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Chairman

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Commissioner

**Earl J. Garrido**  
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**Arlene P. Bordallo**  
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**REGULAR MEETING MINUTES**

**CLTC Conference Room**

**Suite 223, ITC Building, Tamuning, Guam**

**Thursday May 18, 2023, 1:02 p.m.**

**Public Notice: The *Guam Daily Post* on May 11, 2023, and May 16, 2023**

All: Reciting the Inefresi

**Chairman John Reyes, Jr.:** Thank you, everybody for joining the time is 1:02 p.m. and I will call our meeting to order the regular meeting for the CHamoru Land Trust Commission. Our public notices for today's meeting were published in the Guam Daily Post on May 11, 2023 and May 16, 2023. The notices were also posted online on the CHamoru Land Trust website at [dlm.guam.gov](http://dlm.guam.gov), the CHamoru Land Trust Commission's Facebook page and the Government of Guam's Public Notice Portal at [notices.guam.gov](http://notices.guam.gov). This meeting is being livestreamed on YouTube at GovGuam Live, video and audio recording is made possible by our partners at KGTF.

**ROLL CALL**

**Chairman J. Reyes, Jr.:** Okay, let's do roll call. Commissioner Herrera?

**Commissioner David Herrera:** Gaigue hu

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

**Commissioner Earl Garrido:** Estgui hu

**Chairman J. Reyes, Jr.:** Thank you. Commissioner Bordallo? Do we have her online yet?

**Administrative Assistant Tina Tainatongo:** No.

**Chairman J. Reyes, Jr.:** Okay, she is off island, she may join us. Administrative Director Taijeron

**Administrative Director Alice Taijeron:** Present

**Chairman J. Reyes, Jr.:** Thank you. And Attorney Finney?

**Attorney Kristan Finney:** Here

**Chairman J. Reyes, Jr.:** Thank you, ma'am.

## **APPROVAL OF MINUTES**

**Chairman J. Reyes, Jr.:** Okay, Commissioners first item on the agenda is the approval of the minutes, we do have the two meetings, the March 29 and the April 20 regular meetings. Okay, I'll give you a couple of minutes and if you have any questions or we can move to take action.

**Commissioner D. Herrera:**Mr. Chairman if I may, on the foot note of the March 24, 2023, Item 3, Approval of the Minutes item number 3 – one is indicating March 29 so, is that a typo or....?

**Chairman J. Reyes, Jr.:** Right, let me turn to Tina.

**AA T. Tainatongo:** Yes, that is a typo. Yeah, so the correct meeting should be March 24.

**Chairman J. Reyes, Jr.:** March 24?

**AA T. Tainatongo:** Yes.

**Commissioner D. Herrera:**Okay, just for point of verification.

**Chairman J. Reyes, Jr.:** Got it. Thank you.

**AA T. Tainatongo:** Yes, thank you for catching that.

**Chairman J. Reyes, Jr.:** So, Tina we did move that to the Friday instead of the 16<sup>th</sup>?

**AA T. Tainatongo:** Correct

**Commissioner D. Herrera:**Okay, Mr. Chairman, I'd like to make a motion to approve the minutes for March 24, regular meeting minutes.

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

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

**Commissioners:** None

**Chairman J. Reyes, Jr.:** Hearing none, motion passes to approve the March 24, 2023 regular meeting minutes. Thank you, sir. One more.

**Commissioner D. Herrera:**Mr. Chairman I would like to also make another motion to approve the minutes for April 20, 2023, regular meeting minutes.

**Chairman J. Reyes, Jr.:** Okay, thank you, Commissioner Herrera

**Commissioner E. Garrido:** Second the motion

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

Okay, motion passes – approval of the April 20, 2023 regular meeting minutes. Okay, thank you, commissioners.

**NEW BUSINESS**

***Resolution No. 2023-02***

**Chairman J. Reyes, Jr.:** I guess we can go down as ordered in the agenda. So, the first one is our resolution for the Bill – 56-37 and our opposition so I did pass that around for everybody to take a look at. There's no further action needed there; we just need signature. Thank you for that.

Okay, so in relation to that we do have the table tops

**AD Taijeron:** Yes, Mr. Chairman it's up on your desk, it's this map here. It's when the team – had gone out last week or the week before and took an ariel shot of it. I think you just wanted to know what the...

**Chairman J. Reyes, Jr.:** Yeah, of the different areas which we operated for 7161 right which is also known as the raceway and so will you be walking us through this, Director?

**AD Taijeron:** Oh

**Chairman J. Reyes, Jr.:** Or would Pierce... Pierce is online

**AD Taijeron:** Pierce is online and you basically just wanted a picture of the parcel – the entire parcel, right?

**Chairman J. Reyes, Jr.:** Yes

**AD Taijeron:** So, this is Lot 7161 and then you can see the team identified parcel one, that's the dragstrip, parcel two, that's the parking lot, and parcel three is the overall tract lot, parcel four, is another parking lot and then the motocross offroad – parcel five that's the part if I'm not mistaken, they were pushing dirt for the recent event in April.

**Chairman J. Reyes, Jr.:** Pierce, would you mind pulling that up?

\*TECH ISSUES\*

**Chairman J. Reyes, Jr.:** Okay, Pierce, if you could here us, could you walk us through the map now that it's a better...Pierce, we have the map up, could you walk us through it?

TECH ISSUES-SOUND CHECK

**Commissioner D. Herrera:**Mr. Chairman, as we wait

**Chairman J. Reyes, Jr.:** As we wait, yes. Go ahead Commissioner please.

**Commissioner D. Herrera:**Based on this map that was provided, right, apparently you guys did a GPS?

**AD Taijeron:** Yes

**Commissioner D. Herrera:**Based on what we're looking at here, so parcel one area two is configured at 5.3 acres. Right would that be kind of accurate

**AD Taijeron:** Yes

**Commissioner D. Herrera:**Parcel one would be the dragstrip  
And then we move down to parcel number two which is estimated at 5.03 acres and parcel two would basically be the drift or more or less the

**Chairman J. Reyes, Jr.:** Parking lot

**Commissioner D. Herrera:**Parking lot, okay. So, three would be the drift compound or the drift slab which is parcel number 3 which is 3.8 acres then we go to parcel number 4, parcel 4 is estimated at 4.40 – 4425 square meters or \*inaudible\* which is about 1.08 acres and parcel 4 would be...

**Chairman J. Reyes, Jr.:** Parcel 5

**Commissioner D. Herrera:**Yeah and which one is that one parcel 4?

**Chairman J. Reyes, Jr.:** 4 is right there right...

**Commissioner D. Herrera:**And what is that currently used for? Is that where the spectators stand is?

**Program Coordinator IV Joey Cruz:** Parcel 4 is on top of where the drifting which is parcel 3

**Commissioner D. Herrera:**Okay, got it. So, then parcel 5 is the estimated to be 121,000 square meters which is about 30 acres, so would that be the motocross? So we have a total of 30 – 31... about 40 acres

**PC IV J. Cruz:** 44

**Commissioner D. Herrera:** About 44 acres okay got it

**Chairman J. Reyes, Jr.:** That's being used today?

**PC IV J. Cruz:** With the different activities.

**Chairman J. Reyes, Jr.:** Right but in total we're at 250

**PC IV J. Cruz:** About

**Commissioner D. Herrera:** Okay, so, 44 acres are actively being utilized for the activity now for the raceway

**PC IV J. Cruz:** Based on our assessment when we went out to do some GPSing so this is a baseline for us have an idea of what each activity may require.

**Commissioner D. Herrera:** Okay, and this is where the smokinwheels was

**AD Taijeron:** Parcel 5

**Commissioner D. Herrera:** 44 acres and currently we're charging \$4,000 for 250 acres. Where each acre is about \$16 Mr. Chairman

**Chairman J. Reyes, Jr.:** Roughly yeah

**Commissioner D. Herrera:** About 16 bucks. So, what we basically tried to do to get a fair configuration of the property value today and went to tax and revenue and tax and revenue gave us their government projection or the government estimate and the property value now is about \$8,405,000.00 for the entire one million square meter but out of these one million square meters we're basically actively utilizing 44 acres at \$16.00 an acre – roughly right. But the fair market value today based on the property estimate from tax and revenue including the building value the building is estimated at about \$263,000. So we understand that this was basically constructed and built by the tax break that was authorized back in 1996 which is about \$8million dollars

**PC IV J. Cruz:** I believe about \$8million dollars in tax credit

**Commissioner D. Herrera:** Okay, got it. And I think they have already expended maybe about 3 quarters of the 8 million so maybe about 5 or 6 million has to be investigated roughly

**PC IV J. Cruz:** Based on tax credits but just like what has been mentioned in the past so whatever we've earned from the sell of excess material, mineral extracted, they earn the same amount.

