



**Lourdes A. Leon Guerrero**  
Governor

**Joshua F. Tenorio**  
Lieutenant Governor

**Commission Members**

**John F. Reyes, Jr.**  
Chairman

**David B. Herrera**  
Commissioner

**Earl J. Garrido**  
Commissioner

**Arlene P. Bordallo**  
Commissioner

**(Vacant)**  
Commissioner

**Alice Taijeron**  
Administrative Director

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

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## **REGULAR MEETING AGENDA**

CLTC Conference Room

Suite 223, ITC Building, Tamuning, Guam

**Friday, March 24, 2023, 1:09 p.m.**

Public Notice: The *Guam Daily Post* on March 17, 2023, and March 22, 2023

**Acting Chairwoman Arlene Bordallo:** Good afternoon; welcome to the CHamoru Land Trust Commission meeting dated March 24, 2023. The time is 1:09 p.m. Public notice for today's meeting were published in the Guam Daily Post on March 17, 2023 and March 22<sup>nd</sup> 2023.

Notices were posted online on the CHamoru Land Trust website at [dimgov.gov@dimguam.gov](mailto:dimgov.gov@dimguam.gov) the CHamoru Land Trust Facebook page and the Government of Guam Public Notice Portal at [notices.guam.gov](http://notices.guam.gov). This meeting is being live-streamed on YouTube at [govguamlive](http://govguamlive). Video and audio recording are made possible by our partners at KGTF. I now call this meeting to order.

### **ROLL CALL**

**Acting Chairwoman Arlene Bordallo:** John Reyes Jr. – excused absence. David B. Herrera

**Commissioner David Herrera:** Gaigue yu.

**Acting Chairwoman Arlene Bordallo:** Earl J. Garrido

**Commissioner Earl Garrido:** Esta gui yu

**Acting Chairwoman Arlene Bordallo:** Kristan Finney, Assistant Attorney General

**Attorney Kristan Finney:** Here

**Acting Chairwoman Arlene Bordallo:** Alice Taijeron, Administrative Director

**Administrative Director Alice Taijeron:** present

**Acting Chairwoman Arlene Bordallo:** Arlene Bordallo, Commissioner – Here.

### **APPROVAL OF MINUTES**

**Acting Chairwoman Arlene Bordallo:** Approval of Minutes, February 16, 2023, Meeting Minutes. I would like for someone to make a motion.

**Commissioner D. Herrera:** I would like to make a motion Madam Chair to approve the minutes for February 16, 2023.

**Acting Chairwoman Arlene Bordallo:** Can we I hold and we'll make the Inefresi being Mes Chamoru.

**ALL:** Reciting the Inefresi

**Acting Chairwoman Arlene Bordallo:** Biba CHamoru!

**Acting Chairwoman Arlene Bordallo:** So, approval of the minutes for February 16, 2023. Okay, Commission, you accept the minutes?

**Commissioner E. Garrido:** I second the motion

**Acting Chairwoman Arlene Bordallo:** All in favor?

**Commissioners:** Aye

## **OLD BUSINESS**

**Acting Chairwoman Arlene Bordallo:** Old business on our agenda.

### **Guam International Country Club**

**Acting Chairwoman Arlene Bordallo:** Guam International Country Club and Guam Raceway Federation. Please do Old Business Matters

**Commissioner E. Garrido:** May I make a statement?

**Acting Chairwoman Arlene Bordallo:** Sure

**Commissioner E. Garrido:** Este pa bai sa-ang guini pago na dia, ti put Repbulican pat Democate hu. Bia tutun este na quentos hu, Protihi y tanota guini gi isla. Protihi y tanota guini gi isla. The CLTC was enacted with a mission to provide land for housing and agricultural opportunities for Guamanians living in Guam. When the governor first nominated me for the CLTC Board, I was humbled by the recognition bestowed on me. I was then presented before the legislature for consideration on the appointment. After a few weeks passed I was unanimously approved on the appointment. Emphasis during the hearing was placed on my ability to work and contribute in conjunction with the CLTC mission statement, moving its mandates forward. I offer these modified excerpts from the National Association of Realtors which I am a member of. "Under all is the land. Upon its wise utilization and widely allocated ownership, depends the survival and growth of free institutions and of our civilization. Recognize that the interests' of the island and its citizens, require the highest and best use of the land and the widest distribution of land ownership. They require the creation of adequate housing opportunities, building of functioning subdivisions, and development of productive farms, for the preservation of a healthful environment. Such interests impose obligations beyond those of ordinary commerce. They impose, grave social responsibility, a patriotic duty to which the CLTC should dedicate themselves, and for which they should be diligent as custodians to the mission. Therefore, the CLTC is protective to maintain and improve the standards of their calling, to share with their fellow islanders the common responsibility for integrity and honor."

Here I am today! I would like to resolve and wash away, the sins of the past, because, it is the PAST. We will work for a new and better Guam! There are quite a few inadequacy of the past, the CLTC acknowledges that. I as well as the CLTC, will resolve to remediate and or rectify

those situations. This CLTC board is a very proactive board with a mission of moving Guam forward. Again let me reiterate a modified phrase, “The sins of the past which is the sins of our fathers are passed to succeeding generations” Today it ends here! I was appointed and confirmed for this post, so it is my fiduciary responsibility to seek validity for the people of Guam and the CLTC! I implore the Governor and the Legislature of Guam to work with the CLTC for the betterment of the vast majority and not the benefit of a select special interest. I am on the record to make Guam a better place! Biba CLTC! Biba Guam!

**Commissioner D. Herrera:** Biba! Biba!

**Administrative Director A. Taijeron:** Si yu’us ma’ase’ Commisisoner Garrido

**Acting Chairwoman Arlene Bordallo:** Very good. I agree with you. Ms. Alice?

**Administrative Director A. Taijeron:** Yes, ma’am.

**Acting Chairwoman Arlene Bordallo:** Can you go ahead and tell us about the old business.

**Administrative Director A. Taijeron:** Okay, under Old Business, thank you, Madam Chair. Guam International Country Club is still under legal review. There have been certain issues ongoing and we’ve discussed that with legal counsel. So, if we can bring that up at the next meeting, we should have some resolution by then, okay?

#### **Guam Racing Federation**

**Acting Chairwoman Arlene Bordallo:** Guam Racing Federation

**Administrative Director A. Taijeron:** Any questions on the Guam International Country Club?

**Commissioner E. Garrido:** Well, you’re deferring it, right?

**Administrative Director A. Taijeron:** Yeah, well it’s under legal review, we’re discussing it with legal and with regard to any potential further action.

**Commissioner E. Garrido:** That’s what I mean, you’re deferring it until we get some feedback.

**Administrative Director A. Taijeron:** Yes, sir. Thank you. Guam Racing Federation, at our last meeting we discussed the – it was accepted that there was a 90-day extension. I believe June 2<sup>nd</sup> is the expiration date just to ensure that there’s clarification there’s not supposed to be any activity happening there other than in April when Smoking Wheels comes that was the reason for the extension, the 90-day extension. We’ve taken a few field trips up there to make sure that there wasn’t anything happening. I haven’t seen anything and I’ll continue to schedule our team to go up and visit and make sure that there’s no other activity. I did see, I believe it was on a Saturday or Sunday I forget the date where there was motocross bikers they were potentially practicing so that’s the only activity that I’ve seen thus far up there. Guam Racing Federation at this point on time and I believe it’s under New Business, is the Commissioners having accepted the extension and ending on June 2<sup>nd</sup> for the Guam Racing Federation to occupy 7161-R1, it’s now at the Commissioners to make a determination with regard to how we’re going to move forward on that property. And that’s probably a discussion that you might want to take up with the chairman present as well, I think he had some input

on that but really we're at this point with regard to the commissioners and deciding on how you want to move forward with that 7161. So, that's the only update I have with Guam Racing. I'm happy to answer questions.

**Commissioner E. Garrido:** Well there's a condition on the lease for the Guam Racing Federation and since we're terminating their lease, we have 60-days before the end of the lease to inform him on how we want the property transferred back. Now, the option that I remember in this big binder said we can require it return in its pristine condition or some sort of adjustments to it. I'm just notifying everyone here that we have up until 60-days prior today that the termination of lease that we have to inform them how we want it returned.

**Administrative Director A. Tajeron:** Okay, I will work with legal counsel on that and... did you want it return a specific way?

**Commissioner E. Garrido:** Well

**Administrative Director A. Tajeron:** I'll work with legal counsel to prepare the letter and the notification.

**Commissioner E. Garrido:** Of the top of my head, I haven't really given it a lot of thought but there is a lot of trash up there and I don't want us to be stuck with.

**Administrative Director A. Tajeron:** Okay, thank you Commissioner Garrido. I'll work with legal counsel if we – when we come up with potentials we'll send it to the commissioners if that's okay?

**Commissioner D. Herrera:** Have you guys reviewed the contract specifically line by line

**Administrative Director A. Tajeron:** The license agreement

**Commissioner D. Herrera:** All the options, and the requirements, and the stipulations? I know you just got on board like last month and we had a transition from our last legal counsel...so, because it's like one report – this is just one report of the 20 years activity that occurred out here and I guess the question is that have you reviewed this to come and be prepared for the 60 day window before the date of the 90-days

**Administrative Director A. Tajeron:** I think the 90-day agreement indicates that we do have the option to ask for the property to be returned in its original state. We can ask forgive me it's a lot of documents that were reviewed but that's one of the options is do we want them to return in its original state and we'll get legal counsel on that as well. Did that answer your question? I think the license agreement does indicate that, it gives us that option.

**Commissioner D. Herrera:** So, has it been reviewed page by page, line by line. You know with all the issues that we were facing that led us to this point. I mean I'm just trying to...

**Administrative Director A. Tajeron:** I have not gone line by line.... Maybe a few pages at a time however, you know how many documents we have put together, right, it's the equivalent of potentially a case of paper that we put together for this. And as you understand, the reason behind that is coming on board seeing already the issues that we're facing is we wanted the

commissioners to be aware of what it is that brought us to here. We do have a – everybody can see that large binder

**Commissioner D. Herrera:** There's two

**Administrative Director A. Tajeron:** And there's two other large binders over there is that it contains all the information that we've been able to acquire and put together with regard to the relationship with the Guam Raceway Federation and the CHamoru Land Trust Commission. The CHamoru Land Trust Commission has acted – has done their due diligence and all the commissioners actions taken with regard to the contract terminating the lease – license agreement with the Guam Racing Federation was valid and justified based on everything that we've received and have compiled and reviewed for the Commissioners.

**Commissioner D. Herrera:** Inaudible – just for the record.

**Commissioner E. Garrido:** I have a question for you. After reviewing this and going through it line by line also it was not fun. I felt to see any feasibility study that should have been provided by the Guam Raceway and have you found anything that would....?

**Administrative Director A. Tajeron:** I have not seen a feasibility study. What we do have is the GEDA I believe and I could speak to the director or executive manager of GEDA, what we do have is the masterplan which was compiled by Duenas and Associates for the Guam Racing Federation and filed with the Guam Economic Development Authority so, through that we'll be able to review – it's basically the masterplan but I have not reviewed it in its entirety – I'll look through it. I have not seen a feasibility study. Are you also asking about the...

**Commissioner D. Herrera:** No, really this is complex and we have to do this properly because we're going to end up in court and you know just to be fair and to protect our asset and our asset is the property.

