



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

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Commissioner

Earl J. Garrido
Commissioner

(Vacant)
Commissioner

(Vacant)
Commissioner

John T. Burch
Acting Administrative Director

RESUMPTION MEETING MINUTES

CLTC Conference Room
Suite 223, ITC Building, Tamuning, Guam
Thursday, February 22, 2024
[Regular Monthly Meeting – February 15, 2024]

Public Notice: *The Guam Daily Post* on February 8, 2024 and February 14, 2024

PRESENT:

Commission Members

David B. Herrera, Acting Chairperson
Arlene P. Bordallo, Commissioner
Earl J. Garrido, Commissioner

Management and Staff

John T. Burch, Acting Administrative Director
Attorney Norman Miller (OAG)
Glenn Eay, Land Agent III
Jhoana Casem, Land Agent II
Jessica Dayday, Land Agent II
Dexter Tan, PC I

Constituents

Edward Aguon Aguon
Terebia Manglona
Jose Chargualaf Quinata

Guam International Country Club

Jerry Tang
Carlos Camacho

Call To Order

Acting Chairperson Herrera called to order the meeting of the February 22, 2024 at approximately 10:00AM. This is a resumption meeting from the February 15, 2024 CLTC Board Meeting.

Acting Chairperson D. Herrera: good morning, everybody. Thank you for coming. And I really appreciate that you took the time to be here today. This is unusual to be here at 9 AM in the morning. So, today's Thursday, 22nd of February 2024, it's now 9:57 AM, and were continuing our meeting that's resumption board meeting for today. Recap and where we were, when we adjourned from Thursday, we were down to old business and we were addressing F, number four, we had an SBA request.

Acting AD J. Burch: Mr. Chair, roll call.

Acting Chairperson D. Herrera: Oh, oh, okay. I apologize. Roll call please, Mister Commissioner Garrido.

Commissioner E. Garrido: Here.

Acting Chairperson D. Herrera: Commissioner Bordallo.

Commissioner A. Bordallo: Here

Acting Chairperson D. Herrera: Okay, and I'm here so, meets the quorum, right attorney?

Attorney N. Miller (OAG): Yes sir!

Acting Chairperson D. Herrera: Now may I continue now?

Attorney N. Miller (OAG): Yes sir!

Acting Chairperson D. Herrera: I apologize. Ok, let me see, where are we at now? So, can we recap from last Thursday. So, we were finished with Miss Bernice Nelson. And then today we have number four, Mrs. Mariano. So, is Mrs. Mariana available?

J. Dayday (CLTC): I don't see here.

Commissioner E. Garrido: Emailina.

Acting Chairperson D. Herrera: OK, is she in zoom? If not, let's just move onto to number five?

Acting AD J. Burch: Your call, Mister Chair.

Acting Chairperson D. Herrera: Ok, all right number five, Mr. Joaquin Manglona. Is anybody from that family here?

Terebia Manglona: Yes.

Acting Chairperson D. Herrera: Please come to the seat forward. Sign in and state your....

Acting AD J. Burch: Okay, Mister Chair, just for a brief, Mr. Glenn Eay is here to give you the specifics of it for Joaquin Manglona.

Acting Chairperson D. Herrera: Ok.

Acting AD J. Burch: It was issued at July 27, 1998, a residential lease based on his December 26, 1995 at 12:05PM application date. His lease is subject to survey, which he has not been done as of this date. The original lease was a portion of Lot 255 in Piti, after Typhoon Paka. Mr. Manglona got a loan guarantee to upgrade from a wood and tin structure, to a fully concrete home. An Addendum dating the lot description to Lot 255 was based on a master plan for that lot. Mr. Manglona is waiting for documentation stating his former loan has been declared cleared. The approval of a second loan guarantee is in the hands of the board now. So, if you need more, we have a representative for Mr. Manglona and...

[break in audio]

Acting Chairperson D. Herrera: [inaudible] you and me discussion and action. So, we can discussion now? And then action?

Commissioner E. Garrido: Will the agent first...

Acting AD J. Burch: [inaudible] any specific report.

Acting Chairperson D. Herrera: Ok, real brief please.

G. Eay (CLTC): Good Morning Commissioners, my name is Glenn Eay, acting supervisor. We do have a representative for Mr. Joaquin Manglona, his wife right here and she will be joining us today. And just a brief, you know, note of what's, what's been requested, what's going on this morning and what's been requested this morning. Mr. Joaquin Manglona has requested a loan guarantee for small business administration in the amount of \$87,300. The issue that we're having at hand is that the, Mr. Manglona was given an SBA loan guarantee sometime back and then 2013 was in default and what happened was that later on, after default there was another loan institution that took over the loan which is CLMG Corp. and we have a letter from them saying that Mr. Joaquin Manglona has satisfied paid off the loan and so what my, what I, what's pending is that I didn't get a document from SBA releasing their mortgage to another loan institution, which is CLMG Corp., because right now I am looking at CLMG Corp. saying they paid off the loan but it doesn't say anything about SBA, so, I've been working with Ms. Manglona to see if they can get some documentation but, that being said you know like I said earlier, Mr. Manglona had an SBA loan and it appears like it's been paid off by another loan institution and again, he got approved for another SBA loan. So, with that being said, I'm just looking like SBA will not approve a second SBA loan if the first one is still pending. So that's your decision. I still don't have a solid document that states as such...

Acting Chairperson D. Herrera: Thank you.

G. Eay (CLTC): But I have Ms. Manglona here to explain if you have any questions.

Acting Chairperson D. Herrera: Okay, let's ask them. Let's ask the legal opinion on having a first SBA and then the second institution paying the SBA, then you got a second SBA that they applied, but the second application approved the same SBA original loan, so legal can give us that. Does that have an effect on the, we don't want to say title of the property, but it doesn't have a lien on the property or is the lease of the 99 year lease, is there a lien on this particular property have that kind of [inaudible]...

Attorney N. Miller (OAG): Mr. Chairman, members, I haven't seen a title report specific to this property so, I don't know whether what lenders filed originally, a lien against the property, and which of those lenders have ultimately filed lien releases. If you have a lien on your property without a lien release, from the lawyer's perspective, the claim remains. And unfortunately, and some instances, you may have to go to court and get a judge to say, well that old lender they went out of business or they're just so screwed

up they can't get their paperwork together, but the borrowers provided enough evidence that, and so, in this instance it's really up to you whether in your judgment, your constituent is, you know, provided you with enough information so that you're comfortable, that in fact whether there's claims against the property.

Acting Chairperson D. Herrera: Question, discussion, right?

Acting AD J. Burch: Right. Basically, what's happening here is Mr. Manglona received a loan guarantee and now he's seeking another one. They even have two loans on the same property, well, the first and second loan as far as I know, but it's up to the board now because then we're going to wait for the loan to be cleared first before we give another guarantee, loan guarantee?

Acting Chairperson D. Herrera: I see. Now you mentioned the 2nd lending institution had paid?

G. Eay (CLTC): We have a letter; I'm not sure if you have that as part of the packet? It says here that they're paid in full, right.

Acting Chairperson D. Herrera: Okay, alright. So, let our legal and is it enough to say that the first loan was paid in full?

Commissioner E. Garrido: Was it paid in full or was it purchased?

G. Eay (CLTC): It says, our records indicate the above loan has been paid in full.

Acting Chairperson D. Herrera: Okay, so, let's move forward to the other legal...

[crosstalk]

Terebia Manglona: We did. If I may speak, we did.

Acting AD J. Burch: We'll give it to...

[crosstalk]

Commissioner E. Garrido: Cause normally, banks will sell a mortgage to another bank.

Terebia Manglona: Yes. Because it was [inaudible]

Commissioner E. Garrido: Then the bank that assumes the mortgage clears the book from the original.

Terebia Manglona: Yeah.

Commissioner E. Garrido: Financial institution; so, the, unless we see that transaction.

Acting Chairperson D. Herrera: Let her say her name first.

Terebia Manglona: I'm so sorry, I apologize.

Acting Chairperson D. Herrera: Okay, go ahead.

Commissioner E. Garrido: Not yet. So, unless we see that transaction where Bank B, but from Bank A, all right, because when Bank B buys the mortgage from Bank A, Bank B will clear the liability from Bank A and Bank B assumes that liability, so the question would be we need to see that transfer.

Terebia Manglona: I already have. I'm sorry.

Commissioner E. Garrido: Your name?

Terebia Manglona: Good morning! My name is Terebia Manglona. And if I may speak what had happened basically with our SBA disaster loan from Paka, it was transferred to like, several financial institutions. So, it went from SBA to MGC, MGC to COMG, back to MGC and then ended up with COMG. So, you know basically it was just a lot of transferring, so my house was damaged on Mawar, where I had a lot of flooding because I assume, it's been 20 years, we did try to secure and everything. We couldn't, the tree hit the wall, cracked the window. So, I took the only documents that I have, basically...if I may grab it really quick, sorry.

Acting Chairperson D. Herrera: So, all these transfer from SBA to bank number 2, number 3, number 4, was done by SBA [inaudible]?

Terebia Manglona: No, so like what, you know Mr. Garrido mentioned right, whenever it gets transferred, we basically just have to comply but the letter that we got indicates that nothing has changed. I'm still going to be paying the same mortgage, right? So, my situation basically is, I did ask for the payoff, you know, they want a release of lien but what COMG informed me is the land was not used as a collateral. This was a disaster loan for the building itself. But because the land does belong to CHamoru Land Trust, they need a loan guarantee. I'm not trying to rebuild the house, don't get me wrong, my house is still intact but the typhoon Mawar did a lot of damage. The doors alone, when we first built the house, it was only \$200, that's it, that was in 1998. We bought one door and it almost became \$1,000 and if the quality wasn't even good but we had no choice because that was all that was available. Alright, so, I just need for repairs.

Acting Chairperson D. Herrera: So, Attorney, SBA changed back to private bank, is that what we use, or?

Attorney N. Miller (OAG): Mr. Chairman, if I may, and hopefully our constituent can find this letter. On November 17, 2023, CLMG wrote their borrower a letter confirming that the loan was paid in full. But also, indicated that they mailed to the borrower a official lien release for the borrower to record. So, from my perspective, if either from the title company or from the borrower, we can see a copy of a formal lien release from CLMG, then there's no question that all the previous loans have been paid in full.

Acting Chairperson D. Herrera: Including SBA?

Attorney N. Miller (OAG): Including SBA.

Commissioner E. Garrido: SBA would've been the first one paid off.

Commissioner A. Bordallo: [inaudible]

Acting Chairperson D. Herrera: Okay, alright, so again we're still in discussion or do we do action or...

Attorney N. Miller (OAG): You're in discussion until somebody makes a motion.

Acting Chairperson D. Herrera: Okay.

Commissioner E. Garrido: You have that letter you want to show us?

Terebia Manglona: Well, that letter; so, this is basically everything that they have given me.

Commissioner E. Garrido: The release of lien?

Terebia Manglona: So, this is the letter and everybody has a copy. So, we've been going back and forth basically because of the signature, the ink, it was just stamped at the beginning but I went ahead and I, you know, got all the corrections needed so it's been like almost a month. So, I do have a timeframe because it's like steps, just the, you know, finish off with everything.

Attorney N. Miller (OAG): I just have the top layer. I don't have the lemur face.

Terebia Manglona: So, that's the original copy that was mailed to me.

Commissioner E. Garrido: It specifies the...but what you're requesting for is loan guarantee for disaster loan?

Terebia Manglona: Yes, it's just to repair the house and our extension that was damaged because we didn't think the trees were going to give up but after the 20 years; so, I believe on that document there is paperworks indicating from whichever bank the financial institution transferred it to.

Commissioner E. Garrido: My concern is the SBA because SBA was your initial.

Terebia Manglona: Where it started yes, where it originated.

Commissioner E. Garrido: And then they sold the loan to Bank E and Bank E cleared your name off SBA.

Terebia Manglona: Yes.

Commissioner E. Garrido: But you're still responsible for whatever Bank E has.

Terebia Manglona: Yes. [inaudible]

Commissioner E. Garrido: Because we don't know if you paid in full but this is the personal loan from SBA for typhoon damage.

Terebia Manglona: I guess if that's what you wanna call it. But you know, it's just for repairs.

Acting Chairperson D. Herrera: Alright, so do we have a motion?

Commissioner E. Garrido: Dexter, can you make a copy of this please for our record?

Commissioner A. Bordallo: I'd like to make a motion to approve a loan guarantee of \$87,300.00 dollar for Joaquin L. Manglona and Terebia Flores Manglona.

Commissioner E. Garrido: For lot number...

Commissioner A. Bordallo: Lot number 255-3, Piti.

Commissioner E. Garrido: Quarter acre.