**Commissioner D. Herrera:** Okay, so roughly land trust earned about 3.5 mill –

**PC IV J. Cruz:** 2.5 – 3 in that range

**Commissioner D. Herrera:** Okay, so we'll say 3 Mr. Chairman. And raceway earned about

**PC IV J. Cruz:** The same amount

**Commissioner D. Herrera:** About 3 mill – so now, fast-forward to today. We have all the report here about all the activities that occurred some of them were in compliance some were in non-compliance in accordance to the regulatory agencies from the permitting process of the environmental agency, land management, Guam Land Use Commission, and all the other agencies so, I guess this is how we ended up here, Mr. Chairman in January and decided we're going to cease and desist and kind of do a resent of what's going on. So, now that Pierce is here...so, out of the 1million square meter we're basically using less than a half because this is 250 acres and we're using 40 acres or 50 acres so we have about 200 acres balanced that is being configured to prepare for the grandprix operation based on its normal original design

**Chairman J. Reyes, Jr.:** But I wouldn't say it's being configured I would say that's the plan and this is where we're at today

**Commissioner D. Herrera:** Yes, sir. So, as this operation was going on for the last 20 years, there's a lot of challenges that they have went through from the pandemic to the attempt to use the property for target range and so forth but I'd like to bring our attention to this particular – and we shared this last and this is the backfill that was delivered from an external source. And they were back filling a portion of Phase 5A – and the question here when we first came here and that was my first time to visit the areas – there was dump trucks that were coming in dumping construction material – concrete at the same time there was a D4 caterpillar dozer that had a prepped stockpiling of fine material burring the concrete material that's a fair statement and we took photo documents at that time that was like April – May – June of 2022. Now, that's just one finding the other finding that we have is the shortcut between Smithbridge to the Tract 7160-R1 then we found out that there was a handshake agreement between Smithbridge and Guam Raceway Federation charging and getting compensation for the shortcut so what we found again with Pierce is that when we did a GPS on shortcut which on Lot 7164, we discovered that it is on CHamoru Land Trust property which is almost the same size maybe over 1million square meters also, Pierce?

**Planner II Pierce Castro:** Yes

**Commissioner D. Herrera:** So, we have 1 million square

**Planner II P. Castro:** \*inaudible\* the proposal of – housing project or something like that

**PC IV J. Cruz:** So, the Lajuna Project – this goes way back because also Pier Stone was awarded a license for that area and then it was revoked by the commission – it went through an appeal through the OPA it went through the court system in the end we weren't liable – the commission wasn't liable for anything.

**Commissioner D. Herrera:** So there was a permit for somebody to do a subdivision

**PC IV J. Cruz:** Before

**Commissioner D. Herrera:** And that was for land management to do the subdivision or

**PC IV J. Cruz:** CHamoru Land Trust

**Commissioner D. Herrera:** Oh, CHamoru Land Trust

**PC IV J. Cruz:** Someone was going to I believe commercially license the area for the activity of mineral extractions

**Commissioner D. Herrera:** That's for 7164?

**PC IV J. Cruz:** Yes

**Commissioner D. Herrera:** And is that why 7164 was subdivided into 7164-1-2,3,4...?

**Planner II P. Castro:** No. That was a proposed land exchange – remember Mr. Taitano

**PC IV J. Cruz:** Oh okay. For a relocation.

**Commissioner D. Herrera:** For that Mr. Momo...okay I understand. Okay, so now we're here today, Mr. Chairman. I guess we have another surprising gift here that...

**Chairman J. Reyes, Jr.:** Yeah so, I have a couple of questions on the tabletop. So, Pierce, in going out to the raceway, when did we do this...

**Planner II P. Castro:** About 2 weeks ago

**Chairman J. Reyes, Jr.:** So, after Smokin wheels.

**Planner II P. Castro:** Yes, it was

**Chairman J. Reyes, Jr.:** Okay, so in doing the GPSing – what was your view or your assessment from what you saw up there after Smokinwheels.

**PC IV J. Cruz:** It still looked the same, probably the same as it was even before our previous visits. The only thing I think that was slightly differently was the improvements I guess they did for the Smokinwheels.

**Chairman J. Reyes, Jr.:** Right to making some of the dirt or even levelling things off right for spectators. Okay, so we did our GPS this is what it looks like these are the different sections it's about 40 acres that they utilize – a total of 252 +/- so I guess to Commissioner Herrera's point right is here we are today we with the deadline looming on June 2<sup>nd</sup> and then what are our expectations for those lands for that return right as a whole. But then we did receive a letter addressed to the administrative director. So, Alice you want to kind of walk us through the letter that you received?

**AD Taijeron:** Sure. Thank you, Mr. Chair. This is from the attorneys for Mr. Simpson Guam Raceway Federation and they're seeking a request for another 90-day extension for the Guam Racing Federation. The reason they state and everybody has a copy in their folder is they're waiting on the Office of the Public Auditor's report regarding GRF's performance audit and the Guam Legislature scheduled a hearing relative to Bill 56-37, I believe that might be on Monday, I have to check my notes here. So, they're requesting – so, they're asking for an extension based on those two reasons. And Mr. Chair, may I add and I'm recommending and I'm asking the Board to say, no. No extension.

**Commissioner E. Garrido:** To say what?

**AD Taijeron:** To say no. And just move forward with the eviction as we noticed them. We extend it just so that the public understands and the first extension was only allowed because of Smokinwheels. There's no reason – their reasoning here is irrelevant to any type of action the board may decide to take. I am recommending that we respond with a, No. No extension and they have to proceed with the eviction. That's just my recommendation.

**Commissioner E. Garrido:** Based on this letter in front of us, the OPA is conducting an investigation or an audit on the Guam Raceway that will continue whether we give them and extension or not.

**Chairman J. Reyes, Jr.:** Exactly. And it's and audit on us too, right?

**AD Taijeron:** Yes

**Chairman J. Reyes, Jr.:** Two folds



**Commissioner E. Garrido:** And on his second point – it has no relevance to what we need to do.

**Chairman J. Reyes, Jr.:** I agree. I agree in regards to that because again the legislature can do whatever they want and they will again this is how we landed with this property.

**Commissioner E. Garrido:** Yeah, I just want to add to what you're saying, if an extension was granted that works in favor for the Guam Raceway

**Chairman J. Reyes, Jr.:** Right

**Commissioner E. Garrido:** And if we cut the umbilical cord at this point, it's going to be harder for them to pass their bill which is transfer the land from CLTC to Parks and Rec.

**Chairman J. Reyes, Jr.:** Right. And as you guys have received to sign off on our resolution right and we express our opposition to that. And again if anyone wants to or if legislation to in regards to CHamoru Land Trust land we should either always benefit from that either through a lease or an exchange or whatever the case will be. But given this particular parcel, I think – we've given enough concession for them to get through their event which is milestone year and secondly there's no lease so you know we got to sort that out first.

**Commissioner E. Garrido:** Yeah, I would like to add on also since the get go, the Guam Raceway Park had no feasibility study to be join with the license and the feasibility study would have shown what he brings into this deal, okay. He brought nothing into this deal and everything or mostly everything he did was contrary to what he was supposed to do.

**Chairman J. Reyes, Jr.:** Based on everything we have right, everything that we have documented and...

**Commissioner E. Garrido:** Well, everything that was done was done at the people's expense. He had no skin on the game except for time so I tend to agree with our director and I would vote no on this extension

**Chairman J. Reyes, Jr.:** Well, we won't even need to do anything. Everything stands right. If we're all in agreement that everything stands there's no need to move

**Commissioner E. Garrido:** Yeah, if we don't approve it, it's moot

**Chairman J. Reyes, Jr.:** Yeah. Okay, so knowing what we know now and so with the return of the land or locking it upright in that sense, what are our expectations right and I think we should be visiting the site on a frequent basis up to June 2<sup>nd</sup>. Again, it doesn't mean that things would not be happening, right, as a commission, we still

need to zone that area right to be commercial right because it was done through legislation. As a commission, we still need... after that, there's a process, we need to determine the use, there's a whole slew of things that we need to do, and it doesn't mean that this will just remain idle and then some bill could come up that we would want to make sure that we provide our input for whatever the case may be. So, I look to Joey and the team what is our steps to close out for June 2<sup>nd</sup>.

**AD Taijeron:** Basically, we're going to send a letter of course, with the assistance of our attorney to Guam Race well via their attorneys that they need to leave and realistically, we can't get the property back to its pristine nature or how it was first or condition rather so we're just going to ask that they clean up, remove debris, trash and the buildings – all the buildings and improvements remain. That's it; we can't get it back to how we'd really like it to be, so, at the very least, that they clean up and make sure that there's no environmental issues left behind. We'll ask a team from EPA to come out or \*inaudible\*

**Chairman J. Reyes, Jr.:** Okay. Commissioner Garrido?

**Commissioner E. Garrido:** I think an environmental assessment needs to be done to the property during this time to support what the director's saying so that we know that there are no hazardous materials or materials that are not pro-environment on the property because they have a lot of machinery up there like fire trucks and stuff like that. We don't know if there's still fuel – fuel on the tanks, oil in the engines, we don't know if there's a oil spill somewhere... but I don't know who will be responsible to conduct that assessment with the property whether we can impose it on the Guam Raceway or we would have to eat the cost ourselves.

**AD Taijeron:** We'll have EPA – EPA is the authority right to make that type of assessment so I'll work with EPA to

**Chairman J. Reyes, Jr.:** At least get an assessment done and then we can decide going forward. Okay, any other questions?

**Commissioner D. Herrera:** I'd like to also include Mr. Chairman the hundreds of truckloads that were imported to the area to include the assessment from the regulatory agencies which is Department of Public Works and these are materials that are not supposed to be

**Chairman J. Reyes, Jr.:** That would – that were not native to the area

**Commissioner E. Garrido:** There was a stipulation like no foreign or outside materials

**Chairman J. Reyes, Jr.:** Right, that's not native to

**Commissioner E. Garrido:** would be put into the property and

**Commissioner D. Herrera:** That would need to be dug up and removed and compacted back to the required compaction. I would like to also add Mr. Chairman and Director, I agree with the Director's recommendation and your recommendation not to extend the – another 90 days, that's number one; number two, I'd like to mention this publicly that for those that are using the dragstrip, the drift and motocross that we're not in any way opposing their hobby or their activity and that I would like to respectfully request the – our administration to start developing a proposed land use permit for – here we kind of have 5 parcels with the drag, drift and the motocross and it can be simultaneously developed – in between that we're closing out the June 2<sup>nd</sup> closeout so that there's a continuity. I know that it's going to be complicated but we can chew gum and walk at the same time and putting all the safety parameters and the insurance requirement, at least we can have a... that this is not a dead issue for those that want to use the drag, the drift and the motocross but again that's just my proposal that we can actively simultaneously bifurcate the operation.

