Trust as a separate agency for the Department of Land Management.
- ❖ Improve the transparency of the Trust
- ❖ Register and Survey all lands for the Chamorro Land Trust Inventory and determined best use
- ❖ Work with the Legislature to come up with a Bill to ratify the 102 "Null and Void" leases and to amend Public Law 23-38 and the Chamorro Land Trust Act; once those amendments are made, we'll need you to map, document and train the CLTC staff and our Beneficiaries on the processes, requirements and policies for Agricultural and Residential leasing.
- ❖ Re-establish the integrity of the Residential and Agricultural waiting list
- ❖ Prepare for future leasing to include a preparation of a base line report with the property inventory which would be the CLTC supply versus CLTC lessee and applicant demand to determine the long term planning needs. Future leasing would require that CLTC coordinate

with the utility agencies to plan current and future leasing efforts to run parallel with planned capital improvement projects. Also to prepare for future leasing, CLTC be looking at subdivision compliance checks for current lessees, developing communities and coordinating with Guam Housing to fast track home building.

- ❖ Generate revenue, based on the CLTC current revenue stream, the Trust will not have enough money to sustain current operations in 2023, about four years to increase and generate CLTC's revenue.
- ❖ Finally, reorganize the CLTC staff and the efforts to achieve the priorities mentioned above.

Chairwoman Pika Fejeran: stated after listing the priorities mentioned above, would like to go over each of the priorities in finer detail off line with the Administrative Director Hattig.

V. NEW BUSINESS

1. Administrative Action

a. **Maps & Addendums** – moved to item VI, ADMINISTRATIVE MATTERS, No. 3; Processing of Maps – Tabled for the next meeting schedule on February 7, 2019.

b. Constituent Staff Reports

- i. Juan Benavente – No representative present. Tabled for February 7, 2019
- ii. Teddy Pangelinan Concepcion – Request to have a construction of a piggery.

Chairwoman Pika Fejeran: reads the staff remark; Subject lot is unregistered, lot was surveyed and mapped and approved by Thomas Elliott on March 24, 2006; lot has been utilized for cattle grazing since 1997; Lease was ratified by CLTC Board on September 6, 2018.

Vice Chairman Joe Cruz: asking how many acres

Land Administrator Margarita Borja: in response to Vice Chairman Joe Cruz, 20 acres

Chairwoman Pika Fejeran: August 2017, Teddy Concepcion has been working with the Natural Resources Conservation Service, the US Department of Agriculture to develop his piggery plans. He has a Bona fide Farmers Certification, has a lease from 1997.

Land Agent I John Gumataotao: informs the Commission Teddy Concepcion's father was under the Arruendo Program, has and LUP and the area (shown on the TV screen) is adjacent to the Chi'guan Massacre Site.

Showed the Commission an area that is partitioned out as a severance and indicated on his (Teddy Concepcion's) plan. Also showed another area in the property that was used for cattle grazing. He (Mr. Concepcion) is requesting for a lease because he is working with the US Dept. of Agriculture to obtain funding for an energized fence and to remove the area where the monument of the Chi'guan Massacre Site is on.

Chairwoman Pika Fejeran: Asked if Teddy Concepcion is asking for approval for his lease.

Land Agent I John Gumataotao: in response, yes in addition to what was mentioned above as far as getting the assistance with US Dept. of Agriculture and to remove the area of the Chi'guan Monument Site of his property; he is also going to construct a piggery.

It is was also pointed out that Teddy Concepcion's piggery plans were developed in cooperation with the Northern Guam Soil and Water Conservation District.

Vice Chairman Joe Cruz: states he doesn't understand why Teddy Concepcion will request for an approval for the piggery when he (Teddy Concepcion) was issued a 99 Year Lease for agriculture and is permitted; at the same time the ten of the twenty acres are used for pastures, except for the piggery and the monument side.

Land Administrator Margarita Borja: in response to Vice Chairman Joe Cruz's statement. Based on the lease, there is an area that is stated the lessee must appear before the board to construct a piggery and get approval from the Board of Commission.

(Discussion Ensues)

Land Agent I John Gumataotao: Also explained because the land is unregistered and he (Teddy Concepcion) is giving up the portion that he is giving up includes in his original 20 acreage lease, a lot of things will be factored in to the new lease such as meeting the requirements per head, per cattle per grazing acreage; same with the piggery; those would have an average effect on his lease. However, again, because the land is unregistered, the main issue is to have a valid lease.

Vice Chairman Joe Cruz: Asked if that is the main reason why he is requesting for approval from the board

Commissioners Comments: it is the fault of the commission for placing him on unregistered land

Assistant Attorney General Nicolas Toft: in response to the comments made; he (Teddy Concepcion) was occupying the property prior, he has an LUP.