Commissioner A. Bordallo: Does it say?

Commissioner E. Garrido: [inaudible]

Commissioner A. Bordallo: For .25 acres, [inaudible]

Acting Chairperson D. Herrera: Do I hear a second?

Commissioner E. Garrido: I will second.

Acting Chairperson D. Herrera: Okay, motion carries.

Acting AD J. Burch: You'll need to vote.

Acting Chairperson D. Herrera: Can I get a vote? Those in favor, say aye!

All: Aye!

Acting Chairperson D. Herrera: Two ayes! Motion carries. Yeah, okay, you got your SBA!

Terebia Manglona: Thank you so much!

Commissioner E. Garrido: Good luck!

Acting Chairperson D. Herrera: Have a good day!

Terebia Manglona: [inaudible] Thank you!

VI. New Business

Acting Chairperson D. Herrera: You're welcome. Okay now we're, still we don't have Ms. Mariano? Okay, moving on. We're moving on to the New Business, Number 6. and on number 6, we have A, B, C, D, E. On A, we have Tract 10123. B, is a memo of agreement with GWA and GPA. C, is operational update on the publication for the 8,000 applicants. And we got D, which is Bill 107-37 and E, is the acceptance of the order of succession based and F, constituent matters. I would like to respectfully ask to address the constituent matters for the, because they're here, and then we'll finish off and then come back to A. So, do we have number 1, Mr. Jose Chargualaf Quinata. Please come forward, and sign and state your name.

Commissioner A. Bordallo: Do we need a motion?

Acting Chairperson D. Herrera: Oh, we need a motion? Do I need a motion?

Attorney N. Miller (OAG): In my experience, the chairman can take items out of order for your own discretion.

Acting Chairperson D. Herrera: So, we're good, we're okay? Okay sir, sign in and have a seat and state your name and occupation. I mean, your name [inaudible]

Acting AD J. Burch: I'm going through this long list, I'll let Mr. Eay handle it but in short, we've already given the approval for the loan guarantee.

Acting Chairperson D. Herrera: Yes, sir!

Acting AD J. Burch: I just never read the last meeting; Mr. Quinata wanted, he wanted to split the two in half rather than what we've done before where we approve the loan guarantee and the permission to start building.

Acting Chairperson D. Herrera: Right.

Acting AD J. Burch: That's what he needs now. He's got the loan guarantee and he just needs permission to start building. In short, we can go through the whole thing again, whereas, his request that it was split. I know in the past, you authorized one, both items at the same time. And, that's why I told him, if we just kept it together, he would not be reappearing before the board again.

Acting Chairperson D. Herrera: I remember that. I recall that. Okay.

Acting AD J. Burch: Right, but he opted to go that route but he's back now; he's got the loan guarantee, he's gotten approval to build. It's just approval to build, today.

Acting Chairperson D. Herrera: Okay, so, real short, no?

Acting AD J. Burch: It should be short because we've done this before.

Acting Chairperson D. Herrera: I see. Okay so, is this discussion now?

Acting AD J. Burch: It's your call Mr. Chair.

Acting Chairperson D. Herrera: Okay, so this is for approval to build.

Commissioner A. Bordallo: He turned in his building plans.

Acting Chairperson D. Herrera: Yes. Name and date, sir.

Jose C. Quinata: Good morning! Good morning AG Miller! Good morning, Mr. John Burch, Acting Director of CHamoru Land Trust. Going back to AG Miller, legal counsel. Mr. Glenn Eay, good morning, land agent. Good morning, Joan, recording. Good morning Mr. Earl Garrido, Commissioner. Good morning, Madam Bordallo, Commissioner, and good morning, Mr. David Herrera, Mister Chairman.

Acting Chairperson D. Herrera: Na mana si'yu'os.

Jose C. Quinata: I'm here to ask for your support to getting approval for building my family home under CHamoru Land Trust. Looking forward for good news that I can proceed with the remaining, waiting and waiting and waiting to remove my family from under a canopy that were sitting in right now. We are tired of it, although at times it gets raining, get flooded and windy. Here I am now asking for your blessing.

Commissioner E. Garrido: Director Burch, I know you reviewed this over and over again. What is your recommendation?

Acting AD J. Burch: We've already gone through the process of the loan guarantee and there was really not really no requirement at that time for Mr. Quinata's return, except that at his request, that he does one part and the second part. I believe he would've been approved at the last time for both, so he's followed everything that the board requested of him. He's here today, we've gone through the details of the issues of his property. I will just say, let's allow him to continue with his building. All he needs is approval to start building. He's got everything else; he's got the blueprints; he's got the loans guarantee. He just needs permission now. So, it's the call of the board.

Acting Chairperson D. Herrera: Thank you sir. Do I hear...

Commissioner E. Garrido: Mr. Chair, I'd like to make a motion on behalf of Jose Chargualaf Quinata, one of our lessees, in regards to lot description Lot 2, Block 23, Tract 10125, Dededu, containing an area of 2023± square meters. I would like to move that we approve this, this lessees request for construction, is it not? [sic]

G. Eay (CLTC): To build.

Commissioner A. Bordallo: I second.

Acting Chairperson D. Herrera: Okay, so, all those in favor, say aye!

All: Aye!

Acting Chairperson D. Herrera: So, motion carries. Thank you, sir. Congratulations.

Commissioner E. Garrido: Build your house! Build your house!

Jose C. Quinata: Thank you so much!

Commissioner A. Bordallo: Congratulations!

Acting Chairperson D. Herrera: Hagu mas!

J. Dayday (CLTC): Okay.

Jose C. Quinata: Take good care of your vacuum.

G. Eay (CLTC): Oh yes! Take care! Congrats!

Acting AD J. Burch: Over six months.

[crosstalk]

Attorney N. Miller (OAG): Congratulations!

Commissioner E. Garrido: Take good care of your family.

[crosstalk]

Jose C. Quinata: This is my wife!

Mr. Quinata's wife: Thank you so much!

Jose C. Quinata: I promise when the house is built, I'll invite you guys. I'll really invite you guys! Thank you so much!

G. Eay (CLTC): Mr. Quinata, I'm sorry, just be aware, we'll issuing you a letter to build when the motion summary is completed, okay? I'll contact you to pick up the letter, okay?

Jose C. Quinata: Like I said, I'll build my house underground.

G. Eay (CLTC): Just wait for my call.

Jose C. Quinata: So, I'll decide if I'll put typhoon shutters. Thank you! Love you guys all! Glenn, Jessica, thank you so much. I'm sorry for all my actions way back. Love you guys!

G. Eay (CLTC): Thank you!

Commissioner E. Garrido: Good luck.

[crosstalk]

Acting Chairperson D. Herrera: Okay now, moving forward. Constituent matters number 2, Mr. Edward Aguon, please come forward.

Acting AD J. Burch: Okay, a brief on Mr. Edward Aguon. He was issued an agriculture lease in 1997, June 5th for a portion of Lot 10122-R18, Dededu, containing an area of 20 acres and I'll just skip down to December 23, 2002, Mr. Aguon was issued a bonafide farmers certification, inspection report says in 2003 that Mr. Aguon has a 20 acres of which he is rotating crops including coconut trees around the boundary of the leased lot and 2022, a site inspection validated the two-thirds of the leased lot is farming activity, however he did build his residential home there, on the property. I think we have pictures there too.

[crosstalk]

Acting AD J. Burch: Okay, and the house is, looking at it, it looks like it's up to code standard. Problem was, is that he didn't have a building permit for that, so he kind of reversed engineering on this thing. On September of 2022, Mr. Aguon submitted a copy of his building plans for CLTC's review and approval. On October 20th 2022, Mr. Aguon submitted his bonafide farming certificate. And the findings again more recently in February of last year, 2023 he is using two-thirds of his leased property with crop rotation. So, everything Mr. Aguon is doing is in compliance with the CLTC that mandates except for one issue is he built his house and now it's being reversed engineering. He needs, he's not asking, you're not asking for a loan guarantee, right?

Edward A. Aguon: No.

Acting AD J. Burch: So, what he needs is, he's gotta reverse it. He wants to get clearance from Public Works. So, he just needs approval from us. Glenn, what is it...

G. Eay (CLTC): It's to build, right!

Acting AD J. Burch: Although the construction of the home and the dwelling has already been completed. So, it's kind of what we call a reverse engineering. So, he's brought up people, I guess to look at the property in the house so that he can get it cleared through public works. The issue here before the board is whether or not we're going to allow him to do that. I feel he should. He's followed all the rules except for that one and the house looks like it's up to code, but it's not up to us to decide if it's up to code if we allowed him to go out and build then he has to go before public works and that public works through their permitting section go through that process of bringing in an engineer, his blueprints of the building and whatever public works, says that he needs to do to bring that building up to code. If it's up to code will be on the department of public works and not us. So, all he's asking is for us to give him that approval so he can start that process, so that he could get his building he has which is a concrete structure approved by public works. He's not asking for any loans or anything else, in fact my understanding is the building that he built is better than most other buildings you see on this island. So, I feel that my recommendation is to move forward and approve it and have him just go through the process that we give them, you know,

approval to start the process with public works, with the permitting to say that his house is up to code; for Guam for that, you know based on the Guam building code.

Commissioner E. Garrido: That would be out of our hands.

Acting AD J. Burch: Yeah, the authorization. All we Gotta do is authorize it.

Commissioner E. Garrido: Mister Chair, I would like to move that in regards to Edward Aguon Aguon with his agriculture lease his request is building authorization approval for a Portion of Lot 10122-R18, Dededu. The lot size is 20 acres. I move that we approve this request for building authorization. [sic]

Commissioner A. Bordallo: I second.

Acting Chairperson D. Herrera: Okay, there be no objection? Motion?

Commissioner E. Garrido: Vote, vote.

Acting Chairperson D. Herrera: Can I hear a vote?

All: Aye!

Acting Chairperson D. Herrera: There being two ayes, motion carries. I have a question though on unsurveyed lands.

Acting AD J. Burch: But we already voted so, Mr. Aguon, you're approved. You'll receive a letter from us, so, that you can start on the process of public Works. Glenn, how soon can we get that letter out?

G. Eay (CLTC): As soon as we get the motion completed.

Acting Chairperson D. Herrera: Motion carried.

G. Eay (CLTC): No, when we get it, transcribed the motion and then approved and then we can get to send the letter out.

Acting AD J. Burch: Yeah, as soon as we do the summary of motions.

G. Eay (CLTC): Summary of motions.

Acting Chairperson D. Herrera: Ah, I see. Okay, got it, understood.

[crosstalk]

Acting AD J. Burch: We'll get that done as quickly as we can. We're done with Mr. Aguon, so we can...

Edward A. Aguon: I really appreciate it!

Acting AD J. Burch: You're welcome and congratulations.

[crosstalk]

Acting AD J. Burch: I know you've been sitting here the last time during the whole meeting, the whole time, so thanks for putting up with us.

G. Eay (CLTC): Mr. Aguon, I'll contact you as soon as we get [inaudible]

Edward A. Aguon: Yes sir! Just keep on planting! Thank you, thank you!

G. Eay (CLTC): Good job!

Commissioner E. Garrido: Mr. Aguon, are you raising chickens?

Edward A. Aguon: Yes.

Commissioner E. Garrido: Are you selling them?

Edward A. Aguon: No, I'm collecting the eggs, for eggs.

Commissioner E. Garrido: So you're selling the eggs?

Edward A. Aguon: No.

G. Eay (CLTC): Lots of fresh eggs.

Edward A. Aguon: There's a lot of other chickens outside planting with me too.

Acting AD J. Burch: He's one of our actual real bonafide farmers that we have, so yes, we need more like him.

Commissioner A. Bordallo: And the thing is you know having a farm, you have to protect it here in Guam because you might lose all your crop.

Edward A. Aguon: That's what happened to me when I went on vacation, all my papaya were gone when I came back.

Commissioner E. Garrido: Wow! By the pig or someone?

Edward A. Aguon: Someone. And also my host pick is brass, they remove it to sell it and the water is running for one month.

Commissioner A. Bordallo: That's necessary to guard your farm.

Edward A. Aguon: Yeah, and I'm the last one in there so everybody knows I leave because I'm not staying in there.

Acting AD J. Burch: [inaudible]

Commissioner A. Bordallo: Good luck!

Acting AD J. Burch: Good luck and thank you for doing what you're doing out there. Keep farming!

Edward A. Aguon: Thank you everyone! I appreciate it!

Acting AD J. Burch: Okay, Mister Chair, you had a question?

Acting Chairperson D. Herrera: Oh no, I just; I apologize to you Mr. Burch. Number 8. I just see, you know, unregistered land and then registered; that's all I was checking.

Commissioner E. Garrido: [inaudible]

Acting Chairperson D. Herrera: Not 8 and 9 and then. I did want to...