**Chairman J. Reyes, Jr.:** So, I think that is the trajectory, that is our plan is to go through the steps to then knowing what we know and what's being used – you know, whoever is the next operator or the next group, they don't need a whole 252, right?

**Commissioner D. Herrera:** Correct

**Chairman J. Reyes, Jr.:** We can identify what's being used and then we take the necessary steps to determine the zoning, determination of the use, etc....etc.... so, again, we have the – lack of better words again, we have the runway in this sense up to June 2<sup>nd</sup> and then as a commission we continue to moving and make those – take those necessary steps to be able to then figure out – giving part and parcel, do we take just the 40 plus acres cut that up and this is an operation in itself and then the balance 210 plus or minus we figure out what else we can do with that. So, with that, I think there's plenty options, I think we just let it take its steps

**Commissioner D. Herrera:** And I also like to add and mention this plan that you just mentioned would be to also kind of prep up for Smokinwheels number 41. This would be under the CHamoru Land Trust speedway.

**AD Taijeron:** Okay, we'll get on it Mr. Chair.

**Chairman J. Reyes, Jr.:** If we have 30 sponsors that supported this last event I would like to respectfully ask; how much did the CHamoru Land Trust gain from that operation? Did we have any dollar figure or was this just another... were we just treated again as another floormat or are just a backscratcher for the operation because...?

**AD Taijeron:** Yeah, so we actually had someone go out and monitor the... took pictures, right, somebody on the team took pictures of the number of people but we

do not have an exact number, there were several hundred if I'm not mistaken, we haven't received anything from the Guam Raceway Federation as yet to my knowledge. We're preparing a letter to them with regard to Smokinwheels as well as everything else that we feel is due to CLTC. So, Joey's putting the numbers together for that.

**PC IV J. Cruz:** We won't have a definite number for the admission fee, the 10% of the admission fee – we won't fee. And to add to the director's comments regarding the race or the smoking wheels, if you were to go to the event you would pay \$15 for a bracelet but they weren't issuing out receipts.

**Chairman J. Reyes, Jr.:** So, is it our responsibility to go figure out what to collect or is it their responsibility to turn in based on again the extended agreement

**PC IV J. Cruz:** It's the Guam Racing Federation's responsibility, even though they're not the host of the event, it's their responsibility to ensure that we get paid the 10%.

**AD Taijeron:** They're charging – they're charging at the door

Multiple speakers

**AD Taijeron:** They claim, yeah and there's no like right now, we're not aware of any record because they weren't issuing receipts just bracelets

**Chairman J. Reyes, Jr.:** So, to Commissioner Herrera's point, again, we're not the beneficiary of this event as well.

**AD Taijeron:** No

**Commissioner D. Herrera:** I hear Mr. Cruz mentioned that the Guam Raceway was not the host?

**PC IV J. Cruz:** If the... whether the Guam Racing Federation was the host, the sponsor for a specific event or not, the Guam Racing Federation is responsibly for remitting the 10% admission fee.

**Commissioner D. Herrera:** I see. Alright, Mr. Chairman.

**Chairman J. Reyes, Jr.:** Alright, any further questions?

**AD Taijeron:** No question Mr. Chair. I understand and I appreciate the comments made by all our commissioners and Commissioner Herrera. We do support these activities, the CHamoru Land Trust we've said it before and we've said it time and time again. The issue Mr. Simpson continues to bring up is that we don't support this, is untrue. The CHamoru Land Trust Commission supports these activities, anything that

would be good for the community right, this would be good for the community. We support it. Again, for clarification and for the record, the Guam Raceway Federation was evicted for noncompliance and for.... What's the other term when they've not been following the lease agreement, right, they've not been compliant, that's why they were evicted. Now, just listening to the discussions we do want to be able to keep this and open it up to other interested parties who would be willing to run the Guam Raceway – this raceway park I'm not going to call the Guam Raceway Federation but the raceway park. That is possible. What we need from our commissioners is to first designate the property via resolution as commercially zoned when that's done we have to hold public hearings and then submitted it to the legislature so it takes a little bit of time but if I'm not mistaken

**PC IV J. Cruz:** Resolution

**AD Taijeron:** Yeah, so, we just need I guess a motion to designate this as a commercial zone property, we will write up the resolution you'll sign off on it again and then we will continue with the process. Hold a public hearing, transmit it to the legislature, and so forth.

**Chairman J. Reyes, Jr.:** Got a question – sorry go ahead

**Attorney Kristan Finney:** Sorry, I was going to say not commercial zoned – you mean commercially available

**AD Taijeron:** I apologize, commercial use – for commercial use

**Chairman J. Reyes, Jr.:** Because we still have to zone it

**PC IV J. Cruz:** Normally, when commercially leased or licensed property, we place the responsibility to get it zoned properly on the licensee or lessee because for one, there's expenditures that's associated within and you know they have to go through DLM and the GLUC for whatever zoning process

**AD Taijeron:** Correction designated as commercial – for commercial use

**Chairman J. Reyes, Jr.:** Yeah that's why I was like – zoning...

**AD Taijeron:** I apologize

**Commissioner E. Garrido:** It would be good if we could get the lessee to get those variances needed but at the same time, we will lose money on it because the tax assess value on that property is agricultural but it would still be a couple of steps up than what the Guam Raceway Park is doing to it. And what is the timeline for this commercial use leases that we're considering.

**PC IV J. Cruz:** So, the process that the director was talking about is our commercial rules and regs. So, what happens is the board will designate a specific property for commercial use, from there we take it we have public hearings, take back whatever the public response is present it to the board. If the board should decide to proceed, then they'll declare through resolution and after that, we send it to the legislature, they have sixty days to do whatever it is they want to do. On the sixty-first day if there's no response then it automatically is for commercial use

**Commissioner E. Garrido:** Okay, but what are we empowered for timeline on the lease?

**PC IV J. Cruz:** Based on the rules and regs we can license for 21- years

**AD Taijeron:** we can't issue

**PC IV J. Cruz:** we can license for 21 years and lease up to 25 but there's

**Commissioner E. Garrido:** But on five-year span?

**PC IV J. Cruz:** The 5-year span is for rent escalation, you can license up to 25 but every five years the rent can escalate if you want and exceptional term lease that has to be approved by the legislature that's when the determination of need when we prepare we justify why there's a need for an exceptional term lease, it could be because of the investment... who knows, but we'll put that together and package it.

**Chairman J. Reyes, Jr.:** So, step one is you're recommending that the commissioners do a determination of use – I'm sorry, set it to be commercially

**PC IV J. Cruz:** Designate

**AD Taijeron:** Designate for commercial use

**PC IV J. Cruz:** Lot 7161-R1

**Commissioner E. Garrido:** And that goes through land trust?

**PC IV J. Cruz:** Which one?

**Commissioner E. Garrido:** The Guam Land Trust

**PC IV J. Cruz:** When the...

**Commissioner E. Garrido:** I'm sorry, the Guam Land Use Commission

**PC IV J. Cruz:** When it's time for the rezoning and even for the development of the property it will go through the land use

**Chairman J. Reyes, Jr.:** All those steps still have to happen.

**Commissioner E. Garrido:** Well, I don't think that we're really going to need to develop property, I think the property is developed as it stands. Any improvement will be up to the lessee to get the proper paperwork together to do what they think they need to do.

**PC IV J. Cruz:** Yes. The board will also approve the use or the activity. So, that will be a part of the license or the lease.

**Commissioner E. Garrido:** Yes, but unlike the raceway's existing 10%, I would like to see us implement either – I'll just use an arbitrary figure - \$2.00 or 10% of the admission because we lost out when we went to the 10%

**AD Taijeron:** It'll come up in the lease agreement

**PC IV J. Cruz:** In the terms in the lease agreement because now we charge also for participation rent. Now, the commercial rules and regs allows for subleasing. So, during the negotiation phase of developing the lease that will come up.

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

**Commissioner E. Garrido:** Okay

**AD Taijeron:** So, first they designate as commercial then

**Chairman J. Reyes, Jr.:** So, one more thing commissioners, we want to make sure that when this goes through the process we make sure \*background whispering interruption\*

**Commissioner E. Garrido:** And that can be done through and appraisal or a... well, the government tax assessment is not really market

**Chairman J. Reyes, Jr.:** Right but it's a starting point

**Commissioner E. Garrido:** Yeah, it's still a win over the current conditions that were afforded to the Guam Raceway Park

**Chairman J. Reyes, Jr.:** Right, okay. So, one more time, Joey sorry. So, on your recommendation is for the Commissioners to designate 7161-R1 as a whole for commercial use?

**PC IV J. Cruz:** The director's. Yes, because it hasn't been subdivided yet. It doesn't mean later the board cannot come back and let's just say a potential lessee says, all I need is 30 because the basic lot 7161-R1 has been designated and declared – we go through the process for commercial use, they can survey it and cut up what they need.