**Administrative Director A. Tajeron:** Yes, sir. Yes, it is. The team has gone through great lengths of course to compile all the data that we have all the information that we have to support the decision that the commissioners made. With regard to the feasibility study, I would go through that masterplan again in its entirety and much more thoroughly. I did not, in my perusal of it, I did not find a feasibility study.

**Commissioner D. Herrera:** Okay.

**Commissioner E. Garrido:** There was another item that caught my attention in the first binder, it was environmental damage that was done to the property during Mr. Simpson's oversight.

**Administrative Director A. Tajeron:** During the mining and excavation?

**Commissioner E. Garrido:** Yes. And it was cited as pristine lime forest and he was ordered by Department of Agriculture to replant the fading trees that he destroyed. I don't know if that was ever completed because it doesn't say. I don't know that Department of Agriculture ever followed up on it to find out if he did replant the fadang trees.

**Administrative Director A. Taijeron:** We can follow up with Department of Ag. I apologize that's one agency I haven't been able – I haven't reached out too. But I have not seen fadang trees.

**Commissioner E. Garrido:** Neither have I. And he was \*inaudible\* they gave him a break and they fined him I think \$1000. Under the condition that he replant the fadang trees.

**Commissioner D. Herrera:** Just an update on that Director Taijeron, is that I did reach out to the Agriculture Department and we found out back in 2005 and 2006 that was the citation but that's for Lot no. 7164-2, -3, -4, -5 rights of way. That was the access that was connecting Lot 7160-R1, the one million square meter of property that was even connected to Lot 7164-2,3,4,5 and it was not authorized by the CHamoru Land Trust Commission to open up the access they were claiming there was a bull cart trail but eventually it was open up to a 40 foot wide and that was since 2006...7, 8, 9, 10, 11 up until the present time until we have the first meeting here with the representative of SmithBridge Mr. Russ Palkus and with the representative from raceway which is Mr. Rios so that's how we found this how this thing started from that point. That's it, Madam Director.

**Administrative Director A. Taijeron:** Thank you, Commissioner.

**Commissioner D. Herrera:** Just to follow up.

**Administrative Director A. Taijeron:** Alright, any other questions?

**Commissioner E. Garrido:** \*inaudible\*

**Administrative Director A. Taijeron:** No, thank you, Commissioners and I'll definitely make sure we follow up with this. So, that was under Old Business, Madam Chair?

**Acting Chairwoman Arlene Bordallo:** Yeah.

**Administrative Director A. Taijeron:** New Business?

**Acting Chairwoman Arlene Bordallo:** New Business on number two.

**Administrative Director A. Taijeron:** Alright. So, I was going to ask... so, with regard to item number one, I was going to ask if we could table that until the chairman is present – for you all to discuss, we were going to ask for the designation of the 7161-R1 property as commercial. So, if that's something you would like to think about it until our next meeting and take it up further with our chairman present?

**Commissioner D. Herrera:** Okay, I approve of that.

**Administrative Director A. Taijeron:** Is that alright, okay. And then, item two, Bill 56-37, this was introduced by Senator Dwayne San Nicolas. An act to classify Lot 7161-R1, Yigo Guam as a community recreation facility and to transfer authority of the lot from CHamoru Land Trust Commission to the Guam Department of Parks and Recreation. I think, you should have a copy of the bill in your packets, if not, I apologize we'll get that to you.

**Administrative Assistant Tina Tainatongo:** It's in their packet

**Administrative Director A. Taijeron:** But I'm sure you're familiar, you're familiar with what that bill will do, which is basically transfer 7161 to the Department of Parks and Recs and if they seek to have them run the Guam Raceway Federation. So, that's – I've not – we've been following tracking, we have not heard anything about it placed out for public hearing just yet. So, that's on the agenda so that the commissioners are aware and if you have any thoughts about it you can start sending us the emails and compile it for our statement and that should require further discussion.

**Commissioner E. Garrido:** For the record,

**Administrative Director A. Taijeron:** Yes, sir.

**Commissioner D. Herrera:** Madam Director, I would like to hear your opinion or the chairman's opinion or the legal counsel's opinion on this proposal to transfer – that's one million of twenty-two thousand square meters or 252 acres of prime property to carve it out of the inventory of CHamoru Land Trust and to just – they're taking the property away in other words you know, they're taking the inventory out of twenty thousand acres. We have to go back and understand how the CHamoru Land Trust was created today and in a nutshell it was because of land takings that was done back in 1898 to 1968, then we got sued and we went to Federal Court and just in a nutshell again, it was charged from the United States Government charging the Government of Guam that we were discrimination of – the program was race based so that was done in the year 2000 in the district court and they concluded that the program is not race based it's a program for the CHamoru Land Trust. It's a recommission from the lands that were taken unjustly from 1898 to the present time and this program is to resolve those unfair condemnation and that ended up with Speaker Terlaje introducing the bill that became Public Law 35-112 today. So, that being said, now we come back and we have another group in the legislature that wants to take the land away again from CHamoru Land Trust. We fought like the last fifty years just to regain the inventory and then now just again with the stroke of a pen we're going – we might lose one million square meters of prime property. Remember I brought up a geological map from W.E.R.I (Water Environmental Research Institute) University of Guam that located that would show why this property is so much \*inaudible\* Why is the interest so much? Why is so much attention is being focused on this particular property? So, based on the research, it was surveyed back in 1954 by the United States Navy to set up Route 15 and then in 1995-'96 the property was unregistered un-surveyed we have an expert here on land property. So, the question is that when you have a property it maybe Spanish Crown land and then all of a sudden it was fast track to register and survey the property get it to through the court system have the judge sign that this property is legitimate and then in the early 90's the first CHamoru Land Trust Commission was assigned you may recall this through the protest that we had down in Adelup. So, the point of the matter here is that again we look at this one million square meter of property, why all the political interest in it. So, long story short, this particular property just generated about maybe six million dollars of revenue, six million in a short period of time. It was not \*inaudible\* plant any banana, potato or string beans but it generated about six million dollars of cash. So, now we're here today and here again we have our good senators trying to take the property away again from the property that we've been fighting – protested – we've challenged the executive branch, we've challenged the legislative branch and here we are today, again. Our good commissioner here just mentioned a note about special interest. If we go back and look at the first group of commissioners and we have one of the particular commissioner there as a quarry operation then submitted a request to the CHamoru Land Trust to lease the property after it was surveyed and registered and gave them the first client or first person that tried to lease

the property was not successful then we move forward to the next group of special interest group. Through the legislature, they successfully organized and had the property leased in 1996, '97, '98. So, from '98 to present or 2018 that particular permit expired after it expired the CHamoru Land Trust started with the month-to-month acceptance to continue the operations since 2018, 2019, 2020, 2021 and we're here today just in January we decided to cease and desist and reset the contract because of all the discrepancies that we have discovered. The operation on the raceway to build the dragstrip the drift and the motocross was paid by the government tax rebate. So, again, we're here today and they want to transfer one million square meter from Chamoru Land Trust to Department of Parks and Recs?

**Administrative Director A. Tajeron:** Correct. Correct.

**Commissioner D. Herrera:** Back in 1993, during Senator Ed Reyes' time I was there with Senator Ed Reyes myself and Department of Parks and Recs requested 620 acres for a speedway so, 620 acres was put aside for the speedway in 1993, '94, '95, '96 so, that inventory right it was 620 acres versus the 252 acres – 252 – 620 right why the interest in this Lot 7161 R1, why? I keep asking myself, why? What's wrong with the 620 acres from Lot 289 that's located in Agat – Santa Rita, so again, back to where we're at today, this particular lot generated six mil in a very short time that's my point here is that now we have to entertain this bill – not sure what the bill number is but it must have a number 37 in it for the 37<sup>th</sup> Guam Legislature so now they want to take it away again.

**Administrative Director A. Tajeron:** It's 56 Bill No. 56-37 introduced by Senator Dwayne San Nicolas.

**Commissioner D. Herrera:** So, that's it.

**Administrative Director A. Tajeron:** Thank you, Commissioner Herrera. Thank you, so much for that. And to that I just wanted to say, I cannot speak as to – I did hear and see an interview with Senator San Nicolas and Mr. Simpson I think it was on a Tony Lamorena show, I caught it briefly towards the end and to my understanding is Senator San Nicolas wants to move this he doesn't want these activities to stop. Okay, for the record and for clarification, the lease or license agreement with the Guam Racing Federation right and this is also for public edification was canceled if that's the correct legal term or nullified because of the violations committed by the Guam Racing Federation which brought the commissioners to that decision, okay. So, yes, it was not because the CHamoru Land Trust Commission doesn't want drag racing, doesn't want these activities on the property because quite frankly, they can come back and rebid, right, the license is done, right, it's done and it was canceled because of violations not for any other reason. Now, with regard, you asked; do I support this bill? Of course not. No, I do not. I do not taking property which we have very little of to begin with from CHamoru Land Trust Commission by doing so, you render us again handicap to be able to meet our mandates by the legislature. So, I do not support this bill. Now had a discussion with someone earlier and if Parks and Recs wants to run the Guam Racing Federation run it. But the land belongs to CHamoru Land Trust Commission, the land belongs to our people, so, you pay us a lease. You can lease it from us like anybody else right. So, I hope that answers your question. I do not support the bill.

**Commissioner D. Herrera:** Thank you for the record.



**Administrative Director A. Taijeron:** I do not support the bill at all. For the record, but that's me, I'm just the administrative director. The final decision will come from our commissioners and of course down at the legislature. But just so that we're clear because my understanding is that they think that this is going to address the issues with the Guam Racing Federation and that the CHamoru Land Trust didn't support the Guam Racing Federation's activities or community activities. No, not in anyway. That license agreement was stopped because of violations committed by the

**Commissioner E. Garrido:** The president

**Administrative Director A. Taijeron:** The president, right. There are a lot of things happening, we have three binders full of that, alright. And I'm still working on other information okay, so no, I do not support it sir. And if that's the way the commissioners will go as well we'll you know.... We will prepare for any legislative hearing to come.

**Commissioner E. Garrido:** I personally, opposed to transferring that property to the Department of Parks and Rec. There are other ways where you can have managed that and there are other alternatives you can take and like you said, we know what our direction is going to be either we partition or just rebid it out. Then we go in and do an appraisal with the property so we can charge the proper rates as dictated by law.

**Administrative Director A. Taijeron:** I will work with legal counsel on our options. We actually had a conversation earlier and I think maybe what we'll do is we'll come up with that and we'll provide it to the commissioners and you can take it from there.

**Commissioner D. Herrera:** Thank you, director.

**Acting Chairwoman Arlene Bordallo:** Very good.

**Administrative Director A. Taijeron:** Madam Chair, if there's no other questions on that bill. And I'm hoping that we can also carry this on to the next meeting just so that the Chairman if there's anything that he would like to share, then we'll have it on record. We'll continue the – alright, of course it will move to Old Business.

**Acting Chairwoman Arlene Bordallo:** Okay, next one is number 3, Torres Law Group representative for Guam Resorts Inc.

**Administrative Director A. Taijeron:** So, we received a letter and a request from the Torres Law Group regarding Guam Resorts Inc. So, I asked the Chief Planner – Celine to be here from DLM, I think you have a map right? She has a map of what's being requested. And what it is is the Guam Resorts Inc., if I'm not mistaken consolidated their property, right and it just so happened that we have an old bull cart trail that runs through the property and what they're asking – they've already gone through the Guam Land Use Commission and the condition is that they get approval from the CLTC and they're seeking to move the bull cart trail just out. There's still – actually I think there's a little bit of land gained from moving that bull cart out if I'm not mistaken, right.