Acting AD J. Burch: Yeah, cuz I didn't want him sitting here, then other topics.

Acting Chairperson D. Herrera: Okay, understand. So, just because the report here is saying it's an unregistered property, right, and then number 14, it's registered and then there was no survey but you know that was just...

Acting AD J. Burch: Okay.

Acting Chairperson D. Herrera: Because we do have a problem with unregistered land so you know, I didn't want to prematurely you know, give him all the greenlight and then find out that the property was unregistered similar to...

Acting AD J. Burch: He's good. It's just putting the building up before getting the permit.

Acting Chairperson D. Herrera: So the property is registered?

Acting AD J. Burch: Glenn?

G. Eay (CLTC): Okay, we have the...

Acting Chairperson D. Herrera: Number 8 and 9.

Acting AD J. Burch: 8 and 9?

G. Eay (CLTC): It says preoccupier, occupying Lot 10154 which is unregistered but like he said the building is already there. He's not asking for permission.

Acting Chairperson D. Herrera: Yeah, I understand.

G. Eay (CLTC): Jhoana? Jhoana go ahead!

J. Casem (CLTC): He was originally on unregistered from Yigu and he moved to the Dededu property that he's on right now.

[crosstalk]

Acting Chairperson D. Herrera: Oh, okay.

J. Casem (CLTC): So, originally he was on unregistered.

Acting AD J. Burch: But he's no longer on that?

J. Casem (CLTC): No.

Acting AD J. Burch: That's where we put him, that's what we're trying to do.

Acting Chairperson D. Herrera: So did we identify the right property number or no?

Commissioner A. Bordallo: Yes.

Acting Chairperson D. Herrera: Okay.

Acting AD J. Burch: We're all good.

Commissioner A. Bordallo: We're all good.

Acting Chairperson D. Herrera: And the survey is done?

G. Eay (CLTC): Yes, the survey is done. They showed the mahone when we did the inspection.

J. Casem (CLTC): So, this area was originally surveyed however it's the...

Acting Chairperson D. Herrera: See number 6, Glenn?

J. Casem (CLTC): It's the in-house survey map

Acting Chairperson D. Herrera: So, the property was [inaudible]

G. Eay (CLTC): But we'll ask him to do a retracement survey.

Acting Chairperson D. Herrera: Okay, alright! Thank you, sir! Moving on to number 3.

Commissioner A. Bordallo: Since you brought up unregistered, I think usually CHamoru Land Trust [inaudible]

Acting AD J. Burch: What's that?

Commissioner A. Bordallo: The unregistered land.

Acting AD J. Burch: We could, I was talking to our former Attorney Gumataotao on that and we were supposed to submit a list of all our unregistered properties. I haven't met with Attorney Miller on this issue yet and unfortunately Attorney Gumataotao passed away. He informed me if the properties were surveyed it's possible to get a registered within a year or so. If it's on surveyed because of the shortage of surveyors on island, it may take two years or more to get an unregistered property surveyed because these are issues, I have to go before the court and at that time he was willing to pick up on the issue, but I do know the AG's office has hired more attorneys for a while. We've had issues trying to get attorneys to pick up on these and so hoping we could get these registered properties surveyed but it's not gonna happen overnight. It's a long process. Like I said Attorney Gumataotao said, pushing one year is kind of cutting it short. You feel more comfortable with a two-year timeline but you know he's not here. His specialty on island was dealt with land and so he had a lot of background in it so it would've been fortunate for him if we could have proceeded with that, but it just didn't happen. So, now we can start looking at that again. Those are the issues that are not covered by the bills that the Speaker has out. And you know, we're trying to cover as many as we can to fix, like I said earlier, and that informational stage that we went through and the beginning is that, we're going to be able to take care of a lot of these issues hopefully by this summer will be able to get a lot of these, but there's those that we have and there's still in the process. We've gotta pick and choose what we can clear up today. Those with longer terms with those property that's going to be a long-term plan. The other ones like succession, switching time and date and stuff from agriculture to residential lots, looks like it's going to be handled now via these bills. Once it becomes law, then that should take care of those issues and so that we don't have 90% of our leases being on the list of being voidable. They're not voided but they are voidable. I wanted to take them off that list and for those that have been voided, to ratify them by this process with the Speaker that she is

taking. So, I thank her for going out on her limb like that for us. It's been a long time coming, so, yeah, the unregistered, we should get on that too because we have quite a few people on unregistered property and according to a lot of the laws is very specific and it's against the law for us to lease property that's unregistered. Our options available to us today is to relocate these people to registered properties. And also advise you that we have people also have leases on property that's not even CHamoru Land Trust inventory, the land inventory. Because I'm with Ancestral Lands, I have specific names of CLTC tenants that have leases for property belonging to the Guam Ancestral Lands Commission.

Acting Chairperson D. Herrera: And there are homes there?

Acting AD J. Burch: Yes. And we might have to look at land exchange in that case unless you're going to, unless CLTC is going to pay for them and pay for their building eventually. We also have people who have leases from CLTC that are on federal land.

Acting Chairperson D. Herrera: Oh.

Acting AD J. Burch: Oh yes! Things have happened in the past and these are part of the things I've gone back on. These are not leases that can be enforced.

Acting Chairperson D. Herrera: And the federal land's owned by...

Acting AD J. Burch: By the federal government, not part of GovGuam.

Acting Chairperson D. Herrera: Yeah, but before the federal government owned it, is there an original land owner?

Acting AD J. Burch: They may have been.

G. Eay (CLTC): These were leases that were issued to them, but prior to that they were LUP. So, what happened they carried on, when they moved, transitioned to CLTC...

Acting Chairperson D. Herrera: And LUP was on federal property?

G. Eay (CLTC): Correct. And then we issued a lease on residential or ag, whatever the case may be and when they did that they didn't check to see if it was actually under our inventory.

Acting Chairperson D. Herrera: Who's they?

G. Eay (CLTC): The land agent at the time or the Director **[inaudible]**

Acting Chairperson D. Herrera: Land Management?

G. Eay (CLTC): **[inaudible]** CLTC, because it's our obligation to check...

Acting AD J. Burch: Whether it was CLTC or the jurisdiction of land management, it happened in the past. What we're trying to do today is identify these properties and fix it, and some of them cannot be fixed. I'm sorry to say, I mean, we are not allowed to lease out property that belongs to the federal government.

Acting Chairperson D. Herrera: Right. And specifically in Anderson, like that? In that kind of hot zone area?

G. Eay (CLTC): Surrounding area Area 48. This is in Dededu.

Acting Chairperson D. Herrera: Near Andy South?

G. Eay (CLTC): Right there by, along Hahasu Drive area, Swamp Road; adjacent to those properties.

[crosstalk]

Acting AD J. Burch: But with agencies, other government agencies like Guam Ancestral Lands, things can be worked out if you don't need, to be the one to move people off their property, you know that they're on. But it's not in the CHamoru Land Trust inventory, it is Guam Ancestral Lands inventory. So, this is government to government. So, that can be worked out with the MOU or MOA or through legislation for CLTC to pay to move these people somewhere else.

Acting Chairperson D. Herrera: MOU and just slice it, and just dee it...

Acting AD J. Burch: That takes legislative action. But we need to bring the Speaker into this.

Acting Chairperson D. Herrera: We don't want to decrease our inventory, we want to increase.

Acting AD J. Burch: And neither does Ancestral Lands, they don't want to decrease their land and inventory. That make it clear, but the board of ancestral lands for humanitarian purposes authorize them to have utilities

Acting Chairperson D. Herrera: I see, okay.

Acting AD J. Burch: So, that they'll be taken care of, for now. They'll be noble to evict or whatever these tenants of CLTC, but you need to be aware that there's other issues other than unregistered land that belongs to CLTC. That can be fixed, but it's long-term. These other ones, those are federal property or other properties owned within other agencies within Gov Guam. Those can be worked out but again that's not something that's gonna happen overnight.

Acting Chairperson D. Herrera: I see. I have a question on the transition transferring all inventories from Ancestral Lands to be merged into the CHamoru Land Trust.

Commissioner A. Bordallo: You cannot!

Acting AD J. Burch: You...

Acting Chairperson D. Herrera: There's a bill being worked on.

Acting AD J. Burch: Well, you will fight with the Guam Ancestral Lands Commission and because I'll be on both sides; remember, I am technically an employee of Guam Ancestral Lands Commission.

Commissioner A. Bordallo: Don't touch that! Don't touch that! Leave it alone!

Acting AD J. Burch: Yes, I advise you, if you don't want to go against; they are...

[crosstalk]

Commissioner A. Bordallo: The families that all own those...

Acting AD J. Burch: The board that I represent in that area they are Chamorro activist. They will fight for

their land.

Commissioner A. Bordallo: Leave it alone.

Acting AD J. Burch: So...

Acting Chairperson D. Herrera: I own Ancestral Lands, so...

Commissioner A. Bordallo: Just leave it alone.

Acting AD J. Burch: I represent you too, so, yeah I advise you to stay away from that.

Acting Chairperson D. Herrera: [inaudible]

Acting AD J. Burch: You could and in that case I would have to resign from this board because I would represent the Guam Ancestral Lands. They pay my paycheck! CLTC is lucky! I've been here for three months and I'm not under your payroll.

Acting Chairperson D. Herrera: Oh, it's not a...

Acting AD J. Burch: Oh no, you're not paying my time, I'm here for free. Unlike your previous Directors where you paid for them.

Acting Chairperson D. Herrera: Wow, we're the same.

Acting AD J. Burch: Well, and so that's what I'm going to advise you when it comes to an argument that I would recuse myself from this agency and represent the one that pays my paycheck.

Acting Chairperson D. Herrera: Okay.

Acting AD J. Burch: I'd be very...

Commissioner A. Bordallo: [inaudible]

Acting AD J. Burch: So, please. I'm trying to do my best here but I got my...

Acting Chairperson D. Herrera: I'm not here personally either, I'm here to represent the constituents.

Acting AD J. Burch: Yeah, but I don't want to clash between our mandates are different. I switch hats when I sit here. I don't want us to go head-to-head with another agency, that I know is a tough agency. It's a very tough one too. CLTC has its issues. Ancestral Lands, that's another one. I do not advise us to go up against them. They're set in their ways, believe me.

Acting Chairperson D. Herrera: I hear you Madam Commissioner.

Acting AD J. Burch: Yes, I caution you very much.

Commissioner A. Bordallo: Yeah, you can ask John about your property.

Acting Chairperson D. Herrera: He's making money to get their...

Acting AD J. Burch: They're paying for me to be here to help CLTC. That's how much they feel we need to work hand and hand, but they will go out for a fight if the fight's asked for.

Acting Chairperson D. Herrera: We're game!

Acting AD J. Burch: Your game? Okay!

Acting Chairperson D. Herrera: Okay, let's move on to constituent number 3, Mrs. Teresita Borja Taitingfong.

G. Eay (CLTC): She told that she's not going to be present but she asked if we can just move forward with her request.

Acting Chairperson D. Herrera: Alright and that's for a decrease in acreage?

G. Eay (CLTC): Yes.

Acting Chairperson D. Herrera: So, we need action to decrease the acreage?

G. Eay (CLTC): So, just in a nutshell, Ms. Teresita Borja Taitingfong is the beneficiary of her late husband, Joseph Taitingfong, who was also issued a 5-acre lease and what right now she wants to decrease her acreage to requesting to decrease from 5-acres to 2-acres because you know it's right now this time she's not able to farm the full 5 acres and that's what she's requesting today. A reduction of acreage from 5 to 2, yes, that's basically it.

Acting Chairperson D. Herrera: It's Surveyed? Registered?

G. Eay (CLTC): Yes.

Acting Chairperson D. Herrera: Registered land?

G. Eay (CLTC): This is preoccupier, it doesn't show...

Acting Chairperson D. Herrera: Because we have an issue in Mangilao, right? The other three ones were on unregistered land in Mangilao.

G. Eay (CLTC): This 5402 should be a registered land.

Acting Chairperson D. Herrera: Should be.

G. Eay (CLTC): Yeah, yeah.

Acting Chairperson D. Herrera: Can we confirm?

G. Eay (CLTC): Jhoana?

J. Casem (CLTC): She's on registered land.

Acting Chairperson D. Herrera: Okay. Confirmed.

J. Casem (CLTC): She's in 15344.

Acting Chairperson D. Herrera: Okay. Lot 5402.

J. Casem (CLTC): Originally it was 5402 and the tract changed to 15344.

Acting Chairperson D. Herrera: Alright. Do we have a motion?

Acting AD J. Burch: Can I ask a question? The issues in number two. Are those taken care of?