**Chairman J. Reyes, Jr.:** And that's what I mean, for the whole thing?

**AD Taijeron:** Just for record purposes Mr. Chair. I'm making that recommendation – to designate. As the Administrative Director, I'm making the recommendation that our commissioners designate Lot7161-R1 for commercial use

**Chairman J. Reyes, Jr.:** Same nai

**AD Taijeron:** Just for record purposes and then after that we will go through the process then all the other concerns will come during negotiations and as we write up the lease with anybody who may come in and may be interested

**Commissioner E. Garrido:** I would like to see, I'm sorry. I would like to see a partitioning going forward on this because based on this 400 page document there seems to be an interest for a gas station in that area. So, as part of the partitioning we can downsize the actual footprint to what is actually already existing there, cut off a slice for possible service station and then we can do with the rest of the property for housing

**Chairman J. Reyes, Jr.:** Yeah, we'll cross that bridge Commissioner Garrido when we get there.

**Commissioner E. Garrido:** No, but I just want

**Chairman J. Reyes, Jr.:** Yes, there's lots to do. Yes, there's so many options and I hear you. For us, it's always going to be residential, which piece is best for residential. Right now, we do the whole thing for commercial and then we can chop it up down the line

**Commissioner D. Herrera:** Okay, so, I would like to make a motion, Mr. Chairman to designate

**Chairman J. Reyes, Jr.:** One second. One second.

**AA T. Tainatongo:** Because the – if I'm not mistaken,

**Chairman J. Reyes, Jr.:** Clarification

**AA T. Tainatongo:** Yeah, what we published is not specific to a designation of Lot 7161-R1. I don't know, Attorney Finney, before we move on?



**Attorney Kristan Finney:** You're talking about what was listed in the agenda?

**AA T. Tainatongo:** Yeah,

**Chairman J. Reyes, Jr.:** Yes, and published?

**AA T. Tainatongo:** because they're about to make a motion and we specified

**Attorney Kristan Finney:** The agenda says, you're going to talk about the return of Lot 7161 and it's condition

**AA T. Tainatongo:** Right, not it's designation

**Attorney Kristan Finney:** Not what you're going to do with it after

**Chairman J. Reyes, Jr.:** Not the designation of commercial use

**AA T. Tainatongo:** Yeah. I think we would have been okay, if we just generalized Lot 7161, right? Like, if we just listed it as discussions on Lot 7161 but we specified what the...

**Attorney Kristan Finney:** So, you're saying because they're talking about what they're going to do with it in the future as opposed to just talking about the condition of the property when it's returned to all of them and all of that

**AA T. Tainatongo:** Right. Only because if they make a motion, they can come back and void that motion that happened... based on what we experienced with

**Attorney Kristan Finney:** That might also give you guys time to kind of look at some of these questions that they're having about...oh, can we – how can we... is it possible to split it up and what that timeline is. It would give you an opportunity to explore those things a little bit more and maybe the commission will be able to report back or the staff will be able to report back to the commission and give them more information.

**PC IV J. Cruz:** I think we can prepare a draft scheme sort of to identify like what Commissioner Garrido had mentioned for a gas station things of that nature.

**Chairman J. Reyes, Jr.:** Okay, so thank you Tina. Thank you, Attorney Finney let's do that just so that we don't have any hiccups. We'll just table that designation

**Commissioner E. Garrido:** Although we don't vote on it. It's just a discussion.

**Chairman J. Reyes, Jr.:** Yeah, we're just discussing it. I think we have options but I think we all agree we're not going to move.... Everything remains as is, June 2<sup>nd</sup> is the date.

**Commissioner E. Garrido:** June 2<sup>nd</sup> is the cutoff.

**AD Taijeron:** So, June 2<sup>nd</sup> is the last date for Guam Raceway. We'll send them a letter. I will work with EPA, DPW to come out and make an assessment from that assessment we'll send a letter to the Guam Raceway saying these things need to be done by the time you vacate the premises.

**Chairman J. Reyes, Jr.:** So, it's already May 18, right so let's make sure we try and get that to them as soon as possible. However, they had this notice in addition with the addition of 90-days. So, okay

**Commissioner E. Garrido:** Can I just bring up something also? It's related to the raceway. Since they're going to go through an audit,

**Chairman J. Reyes, Jr.:** They're going through it right now, yea.

**Commissioner E. Garrido:** Can we nudge the auditor and remind the auditor that there was a topo of the raceway property prior to them taking control of the property. T&G did an assessment but they didn't use the initial topo. They used at that time the conditions of the property already which had been excavated. So, we lost out – we're losing out on that, when I say we I mean the people of Guam are losing out on that.

**AD Taijeron:** Yes, the public auditor has that information Commissioner Garrido. Everything thing we gave you we submitted to the public auditor. And our team's been working with them

**Commissioner E. Garrido:** But it wasn't really clear what topo map T&G used. Okay, it wasn't clear what they used. They used the map that was created at that time after they had already been removing material from the property.

**Commissioner D. Herrera:**Mr. Chairman, if I may, if we look at the screen right here, if you look at the coloration right, we have google maps back to the year 2000 – satellite map but look at the top right.

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

**Commissioner D. Herrera:**See that grey color there. Compare all this color here, look at this, look at the shortcut here, So *\*inaudible\** we go back 20 – years you see that there's no shortcut here, this has been excavated so, that thing will be addressed we have those things configured so even if TG doesn't want to give us their own topo we do have a lidar mapping from this one from other agencies, other engineering firms. So, we're good. We're okay. I mean they can say, they're not removing mineral materials but the picture cannot lie to us, there's – it's impossible.

**Chairman J. Reyes, Jr.:** Definitely point taken both Commissioner Garrido and Commissioner Herrera. Again, I want to thank you guys, Commissioner Herrera for the extensive work and working with the team and Joey to push the issue. Because it's been since 2018 they have not had a lease and it has just been happening and so, as with all things right, GICC, all the other ones that we make decisions on but it's been lingering so it's time to start making things happen. Again, at the end of the day it's for the constituents and for the benefit of our constituents and we got to get those residential leases out.

### **1995 Status Update**

**Chairman J. Reyes, Jr.:** Which that same breath I will move to number 3 which is our 1995 status update and I'm hoping for some good news Commissioner – Administrative Director Taijeron.

**AD Taijeron:** Good news is relative Mr. Chair. I do apologize. I do have a team; we are working on the 1995s. We are actively engaged with our legal counsel to review anything and respond to any questions that we may have. We don't have any leases yet, I apologize, the team – I lost 50% of our staff due to Covid and we are behind schedule on the 1995s but we are working on it. I do plan to meet with the team potentially tomorrow. I myself is just coming back from that so I do apologize. We actually met and we went through the process with regard to notifying and notices and getting this out to the public and so that's one step closer. And then the files are little more in depth to review. That's like a thorough review of every file and then tracking of those files and responses. So, I apologize Mr. Chair that's the best I can give you for today.

**Chairman J. Reyes, Jr.:** Okay, no worries. And then a couple of status checks on the resolution right, it was sent down to the Speaker so that's still pending. So, Commissioner just as a reminder, we still have that resolution that we sent down to the speaker to help us and she will dissect it and see where they could make some changes to help us to be able to move things quicker as will... I know it's been lingering and I know that we continue to say that we're working on it to get these leases out and I hope that everyone understands that there are a lot of complications as we get through application but I know that the team is working their best to move things forward so I appreciate everybody's time on that. And Attorney Finney of course because that's where the questions go – funnel through but we really need to make a bigger dent so...

**AD Taijeron:** Okay, Mr. Chair, I'll do my best. It's been 28 years I do my best.

**Chairman J. Reyes, Jr.:** Alright so, Commissioners, any questions on that?

### **New Business** **Ypao Point**

**Chairman J. Reyes, Jr.:** Director Taijeron, I'll have you take the lead.

**AD Taijeron:** Ypao Point, so Ypao Point there was an oversight hearing last night conducted by Speaker Therese Terlaje on Ypao Point being identified as a potential area for a new hospital. So, I did provide a testimony or statement in front of the legislature, the speaker so, for the record, I introduced myself as the administrative director and informed them that I was making the statement as the administrative director as we have not been able to meet formerly with the board to obtain any type of information or comments from the board.

For the record, I oppose the taking designating use of CLTC of this property Ypao Point taking it away from the CLTC. Prior to this public hearing prior to being informed that Ypao Point is going to be used or is a potential site for the new hospital I had already been working with the team to – we've made site visits and to start with regard to an RFP process to hopefully get that out, get it leased so that CLTC would have some sort of... to generate revenue. So, we were doing this all prior to being informed that this would be a hospital site. I don't any decision has been made but my statement last night was basically, I oppose it, we need this property to generate income for CLTC that's basically all I could do. I also shared that in investigating Ypao Point, when we went up there; Joey, Pierce, Dex, and myself there was a lot of trash for many years I think since typhoon... I was told since Typhoon Dolphin, the Tamuning Mayor was allowed access and she actually had the control of the gate to Ypao Point to use it as a green waste site. However, upon our site visit, we found an abandoned vehicle, we found white goods, we found... it was also used as a staging site for a construction company back in... I forget if it was in 2010 – Yeonex, I think it was Yeonex so there's also debris there and my understanding is this company was supposed to have cleaned up the debris. So, it's a dump site at this point. It's a...we've also – I've been working with Department of Agriculture and EPA actually as well. There's a nest of fire ants, rhino beetles and potentially brown tree snakes and we can't move anything. We can't even remove the white goods. We can't clean the area until the Department of Agriculture has been able to treat the fire ants and the rhino beetles so there is a process. I've met with them about 3 weeks ago I believe it was and there's a process, and they're planning for that as well. The good news is, DPW and Department of Agriculture will take on that expense to help eradicate these fire ants, and the rhino beetles and everything there. So, that's where we are with Ypao Point. I'm going to keep moving forward try and get it cleaned up and then move forward with an RFP until we're told cease and desist because we're going to use it for a hospital or what not. And that was my statement last night.

Yes, sir?

**Commissioner E. Garrido:** You mentioned a company was using that as a staging site. What company was that?

**AD Taijeron:** Yes, it was Yeonex.

**Commissioner E. Garrido:** Are they still here on the island?

**Commissioner D. Herrera:** That was when the construction of those four towers were being

**Chairman J. Reyes, Jr.:** The one by GMH – those towers the condos near GMH – they were using that property as a staging site.