**Identified as Celine Cruz:** Mhm.

**Administrative Director A. Tajeron:** So, there'll still be access to the beach I believe that property is adjacent to the beach so the access will not be a straight line down so, I recommend and I'm asking the commissioners to approve the request with the concurrence of the legislature. I believe they need to go to the legislature per guidance right to get approval for them to move forward on that. But I don't see any issues with it. I reviewed the map, I spoken to – we've had Joey here in the meeting with Celine I think we met with Joey right with regard to that whole map. Would you like a much better explanation from our Chief Planner.

**Commissioner E. Garrido:** Well I have a few questions about it. First of all, Guam Resort Inc is the applicant?

**Administrative Director A. Tajeron:** Yes. Represented by the Torres Law Group.

**Commissioner E. Garrido:** Yeah, where's the property at?

**Administrative Director A. Tajeron:** I'm so sorry. It's in Tumon, right?

**Identified as DLM Chief Planner Celine Cruz:** Well, it's not Tumon. It's a property along the way to Meskla on the Cove

**Administrative Director A. Tajeron:** Oh, that's right, yea.

**Commissioner E. Garrido:** ABC

**DLM Chief Planner C. Cruz:** Yes, yes.

**Administrative Director A. Tajeron:** Can you come up to the front? Do you have the map?

**Commissioner E. Garrido:** Yeah, because that doesn't state here \*inaudible\*

**Commissioner D. Herrera:** Is it Marine Drive?

**DLM Chief Planner C. Cruz:** Oh, no.

**Administrative Director A. Tajeron:** Behind Tick Tock – that area.

**DLM Chief Planner C. Cruz:** So, it's a vicinity map it kind of gives a better – so Tick Tock is going to be right up here, Sirenu Avenue and you go down Sirenu Avenue and you take that – you hang that sharp

**Commissioner D. Herrera:** So, Marks

**Administrative Director A. Tajeron:** From Mark's

**DLM Chief Planner C. Cruz:** Yes...yes...yes... so Mark's Motors would be like around this area here.

**Commissioner E. Garrido:** Did you receive my message yesterday?

**DLM Chief Planner C. Cruz:** Not your message. I did receive a message from Mr. Tydingco

**Commissioner E. Garrido:** I don't know but I called in and I was asking because they said who's that one that one who's the custodian for map

**DLM Chief Planner C. Cruz:** I'm sorry, I actually was physically holding the map when...

**Commissioner E. Garrido:** Celine Cruz

**DLM Chief Planner C. Cruz:** Yes. Yes.

**Commissioner E. Garrido:** Yes, I called asking Celine Cruz to provide me a better copy of the map because this was

**DLM Chief Planner C. Cruz:** So, we did provide copies to Mr. Dave Tydingco of the map I mean we scanned it with our

**Commissioner E. Garrido:** Because this is what we received

**DLM Chief Planner C. Cruz:** Sorry, this is what we had given. It's two sheets, the first sheet is the consolidation of 5 lots.

**Commissioner E. Garrido:** Is there any loss to the bull cart trail?

**DLM Chief Planner C. Cruz:** Actually no. So,

**Acting Chairwoman Arlene Bordallo:** The bull cart trail is where?

**DLM Chief Planner C. Cruz:** The bull cart trail is here and it was – the area that they took into consideration is computed as 270.17 square meters

**Commissioner E. Garrido:** For the bull cart trail

**DLM Chief Planner C. Cruz:** For that portion of the bull cart trail that's affected by this action And then when they did the severance and they relocated that bull cart trail over to this end there was an increase of roughly 30 square meters. So, now the new area of the right of way is 300 square meters.

**Commissioner D. Herrera:** What is the reference of public law that protects the bull cart trail  
\*inaudible\*

**DLM Chief Planner C. Cruz:** Actually what – I'm not really sure about that but when the Land Use took into considerations the maps, they just took into consideration the highest and best use as presented by the owners of the property. The owners of the property again, it was about 5 lots that were consolidated and then re-subdivided, and one of those lots was \*inaudible\* on the other side of the bull cart trail. So, what they tried to do was create a larger lot here and then put the bull cart trail off to the side and it actually runs in a straight line versus coming down and then taking a left in towards the beach along the route.

**Commissioner E. Garrido:** It's a \*inaudible\* plus

**DLM Chief Planner C. Cruz:** Correct.

**Commissioner E. Garrido:** Now, who owns the bull cart trail?

**Commissioner D. Herrera:** Is it rights of way, DPW or Land Trust... I mean, I don't know

**DLM Chief Planner C. Cruz:** So, I can't answer that question but in our research when we look at the CHamoru Land Trust under Chapter 75 it talks about if a bull cart trail doesn't serve its purpose anymore then the department and I'm assuming the department is the CHamoru Land Trust section with the permission of the commission may sell the bull cart trail to any adjacent owner right if it doesn't serve its purpose anymore. That's not necessarily the case here but we took in to consideration that if CHamoru Land Trust can sell a piece of property then the natural conclusion is that they own the property or that they have the authority to

**Commissioner E. Garrido:** But I don't think that we are empowered to sell property.

**DLM Chief Planner C. Cruz:** But we're not selling – but that's not what's happening in this scenario here. Again, it's a relocation it's going to assist the property owners with the highest and best use of their property. There is a net gain for the government and then it truly defines this right of way. So, this lot if approved is going to be designated as Lot 2019-REM-NEW-2RW

**Commissioner D. Herrera:** And the RW would be \*inaudible\*

**DLM Chief Planner C. Cruz:** A right of way

**Commissioner D. Herrera:** Then that would be under the jurisdiction of rights of way DPW

**DLM Chief Planner C. Cruz:** The Government of Guam, yes. Eventually. And then there's a benefit to all the people of Guam. Now, on this rights of way, you can put utilities on you can you know you can legally utilize the property for everybody.

**Commissioner D. Herrera:** The reason why Madam Chair I'm bringing this up is that the connection between Lot 7164 that we just mentioned and 7160 they claim that there was a bull cart trail – claim

**Acting Chairwoman Arlene Bordallo:** They claim

**Commissioner D. Herrera:** Right – I checked the 1930 map, I checked the 1940 map the 1960 map and there was no bull cart trail so if we're setting a precedence here that somebody makes up a bull cart trail and say well you know you guys did it with the property next to Tamuning

**Acting Chairwoman Arlene Bordallo:** From my experience being a land owner there was a bull cart trail in our property. We had to go through the legislature for them to make a \*inaudible\*

**DLM Chief Planner C. Cruz:** So, we did look at the history of this property and it is a documented bull cart trail that runs in between Lot 2019-REM and 2121-2-R/1

**Commissioner E. Garrido:** I think that was \*inaudible\*

**Administrative Director A. Taijeron:** Yeah... yeah... it's an existing bull cart trail. It's documented

**DLM Chief Planner C. Cruz:** It's a documented bull cart trail. I believe the oldest map that I can recall right now is from 1974 where it has the bull cart trail. And

**Commissioner D. Herrera:** 1974?

**DLM Chief Planner C. Cruz:** I know, it's not that old but that bull cart trail provided access to Lot 2121-2-R/1

**Commissioner D. Herrera:** Understand because in the '70's we don't use bulls anymore to pull the cart that's my point so, but you know that's... okay, Madam Chair, I'm good thank you.

**Administrative Director A. Taijeron:** What I believe is needed from the commission is – we'll do it by resolution. We'll create the resolution and bring that to the commissioners for their review and support the request and they take that to the legislature and the legislature will take it up there. But they need some sort of document from us saying that we support the move the change.

**Commissioner D. Herrera:** So, do we need to make a motion to support or to grant a resolution

**Administrative Director A. Taijeron:** A motion to draft a resolution in support of the request to move the bull cart trail, right. Just to relocate the bull cart trail. We'll come up with the language with legal counsel so if you approve the resolution we'll get it to you for review and

**Commissioner D. Herrera:** So, I would like to make a motion to approve the resolution to grant a resolution to move the bull cart trail from the center to – relocate to the

**AA T. Tainatongo:** I'm sorry could you repeat that Commissioner Herrera

**Administrative Director A. Taijeron:** The motion is to approve the draft of a resolution in support of the move of the bull cart trail it's current placement out we'll get the specific details Tina from Chief Planner Celine Cruz and then the resolution will be brought to the commissioners.

**Acting Chairwoman Arlene Bordallo:** That's on Lot number 2019-Remainder-NEW and location?

**AA T. Tainatongo:** in Tamuning

**Acting Chairwoman Arlene Bordallo:** Tamuning

**Commissioner E. Garrido:** Is that still considered East Agana or just Alupang

**Unknown:** I think that's part of Tamuning already.

**Commissioner E. Garrido:** So Alupang?

**Unknown:** Yeah

**Acting Chairwoman Arlene Bordallo:** All in favor?

**Commissioner E. Garrido:** Aye – I second it. He offered it I'll second it

**Commissioner D. Herrera:** Thank you

**Acting Chairwoman Arlene Bordallo:** Number 4, DPW

**Attorney Phil Torres:** Can I just make a comment? My name is Phil Torres, I'm with Torres Law Group. The resolution – you said you're going to do a resolution it's just simply authorizing somebody to sign the acknowledgment on the map. That's what this – that's why we've come before you. GLUC wanted acknowledgment from Chamoru Land Trust Commission just to clarify that.

**Commissioner E. Garrido:** As a formality

**Attorney Phil Torres:** As a formality. And then the map moves on. So, you would make the – your resolution would be authorizing the chairman or some duly authorized representative of the trust to just sign the acknowledgment.

**Administrative Director A. Taijeron:** Item Number 4, Madam Chair, DPW request to use the old GMH lot for staging area. So, this is – I don't know if everybody is familiar it's the rotunda so behind the old GMH location. Just recently I had our team put a padlock on that gate. What we've found is that it has been used as a dumping ground for many years – I'm just coming on board – for white goods and other trash. As a result of that, there's rhino beetles and fire ants that have congregated and have started nesting in that area. So, DPW has come to us and have asked us to use that lot for staging for the pavement I guess they're subcontractors who are going to be paving the roads

**Commissioner E. Garrido:** Oh, so just temporary use?

**Administrative Director A. Taijeron:** Yeah, it's a temporary use. And I've spoken to the DPW Director Vince Arriola and he's amendable to an MOA between the two agencies. We'll let him use it if the commissioners decide that it's okay. If cleans the area – he's agreed to clean it we will mitigate the fire ants and the rhino beetles appropriately with the Department of Agriculture. The only thing that they cannot remove is the white goods but I will take that up with the entity that was using that as a dumping ground previously since Typhoon Dolphin is my understanding.  
Since Typhoon Dolphin

**Commissioner E. Garrido:** No, who's the entity?

**Administrative Director A. Taijeron:** The Tamuning Mayor's Office. I didn't want to say it out loud but yeah, my understanding is that there was some sort of agreement they were allowed to dump green waste however there's been white goods. We've found white goods there and other trash other debris. DPW has agreed to help clean it out with the exception of the white goods, we would have to figure out how to do that and we will mitigate the fire ants and the rhino beetles according to whatever. So, they basically want to use if just for a short period of time.