Commissioners Comments: Asked how to work with the situation.

Assistant Attorney General Nicolas Toft: the process would have to go through legislation, get the property surveyed, get the land registered.

Chairwoman Pika Fejeran: Asked if there is anything else that can be done and if it would be an issue if the Commission approved his (Teddy Concepcion) plans with the understanding the parceling out the Chi'guan Massacre Site.

Assistant Attorney General: in response to Chairwoman Pika Fejeran's question, as long as the lease is not being altered. The Piggery request is separate of the unregistered land issue. As far as the parceling out of the site, that would have to wait until the registering is completed.

After more discussion, Chairwoman Pika Fejeran emphasized this is what we (CLTC) want to hear from our Beneficiaries; believes Teddy Concepcion has a good story and is exactly what CLTC wants the lessees to do.

A motion made by Commissioner Techaira to approve the piggery for Lot 7154-2 Yigo. Second by Vice Chairman Joe Cruz.

Chairwoman Pika Fejeran: Stressed a motion was made for the piggery only, all other concerns regarding the lot parceling will have to wait until the land is registered.

Restated the motion made; Motion PASSED Unanimously.

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

c. Lease/Addendum/Utility Authorizations

i. Norma Arciga Benavente: Tabled for February 7, 2019. No representative present; representative scheduled to appear before the Commission on the next scheduled meeting on February 7. Commission requesting for staff reports on all family members within the Feja Family surroundings. Norma Arciga Benavente is a part of the Feja Family.

Chairwoman Pika Fejeran: moved onto the Rosanna Marie Camacho

ii. Rosanna Marie Camacho: Not present

Summary: Roseanna Marie Camacho is the designated beneficiary to her deceased mom, Rosemarie Cruz Camacho who had lease issued to her in 1997 and was the original applicant. The request is to issue an addendum to reflect the changes of the applicant.

Chairwoman Pika Fejeran: pointed out the application for Rosemarie Cruz Camacho indicates she is not living on government land. The application for the designated beneficiary, Rosanna Marie Camacho indicates she does, which makes her a priority 2.

Vice Chairman Joe Cruz: asked whose application are we (CLTC) assessing as a priority 2.

Land Administrator Margarita Borja: Based on Public Law 23-38; there is a section indicating as a benefactor and you own land, it shouldn't affect the issuance of a lease to the beneficiary.

PL 23-38; 7.5 the transferee may own an interest in non-Chamorro homelands real property, regardless of degree of ownership.

Motion made by Commissioner Techaira to approve an addendum to residential lease for Rosanna Marie Camacho for Lot 22, Block, 17, Tract 9210, Yigo. Second by Vice Chairman Joe Cruz. PASSED Unanimously

Chairwoman Pika Fejeran: before moving on to the next constituent on the list suggested to the Commission and the newly Confirmed CLTC Administrative Director, Jack Hattig III to have a resolution drafted regarding the approval authority granted to the Administrative Director given by the Commission for the following:

1. Utility Authorization for current lease holders
2. Beneficiary Designations for CLTC lease holders within accordance of the law; PL 23-38; 9.1
3. Beneficiary Designations for CLTC applicants within accordance to the law; PL 23-38; 5.8
4. Lease Transfers within accordance of the law; PL 23-38; 7.5

In addition to the above approved motions, a new motion was made for approval authority to be given to the Administrative Director for lease addendums for beneficiary designations in accordance to PL 23-38; 9.1, existing leases and transfer of leases in accordance to PL 23-38; 7.5. So moved by Commissioner Techaira. Second by Vice Chairman Joe Cruz. PASSED Unanimously.

After confirming all approved motions granting approval authority given to the Chamorro Land Trust Administrative Director by the CLT Commission, Chairwoman Pika Fejeran continued onto the next item on the agenda.

iii. Eddie Concepcion Muna

Summary: Eddie Muna took over Jesse Atoigue Muna who is his deceased father's application. His father (Jesse Atoigue Muna) was a pre-occupier under Land Use Permit No. 4093 with a Mayor's Certification indicating he (Jesse Atoigue Muna) has occupied the land since 1983. There were utilities that existed but has been disconnected. GWA and GPA requires a lease reflecting Eddie Muna as the lessee in order to make changes on the utility accounts. The request is to issue an agriculture lease, Survey Authorization and Utility Authorizations under Eddie Muna's name.

Land Administrator Margarita Borja: informed the Commission; there was a lease that was prepared for Eddie Muna, however; it was at the time the controversies with CLTC occurred and everything was placed on hold.