**Commissioner E. Garrido:** So, if they're still here. They can still be forced to clean the area.

**AD Taijeron:** I have to find... I've asked Joey to look through our records and I've asked him, can you please find me any documentation that shows that they were responsible for this because all I'm getting is that it was just word of agreement.

**Chairman J. Reyes, Jr.:** If I remember correctly as well, there was the agreement that they would fence that area off right as part of their use. What I'm more concerned with what it looks like today, right, with all the white goods and things like that. So, my question is, who continues to put the debris and white goods there? Are they still doing that?

**AD Taijeron:** No. Well, to our knowledge, no. Because what we've done is we've actually taken a new lock and locked the gate and we haven't allowed any access. As a matter of fact, while our team was there, they had two truckloads of trash coming in, the team stopped them and asked them who gave you permission to come up here and dump and they said the Tamuning Mayor's office. So, I immediately had the team purchase a padlock and we're the only ones that has access to it to block them off.

**Chairman J. Reyes, Jr.:** But it doesn't mean that they can't go in the other way.

**AD Taijeron:** They would have to go in through Sagan Kuttura.

**Chairman J. Reyes, Jr.:** Yeah, and traverse all the way up.

**AD Taijeron:** Yeah, through Sagan Kuttura and even at that from Sagan Kuttura, I believe there's boulders and there's greenery there that would prevent vehicles going in.

**Chairman J. Reyes, Jr.:** Easily but they

**Commissioner D. Herrera:** Oh, it connects?

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

**AD Taijeron:** And then on the other side, there's the... it's all jungle, it's hard to access.

**Chairman J. Reyes, Jr.:** That \*inaudible\* property that is adjacent. So, can we please work with the Tamuning Mayor's Office and again, I'm curious, Typhoon Dolphin is when I moved home to Guam 2015 – it's eight years later. What was the agreement to stop? Do we have anything in record? What is it just a an agreement, verbal agreement between DPW, the Office of the Mayor, CHamoru Land Trust

**AD Taijeron:** CHamoru Land Trust. I don't have anything, our team is looking through all the files to see if there's anything in writing that gave them permission to.... My understanding is that it's word of mouth. I said okay, so, we're not – right now, no body has access except CHamoru Land Trust. I would love that the Tamuning Mayor take care of this, but we can't move anything. We can't move anything because of the fire ants. So, we will figure out a plan once it's been eradicated, the responsibility it was born upon.

**Chairman J. Reyes, Jr.:** Okay, get everyone that needs to get involved in a room to figure this out because again, whatever the case may be with that place it's just – the whitegoods shouldn't be there and there should have been an end point of when they would stop putting debris or whitegoods and all of that and my next question is in 2015 who was the director at the time was it Borja?

AA Tainatongo: I think it may have been Mike Borja. Mike Borja or Monte Mafnas one of those two.

**Chairman J. Reyes, Jr.:** Okay, we don't need to go back that far, I thought it was Mr. Borja at DLM

**Commissioner D. Herrera:**Mr. Chairman in addition to that the entrance of the Sagan Kuttura, see those buildings that are still there now, right, I think it used to be a housing area.

**Chairman J. Reyes, Jr.:** A nursing housing or something

**Commissioner D. Herrera:**So, I recall way back when they were going to demolish the main hospital that building when it was constructed had lead based and also asbestos

**Chairman J. Reyes, Jr.:** Potentially it still can

**Commissioner D. Herrera:** Installation and I think they're still occupying it now and that you know even just to be a good neighbor right and informed them that the building that they're in now,

**AD Taijeron:** Sagan Kuttura

**Commissioner D. Herrera:** Yeah, if that was the original housing that was there that was supposed to be housing the medical staff at one time back before you were building – no honestly because those sewer pipes are the old sewer pipes that was insulated with asbestos and lead based insulation so you know as a good neighbor maybe we should kind of bring that up to them because I think they're still occupying up until now.

**Chairman J. Reyes, Jr.:** There's still different groups that are in there that are still operating out of there

**Commissioner D. Herrera:** Maybe we can do a land exchange with them you know to...

**Commissioner E. Garrido:** Is that under CLTC

**AD Taijeron:** Yes, sir

**Chairman J. Reyes, Jr.:** Yes

**Commissioner E. Garrido:** So, we don't need to land exchange

**Chairman J. Reyes, Jr.:** So, that's – there's more to come on that. We have a lot on our plate. So, Alice if you can please, again, I'm more concerned of just the debris that's up there and just get it cleaned up. Right, that's our property, so, we need to get all the people involved to begin that process.

**AD Taijeron:** Mr. Chair, so, you may be aware, clearing it and moving it may take about two years. So, that you know. So, we already started the process. We're going to work with DPW and Department of Agriculture to fence the area. We're going to put up notices, alright, we will notify there will be public announcements to notify the surrounding the residential areas and then I do understand there was Director Borja had done and aerial view just a few days ago for last night's hearing and we were informed that there's somebody in the back potentially living there. So, what we're going to do with team is we'll make a site visit and ask these individuals to leave immediately and we will work with Sagan Kuttura and informed them. So, we've already got plans to fence the area close it out and then start the treatment for the fire ants and the rhino beetles and all of that with Department of Agriculture. EPA has already made an assessment I'll ask them to come out again and make another assessment. There's potential leakage from debris

**Chairman J. Reyes, Jr.:** Alright, whatever the case may be with that property it's still our property and let's get it cleaned up and two years – two years you said?

**AD Taijeron:** Because it's going to take about a year and half to two years to eradicate the fire ants keep them enclosed, we can't move anything until the department

**Chairman J. Reyes, Jr.:** Because they could just spread is that what they're concerned of

**AD Taijeron:** Yes, if we move them – they're already nesting. And Department of Agriculture's entomologist said there was about I think it was 30 billion queens these are queens so they have a process with regard to how it is that they're going to treat them and we can't just disrupt them.

**Chairman J. Reyes, Jr.:** Understood. Well nonetheless it's... one day minus today right?

**AD Taijeron:** Yes.

**Commissioner D. Herrera:** Are the heavy equipment still there

**AD Taijeron:** No

**Commissioner D. Herrera:** No more – they're not. The ones that were constructing the road

**AD Taijeron:** Oh, they're just parked outside –

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

**AD Taijeron:** They're parked outside nobody has access to that fence unless they break it.

**Chairman J. Reyes, Jr.:** Yeah, okay. Any questions? Alright, cleanup for also the cleanup crew so....

**AD Taijeron:** Yes

**Chairman J. Reyes, Jr.:** Okay, I'm sorry I actually glazed over I missed number 4 so, our strategic plan. So, Commissioners as you guys know for Mr. Garrido the newest on the board we had our strategic plan and it's our road map it's our compass right and it's fluid it can change every quarter depending on what we have going on, right. But net the focus is always going to be, how do we get our residential lessees into some property. I got kind of an update. I asked for some help to get us where we're at today, and some of the things again that are still outstanding that I want to make sure that we continue to invest is our hiring right of our positions. The team works hard and we've only been able to hire one. There have been interviews, there have been declination, etc.... etc.... We did hire our Records Management Officer and then we did hire our Administrative Director so there's some progress there. We also wanted you know there's certain things that are happening right, like the CLTC website, we got some funding for that – federal funding so that's in the works. So, given that there's change of hand, etc....etc.... but our goal is always to have SOPs – procedures in order



and all that good stuff so those are some of the things that continue to be worked on. You know, Office of the Attorney General and DLM of course that collaboration is there. The big things that we always ask about is land registration, process serving we kind of had some plans and how to take the next step and the other win right is collaborating with the utility agencies. We agreed and passed the motion for GWA for Adacao so that's huge. Right, that's another huge win if we want to continue working with the utility agencies too. Where can we give in for benefitting our constituents. So, again, I don't want us to lose focus we have a lot going on we're trying to clean up a lot of things but this is always kind of our compass – our road map and again, it can change so now that we have an administrative director it's her plan – this is her plan our expectation we put it together with the help of the team but it's for the agency as guide and compass right and if things need to change come to the table and make some of those changes. But the core of it all is getting our residential leases out. So, I just wanted to touch on that. I know it's been on the agenda but I did kind of get some updates so I guess Alice let's continue the progress that we're making and you know I want us to continue to highlight some of these wins because the things that we're doing on the back end the progress – every \*inaudible\* is good progress so I want to be able to report that out so that you know we're – there's things happening – good things happening within our agency. So, okay, I just wanted to touch base on that. Any questions, Commissioners? Alright, so when you have some free time just open up your strategic plan and see where we go – where we need to go, where we need to focus.

### **FINANCIAL REPORT**

Alright, Mr. Cruz are we ready for our Financial Report or are we

**AD Taijeron:** Do we have any questions on Ypao Point? Do the commissioners...?

**Chairman J. Reyes, Jr.:** No, just clean it up.

**AD Taijeron:** Okay. Do you support the hospital being there or you're going to cross that bridge when we get there?

**Chairman J. Reyes, Jr.:** We'll cross that bridge when we get there again it's still our inventory and I want to again, let's clean it up.

**Commissioner E. Garrido:** Well actually that's a little bit moot right now because the fire ants and the rhino beetles and...

**AD Taijeron:** Oh no, that's not going to stop them from making that decision. The Speaker asked me if it's doable and I said yeah – it'll take about two years according to Department of Agriculture just because of what needs to be done and the manpower that is needed and just how long it's going to take so even if they designated as a site for the hospital it's still needs to be cleaned.

**Chairman J. Reyes, Jr.:** So, again, anytime they come to the Land Trust inventory before they make some of those – I hope they come to us and we – we have to benefit in some way shape or form right so let's just keep our ears open and interject or eject ourselves so that Trust benefits at the end of the day. So, if they want if whatever the case may be that's going to be put on there if that's top choice for the site of the hospital, how is the Trust going to benefit. It is taking inventory – land out of our inventory but net, what's the benefit for us to \*inaudible background interruption\* for residential? There's always going to be a give and take. I don't have no position of where for it to depleted but again, when it comes to what's on our inventory that's our – that's what we need to protect and we will take it and make sure that we have a seat at the table and how we're going to benefit. And not just legislation after legislation in taking the property out of our inventory. Just keep in mind.