**Commissioner E. Garrido:** Can we get the entity to eliminate the fire ants and the rhino beetles also?

**Administrative Director A. Taijeron:** That has to be done through the Department of Ag. Yeah. And I've spoken with the Department of Agriculture

**Commissioner E. Garrido:** But it's not going to be on our expenditure

**Administrative Director A. Taijeron:** No...no...no...

**Commissioner D. Herrera:** And you mentioned that there's a road expansion or something for equipments?

**Administrative Director A. Taijeron:** So, DPW wants to use that as a staging ground or their subcontractors who are paving roads

**Commissioner D. Herrera:** Subcontractors that are paving....?

**Administrative Director A. Taijeron:** I believe they're paving – it may be that Ypao Road, there's other projects going around the rotunda and down in Tamuning I think is where they're at.

**Commissioner D. Herrera:** And there's going to be equipments?

**Administrative Director A. Taijeron:** Potential equipment and materials, yes.

**Acting Chairwoman Arlene Bordallo:** Can we charge them?

**Commissioner D. Herrera:** Of course

**Administrative Director A. Taijeron:** Okay, but,

**Commissioner D. Herrera:** The value of the property is about 19million

**Administrative Director A. Taijeron:** They're only using it for a short period of time. They only want it for a few months and they're not going to take up the entire space. So, in lieu of charging or assessing a fee and I know how important that is right to CLTC is they've agreed to clean it. To remove all the jungle the overgrown – they're going to clean that out we mitigate the fire ants and the rhino beetles they will also roll so that whatever rocks are broken right so it's kind of like a flat ground so you can probably temporarily be used until we can lease it for like a walking area.

**Commissioner D. Herrera:** And \*inaudible\* the contractor or DPW?

**Administrative Director A. Taijeron:** DPW- the agreement is going to be between DPW and CLTC

**Commissioner D. Herrera:** Not the contractor that's working on the road?

**Administrative Director A. Tajeron:** No, the contractor will have their agreement with DPW but our agreement with DPW is they can use it for their subcontractors or contractors and they just clean the area, it'll be cleared of debris and we'll figure out the white goods with the other entity.

**Acting Chairwoman Arlene Bordallo:** The white goods they charge you

**Administrative Director A. Tajeron:** Yeah, and I have to figure that out with the Tamuning Mayor's Office and find out what's going on, what happened there?

**Commissioner E. Garrido:** Yeah, we'll just have the Tamuning Mayor's office be responsible for the removal of all the white goods since they allowed it.

**Administrative Director A. Tajeron:** But DPW has agreed to

**Commissioner E. Garrido:** Take down everything else

**Administrative Director A. Tajeron:** Yeah, if he hasn't changed his mind so I need to get back to him right away.

**Commissioner D. Herrera:** You gotta put that in writing

**Administrative Director A. Tajeron:** Yes, sir, I'm all about writing. It's going to – I'm going to work with our legal counsel in the memorandum of agreement or understanding that in lieu of payment they can use it as a staging if they clear it out.

**Commissioner D. Herrera:** And again the reason for the writing is that we had a contract with this lessee and maybe if the writing is there there's no bonding or guaranty that they're going to comply with the \*inaudible\* that – that's

**Commissioner E. Garrido:** Yes, yes. Can we include that in the terms make sure that Public Works gets the necessary bond?

**Administrative Director A. Tajeron:** Is bonded?

**Commissioner E. Garrido:** No, make sure they get the necessary bond from the contractor

**Administrative Director A. Tajeron:** Okay, I'm sure they... I'm sure they

**Commissioner E. Garrido:** \*Inaudible\* for this part of it because he probably has a bond for the entire project

**Administrative Director A. Tajeron:** Okay.

**Commissioner E. Garrido:** This is something that's been added on is the removal of the trash and the staging site.

**Administrative Director A. Tajeron:** DPW would do that for us in lieu of payment yeah.

**Commissioner E. Garrido:** We'll just mention it on our memorandum of understanding I guess



**Administrative Director A. Tajeron:** Memorandum of agreement

**Commissioner D. Herrera:** MOU

**Administrative Director A. Tajeron:** MOA

**Commissioner E. Garrido:** Just as long as it's mentioned in there at least we'll be protected

**Administrative Director A. Tajeron:** Okay. Well, there hasn't been anything said in stone. We'll draw it up and I'm hoping the DPW Director will still be amendable to it.

**Commissioner E. Garrido:** Well, he doesn't really have any properties in that area to use for staging

**Administrative Director A. Tajeron:** Alright, was there....? Okay.

**Commissioner E. Garrido:** So, legal will write it up

**Administrative Director A. Tajeron:** Or if I write it up she'll review it to ensure all that's needed with what the commissioners require. She'll do legal review. Do we have any other questions on those items.

**Commissioner D. Herrera:** No questions.

**Administrative Director A. Tajeron:** Alright. Agency report, Madam Chair, one of the first things I'd like to ask for is a pause – just a pause a temporary pause on accepting new applications. So, I'm sure the Commissioners are aware that we do have a shortage of staff and I'm working on hiring. I'm working on bringing other people in. One of the things that's required from our land agents is to conduct research for every individual that comes in here in addition to everything else that they have to do. So, given that we're short staff and we're also having to address our 1995 applicants, alright, which is everything that they do is very time consuming for every file that they go through. I'm asking for a temporary pause, give us a 120 days and then revisit it after that if we need to open it up or continue the pause. From what I've seen we've had very little people – very few people coming in applying alright. There are a lot of other things that I need to do. We need to make assessments of our 1995 applicants, their files, we need to make assessments of everything else, the property we have on hand... things of that and there's so many issues that we need to address.

**Commissioner E. Garrido:** So, you want to \*inaudible\* in residential and agriculture or everything?

**Administrative Director A. Tajeron:** Applications –

**Commissioner E. Garrido:** Even commercial?

**Administrative Director A. Tajeron:** No, not commercial. Just applications which is really the residential and agricultural, right because with regard to commercial it's those are things that go out via RFP or IFP. So, there's no pause on that, we are reviewing current contracts so, it's a pause on accepting new applications for residential and agricultural property. The reason or

justification for that is we need to focus pursuant to law time and date and a lot of that is our 1995 applicants right so, I'd like for our team to address that as best we can and make sure that we move forward on it correctly. New applicants take and the current applicants take a lot of time from our land agents and so I'd like us to just pause it for a little bit and I haven't seen a whole lot of applications come in. What I would do is notify the public that we're putting a pause on these new applications if the commissioners agree, give us a 120 days, we'll give the public 30 day notice that applications will be paused and 120 days we'll review it again. And thus far, I haven't seen a whole lot of applications come in.

**Acting Chairwoman Arlene Bordallo:** Do you think you should lessen that?

**Administrative Director A. Tajeron:** Lessen what?

**Acting Chairwoman Arlene Bordallo:** The dates

**Administrative Director A. Tajeron:** For publication to notify

**Acting Chairwoman Arlene Bordallo:** \*inaudible\* no, what I'm saying is you make a note that we're stopping this, people will be hurrying over to turn in their applications.

**Administrative Director A. Tajeron:** Yeah, so, it'll be a 30-day notice.

**Commissioner D. Herrera:** temporary

**Administrative Director A. Tajeron:** It's just a temporary pause...it's just a temporary pause. Our team- I'm working on hiring more people getting more people we have four or five land agents.... 1,2,3,4,5 – five, we have five land agents. And then by law they're required to help do research when it comes to an individual right so that takes up a lot of time and then they also have to address our 1995 applicants you know we're still at the morning 8:15 I think it is in the morning of December 2<sup>nd</sup> 1995

**Commissioner D. Herrera:** Director, how many in the books that we have now that applied in a nut shell.

**AA T. Tainatongo:** A total number?

**Commissioner D. Herrera:** Yeah

**AA T. Tainatongo:** We have about 11,000

**Commissioner D. Herrera:** about 11,000

**Administrative Director A. Tajeron:** Over 11,700 applicants

**Commissioner D. Herrera:** I'd like to share this with you. In December 2<sup>nd</sup> that was a Saturday \*inaudible\* anyway, we were still down in Adelup and that one started in December 2<sup>nd</sup>, Saturday so what you see there is the original listing of the first 8000 that came in, first shot Saturday and that was four locations so if you look at the age of the document and it's in alphabetical order

**Administrative Director A. Tajeron:** Yes, 1998

**Commissioner D. Herrera:** Right, yeah, and so, now we have 13 you say

**AA T. Tainatongo:** 11,000

**Commissioner D. Herrera:** 11

**AA T. Tainatongo:** Over 11

**Administrative Director A. Tajeron:** Almost 12,000 let's just

**Commissioner D. Herrera:** And we're still on December 2<sup>nd</sup>, yeah, I understand.

**Commissioner E. Garrido:** So, the pause is to accept new applications

**Administrative Director A. Tajeron:** Just a pause, let me get the team you know focused ready catch up and then we can revisit. But I am working – I want to ensure the commissioners I am working on hiring new people bring them in so that we can – as a matter of fact we have one person who came in this is Cathy Cabrera she was detailed over she's been very instrumental very helpful I have her shadowing a land agent so she helps in the front she helps with putting a lot of files together in order that's one of the things the land agents need to do. I have I believe one more person coming in on Monday being detailed over from another agency to help our land agents and provide support. So, our land agents have a lot before them

**Commissioner D. Herrera:** I agree

**Administrative Director A. Tajeron:** And they're doing their best so...

**Commissioner E. Garrido:** Do we need a motion?

**AA T. Tainatongo:** I would suggest to do one

**Administrative Director A. Tajeron:** Just for pause – temporary pause. So, I guess the motion would be for at least 120 days, I'm asking for at least 120 days that's like four months right and then we can revisit and then in that time we'll see how far we can get

**Commissioner E. Garrido:** I'll make the motion you do the wording

**Administrative Director A. Tajeron:** Yes, sir. I will do the words

**Acting Chairwoman Arlene Bordallo:** Okay, Commissioner Garrido state your motion

**Administrative Director A. Tajeron:** A motion to pause to accept new applications for residential and agricultural applications

**Commissioner E. Garrido:** That's the motion

**Commissioner D. Herrera:** I second the motion Madam Chair

**Acting Chairwoman Arlene Bordallo:** All in favor say aye

**Commissioners:** Aye

**Acting Chairwoman Arlene Bordallo:** Motion carries

**Administrative Director A. Tajeron:** And we will visit in 120 days

**Commissioner D. Herrera:** okay

**Administrative Director A. Tajeron:** Just real brief with regard to my agency report we are working on – our team is working on reviewing a lot of our files but I don't think that it's in your packet, but, one of the things that we're also trying to do is we're going to create a logo specific to CHamoru Land Trust and I think this is what the team voted on so this would be on our letter head and stationaries. So, that's just something for your information and to share. I don't have anything else on our agency report. Oh, there is one item, Electric Light Festival and we might need legal guidance on this. So, the coordinators of the Electric Light Festival which happens every year I think it's a teenage thing – I've never been to one. They hold lights or something they hold it at the Guam Racing Federation property let's refer to it as 7161-R1 and the coordinators are asking to use the property from June 11 which is after the date which the Guam Racing Federation should have already left June 2<sup>nd</sup> I believe is their last day there should be their last day

**Commissioner E. Garrido:** The 3<sup>rd</sup>

**Administrative Director A. Tajeron:** Or June 3<sup>rd</sup>, yeah, the 90-days so, the Electric Light Festival organizers are seeking to use the property from June 11<sup>th</sup> to June 20<sup>th</sup> set up and break down, the event is actually June 16<sup>th</sup> and June 17<sup>th</sup>. I asked the coordinators if they've ever paid a fee to the Guam Racing Federation and they said yes, they pay \$4000. a day I believe it was for the use or when the event took place. I think it was a 2-day event so that's like \$8000. right that they paid to GRF, I don't think we've ever seen a penny for that just on the side. But they do pay a fee. Now, it's a short term use and if the commissioners are amendable to that, we would need legal guidance with regard to; is it allowable, can we do it, can we assess a fee, can we assess the same amount or whatever the case may be.