G. Eay (CLTC): Number 1, lease issued outside of date and time refer to 18GAR, 16A111. So, as shown on her application, date and time is December 7, 1995 at 2:34PM. That one's always mention because like today where we're on application number 6, so, more or less it bypassed 6, or 7 or 8, something like that. So, we just want to mention that it was awarded outside of date and time. And also, number 2, no approval for structure on the property contrary to 18GAR, 6A126; there was a dwelling that was constructed without a permit. I believe it's a semi concrete home and it was built without CLTC's approval. So, those are the issues that the land agent put down her staff report.

Commissioner E. Garrido: Is the property being actively being farmed?

G. Eay (CLTC): Right now, that's why she's requesting to reduce her farm from 5 acres to 2 acres. But you're talking about farming activity, just the photos, I'm not sure if you have it, it's normally ornament, ornamental and stuff like that but when you're talking about farming that is required of, it's not using the property as it should be.

Commissioner E. Garrido: Ornamental meaning like for flowers?

G. Eay (CLTC): Flowers. Yes.

Commissioner E. Garrido: That can be considered.

G. Eay (CLTC): But if you're; in the lease agreement it shows what types of trees, plants you should be planting, not just, you know it's supposed to be like, mainly the purpose for farming activity is for a crop to table. You know, like bananas, papayas, avocados, and things like that. Not like ornamental.

[crosstalk]

Commissioner E. Garrido: But...

G. Eay (CLTC): But if you request for botanical garden or something, but not...

Commissioner E. Garrido: It's a commodity that's sold to the public. It's grown and sold to the public, so, I personally would consider that part of farming and besides here in your sketch, she's got a chicken farm too.

J. Casem (CLTC): She has piggery. She has pigs. She has pigs on the property.

Commissioner E. Garrido: Pigs and chicken.

G. Eay (CLTC): How many pigs? How many chickens?

J. Casem (CLTC): She has about 3 pigs we currently saw last time. But Mr. Pierce has put it on the screen, her area.

Commissioner E. Garrido: That's the whole 5 acres, right?

G. Eay (CLTC): So, this is the whole 5 acres right here. This is what's being utilized right now and look at the remaining 3 acres right here that's not being used. That's why she's requesting to reduce it to 2 acres

for the area she's actually utilizing.

Commissioner A. Bordallo: Would she have to survey it?

G. Eay (CLTC): She's going to have to...

Commissioner E. Garrido: Partition. ;

G. Eay (CLTC): We have to get the scheme done. We could have Mr. Pierce do that for us and then after that it has to be surveyed, plus she's requesting to reduce it. The question is who's going to pay for the survey done? Would it either be her or would it be CHamoru Land Trust to do the survey, it's up to the board.

Commissioner A. Bordallo: What's normally done?

G. Eay (CLTC): Normally done; she's the one requesting, they should be the one doing the survey.

Commissioner E. Garrido: Mr. Chair, I'd like to make a motion.

Acting Chairperson D. Herrera: Yes, sir?

Commissioner E. Garrido: In regards to Teresita Borja Taitingfong, for her decrease of acreage amount, I would like to sideline this for another future meeting. [sic]

Acting Chairperson D. Herrera: Okay, do we need a second?

Commissioner A. Bordallo: Second. Second. You're tabling it?

Commissioner E. Garrido: Yes.

Acting Chairperson D. Herrera: Until further findings?

Commissioner E. Garrido: I'd like to clear up these issues first.

Acting Chairperson D. Herrera: On the survey and...

Commissioner E. Garrido: Item 1 says, one-third...

Commissioner A. Bordallo: Oh yeah. Issues.

Commissioner E. Garrido: Issues and the survey.

Acting Chairperson D. Herrera: Number 1.

Commissioner E. Garrido: Yes because, it's cited here, the issues.

Acting Chairperson D. Herrera: The beneficiary right?

Commissioner E. Garrido: Issued outside of date and time.

Acting Chairperson D. Herrera: Oh.

[crosstalk]

Acting Chairperson D. Herrera: Okay, got it.

Commissioner E. Garrido: You second it already?

Commissioner A. Bordallo: Yes.

Acting Chairperson D. Herrera: Okay, we have to vote now. Okay do I hear a vote? All those in favor, say aye!

All: Aye!

Acting Chairperson D. Herrera: Motion carries!

Acting Chairperson D. Herrera: Okay moving on, Number 5, Sandra Mesa.

G. Eay (CLTC): Mr. Chairman, I'd like to request to table that till the next. She's not here today.

Acting Chairperson D. Herrera: Major issues, no? [inaudible]

G. Eay (CLTC): This is the case; I believe back some time in October when Miss Sandra Mesa had requested to relocate from Mangilao to Tract 9210 Yigu where her original lease was located in a sink hole. I'm still working with land management, we're not gonna work without the planners up there in regards to the zoning. It's still unclear because it's a quarter acre lot and we're still trying to determine if it's a residential or A, you know we're having mixed; though the lease is residential, but we want to make sure that what's documented is true and correct.

Acting Chairperson D. Herrera: And the property is located on what road again?

G. Eay (CLTC): Tract 9210 Yigu. This is the first phase where I believe there's over, close to 50 parcels on that, over 50.

Acting Chairperson D. Herrera: 9210. Chalan La Chance?

G. Eay (CLTC): Around that area, yes.

Acting Chairperson D. Herrera: Okay. Thank you, sir. Moving on to number 5, Mr. Ivan Ray Tenorio. Do we have Mr. Tenorio?

G. Eay (CLTC): For Ivan Tenorio, there's a...

Acting Chairperson D. Herrera: This is the write up?

J. Casem (CLTC): It wasn't placed in the packet.

G. Eay (CLTC): They're updating you with and updated packet. So, this is the case of Nita Tenorio Lizama, who is the original Lessee and she named her son, Ivan Tenorio as the successor to her lease. So, Nenita Tenorio Lizama is deceased for I believe it's over four years. And the son is requesting to, claiming the successorship to his mother's lease and would also like to request a survey authorization for her property. So, I had Mr. Pierce put up right here on the screen where his lot is located here. This is; Pierce put a scheme up for this. Before the scheme, it was just an open lot. So, he made a scheme so that it can be the same as the other neighboring lots, the way it's kind of weird because it's kind of lengthy, long.

Acting Chairperson D. Herrera: Unsubdivided yet, no?

G. Eay (CLTC): It was a portion of, so what he did was put a scheme and now he has a lot number to that. I believe it's lot seven.

Acting Chairperson D. Herrera: But, no survey?

G. Eay (CLTC): No survey yet. Requesting survey authorization.

Acting Chairperson D. Herrera: On the deceased, right? This is the beneficiary, the son?

G. Eay (CLTC): Right. Nenita Tenorio is the lessee, who's now deceased. The son is claiming successorship right now.

Acting Chairperson D. Herrera: And the son's name is? And he's of age, or?

G. Eay (CLTC): Yes, yes, I believe. Early 30's or so.

Acting Chairperson D. Herrera: Just because of 18, right? The requirement, or no?

[crosstalk]

Commissioner E. Garrido: Isn't this unusually big for a residential lot?

G. Eay (CLTC): Well, because, you know, the residential lot you can go up to 1 acre. The law.

Commissioner E. Garrido: This is 2.5 acres?

G. Eay (CLTC): Yeah, but the reason why it's that is because...

Acting Chairperson D. Herrera: Square meter?

G. Eay (CLTC): Look at the adjacent lots. Lots five and six, make it look consistent and if you made it any smaller, what it's going to do is, they're already building there the main concrete building and if we decrease it, it's going to make, it's gonna remove, he's gonna have to destroy a portion of his building to meet the variance.

Acting Chairperson D. Herrera: That's square meters, right?

G. Eay (CLTC): Square meters, yes.

Acting Chairperson D. Herrera: That's okay.

Commissioner E. Garrido: That's almost three quarters of an acre.

G. Eay (CLTC): So, if you see Lot 5, it's even more bigger, wider. And Lot 6, so they made it the same as Lot 6, the square meters but moving forward the remainder of lot, the 2082 on Lot 7-1, remainder will be; we're gonna try and make it consistent into a 2022 square meters, the remainder lot that's not been schemed yet.

Acting Chairperson D. Herrera: So, do we need that...

Commissioner E. Garrido: The lot in question is...

P. Castro (CLTC): 7-1

Commissioner E. Garrido: 7-1.

P. Castro (CLTC): Yeah, 7-1 is the lot for Mr. Tenorio

Commissioner E. Garrido: 2,800 square meters.

G. Eay (CLTC): Yeah, 2052 square meters.

Commissioner E. Garrido: Now, that's Block 12?

G. Eay (CLTC): Block 12, yes.

P. Castro (CLTC): Yes.

Commissioner E. Garrido: Why is it so excessively bigger than the other lots?

P. Castro (CLTC): Lot 7 or 7-1?

Commissioner E. Garrido: Lot 7-1.

G. Eay (CLTC): Can you add it over to Lot 6.

[crosstalk]

G. Eay (CLTC): If I look at Lot 4, 5, and 6, Lot 5 is even larger than 7-1. Oh no, no. This is 7-1 right here.

[crosstalk]

Commissioner E. Garrido: 7-1 is the one right here. I was reading the one right there.

Commissioner A. Bordallo: I thought it was the large one there.

Commissioner A. Bordallo: So they should put an arrow to it.

P. Castro (CLTC): That line there is kinda...

Commissioner E. Garrido: Okay, that takes away from my question.

P. Castro (CLTC): I think there's an existing foundation for a home.

G. Eay (CLTC): Yes.

P. Castro (CLTC): Then I believe he wanted to use it for his new dwelling.

Commissioner E. Garrido: How about his setback violation there on the right side of the lot?

G. Eay (CLTC): That one is destroyed by the recent typhoon, so right now he's living in a tent and stuff like that.

Commissioner E. Garrido: So, now he's in compliance?

G. Eay (CLTC): He is gonna...yes! Yes! Right.

Acting Chairperson D. Herrera: Okay. Motion. Make a motion.

G. Eay (CLTC): So, it's for him to succeed his moms, Nenita's lease and also for authorization to survey.

Acting Chairperson D. Herrera: For Ivan Tenorio. Do I hear a motion?

Commissioner A. Bordallo: I would like to make a motion to approve the lease of the deceased Nenita Lizama Tenorio, for her son, Ivan Ray Tenorio, to take over the lease on lot, Tract 10121, Block 12, Lot 7-1 Yigu containing 2,852± sqm, subject to survey. [sic]

Acting Chairperson D. Herrera: Second?

Commissioner E. Garrido: Second!

Acting Chairperson D. Herrera: Vote.

Commissioner A. Bordallo: All in favor?

Acting Chairperson D. Herrera: All in favor?

All: Aye!

Acting Chairperson D. Herrera: Motion carries, Mr. Ivan Ray Tenorio. Okay moving on to Number 6, Peter Guerrero Salas, number 6. Is he around?

G. Eay (CLTC): Mr. Salas is not around, but he wanted to table it. He will be here next meeting.

Commissioner E. Garrido: Why is he asking for a reimbursement of property tax?

G. Eay (CLTC): This is for...

Commissioner E. Garrido: Oh, James, I'm sorry. I was looking at James Cruz.

Acting Chairperson D. Herrera: Says for a loan approval and survey authorization...

G. Eay (CLTC): For Peter Salas, he's asking for written approval of authorization, request approval to build, and also once that's done, he wants to get approval for a loan guarantee for SBA as well. This is the case where his home was destroyed during the recent typhoon that went by and the issue that at hand that he's having is the property that was issued to him is a quarter a lot and it's by West Nandez Street along West Nandez Road and because it's a quarter acre lot, he can't build because it's on the northern aquifer and so what he is requesting...

Commissioner E. Garrido: There's no sewer available?

G. Eay (CLTC): There's no sewer available within 200 feet. And it's required 100 feet. This is way over 200 feet where sewer is available. And adjacent lots are half acre lots. The lot where he situated right now actually is designed for a half-acre lot but we gave him a lease for a quarter acre lot but what we can do, what he's requesting to get in compliance with the zoning laws is to give him additional quarter acre so they can meet the EPA requirements. The lot in front of him is available. Mr. Pierce, can you pull up

the aerial on that?

P. Castro (CLTC): I don't recall doing this yet.

G. Eay (CLTC): Can you go to West Nandez street, entrance?

P. Castro (CLTC): That's Lot 10171?

G. Eay (CLTC): Along 10121.

P. Castro (CLTC): On West Nandez street?

J. Casem (CLTC): No, 10121, Evangelista.

P. Castro (CLTC): In Yigu?

J. Casem (CLTC): Yes.

G. Eay (CLTC): No, no, no, this is in Dededu.

J. Casem (CLTC): Are you talking about Ivan?

G. Eay (CLTC): No, no. He's talking about Peter Salas Guerrero. West Nandez street, right across that church there.

P. Castro (CLTC): Okay...

Acting Chairperson D. Herrera: Kalamasa. Macheche base.