### **FINANCIAL REPORT**

**Chairman J. Reyes, Jr.:** Okay, Financial Report, Ms. Taijeron, will you do that or Joey?

**AD Taijeron:** Unless you have something specific Mr. Chair, we don't have anything to report. We are meeting with the Chairman on the Committee on ways for the budget tomorrow morning at 9. Our finances are, I'm working with Joey on something a little more detailed because I do have some concerns but I'd like to bring that up later on.

**Chairman J. Reyes, Jr.:** Alright, good luck on tomorrow's budget meeting or hearing.

### **AGENCY REPORT**

**Chairman J. Reyes, Jr.:** Anything else to report on?

**AD Taijeron:** Oh, on the agency report it might have been it's in your packet just for your awareness that everybody received a letter from the GICC, right. They're asking, if I read this correctly they're asking for our permission to allow them to use the golf course as a solar farm.

**Commissioner E. Garrido:** So, they've been discontinued using the golf course and convert it into solar farm

**AD Taijeron:** They're going to work to – with the legislature

**Commissioner E. Garrido:** I read that also. But it really didn't specify how they're plan was going to come to play

**AD Taijeron:** They're going to have to go through legislation

**Chairman J. Reyes, Jr.:** They still have to bid and they have to go through legislation.

**AD Taijeron:** They have to go through legislation because it was legislation that identified

**Chairman J. Reyes, Jr.:** As a municipal golf course

**AD Taijeron:** As a municipal golf course, right.

**Commissioner E. Garrido:** Yeah, but what I'm saying is if it's going to be – if they're going to put a solar collector there, are they going to put it along the edge of the road?

**Chairman J. Reyes, Jr.:** No \*inaudible\*

Multiple speakers

**Commissioner E. Garrido:** Or are they going to convert the entire golf course into a solar farm

**Chairman J. Reyes, Jr.:** That's how I read it. They're converting their business motto from a golf course to be able to put up a solar farm and they have to bid through it so....

**Commissioner D. Herrera:** Oh, the existing lessee now?

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

**Commissioner D. Herrera:** Oh, I see.

**AD Taijeron:** So, they have to bid for it, GPA's putting out request right they have to bid for it but that property is not designated for that use. They're asking our permission to use it I guess that way and they're going to work with the legislature to introduce legislation – they have to introduce legislation to change it again.

**Commissioner D. Herrera:**Right

**Commissioner E. Garrido:** Can we request from them a more definite plan?

**Chairman J. Reyes, Jr.:** So, here's my take. Let me just give you – I mean this is good, remember we asked them to think outside the box, how can you get more revenues that we will benefit? How can you get – come to your arrears right get your arrears out

Multiple speakers

**Chairman J. Reyes, Jr.:** And to confirm Alice, they paid May on time with the

**AD Taijeron:** At the last meeting, yes, with some of the deferred.

**Chairman J. Reyes, Jr.:** With some of the back pay. Okay, because it's do May 1<sup>st</sup> right? So, they're living up to their – our expectations and their commitment so now they're saying okay, I want change – here's our way to think outside the box and convert their land, big piece of land to a solar farm. Now, they do still have 17 years plus or minus, right? But they can't just make this happen, they have to go through legislation to change the designation of the yeah... So, I think there's more to come Commissioner Garrido. I think I'll leave it up to the director to have the dialogue to see what are the next to bring to the commission. I mean they put some good numbers, the numbers are good if it comes through flourishing

**Commissioner D. Herrera:** If I may

**Chairman J. Reyes, Jr.:** Yes

**Commissioner D. Herrera:** On page two, look at the percentage on paragraph two – it says it will get a full \*inaudible paper flipping\* remember the balance was eight hundred some thousand right and they pay twenty-four thousand a month so are they saying that – well, we have to see what's their projection right because they convert it

**Chairman J. Reyes, Jr.:** If they win the bid, yeah.

**Commissioner D. Herrera:** Is it still going to be 24k per month or is it going to be 48k

**Chairman J. Reyes, Jr.:** No, we come to a brand-new lease or a brand-new term not lease because they're going to keep they may keep the term. But I think there's a lot more... but if you look at the dollars it make sense there's more coming to the Trust but if they win the bid.

**Commissioner D. Herrera:** Yeah, and another thing Mr. Chairman there's like five water pumps in that area and to maintain that kind of golf course you have to put a lot of fertilizers and I mean I'm just – maybe we need to go visit the place I have not seen

**Chairman J. Reyes, Jr.:** You haven't been up there yet?

**Commissioner D. Herrera:** Never been only through aerial but of course we like to see the actual topography of the property.

**Chairman J. Reyes, Jr.:** Well everything from an environmental standpoint – they don't – there's no more fertilizing and again there's a lot of benefits but will these numbers come to flourish for us

**Commissioner D. Herrera:** So maybe we can invite them in and have them on the next

**Chairman J. Reyes, Jr.:** Expand. So, I'll leave it up to our director to bridge the gap and see what are the next steps to maybe bring more awareness or education to their plan. Or future plans.

**Commissioner D. Herrera:** Remember they were having a problem just paying the monthly rental for two years.

**Commissioner E. Garrido:** No but this is if it passes.

**Commissioner D. Herrera:** Of course, yeah. So, some of it is whoever – their books

**Chairman J. Reyes, Jr.:** So, I'll leave it up to the director to help us figure out when would be the best time to have them present to the board. Is that okay?

**Commissioner D. Herrera:** Yes, sir.

**AD Taijeron:** That's all I have Mr. Chair.

**Chairman J. Reyes, Jr.:** Alright, that's all you have. Okay, alright, moving on to

#### PUBLIC COMMENTS

**Chairman J. Reyes, Jr.:** We do have some folks on the line

AA Tainatongo: In person

**Chairman J. Reyes, Jr.:** Sorry, google meets and we have in person so is anyone here for Public Comments?

Unknown: Are you guys done?

**Chairman J. Reyes, Jr.:** We're done and we're at the Public Comments section now.

Unknown: Okay. I'm concerned about the issuing of the CHamoru Land Trust.

AA Tainatongo: Can you have a seat up here sir and just state your name?

**Chairman J. Reyes, Jr.:** Sir, if you could – if you want to join us at the table.

Unknown: Is it \*inaudible\* to sit up there?

**Chairman J. Reyes, Jr.:** Please join us and then just for the record just state your name.

Unknown: I've been waiting for this for six months. Now, originally

**Chairman J. Reyes, Jr.:** So, just for the record sir, could you state your name.

**Johnny Charfauros:** Okay, my name is Mr. Johnny Charfauros, Mr. Chair.

**Chairman J. Reyes, Jr.:** Thank you.

**Johnny Charfauros:** I have a complaint. And this started back in November okay. And up until now, 6 months originally back in 1990...Okay, June 5<sup>th</sup> 1997, there was a lease issued out to my late wife, she passed away two years ago, okay. Now, at the same time they issued me one now this is agriculture, they issued me an agriculture lease because I was number 10 my wife was \*inaudible-background interruption\* back then before this whole thing started your qualification is, anybody can apply if your Chamoru – Native CHamoru. So, they finally issued the lease to both of us both our agriculture lease. Now, I didn't notice about my lease until November 17 of last year that I had an agriculture lease that I asked the people involved from CHamoru Land Trust; why wasn't aware about this and according to the law – every month when you issue a lease every three months the CLTC is supposed to be making a follow up – long time ago this is 2023 and if it wasn't for my wife passing away and I wanted to take over her CHamoru Land Trust over at Pagat Mangilao – now, the one that was issued to me was up at Yigo and originally I'm from the village of Mangilao. So, as the story goes, I got a land agent Mr. Glenn Eay has been working on this then finally I said a few months ago, can you show – can you please show me this Yigo property that I was issued, okay? He said, okay. So, we made an appointment. Then that appointment he didn't show up but the two agents – office worker and one agriculture agent or whatever you know, Jennifer and Joann up at G Market in Yigo 9:00 in the morning. At which time is was 9:00 and I saw the CHamoru Land Trust vehicle and I saw them two in the car and I said, where is Glenn? And they said, oh, we were sent up here to help you. Okay, now, apparently Glenn didn't call me that he wasn't going to show up. Apparently, later on I found out through the office, CLTC that the director had more important issue to be taken care of by Glenn, the land agent. So, anyway, I asked the two, I said, now, you guys are here to show me the property that you guys issued back in 1997. Oh, Mr. Charfauros, where here for you to show us where's the property. I said, oh my god we keep going around in circles on this. I don't think – you know, you guys are just wasting government time, okay. You guys are really irritating me. This is back since November and it keep going on every month. So, finally about a month ago, a month and half ago Mr. Glenn Eay finally made another made a point for us to go up to Yigo so he could show me the two properties that's available because apparently they found out that somebody took over that property that was issued to me and there was already a house build on it. And CLTC didn't know about it. So, I said okay; so anyway, it's been two months since this last \*inaudible\* said, I can have but it's got to go through the board. So, I waited and waited until I finally found out about this meeting so I came over because it says something about an issue back in 1995 update

– so, here I am. I’m trying to find out whether or not I can be able to – I’ll \*inaudible\* one agriculture if I cannot have both. Now, I received this letter June 20, 1997 addressed to me and wife.

Dear Mr. and Mrs. Charfauros,

The CHamoru Land Trust inadvertently entered into a lease for both of you for separate lots in Yigo. Our legal counsel has advised us that this is in violation of the law as both husband and wife cannot have two leases. Please choose the lease you wish to retain and come by our office to cancel the other lease.