**Attorney Kristan Finney:** I'm still review that.

**Administrative Director A. Tajeron:** She's reviewing it but I wanted to bring it to the commissioners' attention. If legal says, yes, we can do it, would you like to move forward and we proceed with this if she says, no, we can't do it then I'll inform the coordinators either way.

**Commissioner D. Herrera:** Just a question Director, the water-power bills now would be under Land Trust or

**Commissioner E. Garrido:** \*inaudible\* termination

**Administrative Director A. Tajeron:** Yeah so....

**Commissioner D. Herrera:** Well, for this event.

**Administrative Director A. Tajeron:** For this event

**Commissioner D. Herrera:** Isn't this event after the....

**Administrative Director A. Tajeron:** Yes, the event is after so, that's something we can look into and we can factor if we're allowed – first we need to find out if we're allowed to give them a license I'm thinking it's a license to use it for that length of time and in that license can we assess fees to include water and power.

**Commissioner D. Herrera:** And also the liability

**Administrative Director A. Tajeron:** The liability insurance, everything, yes.

**Commissioner D. Herrera:** The whole package

**Commissioner E. Garrido:** What actually is the lights festival?

**Administrative Director A. Tajeron:** You know, I've never been to one – you know I'm above that age group and I heard that it's lights – equac I don't know like they have lights – neon lights it's dance and concerts I think it is. I've never been to one honest

**Commissioner D. Herrera:** You know, it's safety factor right \*inaudible\* our legal counsel be our expert on that one so...

**Attorney Kristan Finney:** I'm not familiar with it either

**Administrative Director A. Tajeron:** I imagine it's a concert

Multiple speakers

**Administrative Director A. Tajeron:** We'll definitely ask for insurance – well, first we need to find out if we're allowed to do it and legal counsel's still looking into it. So, if we're allowed to do it then we'll draw up the necessary legal papers to ensure that we protect CLTC.

**Commissioner E. Garrido:** Just defer until we know we're allowed to do it

**Administrative Director A. Tajeron:** Yes

**Acting Chairwoman Arlene Bordallo:** You know the time of Christmas time they' have lights on New Years down Ypao beach is that considered a light festival

**Administrative Director A. Tajeron:** I think that's a different light festival

**Commissioner E. Garrido:** If you go to Disney their light festival is fireworks and stuff like that

**Administrative Director A. Tajeron:** I'll get more information I'm sorry I should have asked because I have no idea what this is. I think the Chairman has gone a couple of times.

**Commissioner D. Herrera:** And this is like a club

**Administrative Director A. Tajeron:** No, it's like an open an outdoor think of it as

**Commissioner E. Garrido:** No, is it a club that's

**Administrative Director A. Tajeron:** Organizing it?

Commissioners: Yea

**Administrative Director A. Tajeron:** It's a group, yes.

**Commissioner D. Herrera:** And they're local group?

**Administrative Director A. Tajeron:** Yes, they have I think they're an LLP or an LLC I would have to take a look at the email again

**Commissioner D. Herrera:** And the club's name again is...?

**Administrative Director A. Tajeron:** Island Light Festival

**Commissioner D. Herrera:** Okay, alright. Thank you

**Acting Chairwoman Arlene Bordallo:** Okay, everyone okay...?

**Commissioner E. Garrido:** So, we'll defer it until we get a...

**Administrative Director A. Tajeron:** Yes, so, the event is in June so we should be able to come up with something in April or at our next meeting.

**Acting Chairwoman Arlene Bordallo:** Our Financial Report, we're going to table that.

**Administrative Director A. Tajeron:** Could we table that until our next meeting when the Chairman is present and we'll have a more in-depth discussion on that.

**Commissioner E. Garrido:** Mhm, I agree.

**Administrative Director A. Tajeron:** Thank you

**Acting Chairwoman Arlene Bordallo:** Commissioners, any comments?

**Commissioner E. Garrido:** Is this comment going to be for what was just in our agenda for today or can it be...?

**Acting Chairwoman Arlene Bordallo:** Anything

**Attorney Kristan Finney:** It's your meeting

**Commissioner E. Garrido:** No, but are we restricted to what's on the agenda or can we go outside of the agenda

**Attorney Kristan Finney:** Are you talking about as far as public notice? You can, raise your issues and if there's something that you want to discuss further and you want to make sure the public has notice of it you can raise the issue and then put it on the agenda for the next meeting.

**Commissioner E. Garrido:** Well, I see that we still have some visitors here why don't we ask them....

**Acting Chairwoman Arlene Bordallo:** Well Commissioner do you have any that will -  
\*inaudible\* we'll go to Public Comments

**Commissioner D. Herrera:** Have question reference to revenue on for example the raceway. So, this activity with the light block would that be considered revenue if we charge

**Acting Chairwoman Arlene Bordallo:** Yeah

**Commissioner D. Herrera:** That's number one. Number two, with the transaction of the coral and the income that was made is that categorized as revenue?

**Administrative Director A. Taijeron:** Coral as in the extraction of...

**Commissioner D. Herrera:** Right extraction and sells

**Administrative Director A. Taijeron:** Is that revenue?

**Commissioner D. Herrera:** I'm trying to inter relate this with the...

**Administrative Director A. Taijeron:** Revenue, so, when you ask about the what would the Island Light Festival be paying is that... are you asking if that's revenue for us or revenue for them?

**Commissioner D. Herrera:** For example, if they're only charging \$4000 for that day and this was approved and it was an income for or revenue for CHamoru Land Trust, that would

**Administrative Director A. Taijeron:** No, so...

**Commissioner D. Herrera:** That would be categorized as a revenue, that's my question.

**Administrative Director A. Taijeron:** So, that was revenue back in the day for GR – for the Guam Racing Federation and to my knowledge we have not received – they're supposed right Okay, so with regard to Island Light Festival now, with us, if we asses them a fee – first of all if we're allowed to do it and then we can assess a fee then that would be revenue for us.

**Commissioner D. Herrera:** Okay, that's the question \*inaudible\* Now, with the sale of the coral there – during the 18 or 20 years and sales that they received the Guam Raceway – is that revenue?

**Administrative Director A. Taijeron:** Revenue for them.

**Commissioner D. Herrera:** Right. And that's where I'm referring to the contract that any revenues generated from the raceway that land trust should be earning 10% of that revenue. So, if you sold 6 million and we got 3 million and they received 3 million so 10% of the 3 million which is \$300K is part of the revenue that is due to CHamoru Land Trust

**Administrative Director A. Taijeron:** I rest my case.

**Acting Chairwoman Arlene Bordallo:** Okay, nothing else? Public Comments

**Attorney Rossi Tolentino:** Thank you, Commissioners, I'm Rossi Tolentino

**Acting Chairwoman Arlene Bordallo:** Come to the table

**Attorney Rossi Tolentino:** I come here as legal counsel for Guam International Country Club. And just to let you know that we were prepared to answer questions related to the lease that came up today. GICC has been trying to make payments since January. The board graciously granted moratorium on rent in April last year and rent was supposed to start beginning January. Mr. Koike has been trying over the last two months to contact Mr. Cruz but he didn't find out about the change in the telephone numbers that occurred so there were some lack of or miscommunication. So, the issue was trying to figure out how to pay off the prior balance because the deal was to pay current rent plus the outstanding balance to be paid through the life of the remaining term of the lease. So, they've come up with their own calculation and we're prepared to pay the January and February rent here today, if you would like to collect that.

**Commissioner D. Herrera:** The entire \$800

**Attorney Rossi Tolentino:** No, this is the current rent for January February an additional \$17,000 per month for January and February for the past due rent.

**Administrative Director A. Taijeron:** I'm going to ask Joey just so that the commissioners are aware with what's happening. I don't know legal counsel is this... can we discuss this at this point in time or because it's a legal matter

**Attorney Kristan Finney:** \*inaudible\* It's on the agenda, we can discuss it but you know I'm not sure I don't think I can see what you're referring too but I think what these guys are talking about is that the amount that's due is what is the \$800...

**Administrative Director A. Taijeron:** Eight hundred and seventy some thousand dollars I believe it is. That's what's due, my understanding of it is I don't know if it was this board or the previous board

**Commissioner E. Garrido:** It was the previous board

**Administrative Director A. Taijeron:** Joey, can you explain what it is

**Commissioner E. Garrido:** When I say it was the previous I mean before my time

**Program Coordinator IV Joey Cruz:** Yes, one meeting before you came.



**Administrative Director A. Tajeron:** So, I think one of the issues is that previous there was a discussion with regard to accepting payment and we could not accept payment...

**Program Coordinator IV Joey Cruz:** So, if I may. For the record, my name is Joey Cruz I'm the Program Coordinator IV with the Commission. So, what had happened was we gave GICC their first notice of their account receivable balance when it was about three hundred some thousand. We went on and we kept emailing them about their account balance through Quickbooks which is the financial software that we use. GICC Mr. Yohei and Attorney Tolentino when they appeared when they weren't heard when they were tabled they provided us with a payment plan. Their payment plan requested for a rent abatement of 50%. So, they didn't want to pay 50% of their arrears but they were willing to pay the other 50%. And they requested for a period of I believe two years – three years to pay in full that arrears that 50% of the total amount owed on top of what the monthly payments would be. So, we presented to the board, the board didn't accept their proposed payment schedule but what they did in whole because they were requesting for a rent abatement of 50% but what they did was they did extend the amortize schedule of their arrear payment an additional year instead of three it was four instead of 4 or 5 I don't remember the exact number. GICC was informed through email that the board did not accept it and at that time it was Acting Director Angela Camacho who signed the letter. Mr. Yohei in return sent an email that if the board did not accept their payment plan they would – since they did not accept their payment plan and we did tell them what the board had decided he will try to comply with the February I forget what date it was payment plan that they submitted. So, I got a phone call on February 2<sup>nd</sup> from a lady name Connie who is employed at GICC and she was explaining to me so I in turn told her we won't accept payment because we did not want to artificially create and acceptance by the commission.