Richard Muna: representing his brother Eddie Muna and explained during the time his father was alive he (Jesse Atoigue Muna, father) wanted his four sons to live on the property. But according to Margarita Borja, Land Administrator, only one person can take over the lease. They (Richard and the rest of Jesse Muna's sons) would have to designate one person which is Eddie. Eddie lived with their father the whole time unfortunately, the paper work was being processed at the time their father passed away. After the passing of their father, hard times occurred and the power was disconnected. Requested from the Commission to approve Eddie Muna as the lessee instead of the beneficiary so he could go to GPA and GWA and make the necessary changes.

Chairwoman Pika Fejeran: thanked Richard Muna for presenting their case to the Commission. Has no questions, asked the Commission members if they had any questions regarding their case.

No questions from the Commissioners.

A motion made by Commissioner Techaira to approve the issuance of an Agriculture Lease, Survey Authorization and Utility Authorizations for Lot 3, Block 17, Tract 10316, Dededo containing an area of 8,140 square meters as per Masterplan under the name of Eddie Muna. Second by Amanda Santos. PASSED Unanimously.

iv. Lindsey Quitugua Mafnas – Not present

Summary: Lindsey Quitugua Mafnas is a pre-occupier, LUP# 3379 which was originally under her mom, Linda Quitugua, for lot 10120-107, Dededo. Through another program Linda Quitugua was offered a Dollar Home in the Sagan Linayan Area, her children remained on the Arrunedo properties where Lindsey is currently residing. Linda Quitugua would have to give up the Arruendo property which she did and transferred her application rights to her daughter Lindsey who remained on the property. A Mayor's Certification for Lindsey is in file and indicates she was occupying with her family. Her power was disconnected since 2017, last power bill in file for reference. Request for an Agriculture Lease pending the completion of survey and Utility Authorizations.

Chairwoman Pika Fejeran and Commission Members not only discussed the applicant's situation but the general area of Lot 10120 where the applicant resides. Among the discussion was the process of surveying properties.

Acting Administrative Director Paul Santos: chimed in, agrees the surveying process with the CLTC applicant. Leases being issued with subject to survey which comes later on from the CLTC lessee which can be put off by the lessee until much later. Suggested prior to issuing a lease, to give the CLTC applicant a time line to complete their surveys.

Chairwoman Pika Fejeran: states it's a hardship on the CLTC Beneficiaries to have their properties surveyed. Asked what would it take to get these properties all surveyed for the beneficiaries considering it is CLTC's properties.

Acting Administrative Director Paul Santos: in response to Chairwoman Fejeran's question, it is funding.

Shown on the TV screen are all CLTC properties in the 10120 and the 10125 areas, from the Ukudo area to the Astumbo Fire Station area.

(Discussion ensues)

Commissioner Techaira: referred back to the subject of Lindsey Quitugua Mafnas

Chairwoman Pika Fejeran: asked the Commission if we (CLTC) made a motion to approve her Agriculture Lease and Utility Authorization, can the motion be made based on not to exceed the half acre portion that is occupied.

So Moved by Commissioner Techaira. Second by Vice Chairman Joe Cruz. PASSED Unanimously.

v. Francisco Blas Salas

Summary: Francisco Blas Salas was a pre-occupier, farmed banana, tomatoes, bitter melon, okra, had pigs and other local crops. He has completed his survey for Lot 2NEW, Block 8, Tract 10136, Dededo. He is requesting for an Agriculture Lease and Utility Authorizations.

Chairwoman Pika Fejeran: for clarification asked if the reference lot for the above description is the same lot as 10122.

Land Administrator Margarita Borja: in response to Chairwoman Fejeran, explained 10122 is the basic lot of Tract 10136; 10122 is huge lot and was tract out to tract, block and lot and now identified as Tract 10136.

Also explained, because the survey has been completed, CLTC now needs to complete an addendum to reflect the recorded map number, which would be the only changes on the lease.

It would be up to the Commission to decide if an addendum to the Agriculture Lease is necessary, there is a recorded map of the lot description in file.

Chairwoman Pika Fejeran: asked if it is necessary to have an addendum to reflect the recorded map number or would the recorded map with the lot description be sufficient enough.

Land Agent Supervisor Mathew Leon Guerrero: chimed in and suggested to have an addendum done even if there is a recorded map.

Land Administrator Margarita Borja: Also explained, the reason for an addendum is due to leases that were issued out based on subject to survey.

Chairwoman Pika Fejera: It basically connects the two, the lease and the recorded map.

Commission discuss and agree to have an addendum to complete the process.