This the first time I saw this letter. I was never given this letter until November 17 of last year. What happened?

**Chairman J. Reyes, Jr.:** Of 2022?

**Johnny Charfauros:** Yeah.

**Chairman J. Reyes, Jr.:** So, may I ask

**Johnny Charfauros:** I never received this letter

**Chairman J. Reyes, Jr.:** Let me interject real quick. So, the original letter – an original letter dated 1997?

**Johnny Charfauros:** Right there

**Chairman J. Reyes, Jr.:** Okay, so, originally dated

**Johnny Charfauros:** My wife’s is right here

**Chairman J. Reyes, Jr.:** So, these are originally date 1997 but you didn’t see this or...

**Johnny Charfauros:** Until last November

**Chairman J. Reyes, Jr.:** I’m just clarifying to follow the title.

**Johnny Charfauros:** Well anyway, I have the public law, the recent and I don’t see anything in there that says my cannot get an agriculture lease. Now, going back to what I wanted really is I’m willing to drop Yigo before the land agent starts preparing all the paperwork then going before the board.

**AD Taijeron:** back ground whispering interruption

**Johnny Charfauros:** I would like to just take over my wife’s lease over at Pagat Mangilao. But they said, oh, your late wife didn’t put anybody as a

**Chairman J. Reyes, Jr.:** Beneficiary

**Johnny Charfauros:** Yeah. Next of kin

**Chairman J. Reyes, Jr.:** Succession

**Johnny Charfauros:** And I said, can I take a look at her record because she's my wife. They say, privacy act. I said, oh my god. Then I her lease dropped \*inaudible\* so I could start doing something.

**Chairman J. Reyes, Jr.:** So, you know where Pagat's at?

**Johnny Charfauros:** Yes. I have the map too.

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

**Johnny Charfauros:** I have the map. I got the

**Commissioner D. Herrera:** Everything in authority to do the original lease

**Johnny Charfauros:** So anyway, before we waste time with the land agent Glenn Eay working with the Yigo. I keep thinking I'm going to apply for my wife's agriculture because I was supporting her agriculture you know, buying plants and all that stuff you know. But every time we put something somebody steals. So, again, I was – I'm always busy. So now, I want to move out of where I'm renting over at Ypao you now Iron Wood Heights because my wife my new wife we just got married last year in September. She's 65 years old and she's got arthritis on the knee severe and we live on the second floor in Iron Wookd building 6000. The second, third and forth up and down the stairs up and down the stairs. You know what I mean. So, she says, it's getting severe so she said, John can you get the property so we could build something and move out of here. I said, I'm working it for the past six months. Be patient. But finally I said, there's a meeting it states here that's why I came to express my wanting. So, maybe something will give but I would like my wife's more than – agriculture lease at Pagat Mangilao. So, I'm asking for that. Can I have it? And drop the other one that's taking me up to Yigo.

**Chairman J. Reyes, Jr.:** So, what we can do or at least what I can offer up is working directly with the director because we don't get to that point – we don't approve until it comes to us right after it's been sorted out with the staff. But I appreciate you coming to share you know kind of the timelines just so you know right and our discussions when we're dealing with our 1995 list, the applicants, these are some of the challenges that we will come across right and there's where we want to rectify the issues. And granted that you've been working through this and some of the letters dated '97 and unfortunate the passing of your wife. Let the team help you and directly with the administrative director and she will – we will ask her to work directly with you and see what they can do to sort it out and fix the Yigo and the Pagat leases, right. And I'll be



the one to apologize for the time it's taken. But also some of the confusion that may have been on your side. But I will pass it over to our Executive Director, Ms. Alice Taijeron. And then she will walk through the process and at the point where it needs to come to the board we'll take it up. We meet once a month.

**Johnny Charfauros:** Alright, that sounds good.

**Chairman J. Reyes, Jr.:** So again, I'll be the one to – I'll put the apology out there. Sorry for the – some of the confusion on your side but I will pass it over to our director and she'll be able to help.

**Johnny Charfauros:** Alright. I appreciate it.

**Chairman J. Reyes, Jr.:** Yes and thank you thank you for taking the opportunity to share. And these are some of the things that as we work through right the whole application, how can we fix it. So, thank you for sharing that.

**Johnny Charfauros:** So....

**Chairman J. Reyes, Jr.:** So, what we can do is after our meeting, after we adjourn, Alice can you guys can talk and then you can – you guys can decide the next steps. So, thank you again Mr. Charfauros for your time.

**Johnny Charfauros:** Thank you very much for listening to me.

**Chairman J. Reyes, Jr.:** Okay, I'm going to take anybody on the google meet if you want to come off mute for public comments.  
Okay, hearing none, that brings us to the last item on the agenda.

#### **COMMISSIONERS' COMMENTS**

**Chairman J. Reyes, Jr.:** Commissioners, anything you'd like to share?

**Commissioner E. Garrido:** Mr. Chair can we take a small break?

**Johnny Charfauros:** So \*inaudible\*

**Chairman J. Reyes, Jr.:** Yes, we're wrapping up now.

**Commissioner D. Herrera:**We have one

Unknown: Oh no, this I want to give it to Director Alice

**Chairman J. Reyes, Jr.:** Okay, alright. Any other public comments? I'm hearing none from Google meet and then Commissioners Comments. Commissioner, any

**Commissioner D. Herrera:**No comments, sir.

**Chairman J. Reyes, Jr.:** Commissioner Garrido?

**Commissioner E. Garrido:** None at this time.

**AD Taijeron:** Thank you, Mr. Chair and Commissioners for your support. And just so that we're aware and the public is aware right is I appreciate Mr. Charfauros coming in to the... and to share his experience is since coming on board. This is a lot of the issues that have come forward. We're trying to clean up things that have occurred in the past and make sure that we do it moving forward. I have been very reliant on our legal counsel because I want to ensure that the agency, the commissioners and the beneficiaries are protected. And to the listening public is it's going take time. I do have a plan. As soon as we can get – we're going to get moving on our 1995s we're going to get moving on Adacao but in addition to that Mr. Chair is I had discussed it with the team and we're also going to be putting public notices out to those who already have leases to those that are on Chamoru Land Trust property illegally without permission that we are reviewing, we are investigating and we're going to be moving forward in the lawful within the confines and the parameters of the law. So, not trying to be difficult about this. I understand the need to move forward with residential leases I was floored to find out we're still in 1995 December 2<sup>nd</sup> at 8:07 a.m. It's been 28 years and there's a lot of pressure to get that done like yesterday.

**Commissioner E. Garrido:** Yesterday

**Chairman J. Reyes, Jr.:** 27 years ago.

**AD Taijeron:** 27 years ago, yes. So, be assured I am working on that in addition to all these other issues that come forward. And so, I want the listening public to know that we're doing our best we are being fair, we're being legal. I'm very reliant on Kristan here keeping her busy because I want to make sure that we're moving forward correctly we're moving forward lawfully and so that every beneficiary is treated fairly and justly.

**Chairman J. Reyes, Jr.:** And just to wrap that up is we again we look forward for the support with the resolution and that's with the Speaker that will help solve 80 to 90 percent possible again, they'll have to work through it with the speaker's office with the other senators with the director and the staff on what that progress will be with these changes so more to come again, focus is our '95 so you know.

**Commissioner E. Garrido:** I have a question. The other day, I heard something about Fidian that there's a bill.

**Chairman J. Reyes, Jr.:** So, there's a Bill. We as a commission got invited for the public hearing next Monday. And it's for 116-37 and 16-37

**Commissioner D. Herrera:** Is there a map for that? At this moment is Pierce still on? I \*inaudible\* next to Gloria Nelson

**Chairman J. Reyes, Jr.:** It's next to the – I believe it's next to GPA but there's two pieces to this. It's for that property and it's for the...I'm going to pull it up real quick

**Commissioner D. Herrera:** I think it's public law – Bill 16-37 and 116-37 so

**Chairman J. Reyes, Jr.:** Commissioner Garrido I did send that over to you as well because they sent it to you personally so I.... So, yes, if we could get you guys or I'm sorry if I may request your attendance for that public hearing take a look at the bill and here.. so it's for

**Commissioner E. Garrido:** It's mining – growing Kaskao

**Chairman J. Reyes, Jr.:** It's for the – the first one, 116-37 is to strengthen and harmonize government agency enforcement capabilities and ensuring best mining or quarrying practices. 16-37 is relative to requiring the CHamoru Land Trust to solicit competitive bids for the mass grading and mineral extraction of a portion of Lot 5412 Mangilao. So, I encourage our Commissioners to attend maybe what we can do between now which is now and next Monday we can get some material or something that we can read through but take a look at the bill there's some attachments to it.

**Commissioner D. Herrera:** There's just one Bill Mr. Chairman?

**Chairman J. Reyes, Jr.:** I think there's two because it's 116 and then 16

**Commissioner D. Herrera:** So 116-37 and

**Chairman J. Reyes, Jr.:** And 16-37

**Commissioner D. Herrera:** I see. Same language same lot?

**Chairman J. Reyes, Jr.:** The first one is the 116 is the strengthening and harmonizing government agency enforcement and capabilities and ensure best mining or quarrying practices for a specific subsection 61304 B (7)

**AD Taijeron:** I think that gives definitions. I think it provides definitions for mining

**Commissioner D. Herrera:** So that's for mining, to define mining

**AD Taijeron:** Yeah and that'll be licensing through DPW.

**Chairman J. Reyes, Jr.:** Right but then if it's on our land, again, if it on our land; what's our benefit.

**Commissioner D. Herrera:** I understand

**Chairman J. Reyes, Jr.:** So, we have to be very clear do some googling on mining, clearing, grading, grubbing, all that good stuff.