P. Castro (CLTC): Yeah, I just need a lot number.

G. Eay (CLTC): Lot Number...

[crosstalk]

P. Castro (CLTC): 10171 or...

Commissioner A. Bordallo: Yes.

Acting Chairperson D. Herrera: See on J, Letter J under Juliet; it's unrecorded, yeah?

G. Eay (CLTC): Is it unrecorded? Portion of 10171 containing; it was not the property is not recorded but it's a registered property.

P. Castro (CLTC): You have the lot number there, Glenn?

G. Eay (CLTC): Lot 10171, portion of...

P. Castro (CLTC): Oh gosh, I don't think any one of you talked to me about this one yet. I'll pull up 10171 and you can...

G. Eay (CLTC): Yeah, just give me the aerial and I can just point out. It's in the entrance from Macheche.

P. Castro (CLTC): Okay, so right on Macheche Road?

G. Eay (CLTC): Right! If you could just give the area and I'll point it out.

P. Castro (CLTC): Okay, stand by.

G. Eay (CLTC): Thank you!

[crosstalk]

P. Castro (CLTC): He's on the east side of 10171?

G. Eay (CLTC): Okay...can you just make it larger please?

P. Castro (CLTC): Nandez Street.

G. Eay (CLTC): Okay, thank you, that's good! So, this is where Mr. Pete Salas is occupying. Right here. And he was given a quarter acre lot which is the rear of this lot here. So, what we're asking is give an additional quarter acre lot so he can have the full acre lot here, to make it in compliance.

Acting Chairperson D. Herrera: That's an as-built? Is that a home right there?

G. Eay (CLTC): This is a home right here. And right now, it was destroyed by Typhoon Mawar.

Commissioner E. Garrido: So, where is the additional acreage going to come from?

G. Eay (CLTC): From this parcel right here. Right now, his quarter acre is right here based above. He should be the half-acre. I don't know what's happened mistakenly given him a half-acre, instead of; quarter acre instead of a half-acre.

Commissioner E. Garrido: And where's the nearest sewer line?

G. Eay (CLTC): This, along the main road here.

Acting Chairperson D. Herrera: Okay.

G. Eay (CLTC): Yeah, that's to connect to the main sewer line depending where the stampa is located.

Acting Chairperson D. Herrera: [inaudible]

G. Eay (CLTC): He probably has even more.

Commissioner A. Bordallo: So why did he not come? He didn't wanna...

G. Eay (CLTC): Well, he was informed last but I guess he couldn't make it.

Commissioner A. Bordallo: This is for him!

G. Eay (CLTC): Right, right.

Commissioner E. Garrido: So why don't we table this?

Acting Chairperson D. Herrera: Alright so we got a motion to table?

Commissioner E. Garrido: Mr. Chair, I'd like to move in regards to Peter Guerrero Salas situated on Lot 10171 Dededu containing an area of a quarter acre that we table this request for survey authorization, request to build and CLTC Loan Guarantee, until further notice. [sic]

Acting Chairperson D. Herrera: Do I hear a second?

Commissioner A. Bordallo: Why can't we make a decision?

Commissioner E. Garrido: The constituent is not even here.

Commissioner A. Bordallo: I can see the need to make it a half-acre and you know so he can continue working with these things to build. He needs a loan guarantee also.

Acting Chairperson D. Herrera: And a Survey authorization.

Commissioner A. Bordallo: Yeah! So, you know the more you delay, the more [inaudible]

Acting Chairperson D. Herrera: And the home is damaged, G?

G. Eay (CLTC): Yes, yes.

Acting Chairperson D. Herrera: Understand. Living there or FEMA?

G. Eay (CLTC): His roof, his roof is gone...

Acting Chairperson D. Herrera: He's under FEMA?

G. Eay (CLTC): But right now he's trying to apply for FEMA but he needed, but because of the zoning...

Acting Chairperson D. Herrera: Where's he residing right now?

G. Eay (CLTC): He's still living there in some left over tins.

Acting Chairperson D. Herrera: Okay.

G. Eay (CLTC): And stuff like that just to...

Commissioner E. Garrido: Okay Mr. Chair, I'd like to amend my request.

Acting Chairperson D. Herrera: Okay.

Commissioner E. Garrido: All the standards pertaining to the lot description, I'd like to amend my motion to approve Mr. Salas for authorization for survey, approval to build and the loan guarantee.

Commissioner A. Bordallo: And to increase the...

Commissioner E. Garrido: And increasing the acreage for an additional quarter acre.

Acting Chairperson D. Herrera: From quarter to half an acre?

Commissioner E. Garrido: Yes. Increasing.

Acting Chairperson D. Herrera: Okay. Do I hear a second motion?

Commissioner A. Bordallo: Wait cuz...

G. Eay (CLTC): Just to include and another issue he was initially given a Residential Lease, Lot 31, Block 8, Tract 1022 Dededu, if you look at item number 7. And because it hasn't been officially terminated, we request the board to terminate that so he can keep his second lease, just for the record.

Commissioner A. Bordallo: Well, we'll just do this and get to that later.

Acting AD J. Burch: Separate motion.

Commissioner A. Bordallo: Yeah! I second.

Acting Chairperson D. Herrera: Is there a vote, no?

Commissioner A. Bordallo: All in favor.

Acting Chairperson D. Herrera: All in favor?

All: Aye!

Acting Chairperson D. Herrera: Motion carries. Number 7...

G. Eay (CLTC): So, what is recommended here, like I mentioned for the board, legal counsel and administrative director's actions is Item A, approval to terminate February 20, 1998 Residential Lease for Lot 31, Block 8, Tract 1022 Dededu which is his original lease; and also, approval to increase, which you already did, Item B. You did approve Item C, for survey. Also, Item E will be approval to issue amendment lease issue for Residential Lease for Lot 10171-19-1, Dededu containing 2,023± sqm subject to survey, that was already motioned and finally F, approval to issue Mr. Peter Guerrero Salas approval to apply for building permit pending submission of his approved building plans.

P. Castro (CLTC): Glenn, I think that was the wrong lot number you gave, I believe you said 10171....

G. Eay (CLTC): 10171

P. Castro (CLTC): Yes, sir!

G. Eay (CLTC): Cause that's a portion of, right?

P. Castro (CLTC): Yes.

G. Eay (CLTC): Okay, yeah. Okay, approval to, approve a lease for a Portion of Lot 10171 for 2,023± sqm, subject to survey. Once that lot's surveyed it can be identified into a lot description.

Commissioner E. Garrido: I thought we already voted on this?

G. Eay (CLTC): I was just reading the whole item.

Acting AD J. Burch: Yeah, I think what he's saying is some stuff that he'd mention was already voted on. The issue is that he declined an award of Lot 31, Block 8, Tract 1022 Dededu, right, that's the one that you needed a second motion on?

G. Eay (CLTC): 1022, yeah!

Acting AD J. Burch: 1022, it's a Residential Application and he declined that award. It's just to, I guess, to rescind that lease?

G. Eay (CLTC): Yeah to terminate that one.

Acting AD J. Burch: Terminate, yes, that's the second motion.

G. Eay (CLTC): Because we gave him a lease from that location but we haven't terminated

Acting Chairperson D. Herrera: So, you need that motion to terminate?

Acting AD J. Burch: Yes, it's a formality to terminate their original one because he already has another lease.

[long pause]

Acting AD J. Burch: Basically, it's gonna be a motion to terminate the lease for Mr. Peter Guerrero Salas for a residential lease for Lot 31, Block 8, Tract 1022 Dededu.

[long pause]

Commissioner A. Bordallo: Ok, I move that, yes, that we approve to terminate the February 20, 1998 residential lease for Lot 31, Lot 08, Tract 1022, Dededu for Peter Guerrero Salas.

Commissioner E. Garrido: I second.

Acting Chairperson D. Herrera: Ok, so all those in favor, say aye!

All: Aye!

Acting Chairperson D. Herrera: Motion carries. Ok, moving on to number 7, Mr. James Sablan Cruz. Do we have...

G. Eay (CLTC): I don't believe Mr. Cruz is here but his issue is very simple. Like Commissioner Garrido asked, what is reimbursement of \$43.18? So, Mr. Sablan Cruz is asking, requesting reimbursement of payment of property taxes and issue is applicant is being assessed property taxes without being issued a CHamoru Land Trust Commission lease, and he's being assessed by Revenue and Tax, Real Property Division. So, what happened was, he submitted a survey map for the lease that was intended to be issued to him and because that is a recorded map, he was assessed property tax and he's, why you giving me, they're taxing me for a lease I don't even have. So, he wants reimbursement because he paid \$43.18. Although, his date and time is December 4, 1995 at 12:44PM, at that time, they intended to give him a lease, but it never followed through and they identified a lot for him but then there was never an agreement or a signed lease agreement and so he paid, billing him a property tax that he doesn't have a lease for.

Acting Chairperson D. Herrera: So, that's the issue at Tax and Rev?

G. Eay (CLTC): Yeah, if you see your name is there and there's a recorded map, they're thinking that you have a lease, but...

Acting AD J. Burch: Who records the map?

G. Eay (CLTC): Well, I'm not sure who recorded the map, but their surveyor recorded the map. And already there...

Acting Chairperson D. Herrera: Under his name?

G. Eay (CLTC): Yeah, and the lease is fully under his name, I guess. I guess that's how they got it because the intent, I believe there was an intent to award because a notice of intent of award to show the property description and everything, location.

Commissioner E. Garrido: Won't this be an issue for Rev and Tax?

Acting AD J. Burch: Exactly! I agree. I mean, I've been billed by RevTax for bills that taxes that I argued and that I don't pay, and I don't pay and with those arguments. How can they bill you for property that you don't have, unless there's an error on their side? So, it's not an error on our side. Why do we have to reverse, I know the amount is very small, \$43.18 but Rev and Tax does make errors on their side and they should be the ones held responsible. CHamoru Land Trust cannot be held responsible for another agencies error but it's up to you commissioners, I mean it's a small amount.

Commissioner E. Garrido: I know it's a small amount, but I would like to see...

Acting AD J. Burch: But the principle of the matter.

Commissioner E. Garrido: Constituents trying to fix this with Rev and Tax because this was done outside of our umbrella.

Acting AD J. Burch: Right!

Commissioner E. Garrido: Like you said, who registered the property?

Acting AD J. Burch: Right, somebody had to do a map, somebody had him take it up. The survey was paid by someone and back then, at that time, we did not pay for surveys, right?

G. Eay (CLTC): No, we don't pay for surveys.

Acting AD J. Burch: It's the constituents.

G. Eay (CLTC): It's the constituents that pays for survey. In the report it doesn't say who paid for the survey but there is a survey map, a recorded survey map and I believe because of that, property tax was assed to them.

Acting AD J. Burch: Do we pay for the survey maps whhey they record it?

G. Eay (CLTC): No, they pay.

Acting AD J. Burch: The constituents right?

G. Eay (CLTC): Right. Yes.

Acting AD J. Burch: Okay, then it must've been on his behalf then; he did it himself.

Acting Chairperson D. Herrera: But just remember when it comes to survey, the beginning of 12-226, land trust was supposed to be doing all the surveying and parceling. And then it was amended when it

was, the surge back then, but go ahead. Okay, do we need a motion to pay?

Commissioner A. Bordallo: We made an error.

G. Eay (CLTC): There's an error.

Commissioner A. Bordallo: I mean...

Acting AD J. Burch: There's no documentation to show or proof that we did...

Commissioner A. Bordallo: [inaudible]

Acting AD J. Burch: In my experience, those of you who do pay tax have probably gone through this property like sold many times I sold properties four, five years ago, they sent me a bill for it. I'm not gonna pay for it because I sold it. Somebody else is responsible for that now and just because I get a bill from Rev and Tax doesn't mean that I will pay for it and so he paid this because he got billed from Rev and Tax for property he doesn't have. I think that's on him.

Acting Chairperson D. Herrera: Well, he paid.

Acting AD J. Burch: He paid it but like what I said, I've sold properties in the past and Rev and Tax failed to update their files and they send the bill to me. I simply toss that bill in the trashcan.

Acting Chairperson D. Herrera: Okay. Alright, so, what do you wanna...

Commissioner A. Bordallo: Use the guidance from [inaudible]

Acting AD J. Burch: Your call.

Attorney N. Miller (OAG): If Mr. Chairman and members that you don't wish to take any action on this, we can just move on table it will be brought up again. You're just gonna take no action on it and move on.