**Administrative Director A. Tajeron:** That was by Nic Toft – former legal counsel

**PC IV J. Cruz:** That was when Nic Toft was our legal counsel. And then what happened was GICC sent us a certified mail with a check and I was also informed that the check was dated January 30 but I informed Ms. Connie and Ms. Gi that our accounting system here is not imputed based on the check date but when it was received. So, February 2<sup>nd</sup> is well passed January 31<sup>st</sup> so we didn't accept the check. And then we sent back through our process servers here – they delivered the certified mail, the check and the letter and then also I believe that was March 3<sup>rd</sup> that was March 3<sup>rd</sup> through the letter signed by AD Tajeron we returned the check. So, now, if it was to be presented to the board today, our recommendation will be to terminate the lease because of the amount owed of eight hundred some thousand dollars although we had discussions with our attorney and

**Administrative Director A. Tajeron:** We'll take it further with legal.

**PC IV J. Cruz:** So, that's what happened with GICC. So, yes, they did come to try to make payment but after the January 31<sup>st</sup> 2023<sup>rd</sup> deadline so we didn't accept the payment

**Attorney Kristan Finney:** The thing that was not going to be full amount was it?

**PC IV J. Cruz:** No, ma'am it was only for the months rent and half of what was owed I believe I forget which months but I think it was two months I'm not too sure but it wasn't payment in full.

**Commissioner D. Herrera:** And the eight hundred seventy five was for the past...?

**PC IV J. Cruz:** That's as of February so, I believe they haven't paid for two and half or three years something like that.

**Attorney Rossi Tolentino:** So, Commissioners, if I may, the letter we received or GICC received on April 19 stated that the board did grant a rent deferral up until December 22 with payment commencing January 1, 2023 payments will include the monthly lease payments plus the additional payment that will be applied to the arrears. It should be paid in full by October 2026, the board will provide a letter of support to increase rates if GICC should decide to do so. So, the commission wasn't expecting us or GICC to pay the lumpsum arrears in the beginning of this month or in January. The normal rent payment date on the lease is around the 15th so, their probably going through their motions in cutting checks then. I've been informed by Mr. Koike that he's been trying since mid-January to discuss what the arrears amount – how it was supposed to be paid in installments but without any communication back and not knowing that the phone numbers have been changed Mr. Koike says there wasn't just – they didn't have the information to write the correct amount on the check. They now have here two months' worth of payments. The checks I have here for it, they've calculated the balance to be about seven hundred and forty-three thousand that was in arrears at the time and so the monthly payments that they were calculating for the arrears was about seventeen thousand so in addition to the twelve thousand dollar monthly rent they're here with seventeen additional thousand for each month. January – February and they'll get the next months payment in more timelier.

**PC IV J. Cruz:** If I may, yes, our numbers did change but in the past Mr. Yohei, Ms. Connie and Ms. Gi we've communicated through email, so, there was nothing restricting them from emailing us

**Commissioner E. Garrido:** And the email is current?

**PC IV J. Cruz:** Yes, and like I said, yes, the letter Attorney Tolentino had read we did inform them but Mr. Yohei didn't accept what was granted by the board through his email.

**Attorney Rossi Tolentino:** Ms. Angie's letter didn't request a confirmation back it was a statement \*inaudible\* proof so there wasn't an expectation to

**Attorney Kristan Finney:** So, I haven't reviewed all of this correspondences so maybe it will be helpful I can look at that correspondence and then we can have some further discussion and

**PC IV J. Cruz:** If I may, just for the record, on June 21<sup>st</sup> 2022, I sent an email to Mr. Yohei inquiring whether GICC had a response or a concern and that's in the relation to when the letter was delivered April 19, 2022, regarding the board meeting. In response, Mr. Yohei sent an email; since CLTC couldn't accept the rent break during the terms of the pandemic we will try to comply with our proposal letter which was dated on February 28<sup>th</sup> on the other hand we would like to keep on seeking the possibilities that CLTC and related government authorities to give us some kind of rent break. So, that's just for the record so at least we've done our follow up.

**Attorney Rossi Tolentino:** So, of course our client is happy to continue to meet with the commission to come to some resolution on this. Of course they would like to preserve the lease and comply with the terms of the

**Administrative Director A. Tajeron:** We'll take it up with legal counsel and give the commissioners further guidance. I know a lot of this occurred prior to definitely before Commissioner Garrido – before my time as well. So, we'll get more information with legal and then we'll get her guidance with regard to how to proceed.

**Acting Chairwoman Arlene Bordallo:** Is there going to be any breaks during the time of COVID when they were operating?

**Administrative Director A. Tajeron:** I would have to take it up with legal Madam Chair. We can discuss that we can you know... that'll probably be up to the commissioners. I think the previous commissioners said no break right there was no....

**PC IV J. Cruz:** During the course of the COVID-19 pandemic the commissioners not granted any of our lessees any type of rent abatement for the Covid related matters

**Acting Chairwoman Arlene Bordallo:** Well the golf course is tourist related business and at that time tourist weren't allowed to come in. So, I'm just wondering about

**Commissioner E. Garrido:** Isn't it also a municipal golf course?

**Attorney Rossi Tolentino:** That's correct

**Commissioner E. Garrido:** So, it was for local and tourist but everything was shut down too. But we'll find out what legal has to say and I guess we'll discuss that at a later time because we have to \*inaudible\*

**Administrative Director A. Tajeron:** And just to be clear, pursuant to a previous meeting we still aren't collecting the rent because we do not want to give the impression I mean we are not receiving the payment because we do not want to create the falls impression that

**Commissioner E. Garrido:** Month-to-month

**Attorney Kristan Finney:** Yeah, although, I think the lease does say that you can accept rent without waiving – by accepting partial rent you're not waiving whatever's \*inaudible\* understand that there's no agreement in place right now that I'm aware of but again, I haven't reviewed all of the correspondence.

**Administrative Director A. Tajeron:** So, can accept the rent or don't accept the rent.

**Attorney Kristan Finney:** That's

**Administrative Director A. Tajeron:** Can we continue to proceed the way we have been until you have an opportunity to get back to us

**Attorney Kristan Finney:** Yeah, let me look

**Commissioner E. Garrido:** So, proceed or pause

**Administrative Director A. Taijeron:** We are going to proceed in the way that we have been that is we are not accepting any rent so is not to create any false acceptance of

**Attorney Kristan Finney:** Give me a chance to review the correspondence and find what the board actually said and we're there...

**Commissioner E. Garrido:** So \*inaudible\*

**Administrative Director A. Taijeron:** Yes

**Acting Chairwoman Arlene Bordallo:** Do we have a lease agreement where it shows increase \*inaudible\*

**Administrative Director A. Taijeron:** We can get a copy of the lease agreement to you.

**Acting Chairwoman Arlene Bordallo:** Any other comments from the public

Unknown: Just regarding the map. I apologize I didn't understand the protocol

AA T. Tainatongo: You can have seat

**Administrative Director A. Taijeron:** Say your name for the record

**Attorney Phil Torres:** My name is Phil Torres and I'm with Torres Law Group. I heard the discussion I think the discussion was very good regarding the map and the next step before the Director of Land Management or survey signs it is the acknowledgement that is brought before this commission so that you're aware that the bull cart trail was removed and that there was no net loss in fact there was a net gain to the Government of Guam. So, that's all I wanted to say and it can be signed by whoever this commission decides to sign it and it'll be returned to survey after that. You have any questions? Alright thank you very much.

**Acting Chairwoman Arlene Bordallo:** Thank you. Meeting to adjourn

**AA T. Tainatongo:** I think there's one more

**Acting Chairwoman Arlene Bordallo:** Anyone else?

**Commissioner E. Garrido:** Public comment?

**Ivan Shiroma:** Hello Commissioners, my name is Ivan Shiroma. I'm representing Hal's Angels Football Association. I have a binding agreement with the Guam Rugby Club, I know this is before all your time. We've been conflicting each other for over four decades or about four decades. So, we finally got agreement of May 2020 it's supposed to expire two years after that if Public Works will be build these guys a road and they don't have to cut through my property which is the big issue from way back. So, we both signed everything, legal counsel signed here the commissioners all signed...they're still not honoring the agreement. I spent a lot of money hiring legal counsel which I didn't think I needed because I thought it was a common sense issue so these guys still didn't respect the letter of the law or the agreement that was signed

by everybody...Toft, I think was the legal counsel back then and all the commissioners were different. So, they're still cutting through my property.

**Administrative Director A. Tajeron:** Who's they? I'm sorry for clarification who's they?

**Ivan Shiroma:** Guam Rugby Club

**Commissioner E. Garrido:** Where's the property at?

**Ivan Shiroma:** This is the Wettengel Football Field or the Hal's Angels Football field on the bottom part.

**Commissioner D. Herrera:** Oh, okay.

**Ivan Shiroma:** In order for them to access their area they want to drive through my property and I keep saying nobody does that in world. Public Works, GPA, Water Works gave them legal access – where they can access their property which is on the Lada side not on West Santa Monica side so everybody understood that but they still keep entertaining or going to the commission and keep asking can we keep driving through and all that. So, we finally made an agreement, no more already. Government is going to build a road.

**Acting Chairwoman Arlene Bordallo:** And did they?

**Ivan Shiroma:** Government didn't build it. That's part of the provision that wasn't honored in this agreement so they're still driving through my place

**Commissioner D. Herrera:** And there's a pipeline

**Ivan Shiroma:** There's a pipeline but what had happened is they took 40 feet again from my property so we could give them public works access or easement to build a road for them. So, Public Works doesn't have time to do it. Two years – it's almost three years went by Public Works didn't do anything but according to this thing it's either 24 months from May 2020 which should have been May 2022, right? This thing should come into effect.

**Commissioner D. Herrera:** And this is – that one is for the public rights of way for them to...

**Ivan Shiroma:** Yes. If Public Works builds it but even if they don't it says clearly or 24 months whichever comes first this thing comes into effect which they can't drive through anymore. I'm happy, everybody should be happy but they're not happy they still want to drive through there they don't want to drive around which is only like 3 minutes and make a road to access their property from the Lada side.

**Administrative Director A. Tajeron:** Is that an agreement with CLTC?

**Ivan Shiroma:** Yes

**Administrative Director A. Tajeron:** May I see it please.

**Ivan Shiroma:** The signatures are all on the back and the map is there also. So, anyways, in fact, Joey's familiar with the whole issue right because I know everybody is new here. So,

that's a signed agreement. Us- Guam Rugby Club signed it – Hal's Angels signed it, legal counsel signed it it should be binding.

**Commissioner D. Herrera:** For them to have their own rights of way. This is where the Rugby's at – close to the rugby?

**Ivan Shiroma:** Yes, we're adjacent to each other

**Commissioner D. Herrera:** Okay. \*inaudible\* football field and then here's rugby

**Ivan Shiroma:** Rugby is on the backside but they have to you know – they have to drive right through my property to get to theirs which is very convenient for them but they want to go through my property which I'm trying to develop and I finally funding and contributors that are willing to develop but not with that agreement where somebody's going to be driving because we want to fence our boundary.

**Commissioner E. Garrido:** What's your name again?

**Ivan Shiroma:** Ivan Shiroma. So four decades I've been coming to this place arguing about these guys encroaching on our property and just taking advantage because I provided the gate and block \*inaudible\* basically so that nobody can access their property. But they don't want to do anything on their side because that means they have to spend money. So, they rather just

**Commissioner D. Herrera:** That's for the rugby group

**Ivan Shiroma:** Yes.

**Commissioner D. Herrera:** Isn't that Moricco?

**Ivan Shiroma:** Morricco. I have nothing against rugby or the sport...everybody keeps – that's the thing they keep brainwashing all these kids because they come up to me and says, sir, why you trying to stop rugby? I said, I'm doing football, I want you kids to have sports you know just like football. It's Mr. Morison – the two Morison brothers that I have problem with because I can go back to day one when we had an agreement which could had settled this issue way back but we're always dealing in faith – with my dad which my dad passed away so I took over and now we're here and we had an agreement finally signed and they still don't want to honor.