**Commissioner D. Herrera:** Right. And just a note, when we did the movement to evict on January. On February 29, I sent an email and requested that that perimeter area from Lot 7164 SmithBridge all the way down to Fadian, I requested for mapping area that's where we got the map for the – the environmental mapping. If you recall, that was the mapping that showed the configuration of the water lens that was February remember we brought a map including the Inefresi so the reason why I brought that particular map is because it shows the mineral configuration around Guam from North to South. And I requested for the mapping in that particular area from SmithBridge all the way down to Fadian so that we can interface the map in to the where you overlay so that way we know where the CHamoru Land Trust properties are at. And low and behold when the lot or when Bill 16-37 it was introduced a week after January 18 – January 18 was our Thursday meeting so seven days later the good Speaker San Agustin introduced that Bill – I mean Senator Joe San Agustin, Senator Roy so that was just a week after we did the eviction. Now, it's very interesting that they have that language how to quarry or mine Lot 14-12

**Chairman J. Reyes, Jr.:** 5412

**Commissioner D. Herrera:** Yes, and they set a price limit at two bucks for cubic yard

**Chairman J. Reyes, Jr.:** What's ours

**Commissioner D. Herrera:** Yes, yes, now when we go back to the goldilocks operation at Lot 7160 R1, 1million square meter it was – it started at fifty bucks per square – per cubic yard and ended up 2 bucks per cubic yard but we got only 50% of the cut percentage

**Chairman J. Reyes, Jr.:** The percentage of it

**Commissioner D. Herrera:** Now, this bill specifically noted that they have a saving at two bucks per cubic yard and a 100% goes to the CHamoru Land Trust

**Chairman J. Reyes, Jr.:** Right

**Commissioner D. Herrera:** Right and so that's why I was requesting for the mapping because if we have the mapping right and we overlay it on the... because all the rocks

in that particular area are not the same. You have the high quality white mineral limestone and then the quality diminishes as you reach the beach area and then you – I believe on the language was just for the coral extraction now, what if we hit the high quality red topsoil, there we need to again include that if you extract the mineral and you do it in a good – and those are high \*inaudible\* kind of material red dirt that's there it's not like clayish so there again we have to add in that if it's coming from that particular lot that the Trust benefits from that

**Chairman J. Reyes, Jr.:** If they extract that

**Commissioner D. Herrera:** Correct and then also the measurement process – the methodology to measure how much you extract, either they go on cubic yard or weight right so this is what happened with Lot 7160-R1 we depended on the lessee to count the eggs for us. And we didn't know that the hen was laying 10 eggs that they say that we only have 2 eggs one for you one for us. So, anyway that's it Mr. Chairman.

**Chairman J. Reyes, Jr.:** I know. Point taken and I think Commissioner – Director Taijeron you'll be present on Monday. And Commissioners I ask for your presence as well if you can.

**Commissioner D. Herrera:** Yeah that will be at 8:00 in the morning

**AD Taijeron:** 8:30 a.m.

**Chairman J. Reyes, Jr.:** 8:00 in the morning so, I'm working on my schedule to make it.

**Commissioner E. Garrido:** Are we first on the agenda?

**Chairman J. Reyes, Jr.:** Well, it appears to be because it's at 8

**Commissioner E. Garrido:** No but usually they have a whole bunch of...

**Chairman J. Reyes, Jr.:** I haven't seen the lineup

**Commissioner D. Herrera:** And the mapping? Is there a mapping already or...?

**AD Taijeron:** So, I'm working I've asked Joey to work on that or Pierce to get the mapping for me

**Commissioner D. Herrera:** Yeah. You know if we had our meeting at January 18 so within that one week right if you look at the language on Bill 16-37 it was very comprehensive and if you look at the footprint and the language and the methodology of how they configured it somebody knew what they were talking about so, Senator San Agustin I know is not a quarry man but apparently he's communicating with either one of the three quarry operators and him understanding where the minerals are was

trying to find out, did he get our map to his office? But no, I have the map so the point I'm trying to get is that the footprint from the senator and all the configuration all the language for the winning bidder to clear regulatory agencies right including the methodology to measure the metrics of how many minerals are being extracted and counted that we have to...

**Chairman J. Reyes, Jr.:** Tighten up

**Commissioner D. Herrera:** Yes, sir. We have to. No more, no more trust because the last lesson we had I don't know if they were honest if they had integrity or can we trust them and if they were accountable. And apparently, all four was not adhered too and that's how we ended up giving an eviction notice. That's it Mr. Chairman.

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

**Commissioner E. Garrido:** I have my concerns about that also, one of the concerns is they set a limit of \$2.00 so let's say I won the bid I give you guys \$2.00 per cubic yard but I'm able to sell it for five, guess what...? It shouldn't have a high of...

**Chairman J. Reyes, Jr.:** A ceiling

**Commissioner E. Garrido:** Yeah right now, what we were getting from raceway park was \$2.50 and the more they excavate there's big projects down the road that's going to need Kaskaohu so if I can control the excavation of kaskaohu I can set my prices.

**Commissioner D. Herrera:** That's also Mr. Chairman the carving of the property. And that's why we need all the lidar readings like indication topography reading because really we can carve that again we need to seek help for the property and prep it for either a subdivision or if the question here is, how did the senator select that particular portion right next to the CCU's headquarters, right? Somebody \*inaudible\* recommended that particular area but remember that area all the way up to Lot 7164 that particular crust is in high demand.

**Chairman J. Reyes, Jr.:** That particular mineral there?

**Commissioner D. Herrera:** Yes, sir. And that's where you can work to the advantage to help our constituents because right now the demand is high and the supply is

**Chairman J. Reyes, Jr.:** Diminishing

**Commissioner D. Herrera:** Yes, very much.

**Chairman J. Reyes, Jr.:** Commissioner I'm sorry, Director Taijeron just as you prepare for that up to what point is it prepping the land for us to use after the – what is the

after the fact use after all is set and done? Is it ready for surveying to put affordable homes right because it's near infrastructure? Is it two steps away from setting up affordable home tracts? Whatever the case may be how are they going to bring it back to us and the use after?

**Commissioner E. Garrido:** I would like to suggest also that when they first go in to clear for Kaskaohu there's top soil there I would like to see that the top soil is not removed from the property and when they return back it be laid out over where they've excavated.

**Chairman J. Reyes, Jr.:** There's also making sure for endangered vegetation.

**Commissioner E. Garrido:** Flora, Fauna and invasive

**Chairman J. Reyes, Jr.:** Flora, fauna animal invasive species so let's try to tighten it up and make sure all of this is done prior you know they just can't go in and start....yeah, good ones. So, we look forward to seeing you on Monday.  
Okay, anything else?

**Commissioner D. Herrera:** You know we can do a subdivision layout right now. If we see the perimeter area of that particular property, and we know we mention this we have a realtor here next to us. You know we can cut the property down to 5000 square meters, minimum with

**Commissioner E. Garrido:** No, 500 square meters

**Commissioner D. Herrera:** 500 square meters so what I'm saying is that if we do a subdivision Mr. Chairman and based on the configuration if we can do 100..200..300...500 lots so we do the preliminary layout and plan for that area and understand the height and topography of the condition of the property and shave it accordingly because they're going – whoever is going to quarry that is going – the more they can quarry down, the more for them because it's economically very feasible for two companies that are in that eastern side of the property, yes? And there's only two that's Hawaiian and SmithBridge so most likely those two will be the top candidate other than Sumitomo and maybe there might be another one so if we can do the preliminary layout of the subdivision and have the limit of how much to carve and then after the carving is done at the same time the machines are there now we can chop and save and shave to install the water power. You follow right, so, once the property has been shaved out slope to a particular slope for water drainage while the machines are there then we shave I mean install the sewer connect it to Route 15, most likely it's Route 15

**Chairman J. Reyes, Jr.:** And this is will be the point where it's usable land, right?

**Commissioner D. Herrera:** Correct

**Chairman J. Reyes, Jr.:** All goes down to the

**Commissioner D. Herrera:** That's the alternate so after the completion of the project then we move our subdivision surveyors in start putting out the plot layout per lot and we're ready to lease. It's clear, grub, with sewer water and then now the power can either be floating or underground. So...

**Chairman J. Reyes, Jr.:** Right, definitely things to consider.

**Commissioner D. Herrera:** 12 months

**Chairman J. Reyes, Jr.:** Yeah, definitely things to consider. Alright, thank you, Commissioner. Anything else?

**Commissioner D. Herrera:** That's it, sir.

**Chairman J. Reyes, Jr.:** Alright, if there's no further questions, may I get a motion to adjourn?

**Commissioner D. Herrera:** I'd like to make a motion to adjourn, Mr. Chairman.

**Commissioner E. Garrido:** Second.

**Chairman J. Reyes, Jr.:** Thank you. Any objections? Okay hearing none, the time is 2:59 and we are adjourned. Thank you, Commissioners.

**ADJOURNMENT:** 2:59 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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**Chairman J. Reyes, Jr.:** Right, definitely things to consider.

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**Chairman J. Reyes, Jr.:** Yeah, definitely things to consider. Alright, thank you, Commissioner. Anything else?

**Commissioner D. Herrera:** That's it, sir.

**Chairman J. Reyes, Jr.:** Alright, if there's no further questions, may I get a motion to adjourn?

**Commissioner D. Herrera:** I'd like to make a motion to adjourn, Mr. Chairman.

**Commissioner E. Garrido:** Second.

**Chairman J. Reyes, Jr.:** Thank you. Any objections? Okay hearing none, the time is 2:59 and we are adjourned. Thank you, Commissioners.

**ADJOURNMENT:** 2:59 p.m.

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

**Approved by motion in meeting of:** July 13, 2023

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