A motion made to approve an Addendum to an Agriculture Lease and the issuance of Utility Authorizations for Francisco Blas Salas. So Moved by Commissioner Techaira. Second by Vice Chairman Joe Cruz. PASSED Unanimously.

vi. Polly J.B. Gay - Not Present

Moved to include under Pre-Moratorium Lease List

vii. Daniel E. Sablan – Not Present

Tabled for the next meeting; CLT Commission requesting for a farm plan

viii. Sara Rose Flores – Not Present

Summary: Sara Rose Flores is has a residential lease that was issued to her in 1997 subject to survey. She completed her survey; has a Masterplan map recorded under Instrument No. 880757. Requesting to have an addendum to reflect the new lot description. Her lease was ratified by the CLT Commission Board on September 6, 2018.

Chairwoman Pika Fejeran: States the lessee, Sara Rose Flores has an existing Residential Lease and she is only requesting for an addendum formalizing the property description.

Land Administrator Margarita Borja: in response, her (Sara Flores) existing lease was indicating Block 4, Lot 39 and based of the Masterplan done by CLTC designates the same lot now described as Lot 17, Block 4, Tract 15213, Mangilao. The same area, the Masterplan changed the lot description.

Chairwoman Pika Fejeran: asked if the Commission want to make a motion to approve the Addendum to Residential Lease for Sara Rose Flores on Lot 5402, Block 4, Lot 39, Mangilao to be described now as Lot 17, Block 4, Tract 15213, Mangilao.

So Moved by Commissioner Techaira. Second by Commissioner Santos. PASSED Unanimously.

ix. Ramona Perez Salas – Not Present

Summary: Ramona Perez Salas has Residential Lease which reflects a portion of Lot 10125-11-R1, Dededo. Her property was surveyed, has a Masterplan Map recorded under Instrument No. 88034 showing the actual lot description based on the Masterplan. Requesting to have an addendum to reflect the lot description as indicated on the Masterplan and for issuance on Clearing and Grating Authorization.

Chairwoman Pika Fejeran: stated it's the same situation as the previously discussed lessee. Asked if anyone has any questions

Vice Chairman Joe Cruz: Asked if the authorizations come from Chamorro Land TrustLand Administrator Margarita Borja: in response to Vice Chairman Cruz's question, CLTC would issue an Authorization to DPW, then the lessee would take the authorization to DPW and from there would request for a clearing and grating permit.

Commission Members acknowledged the process.

Chairwoman Pika Fejeran: asked if there are any other questions and would the Commission like to approve the Residential Lease Addendum for Ramona Perez Salas changing the lot description to Lot 18, Block 1, Tract 10125, Dededo.

So Moved by Vice Chairman Joe Cruz. Second by Commissioner Techaira. PASSED Unanimously

x. Edward Blas Peredo – Not present

Summary: Edward Blas Peredo is deceased, named his daughter Shannon Bamba Peredo as his beneficiary. All the qualifying documents for his daughter Shannon is in file. The lease transfer is in accordance with PL 23-38, Section 9.1.

Chairwoman Pika Fejeran: stated, with Edward Blas Peredo, the Commission has already given approval authority to the Administrative Director to make that approval

Chairwoman Pika Fejeran: moved onto the next item on the agenda, Pre-Moratorium Lease List

2. PRE-MORATORIUM LEASE LIST

Chairwoman Pika Fejeran: asked how did the people get on the list, referring to the Pre-Moratorium Lease List

Land Administrator Margarita Borja: in response to Chairwoman Fejeran's question, explained the names on the list are the last batches of leases that were prepared and held back for the Governor's signature. The leases required the lessee and the Director's signature and just waiting for a date for the Governor's signature.

Chairwoman Pika Fejeran: asked Assistant Attorney General Nicolas Toft if the leases required a signature from the Governor.

Assistant Attorney General Nicolas Toft: in response to Chairwoman Fejeran's question, no, it doesn't need but will need the approval of the Commission.

Land Administrator Margarita Borja: referring to the Pre-Moratorium lease list, did not get approval from the Commission.

Chairwoman Pika Fejeran: reconfirmed with Land Administrator Margarita Borja that the list did not get approval from the Commission and did not make it onto the list to ratify

Land Administrator Margarita Borja: correct and explained they (Pre-Moratorium Lease List) was at the beginning of all the controversies with CLTC and the Attorney General's Office said all leases were Null and Void.

Assistant Attorney General Nicolas Toft: in response, the leases were not VOID, there were VOIDABLE. If the Commission went over the leases and approved them, then CLTC can reissue

those leases and the Commission can sign them. The leases would have to be reviewed by the Board and suggested for the Commission to look at the pre-occupier leases that were prepared.