**Attorney Kristan Finney:** So, can I ask a question?

**Ivan Shiroma:** Sure

**Attorney Kristan Finney:** What is it that you're asking the commission today?

**Ivan Shiroma:** First of all, according to the agreement, if they're not honoring it, I don't know what you guys could do about it because part of the agreement was they're going to extend our lease 21 more years. We have mirror contracts same thing just different organizations, right.

**Commissioner D. Herrera:** Property is land trust?

**Ivan Shiroma:** Yeah. So, when we signed it it's because they're going to give us 21 more years. So, I got 21 more years on my lease – license agreement they got 21 years and they signed and honor it but now they're not honoring it. So, I'm asking you guys, what do you do with these kind of people who's been dealing in bad faith since day one and I can bring up everything is in the minutes if you guys go back if somebody were to do it but you know I don't want to keep going back – it's always in bad faith. You try to get things done without informing me the other party every time there was some kind of disagreement or something going on they try to do it on their own because they knew the administrator. It's always like that – always political. But don't listen to me – check the minutes and you'll see what I'm talking about.

**Commissioner D. Herrera:** So, the rugby is land trust land trust lease and then your part is also land trust?

**Ivan Shiroma:** Yes, both of us is land trust with mirrored contracts.

**Commissioner D. Herrera:** Okay. So as soon as we get the mappings out and...

**Ivan Shiroma:** In order for land trust to renew the 21 year lease which is a long lease and I appreciate it right because this is you guys - people of Guam's property.

**Commissioner D. Herrera:** And your lease is already

**Ivan Shiroma:** No, no, it just started in 2021 I think ours. The new 21 year lease again and theirs just started recently also maybe a one or two year difference.

**Commissioner D. Herrera:** And yours is football and then them is another football

**Ivan Shiroma:** Rugby

**Commissioner D. Herrera:** Oh, no rugby is different oh okay.

**Ivan Shiroma:** So, I don't know if...

**Commissioner D. Herrera:** We'll take a look into it.

**Administrative Director A. Tajeron:** They're making copies right now of what Mr. Shiroma brought in. And I apologize I wasn't aware with regard to the issue. I'll take a look at it and then I'll get legal guidance with regard to how to proceed. You know, with regard things being done because it's political I assure you that

**Ivan Shiroma:** I understand

**Administrative Director A. Tajeron:** I'm fair and I will take a look at what the issues are and try to address it as best we can

**Commissioner D. Herrera:** So, your lot is about maybe 5 acres or so...about 10

**Ivan Shiroma:** From day one we had that whole area now we're smaller than what they have

**Commissioner D. Herrera:** What size do you have?

**Ivan Shiroma:** I don't know the exact figure but the map is together with this it shows that ours is smaller than what we have and we were there 10 years before they were there even before land trust was created. My dad cleared, developed this whole area that was useless nobody was using it was just jungle and made it benefit for football was going to make it multisport thing for everybody but they came in without informing us my dad was sick couldn't go to the meetings all of a sudden their acreage they secured a lease became bigger than what we had so I went in there fighting because my dad passed away and trying to fight these guys it was a done deal we weren't informed.

**Commissioner D. Herrera:** The lease is there in the package also

**Ivan Shiroma:** It's in the minutes you can go back to 1980

**Acting Chairwoman Arlene Bordallo:** It's in there. I was here

**Commissioner D. Herrera:** Oh okay.

**Administrative Director A. Tajeron:** And then I'll pull up the Rugby license agreement or lease agreement to

**Commissioner D. Herrera:** And then the pipeline is not too far from that....

**Ivan Shiroma:** yes

**Commissioner D. Herrera:** You're closer to the pipeline or who's closer?

**Ivan Shiroma:** Yes, no I am.

**Commissioner D. Herrera:** Okay

**Ivan Shiroma:** So, this is a problem now, they're saying the last – when they were making the agreement they're going to take away 40 feet from the pipeline to extend the easement take it from me and I'm losing property again to satisfy these guys who don't want honor legal access which is Lada side.

**Administrative Director A. Tajeron:** Yeah

**Ivan Shiroma:** So, now I'm here to argue or ask the commission, can I get my 40 feet back because Public Works is not building the road for them and if they don't ever build it I still lose 40 feet. It doesn't make any sense, right?

**Commissioner D. Herrera:** Yeah. They're gaining

**Ivan Shiroma:** Yeah they're gaining and they don't have to do anything again

**Commissioner D. Herrera:** And they have all the machines



**Ivan Shiroma:** Morrico is a heavy equipment company they have all the... I'm Guam Power Authority – power outage that's all I am.

**Commissioner D. Herrera:** \*inaudible\*

**Ivan Shiroma:** But you know we can't do that right no matter if I work there those guys are strict. So, this is where we're at.

**Commissioner E. Garrido:** You're still \*inaudible\*

**Ivan Shiroma:** Yes.

**Commissioner D. Herrera:** So, the pipeline is here, this is the rights of way and this is Lada Road

**Ivan Shiroma:** No, Lada is back here. This is the Santa Monica this is Lada back here the legal access for them and you can see on the notes Public Works – Guam Power – Water Works all say their legal access is Lada side but they want to drive through Hal's Angels' side.

**Commissioner D. Herrera:** Oh, so they going through here?

**Ivan Shiroma:** Yes. That's the agreement nai...

**Administrative Director A. Tajeron:** Which way are they going through, Ivan?

**Ivan Shiroma:** They're going right through my property. I'm allowing them to do that, that's the problem. They drive right through here. I have a gate here – this is my big football field and then we're trying to develop this and there's an access road that we made so everything is perfect for them to access – very convenient for them

**Commissioner E. Garrido:** \*inaudible\*

**Ivan Shiroma:** Yes, it's a road right in the middle of that property. There's a road right there

**Commissioner E. Garrido:** Is that lot 100 \*inaudible\*

**Administrative Director A. Tajeron:** On the Lada Avenue or the Lada Avenue that's the one across Core Tech. You have Core Tech and then there's that road.

**Ivan Shiroma:** There's the Palauan Ibai

**Administrative Director A. Tajeron:** Okay, so that's Lada, right?

**Ivan Shiroma:** That's Lada there – that's their access.

**Administrative Director A. Tajeron:** And why don't they have... that's a paved road?

**Ivan Shiroma:** Because the commission didn't want to entertain it because they keep complaining that you know what if they're.... all kinds of excuse they keep using why they want to drive through there.

**Commissioner E. Garrido:** You're talking about the rugby, right?

**Ivan Shiroma:** Yeah

**Administrative Director A. Tajeron:** Yeah

**Commissioner E. Garrido:** They're fronting Lada Avenue that should be their access.

**Ivan Shiroma:** It's established because when you look at the notes on that map it shows Public Works, Water Works and GPA all had to sign off that their legal access for these guys is Lada Avenue. Why they keep entertaining Hal's Angels or the Shiromas – let's drive through their property because it's convenient.

**Acting Chairwoman Arlene Bordallo:** The only way to take care of that is take the land back so it'll force them too

**Ivan Shiroma:** Yes, they got their 21-year lease because they're going to honor it and now, they're not honoring it again.

**Acting Chairwoman Arlene Bordallo:** If they're not following their access then take it back unless they do something about it.

**Administrative Director A. Tajeron:** Okay

**Ivan Shiroma:** I don't want to be like them bring them over and let them argue their point in front of you guys and then you listen to them again.

**Acting Chairwoman Arlene Bordallo:** Well, they haven't come around

**Commissioner E. Garrido:** Where actually is the one in question

AA T. Tainatongo: Can I just say something for the record  
Internet down

Multiple back ground conversations

**Ivan Shiroma:** There's a road going through here right but right here they took away 40 feet from here to here inside my area so now I'm losing 40 feet going in again so I want to get that reestablished again so I can start my practice field and we want to build another field.

**Administrative Director A. Tajeron:** We need to hold up or pause the discussion because we're still buffering.

**Ivan Shiroma:** Because they're not building a road anymore. Public Works not going to do it, they're not doing that's three years that went by they still didn't do it so I don't think they're ever going to do it. They still want to argue the point they want to use our property.

**Administrative Director A. Tajeron:** I'll pull up the Rugby License or lease agreement and if I have too, I'll take a site visit out there but I think the property just fronts the road already so I'll find out what the issues are.

**Ivan Shiroma:** That's the thing that really bugs me you know they're a heavy equipment company they have all the means to take care of this. It's fronting theirs, the legal access established by these three agencies and they still entertain them when they complain when they want to drive through.

Multiple back ground conversations

**Administrative Director A. Tajeron:** Okay, we'll take a look at it.

**AA T. Tainatongo:** The network is down so we're not live

**Administrative Director A. Tajeron:** I apologize we have a network issue. We're still recording right, Tina?

**AA T. Tainatongo:** Through the system, yes, we're still recording but we're not live.

**Administrative Director A. Tajeron:** Just for the record, we're still recording we're not discussing anything right now. We are off-line. There's a network issue so we currently not running live stream nothings being discussed at this point since being notified that we are offline.

**Commissioner D. Herrera:** Mr. Shiroma's case is for the record?

**Administrative Director A. Tajeron:** Yes, so, we got Mr. Shiroma's case I think for

**AA T. Tainatongo:** For the introduction for the most part but it says right here govguam no internet. I don't know if it's Gov Guam wide.

**Administrative Director A. Tajeron:** Well, we got Mr. Shiroma's concerns from the begging – Mr. Ivan Shiroma from the Guam Football

**Ivan Shiroma:** Hal's Angels Football

**Administrative Director A. Tajeron:** Hal's Angels Football Association – so, we received his while we were still running livestream and then we've also received copies of the agreement that he provided to us and since it was – we caught it livestream we will apologies Commissioner Garrido they didn't hand that to you. We have his information we'll review it. Do I have to say that livestream? We have to wait to adjourn while we're on livestream?

**AA T. Tainatongo:** Maybe we can go on a recess

**Commissioner E. Garrido:** Let's go on a recess

**Administrative Director A. Tajeron:** Okay, recess.

**Acting Chairwoman Arlene Bordallo:** Motion to recess.

**Commissioner E. Garrido:** I second

**Acting Chairwoman Arlene Bordallo:** 10 minutes – 15 minutes

**AA T. Tainatongo:** 15 probably

**Acting Chairwoman Arlene Bordallo:** 15 minutes

**Administrative Director A. Taijeron:** Network is down

**Acting Chairwoman Arlene Bordallo:** Network is down.

15 Minute Recess

**Acting Chairwoman Arlene Bordallo:** We are back to our meeting, recess is over.  
3:13 p.m. Director, can you make an announcement?

**Administrative Director A. Taijeron:** Sure. We were off for a little bit but we are back livestreaming via PBS on the GovGuam website so we are livestreaming there. Our Facebook page is – CHamoru Land Trust Commission is currently offline right now we are having issues with the internet but we are running live via PBS and recording as well. We left off Madam Chair with the discussion from under Public Comments with Mr. Ivan Shiroma I think that was recorded where he submitted an agreement with the Guam Rugby Association and the CHamoru Land Trust Commission and his concerns were – I don't know if we caught that livestream the issue of access. The Rugby Association continues to access the rugby site via the Hal's Angels Football field and so Mr. Shiroma has come to ask CLTC for assistance by a way of either enforcing whatever's in this agreement which he submitted for our review and to help remedy the situation.