Acting Chairperson D. Herrera: Okay so when there's no action, do I need; oh, no? Okay. So, alright moving on to number 8, Daniel Cruz San Agustin, successor [inaudible]

G. Eay (CLTC): So, Daniel Cruz San Agustin, January 23rd 1997, was issued a lease, January 23rd 1997 for Lot 04, Block 11, Tract 319, Agat based on residential application, December 2nd 1995 at 9:43AM. And it was designated No. 100. Prior to his death, Mr. San Agustin named his daughter Danielle J. Acfalle, formerly known as Danielle Joyce San Agustin, as successor in January 15, 1997. The decision to approve, to transfer the residential lease from the late Daniel Cruz San Agustin to his named successor and daughter Danielle J. Acfalle, despite the fact that it's issued outside of date of her lease award of December 2nd of 1995 at 8:07AM. It is at the hands of the commission to approve the transfer and request the board approve to, approval to issue an addendum to transfer the lease from David San Agustin to successor Daniella J. Acfalle upon clearance of all property taxes. So this is the case where the lessee, who is now deceased who would name successor, the daughter to take over his lease rights.

Commissioner E. Garrido: Is there a structure on the property?

G. Eay (CLTC): Let's see...

Commissioner E. Garrido: Because this is a residential lease...

G. Eay (CLTC): This is a Residential lease; I believe, I'm not sure, there's no, it doesn't show there's a

residential...

Acting Chairperson D. Herrera: We can you do aerial, now? Pierce?

G. Eay (CLTC): Pierce? Are you on Pierce, Mr. Pierce? Let me go ask the land agent.

[pause]

G. Eay (CLTC): I just spoke to the land agent who discussed with the designated successor that's it's a transfer of a lease to her but there was nothing discussed if there was a structure on the property.

Commissioner E. Garrido: The reason I'm asking is because this lease has been in effect for quite a while, you know? I was...

Acting Chairperson D. Herrera: You said it was a tax, unpaid? Or...

Commissioner E. Garrido: I was assuming that there was a structure in the property because of the time it has been in effect and I know there's a time line to build.

G. Eay (CLTC): Yes, there is a timeline to build a structure on a residential. Depending again to see if the property is accessible. Many times, there are leases that the property is like, three or four lots in the tract and there's no access to the property. That could be one of the case scenario again if there's no infrastructure, no water or power made available to the lessee, so a lot of them don't build their dwelling because of those circumstances no utilities or not accessible.

Acting Chairperson D. Herrera: See, G here it mentioned, water, power, and issues to build, permit to build so maybe that answers number G.

Commissioner E. Garrido: 1999,

Acting Chairperson D. Herrera: On G?

Commissioner E. Garrido: Yes.

G. Eay (CLTC): A lot of time our lessees would ask for approval for clearing and grading and water and power but it doesn't necessarily mean that it's made available.

Acting Chairperson D. Herrera: Yeah and...

G. Eay (CLTC): Tract 319, the area too, Agat, there's some, there's some power, water made available, but I don't know the exact location because in some areas there are available and some are not.

L. Taleu (CLTC): Based in the aerial, there is a structure there. Whether or not it's still standing after the typhoon is a different story. But based on the aerial, it's looks like there is a structure there.

G. Eay (CLTC): Okay, thank you.

Acting Chairperson D. Herrera: Thanks Lyd!

L. Taleu (CLTC): No problem!

Acting Chairperson D. Herrera: Okay so, do I hear a motion? Just to transfer of lease?

Commissioner E. Garrido: Successorship. Mr. Chair, I'd like to make a motion. Motion on behalf of Daniel Cruz San Agustin, his request is transferred to his knowned successor, Danielle Joyce San Agustin. This is concerning Tract 319 - Unit 3, Block 11, Lot 4, municipality of Agat. Lot size would be 929± square meters. I move that we approve the name change on the lease, to the successor. [sic]

Acting Chairperson D. Herrera: Do I hear a second?

Commissioner A. Bordallo: I second.

Acting Chairperson D. Herrera: All those in favor, say aye!

All: Aye!

Acting Chairperson D. Herrera: Motion carries. Okay, that completes constituent matters, so, public comments. No, wait, we haven't discussed A, B, and C yet. Alright, the constituent here?

Acting AD J. Burch: Up to you. Mister Chair it's recommended since they've been here patiently waiting.

Acting Chairperson D. Herrera: Yeah!

Acting AD J. Burch: Before you get into a lengthy discussion, would you like to hear...

Acting Chairperson D. Herrera: Yeah, and then we can come back, right at 1:00?

Acting AD J. Burch: Yes.

Acting Chairperson D. Herrera: Okay, so, can we come up and...

Phil Santos: My name is Phil Santos.

Commissioner E. Garrido: Sign in please.

Phil Santos: Sorry, unfamiliar with these proceedings.

Acting Chairperson D. Herrera: Director, on public comment we can go back to A, B, and C?

Acting AD J. Burch: Yes, you can.

Acting Chairperson D. Herrera: Okay, thank you. Okay, Phil, buenas.

Phil Santos: Buenas! And my partner here will surely find her way to the table is Deborah Reyes. We're here because I think a couple years ago, well first of all we are firearms enthusiast and we're also instructors. One of the things that, one of the challenges that we face occurred a couple years ago when the Piti shooting range was closed and Guam has a very large community of shooters or of a firearms enthusiast that have nowhere to go, nowhere safe to shoot, especially since the [inaudible]. And we've been closed from for several years, and you guys are all aware about the shooting range issues up in the Sports Plan in Yigu and I'm not sure where...

Commissioner E. Garrido: Agafa Ghumas.

Phil Santos: Agafa Ghumas. So, what has transpired since then, since Piti is actually closed is that people have started to shoot whatever they can and a lot of this has led to unofficiated shooting. Especially up in the hills, kind of a dangerous situation for the public. What we're looking to do is, well one

of the things that we want to do is look at the feasibility or possibility in obtaining some property from the Government of Guam to develop a shooting range. We would like to do it from the bases of a public, private partnership. The range owned by the government and managed and operated by the private industry. Deborah and I own a shooting pa're. If you will a shooting Academy and a gun store. We're more than willing to invest in an endeavor like this, and I am sure there are others out there that want to take part. The problem we have, obviously, is we don't know where to ask simply because we don't know what's out there, what's available. So, I think to start the first question is, how can we find out what properties are owned by the government and I say that as a whole thing. This was an educational thing with the CHamoru Land Trust and the Ancestral Lands and I don't know how many other groups of the government are out there that own property or whatever so, I'm just saying the government as a whole. We don't know who to approach or how to, where to ask for information where we can press on and say, is this piece of property available. Can it be used for this particular...

Commissioner E. Garrido: Would you be in agreement to work with a private/public partnership with GCC?

Phil Santos: Absolutely!

Commissioner E. Garrido: GCC is requesting an area also for small arms and; their first and foremost is for small arms.

Phil Santos: Right. Right.

Commissioner E. Garrido: Okay because they can't keep using the GCC backyard as their firing range but they're also looking at a rifle firing range.

Phil Santos: You gotta restart with them and whenever this; we actually met with the President of GCC, Mary Okada. Couple three years ago and what drove that meeting was that we have some friends that are police officers and we are watching them use the shooting range at GCC and kind of looking around and was like wow this place is not really maintained very well, and we thought maybe, what can we do to help from the community perspective, you know? So, we met with Mary and we threw a nugget on the table and said let us maintain the range, right? You're still going to own it but let us maintain let us paint fix the lights do whatever to keep up to snuff and allow classes to be given by the different instructors that are around there because we don't have a place to really give a classes. People that but never have anywhere, but yeah, to answer your question, we would be more than happy to work with any government agency because this is a needed. The island needs a shooting range for several reasons. One of the reasons is the biggest is to provide people with a place to go enjoy their sport.

Acting Chairperson D. Herrera: You're a nonprofit organization or a profit organization?

Phil Santos: We represent a nonprofit; name organization is the Marianas Practical Shooting Association. Our focus is to be equally fair, providing opportunities for shooting enthusiast to participate in local competition as well as international competition. Currently we have less than 100 members in our organization. But this is not just about the Marianas Practical Shooting Association, this is generally speaking as members of the shooting community on Guam.

Acting Chairperson D. Herrera: Do you want an open range or a close range?

Phil Santos: What do you mean, sir?

Acting Chairperson D. Herrera: You want a, small kind facility or open?

Phil Santos: Closed like indoors?

Acting Chairperson D. Herrera: Yah.

Phil Santos: Absolutely not only indoors. Indoor range would be extremely costly to operate and maintain so we're looking at an outdoor range.

Acting Chairperson D. Herrera: I see, so perhaps, maybe you guys can meet administratively and do an application for, go ahead...

Attorney N. Miller (OAG): Mr. Chairman, if I might sort of give the same advice that we gave the raceway folks who were here, perhaps a good place to start frankly rather than focusing on the land is if you can get a handle on what your range would look like and what the cost of constructing a safe range. And if you're comfortable with those numbers first, then for example you need much less land for a handgun range than you would need for also include long guns and so maybe phase 1 is handguns, phase 2 is long guns to a certain caliber, phase 3 is long guns or even higher caliber. What the commission doesn't want to do is to be blunt is spend time looking at its land inventory first, for you to come back and go, oh now that I know what it cost to build this thing we don't actually have the money to build it, so if you can get a, if you can have a plan, you know, basic business plan and around that plan you know, well okay, handguns I need this much and we'd like to have a phase 2, maybe a phase 3 with a plan at hand will be much more productive and much more efficient in providing you an option for where the appropriate piece of land might exist, but for the commission staff to spend time looking at all the available options frankly, we need to know how much you really need and that frankly you know if you have the land, the money is there to start building out the range.

Phil Santos: I understand what you're saying, and we have addressed that. We've looked at what we would have to do and unfortunately, I appreciate where you're coming from but speculations is a dangerous pastime. Looking at your map, the map behind you, if we were to consider or if we were to be asked, would you consider land in the northern part of the island, that could be iffy and the biggest issue is because of your aquifer. Shooting and high-volume shooting generates a significant amount of lead which is a hazardous matter. So, the mitigation effort to harvest the lead, to dispose of it, to prevent migration, offsite, to prevent absorption to the ground, we've looked at these issues. These are complex issues and to do something like this in the northern part of the island could be extremely expensive. On the other hand, we look at an overview like an aerial map of Guam and we look at the southern parts, and we know right away, we want to stay away from the rivers. There are large group of people and I'm sorry I can't quantify that right now, but based on history of shooting sports on Guam that want to get into the Olympics The only thing really is Olympics are either air guns or shotguns and a shotgun range requires a significant amount of area for the fall out of the pellets because you're shooting at the air, as opposed to handgun range which can be you're fine with 25 to 75 yards with a good backstop. So, before we can really come up and put a number on something, we need to have an idea of where can it actually go because that's going to skew the number significantly. If we're building in a clayish area versus having to excavate coral, is major, major difference in the number.

Acting Chairperson D. Herrera: Do you have the basic size? Let's say...

Phil Santos: 25 acres.

Acting Chairperson D. Herrera: 25 acres, okay! So maybe you can take what our attorneys saying. So, 25 would be the footprint you're looking for.

Phil Santos: For a handgun range 25 acres. If we're lucky and we can ask for more especially incorporate and utilize the area for shotguns and long guns, we might be able to configure it so that we can contain our activities in the 25 acres. Deb and I have both been in shooting ranges, several shooting ranges in the mainland USA, in Europe, and in Asia. And 25 acres seems to be a number that can be

managed...

Acting Chairperson D. Herrera: For handgun?

Phil Santos: For actually all three activities but obviously **[inaudible]**...

Acting Chairperson D. Herrera: Long rifle?

Deborah Reyes: But not at the same time.

Phil Santos: Yes. We don't know what's available out there, that's the biggest question mark is...we don't know what's available, we don't know what to ask for, we know how much we want, and if we get more, that would be great, but if we were to be able to get property that has for example a big hill that would, 50 feet or more right? And that would work as a backstop. Can you imagine the amount of money will be saved in trying to get a flat piece of property up north and build a 50-foot backstop to burn.

Acting Chairperson D. Herrera: Okay, so, perhaps Mr. Director, an application would be the first step? You know applying for a property, either a commercial or...**[inaudible]**

Acting AD J. Burch: It could be a letter of request submitted to the board outlining what legal counsel said. I mean, what they feel that the gun range or shooting range would look like in phases. Are you going to phase in and **[inaudible]** preferential sites on the island? We need to get that plan from you first before we go out and put our resources into looking at properties and we do have quite a few areas. Properties are located around the island so it's a possibility, I mean, depending, and of course the cost. When we do go into leasing property out for projects like this unless it's something like a public private partnership, type of thing, you know, it will be at commercial rates which are quite high. So, we have to look into that and see what kind of legal. It's going to involve the same thing like the race track and make sure the same issue that we're going through with the country club and the solar farm issue. It seems very simple but it's not, it's complicated and we're going to see how much it's going to cost so you need to have a plan.