Chairwoman Pika Fejeran: asked if the Pre-occupier lease list would need a separate ratification.

Assistant Attorney General Nicolas Toft: in response, the list that was ratified was a specific number that was given, the Pre-occupier lease list is a separate list that didn't include the original list that was ratified. We referring to CLTC didn't know about this list until much later. Yes, it would be a separate group for to ratify.

Land Administrator Margarita Borja: suggested to cross check the Pre-occupier lease list with the bigger list of names of those that were ratified to see if any of the names from the pre-occupier list is listed on the ratified list.

Commission Members and Assistant Attorney General Nicolas Toft agree to cross the check the names and the two lists.

Chairwoman Pika Fejeran: reconfirmed Land Administrator Margarita Borja's suggestion and tabled the Pre-Moratorium Lease list discussion pending verification against the list that was ratified. Discussion tabled for the February 7th meeting.

3. Commercial Licenses

Chairwoman Pika Fejeran: Requested from Program Coordinator III Joey Cruz to put together more detailed information regarding the Commercial Lease Licenses to include the compliance, lease status and other revenue generating activities. Tabled for February 21, 2019, the next CLTC meeting.

4. Unregistered Land

Chairwoman Pika Fejeran: moves onto the next item, Unregistered Land on the spread sheet provided to the Commissioners.

Assistant Attorney General Nicolas Toft: in response, on the spread sheet is a listing of 71 lots, about a third of them have leases or commitments on them at no fault of the Commissioner or the previous Director, they (those living on unregistered land) were there under the Arruendo Program. Has started to work with Land Administrator Margarita Borja to find the bigger lots with accessibility that are in areas where CLTC can place people for residential or agriculture; lots that are bigger sizes and have maps completed. Especially in the Dededo area, those have lots that look like they are already done, just a matter of having them registered.

Prioritizing the areas where CLTC has lessees for those who are occupying on unregistered land.

Chairwoman Pika Fejeran: asked, what authority does the Trust have as far as once the land is registered; can have developers come in and develop on the property and then leasing them to applicants.

Assistant Attorney General Nicolas Toft: in response to Chairwoman Fejeran's question, first would have to determine if it is residential or agricultural. And we (the Trust) is capped at nine percent of total inventory of what can be commercial.

Chairwoman Pika Fejeran: requested for Assistant Attorney General Nicolas Toft and Land Administrator Margarita Borja to work with DLM to gather more information regarding the unregistered land as far as funding and identifying all unregistered land.

5. Infrastructure & Survey Fund Appropriations – Tabled for February 21, 2019

VI. ADMINISTRATIVE MATTERS

1. Transition Report

Chairwoman Pika Fejeran: A few items regarding the Transition Report that was provided by former Director, Director Borja which included the pending matters for legislation; need to address the “Null and Void” Leases and the amendments.

Proposed to revisit the Resolution for 2018-09; discuss the process and requirements, the changes the amendments would do to communicate in an easier way to the beneficiaries.

Requested to place Resolution No. 2018-09 on the February 21st. agenda. In addition, Chairwoman Fejeran wanted to view the current process based on PL 23-38 and what Resolution 2018-09 would do to amend the current process.

Chairwoman Pika Fejeran: In regards to revisiting Resolution No. 2018-09, asked Administrative Director to reach out to the Guam Homeless Coalition to get some information regarding the homeless. Guam Homeless Coalition considered some families homeless because they are on substandard homes and guarantees some of those numbers are CLTC’s Beneficiaries. Requested for more understanding of what the situation is for CLTC’s Beneficiaries; because there is an obvious real need to have homes to live in and not just land to put a shack.

2. CLTC Staff:

Chairwoman Pika Fejeran: asked Newly Appointed Administrative Director Hattig to view the listing of the CLTC staff. Based on her review, there is not a standard listing of jobs duties for the staff, which is one of the priorities to reorganize.

Some employees are under the Department of Land Management, requested to identify areas where employees overlap and create a memorandum of understanding for those employees.

3. Processing of Maps – Tabled for February 7, 2019
4. Financial Report – Tabled for February 21, 2019

VII. COMMISSIONERS COMMENTS

CLTC Board of Commissioners terms was briefly discussed as far as the length and expiration of their terms.

VIII. ADJOURNMENT: 5:12 p.m.

Transcribed by: Tina Jocson, Land Agent I

Approved by Board Motion in meeting of: March 7, 2019

Jack E. Hattig III, Administrative Director

Chairwoman Pika Fejeran