**Ivan Shiroma:** Yes

**Administrative Director A. Taijeron:** And so, Commissioners I think what we need is because this was just presented to us today what I will do is take a review of this as with legal counsel we've discussed that and I will take a visit out there because I'm still kind of just in my mind trying to figure out how – if they're fronting Lada Avenue, why what the issue is as to why they can't access to that part of the property. So, we'll take a visit- we'll take a site visit and then assess the situation and then we'll come back to the commissioners and give a report then. If that's amendable to the commissioners.

**Ivan Shiroma:** And if you need me, I'm retired so I can always be there.  
And you can invite them too just so they're seeing what's going on

**Administrative Director A. Taijeron:** We'll take a look and I will confirm with our legal counsel with regard to that.

Legal Counsel, I hope that addresses the need for public announcements, there wasn't anything else discussed while we were offline. We caught the introduction and

**Commissioner E. Garrido:** Well, we're not making a decision.

**Administrative Director A. Taijeron:** No, sir, no decision just we're accepting it and we'll take a look and we'll address it.

**Commissioner E. Garrido:** We can look inside it so that our next meeting we may make a decision

**Ivan Shiroma:** The only thing there is just reminding on the 40 foot easement that was taken away to satisfy that road that is going to build \*inaudible\* probably were never going to be build and also requesting if I can get that back so I can maximize the usage of my property because it doesn't make sense that they take 40 feet and they're not running a road there and like I said, they had 3 years to build it it's obviously not happening. They're waiting for some miracle to happen and I have my developers to start doing construction on my lower field so time is of the essence on my part. I already put concrete barriers from the original boundary that I have before they took away the 40 feet. So it's still there so once you guys decide that I can get my 40 feet back because they're not building their road I can start putting my fence up. The reason why I'm putting my fence up just to be clear we all know there's a lot of dumping a lot of trash in my area. That's my biggest complaint with the rugby right they want to use my property which the commission has allowed them to do but they don't want clean up anything. 40 years I've been clearing all the white goods all the cars, all the trash that people dump there but they want to use it but they don't want to clean anything so I brought that up to the commission so many times. I'm not a bad guy just help me out and fine, I'm amendable to sharing this thing but 40 years enough is enough. I put a fence I stay on my side you stay on your side, and that's the way it goes. We don't fight anyone no arguments I'm tired of always being nice to them and they don't want to share. Then I asked them when my field was damaged from typhoon can we use the field that use to be ours, I'm asking them they don't want to share but they want to share the parking. They want me to share the parking and tell the whole rugby community Mr. Shiroma is trying to kill rugby you know they're creating – so this is what I have to go through for 4 decades. Enough already, move forward so, that's where I'm coming from. Like I said, you guys are all new so, you have to understand what the issue was from day one so I just want to brief you guys.

**Administrative Director A. Tajeron:** Well, I'll have our team take a look at it as well.

**Commissioner D. Herrera:** And the 40 feet that you're talking about is right here see the pipeline

**Ivan Shiroma:** And the reason why they took 20 feet away they're afraid the pipeline the military going to shut that road down so they want to make sure that it's on land trust property so they have to take \*inaudible\* from me again.

**Commissioner D. Herrera:** Yeah, because they took that to make... and then this one also

**Ivan Shiroma:** But they haven't done anything like I said

**Commissioner D. Herrera:** Yeah the 40 they took from you is here

**Ivan Shiroma:** Yes

**Commissioner D. Herrera:** So, that's the one you're asking back.

**Ivan Shiroma:** Yes. Mind you, this piece also Mike Borja asked me – this used to be on my inventory but Mike Borja just Ivan we need to sever that and give that back to commission.

I said, why, why am I losing property again? He said he's going to eliminate the access here but it never happened. So, I lost this again because I agreed to sever this I lost like one-third of my property which I was going to use for my parking. If you go here now, they do concrete structures.

**Commissioner D. Herrera:** On this part?

**Ivan Shiroma:** Yes, squatters build here so that's why Mike Borja was saying that Ivan, we don't want to kick them out I said, I don't want to kick any Chamoru out but they're squatters that's my side but I'm going to lose it again. So, rugby never lost anything it's always me losing this now I'm losing 40 feet here so all I'm asking now is just give me my 40 feet back. I'm fine with this guys let these guys stay because you guys accepted that already you don't want to deal with these squatters complaining – kick me out.

**Commissioner D. Herrera:** Squatters, right.

**Ivan Shiroma:** Yes, concrete structures, they built.

**Commissioner D. Herrera:** Okay, got it. Thank you.

**Ivan Shiroma:** One more time nai, I've always been amenable to helping the condition out but I keep getting property taken away from my total acreage and nothings ever been touched by the rugby so, please see where I'm coming from

**Commissioner D. Herrera:** oh and they got a lot

**Ivan Shiroma:** I think it's only fair and the right thing to do.

**Administrative Director A. Tajeron:** This is the 40 feet right here? This part right here?

**Ivan Shiroma:** Yes, ma'am, pipeline road. And the reason why they took 40 feet there is because they're afraid military is going to shut that road down or block and then they can't use that road that they never built anyways. So, that's why they put the 40 feet there so I had to \*inaudible\* the only way they won't lose their access of going through my property is if I agree to that so, again I have to sacrifice again a piece of property on my side.

**Administrative Director A. Tajeron:** Thank you, Mr. Shiroma. We'll take a look at – we'll look into this.

**Acting Chairwoman Arlene Bordallo:** There being no other business, meeting...

**Commissioner E. Garrido:** I make a motion to adjourn. Can I get a clarification real quick? Let's go back to comments. When can we start acting the current list of recipients? The last time we addressed recipients was in November, right?

**Commissioner D. Herrera:** No, no, November we didn't have a meeting in October.

**Administrative Director A. Tajeron:** You mean, 1995 applicants?

**Commissioner E. Garrido:** Yeah

**Administrative Director A. Tajeron:** I'm working with the team right now, before coming on board there were several land agents that were assigned to that. So, we are going to do a thorough review and that's one of the reasons why I asked for the pause on the new applications, is give me until the next meeting and I'll provide the progress on the 1995. We are currently on the December 2<sup>nd</sup> at 8:07 around that time in 1995.

**Commissioner E. Garrido:** In November we were stuck on number 6 and then in December they remediated and worked a solution on how to continue forward you know... number 6 was holding everything up because they had a problem, an internal problem.

**Administrative Director A. Tajeron:** Yeah, so I was just made aware of that and I think what the process is going to be is we need to take a look at that and whatever the issue is we will try and resolve it and at the same time we're going to keep moving to address all the other we cannot stop just because of that one is we got to keep moving forward and these leases out.

**Commissioner E. Garrido:** And another thing and I have spoken to you off the record about this, can we get a complete inventory of CLTC's holdings.

**Administrative Director A. Tajeron:** We're working on that sir. That's going to take a little bit of time but yes, I have spoken to Joey about that and I said, we need an inventory of – you're talking about our assets?

**Commissioner E. Garrido:** Yeah

**Administrative Director A. Tajeron:** Yes, yes, an inventory of our assets. I actually told Joey is that we need that right away.

**Commissioner E. Garrido:** Another thing I want to bring to the table is labor

**Administrative Director A. Tajeron:** Favor?

**Commissioner E. Garrido:** Labor

**Administrative Director A. Tajeron:** Oh, labor.

**Commissioner E. Garrido:** If we can hook on to UOG and GCC they have a OJT type of program align with their major and that's – you don't have to pay them. They'll come and work for you for credits. And if you're looking at recruiting that's a very good probation period to see how well they're performing and maybe you can consider them for a permanent position but it's free labor.

**Administrative Director A. Tajeron:** Yes, sir. I'll look into that. Thank you. I do plan to \*inaudible\* with details and I'll look into the UOG, GCC OJT.

**Commissioner E. Garrido:** Mary Okada

**Administrative Director A. Tajeron:** Yes.

**Commissioner E. Garrido:** I don't know who the president of UOG is but...

**Acting Chairwoman Arlene Bordallo:** Chris

**Commissioner E. Garrido:** No, there's a new guy

**Administrative Director A. Tajeron:** Kriz?

**Acting Chairwoman Arlene Bordallo:** Kriz

**Commissioner E. Garrido:** He retired?

**Administrative Director A. Tajeron:** Oh, no, I thought he was retiring soon?

**Commissioner E. Garrido:** No, Aguon is retired

**Administrative Director A. Tajeron:** So, it's currently President Kriz.

**Commissioner E. Garrido:** Okay, I have no more comments.

**Administrative Director A. Tajeron:** Thank you, Commissioner Garrido.

**Commissioner E. Garrido:** You have any comment Commissioner Herrera

**Commissioner D. Herrera:** I'd like to present to the commission the listing of Land Management that are unregistered properties. Here, you can have a copy. That's unsurveyed, unregistered that would add acreage to our inventory

**Commissioner E. Garrido:** But is that government land?

**Commissioner D. Herrera:** Yeah, that came from land management

**Administrative Director A. Tajeron:** Yeah, so, land management every year asks from all government agencies a listing of all properties, right. and if it's not being utilized then I think land – DLM can take that and then send it to CLTC – Convey it to CLTC

**Commissioner D. Herrera:** Correct yeah. So, we can make copies and keep it

**Administrative Director A. Tajeron:** And in reference Commissioner Herrera – you want us to make a copy of this one?

**Commissioner D. Herrera:** Yeah, later on

**AA T. Tainatongo:** I think we have that. That was given out to us in our last meeting I think in May.

**Commissioner D. Herrera:** Correct, yeah. 3000 – maybe 8000 acres unregistered un-surveyed. That's it, no more comments.

**Acting Chairwoman Arlene Bordallo:** Do you have any?



**Administrative Director A. Taijeron:** No, ma'am.

**Acting Chairwoman Arlene Bordallo:** Motion to adjourn

**Commissioner D. Herrera:** Motion to adjourn our meeting for today

**Administrative Director A. Taijeron:** Until, Thursday, April 20<sup>th</sup>

**Commissioner E. Garrido:** I'll second it

**Acting Chairwoman Arlene Bordallo:** Until April 20<sup>th</sup>

**Commissioner D. Herrera:** Until April 20, 2023, at 1PM here at the CLTC conference at the ITC Building.

**AA T. Tainatongo:** Can we get the time we're adjourning?

**Acting Chairwoman Arlene Bordallo:** 3:27 p.m.

**Commissioner D. Herrera:** 3:27 p.m.

**Commissioner E. Garrido:** I'll second

**Acting Chairwoman Arlene Bordallo:** All in favor say aye

**Commissioners:** Aye

**Adjourned:** 3:27 p.m.

**Transcribed by:** Tina Rose Tainatongo, Administrative Assistant

**Approved by motion in meeting of:** \_\_\_\_\_

**Chairman John F. Reyes, Jr.:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**Commissioners:** Aye

**Adjourned:** 3:27 p.m.

**Transcribed by:** Tina Rose Tainatongo, Administrative Assistant

**Approved by motion in meeting of:** May 18, 2023

**Chairman John F. Reyes, Jr.:**  **Date:** 7/13/23