Acting Chairperson D. Herrera: Yes, you need to have a plan to better...

Acting AD J. Burch: First, maybe a letter and a plan and we can start working of what you're trying to look at, right? It's something that's a possibility but we need to know exactly. Right now, you reached out which is good. I guess the next step is to submit a formal letter for request, but be prepared with that plan. We have the same thing going on with the country club, they come in with their plans and their proposals, and then we'll look at it.

Deborah Reyes: Director Burch, my name is Deborah Reyes. So, just to let everyone know, we actually, this is not our first meeting with CLTC, we actually submitted the letter, the intent, inquiry maybe, about three years ago. We actually met...

Acting AD J. Burch: Okay, okay. Way before my time and before current boards time. So, you need to resubmit that.

Deborah Reyes: Okay.

Acting AD J. Burch: It's a new board here, new management here, so things like that have probably gone by and I don't know; no action was taken back then or was there any response?

Deborah Reyes: Yes, so the next step was to identify the property.

Phil Santos: We actually had a meeting, I think in this room.

Acting Chairperson D. Herrera: I really don't know but okay.

Phil Santos: The same question was, where?

Acting Chairperson D. Herrera: I see.

Phil Santos: In order for us to ask for something, we needed to have an idea where to ask for.

Acting AD J. Burch: And before we start looking for where, we need to know what your plan is.

Phil Santos: Yeah. Understand.

Acting AD J. Burch: It's kind of like a business plan.

Phil Santos: Understand. We have something prepared and then we'll submit.

Acting Chairperson D. Herrera: You know the dates so we can retract the minutes?

Phil Santos: When is your next meeting?

Acting Chairperson D. Herrera: March. But the meeting that you had three years ago.

Phil Santos: Oh, oh, oh.

Acting Chairperson D. Herrera: So, we can retract this.

Phil Santos: It's in here some place.

[crosstalk]

Commissioner E. Garrido: Resubmit because you want to update it [inaudible]...

[crosstalk]

Deborah Reyes: We'll resubmit.

Commissioner E. Garrido: But if I'm not mistaken, the big map, the map behind you Director, I think that shows what where CLTC has property.

Acting AD J. Burch: I never looked at that map.

Phil Santos: Oh really?

[crosstalk]

Acting Chairperson D. Herrera: So, if get the minutes back we can piggy back the minutes that you have so we don't have to repeat you know what I'm saying.

Phil Santos: Sure, it was kind of like an informal. I don't know if they're writing minutes.

[crosstalk]

Phil Santos: And Angela Camacho and...

G. Eay (CLTC): It was an informal meeting with Angela, myself and I believe Joey Cruz where we sat here.

Deborah Reyes: And Pierce.

G. Eay (CLTC): And Pierce, and when they initially came in and requested and [inaudible]; but then covid came or something like that and it fell through the cracks.

Acting Chairperson D. Herrera: Okay. So, since this was informal, we won't have any minutes, right? I think we're gonna have to...

Phil Santos: [inaudible]

Acting Chairperson D. Herrera: That's a good service honestly.

Phil Santos: So, to submit this letter, would this be at the next meeting that you guys...

Acting AD J. Burch: When you're ready and then we will place it on the agenda for the next meeting, with of course the approval of the Chairperson. And the next meeting, our meetings here at set by law, every third Thursday at 1:00PM every month. So, we have to get our agenda out at least...

Acting Chairperson D. Herrera: 10 days out, right?

Acting AD J. Burch: Yeah, because the open government law. Yeah, before the meeting, yes because we have to get our notes out at least 10 days or so of what's on our agenda. So, get it to us way before the 10 days, before the third Thursday of the month.

Acting Chairperson D. Herrera: Okay. And you guys have a shop right now?

Phil Santos: I'm sorry?

Acting Chairperson D. Herrera: You have a shop right now?

Phil Santos: Yes, sir.

Acting Chairperson D. Herrera: Where's that at?

Phil Santos: In Chalan Pago.

Acting Chairperson D. Herrera: Okay, okay, got it!

Phil Santos: We also have a little private shooting range.

Acting Chairperson D. Herrera: In Chalan Pago?

Phil Santos: In Chalan Pago too, yes.

Acting Chairperson D. Herrera: Ok.

Commissioner E. Garrido: In the valley?

Phil Santos: Yes.

[crosstalk]

Acting Chairperson D. Herrera: I was there in Chalan Pago Saturday and Sunday and I heard a lot of popping.

Phil Santos: Yeah, it's probably us.

Deborah Reyes: [inaudible]

Acting Chairperson D. Herrera: But anyway...

Phil Santos: I know you're very busy. I thank you all for the opportunity. And we will leave you to your day.

Deborah Reyes: Thank you, appreciate your time.

Acting Chairperson D. Herrera: Okay, I would like for us to request to have a lunch break. So, do we need to have motion to recess?

Acting AD J. Burch: Recess.

Acting Chairperson D. Herrera: We'll go for recess?

Acting AD J. Burch: Yes.

Commissioner E. Garrido: Mr. Chair, I would like to move that we break for lunch.

Acting AD J. Burch: Be back at 1:30?

Commissioner E. Garrido: Be back at...

Acting Chairperson D. Herrera: What time is it right now?

Commissioner E. Garrido: 1:30.

Acting AD J. Burch: Yeah, give us time to get lunch. Mister Chair, you have to vote.

Acting Chairperson D. Herrera: We have to second?

Acting AD J. Burch: Yes.

Acting Chairperson D. Herrera: Do I hear a second?

Commissioner A. Bordallo: I second.

Acting Chairperson D. Herrera: I'm going to get use to this one.

[crosstalk]

Acting Chairperson D. Herrera: Well, I was going to buy everyone lunch but nobody wants to so; all in

favor say aye!

All. Aye!

****BREAK 2:52:24****

Technical difficulties with audio 5:00:16 – 5:02:25

****RETURN 5:02:25****

Attorney N. Miller (OAG): The agencies will all have to figure out precisely what their needs are. You know, you can see from just walking on this floor. The division of land management needs a big chunk of space and because they have boxes and boxes and boxes of records, they want that space to all be in a straight line so to speak. I don't know what the country club looks like so we're going to, so the individual agencies are going to have to figure out exactly what their requirements are and then we're going to put those requirements together and we're going to have to see how many of those requirements can work inside the building that is already there.

Commissioner E. Garrido: But this is open, ended right?

Attorney N. Miller (OAG): You know it has.

Commissioner E. Garrido: It will be at all parties.

Attorney N. Miller (OAG): Yeah!

Commissioner E. Garrido: Depending on all parties?

Attorney N. Miller (OAG): Yes.

Commissioner E. Garrido: Are you finished reviewing this?

Jerry Tang: Yes, yes, commissioner, we're finished reviewing it.

Commissioner E. Garrido: By the way since you see in session, please state your name.

Jerry Tang: Jerry Tang with Guam International Country Club. And here with Carlos Camacho.

Commissioner E. Garrido: But what you see in front of you is basically what we had agreed to in our last meeting.

Jerry Tang: Yes sir, this reflects...

Commissioner E. Garrido: Your concerns?

Jerry Tang: Our concerns on, we addressed week.

Commissioner E. Garrido: Anybody else have a question? Arlene?

Commissioner A. Bordallo: None, it's just [inaudible]

Commissioner E. Garrido: No questions?

Commissioner A. Bordallo: Ultimately the decision will be; we're just going to transfer this resolution to the Legislature and 15 votes will take care of, thank you. Okay?

Commissioner E. Garrido: At least 10.

Jerry Tang: We still have a long way.

Commissioner E. Garrido: Eight maybe and 10 for....

Carlos Camacho: [inaudible]

Commissioner E. Garrido: Okay, Mr. Chair, I would like to make a motion in regards to Bill Number 173-37, an act to amend the CHamoru Land Trust Commission lease agreement with the Guam International Country Club, Inc., that we approve the draft resolution to be submitted to the legislature for them to incorporate into the existing bill. [sic]

Acting Chairperson D. Herrera: Do I hear a...

Commissioner A. Bordallo: I second.

Acting Chairperson D. Herrera: So, all those in favor, say aye!

All: Aye!

Acting Chairperson D. Herrera: Okay, motion carries.

Commissioner E. Garrido: I should say congratulations or we wait for the legislature?

Commissioner A. Bordallo: That's your job.

Commissioner E. Garrido: Good luck!

Jerry Tang: Thank you Commissioners! Thank you very much!

[crosstalk]

Commissioner E. Garrido: This is a big deal! Monumental!

Jerry Tang: It is! I think I'm very happy to be part of it because I think of, what's that, especially with the new suggestion that you guys had, right? Do we have the building available for those three agencies?

Commissioner E. Garrido: But I'm looking at the overall plan and is it going to be a benefit to the rate payers of Guam?

Jerry Tang: I think so. I think so. I am hoping that, as time falls, and the commissioners are more comfortable with this to operate a business plan, at some point, I'm hoping even at the end of the lease term, I know we talk about removing the components, but if they're still functioning right, they will add substantial value to the property. You guys could release it at a max value or...

Commissioner E. Garrido: Or you might want to option to continue for another 30 years?

Jerry Tang: I don't know if I'll be around.

[crosstalk]

Commissioner E. Garrido: I know I won't be around. I'll be pushing 10; I'm pushing to see if I can get through with 10. Alright!

Carlos Camacho: Well, thank you very much for at least the first step, like what Ms. Bordallo said, there's still 15 minds there.

Commissioner A. Bordallo: It's on them.

Carlos Camacho: They have their own ideas. As you see in many senate debates.

Commissioner A. Bordallo: Yeah!

Commissioner E. Garrido: Si yu'os ma'ase!

Acting Chairperson D. Herrera: Okay, so now we move on to New Business again on A, Tract 10123, the proposed subdivision for the 166 lots. We can add that up on the screen.

J. Dayday (CLTC): Which one?

Acting Chairperson D. Herrera: The power point.

Commissioner A. Bordallo: Who can sit in for now?

Acting Chairperson D. Herrera: Okay, so were, is it okay, okay; I'd like to go to slide number one. This is the project that we're trying to revive. This is the 166 slots that were, that were rezoned and it's located up in Yigu. So, I'm just going to read on the milestone number one is the 166 lots that were rezoned.

Commissioner A. Bordallo: May I interrupt first. Could I get a copy of that, so we can read it?

Acting Chairperson D. Herrera: Oh.

Commissioner A. Bordallo: This has to do with New Business, Tract 10123?

Acting Chairperson D. Herrera: Yes, yes. Okay, so Memorandum of Agreement between GWA and GPA. The Milestone Number 3 is the operational update on the mass publication which is the project from the University of Guam, Masters of Business Administration. Then Milestone Number 4, Bill 17-37 which is being heard today and I believe that it moved from the 2nd to the 3rd reading now. Go the next slide, please. This is milestone number two; this is the memorandum of agreement with GPA. We kind of went through it with GPA last meeting. GPA will prepare the memorandum of agreement with CLTC with **[inaudible]**, I mutually agree who presented when presented by CLTC, GPA was to do an estimate on the properties provided. CLTC will provide topographic survey on all the rights of way on the subject lots. CLTC will provide all boundary points of survey in the rights of way. CLTC will clear and break all rights of way for GPA. CLTC will only provide the subject property for this task if it's close to water and sewer. Next slide please. This is Milestone 2A, GWA Memorandum of Assistance. GWA will prepare the MOA with CLTC. Next one will be, GWA will assist CLTC to do an estimate on the properties provided by CLTC. CLTC will provide topographic survey on all the rights of way again for the subject property chosen. CLTC will provide all boundary points, and CLTC will clear and grade the rights of way. Next slide. Milestone Number Three, the daily post insert for the 8,000 plus applicants and the 2,900 existing lease holders. CLTC will create an insert with Daily Post to have the applicants and existing lease holders update their online application. Their online application will have all the updated names, addresses, contact numbers and email. In addition to the online application, there will be an income and household

size questionnaire, not to violate their financial income. We will prepare a table for the applicant to checkmark their income and household category from the Housing and Urban Development and from the United States Department of Agriculture income table. In the instructions page of the insert, an example will show what to do in this exercise. Next page, please.

Milestone Three, A of B. The daily post insert for the 8,000 plus applicants and the 2,900 existing lease holders. There will be a questionnaire that as if they are anyone in the household are veterans. But why this is key is because as of this date, we have 2,900 listings and I think we only have about seven veterans that have, built on the properties on the CHamoru Land Trust. Second bullet, the online application will ask their desired location like North, Central or Southern Guam, and then on the third bullet on the online application, there will be a code for the applicants to input, which is the actual date and time shown on the original submission. The sample will also be shown on the instruction page of the insert. Fourth bullet will be because of the large database CLTC will send the insert out in 3 to 4 increments. We were fortunate to engage in a student driven class project from the University of Guam, the Masters of Business Administration to assist in putting this insert campaign together. May I have the newspapers there? Thank you! So, this is the contractual board, sample that we're working on that's going to be [inaudible]. Sir, this is the insert that we have this is the format we're copying. So, what was completed so far by the University of Guam students; this is the format that they have done and I know, look at the front page, so this is where the, all the leases that were provided in the 8,000 would be in this format that's similar to the insert that we passed out. And because of the bottom again will be sending it out in 3 to 4 increments. So, if you look at the first page, of this one, there's the cover sheet and then page 2. Page 2 will have the governor and lieutenant governor statement and the Executive Director's statement and the Commissioners on the first page.

Page number three, you have all the listings of the applicants and if you look at the code that we inputted in the position number, posted as Alpha, for the 8,000 and the 2,900 would be a code letter of B. On the last page, you will see the founder of the CHamoru Land Trust, which is former Senator Bordallo. And we're doing this to dedicate the founder and it's a small token for us to give him the appreciation for what he has authored. Acknowledging next slide, Milestone Three, B of B, the daily post insert for the 8,000 plus applicants and the 2,900 existing lease holders; I basically explained what contents are inside the inserts. The front cover as I motioned the logo and the mission statement, B is the inside cover. See, page three (3) existing 8,000 applicants and the 2,900 lease holders inside the back page again, the recognition of the honorable Paul Bordallo and then last, the back page contains the instructions of the sample page. Okay, next slide, please.

Milestone for proposed Bill 107. This is the bill that was in second reading today. Fortunately, it passed the second reading and it's going through the third reading and the substance of that bill is basically to be connected to this project, so, the first bullet is the bill was introduced by Senator Joe San Augustin. The bill appropriate five-hundred thousand dollars (\$500,000) to fund the escrow for the Guam Housing Corporation to open and move forward a sign of a tri-party MOU with the Guam Housing, the CHamoru Land Trust Commission and the USDA. What this will open is that it will open the USDA Section 502 and Section 504 for the loans and grants. Again, loans and grants to be administered by the Guam Housing Corporation. The next bullet notes that an amendment was proffered to this bill that reflects the CHamoru Land Trust Commission's default remedy clause under section 75A112, H1 and H2. This is the succession clause that identifies in the event that the mortgage becomes foreclosed. It will continue to be fast-forward to successors that are qualified for the program. The last bullet once notes that once approved by law and tri-party MOU is signed the previous 2005 tri-party MOU would be freed up. Next slide. With that being said we're open for discussion if you guys have any questions or comments, submit in writing, or...

D. Tan (CLTC): Commissioners, I have a copy of the testimony that the Acting Administrator John Burch represented in the legislature yesterday,

Acting Chairperson D. Herrera: This morning.

D. Tan (CLTC): I meant this morning.

Acting Chairperson D. Herrera: Oh, yes, appreciate it. Ok.

D. Tan (CLTC): Do you want one of the staff to read it to you?

Acting Chairperson D. Herrera: Yes, if possible, please. You read, Dex, please, if you can.

D. Tan (CLTC): Yes.

Acting Chairperson D. Herrera: Ok, this is Bill 107. So, if you guys can see Bill 107 is really interconnected to what we've been developing, so, it's a blessing that it went from the second to the third reading.

D. Tan (CLTC): Yes, Sir.

Acting Chairperson D. Herrera: Ok, please.

D. Tan (CLTC): CHamoru Land Trust Commission. February 22, 2024. Honorable Joe S. San Agustin, Senator and Chairman of the Committee on General Government Operations and Appropriations, 37th Guam Legislature. Ran Care Bldg., CBU 230, Tamuning, Guam 96913.
Subject: Support of Bill Number 107-37 (LS.) Hafa Adai Senator San Agustin and Members of the 37th Guam Legislature, I am here to express my support for Bill 107-37 (LS) as amended. However, I would like to clarify that my endorsement of this bill is my opinion and does not represent the official position of the Chamorro Land Trust Board at this time. It is important to note that the Board has not yet addressed or formally discussed the bill. Nevertheless, I would like to inform you that the CLTC Board has scheduled a meeting this morning and will address the issue of Bill 107-37 (LS). Bill No. 107-37 primarily focuses on appropriating five-hundred thousand (\$500,000) from the General Fund to the Guam Housing Corporation (GHC). This funding is intended to serve as the initial minimum deposit into the Guam Housing Corporation-Rural Housing Service Escrow Savings Account. The bill establishes that GHC-RHS Escrow Savings Account and outlines the necessary actions to be taken in the event of a loan default. It also involves the CLTC, which would provide the next qualified applicant to GHC, utilizing the remedy provided by Subsection §75A112(h)(1) and §75A112(h)(2) of the 21 GCA in cases of loan defaults. I believe that this bill, with its amendments, holds significant potential to address the pressing need for affordable housing in our community. Thank you for your attention to this matter, and I look forward to the productive discussions at the meeting. Si Yu'os Ma'åse', John T. Burch, Acting Administrative Director. Thank you, sir.

Acting Chairperson D. Herrera: Thank you, Dexter. So, Attorney Miller, any comments or what was just mentioned, or...

Attorney N. Miller (OAG): Nope! I hope that the legislature passes it and these projects can get moving forward.

Acting Chairperson D. Herrera: So, Commissioners we presented about eight slides of the Power Point. This is what occurred back in 2013 did you separate? The property has been identified. It went through the process of rezoning from the Guam Land Use Commission and then a RFI was, you know, sent out. And a request for expression of interest. So, this request, expression of interest, four (4) companies submitted their interest in development on property and this was due back in February 23, 2022. So, this was published by the Department of Land Management in conjunction to CHamoru Land Trust Commission because the procurement with CHamoru Land Trust Commission is with the Department of Land Management. So, that's why it was published through there. So, what happens is that on February 23, 2022, four (4) companies were interested in submitting their interest and what was

required for these companies to submit, was to provide an Innovative Financing into the development of an affordable home and these are for the first-time home buyers that have low to moderate income level families. Now the term affordable homes are defined under the Department of Housing, Department of Housing and Urban Renewal and what they did is that they did post during the request for interest, four (4) categories. The request was for the developer to provide 20% of homes that cost one-hundred (\$100,000); 30% that cost 100 to 150,000; 30% of the development for homes that cost more than \$150,000 to \$200,000 and 20% for homes that cost \$200,000 to \$250,000. Now based on the analysis of this that was done back from 2013 to 2022 is that we understand currently that the cost of construction perhaps and Mr. Glenn Eay can attest that to build \$100,000 home at today's market price at \$200 Glenn, a square foot?

G. Eay (CLTC): Well, I don't know exactly the square foot but the price is going up significantly as far as materials and labor itself, it really went up, so what was two years and today's market cost went up really high. I can't really give you the breakdown per square foot.

Acting Chairperson D. Herrera: Yes, thank you for that. So, take for example \$100,000 home, at for example \$220 a square foot most likely would get you if 500 square-foot home, 500, 600 which is very, very small home but then if you look at the category here, up to, see this 20, 30, 30, and 20 amounts up to 100%, so, the final column here where you have 20% for the homes to be developed are in the range of \$200-\$250,000. So, what I would like to request, or ask...

Commissioner A. Bordallo: I only, I only have a question. This was published in February 23, 2022.

Acting Chairperson D. Herrera: Yes.

Commissioner A. Bordallo: It's a proposal, asking for a proposal on the interest of the public to give some kind of, if they would do something like this.

Acting Chairperson D. Herrera: Correct. Yeah, right there it said, submit proposal interest to include the following...

Commissioner A. Bordallo: Yeah, so what is the result? That was a year ago.

Acting Chairperson D. Herrera: Right, that's what I wanted to ask our attorney, that...

Commissioner A. Bordallo: It's actually Public Works that put this out, so what was their report back?

Acting Chairperson D. Herrera: I checked this back last year that Public Works submitted the results to CHamoru Land Trust. So, CHamoru Land Trust...

Commissioner A. Bordallo: There's no one here to speak on behalf of this, so we cannot comment really on anything unless we know what the interest of the public.

Acting Chairperson D. Herrera: Right!

Commissioner A. Bordallo: So, premature. We go to the other, we have three under New Business. And you've given us so many things to look at, and think about and I want comments from management on what's happening here. So, there's no one here to really tell us.

Acting Chairperson D. Herrera: Okay, understand. Okay, Commissioner Garrido?

Commissioner E. Garrido: I align with Commissioner Bordallo has just stated, I believe the best course of action to take is to table this until further notice because there's no representative from management

right now that can support or object giving us the viewpoints because the first thing on my mind is that this thing is dated 2022. And a lot of times these of mechanisms are constrained by time. So, we're looking at something that was two years ago, I don't believe this thing would be valid for today. We need to get current market values and that will include the sampling from the general contractors and building per square foot and also banking resources that would coincide with this. And I have one more point but excuse my mind right now, oh...

Acting Chairperson D. Herrera: Okay, it's just the property was rezoned. It would be; this is 166 lots. It went through the zoning process so...

Commissioner E. Garrido: No, what I mean, is that these proposals for interest, the subdivision is done already by the way it's shown in your diagram, it's done. Partition is done already for the subdivision, but to get an updated and refresh from the public sector, or developers from contractors that would bid on this and bring it into today's market values, it's going to be different from what we're looking at in hand.

Acting Chairperson D. Herrera: So, that would be a request for a proposal again?

Commissioner E. Garrido: Yes, it has to go through a whole RFP. Request for interest or proposal. That would be up to the management but then again this was initiated by public works so it has to be done in conjunction with public works.

Acting Chairperson D. Herrera: So, when I checked Public Works and they told me that they submitted all the documents to the CHamoru Land Trust and that's the document we wanted to ask legal if they can review those proposals that came in from that 2022 and of course not to procrastinate and stagnate again on this project that's been already projected for some division, 166 slots would help our constituent. That's just, you know where just trying to be proactive instead of a...

Commissioner A. Bordallo: But the reality is we have to know what the price is now.

Acting Chairperson D. Herrera: Right.

Commissioner A. Bordallo: So, it has to start all over.

Acting Chairperson D. Herrera: Yes.

Commissioner A. Bordallo: We can't really; they can give us the report and what happened but we can't make any decisions unless it's done over.

Acting Chairperson D. Herrera: I see. So, wouldn't it be beneficial to make a motion to RFP?

[crosstalk]

Commissioner E. Garrido: Just to be clear, proposals like this are usually time sensitive, correct? Something two years prior, we could not enforce, correct?

Attorney N. Miller (OAG): Almost certainly no.

Commissioner E. Garrido: so, we have to go from the start?

Attorney N. Miller (OAG): And Mr. Chairman and members if I may contribute because as you noted in your Power Point, there are a lot of pieces and parts to this project. The private sector will give you better, more specific more legally enforceable proposals, the more information you give to them. So, for example, if we can make some progress with the utilities, exactly what is availability of the utilities, exactly

is the wrong word, but the utilities are ready, willing and able to put the infrastructure in and at an approximate cost of, whatever. As a private sector bidder, that's very valuable information and because if I'm as a private sector bidder, if you every time you ask me guess, what something is going to cost, I am going to guess very high. As if water works or power have already said, we've surveyed the area and we believe it'll cost \$8,000 a pole, okay, everybody's going to price \$8,000 per pole into their bid. And so, my suggestion is that perhaps the more immediate priority is understanding what the cost will be for the site improvements, the roads, the sewers, the curbs, the gutters, the lights, the power poles, the more of that information we can get down to very specific numbers but better proposal you're going to get from the private sector to build the house.

Acting Chairperson D. Herrera: Okay.

Commissioner E. Garrido: The reason that's a good point you're making is, I had a developer, over 14,000 square meter property for a planned multi-family dwelling and it cost them about \$250 a foot just to bring in the sewer pipes. That didn't include obtaining the right way for utilities and it's a long process. It's something that should not be rushed into especially ours is huge; 166, that a really big project. Maybe we should even tone it down to be in phases? But you know it's a good project. And it could be overwhelming.

Commissioner A. Bordallo: And it would help too when they do the RFP that you show the map and the area and everything. Like he says, the infrastructure has to be taken into...

Commissioner E. Garrido: And see between when we negotiate with the utility company, are they going to hold those costs for us to tax on to the developer. And that's where the timeline is tricky because we could go through the process. It might take two years to get approval through the process, but if we don't freeze it for the quotes that the utility companies have given us, if it's not frozen then it's going to accelerate the cost again at the end of the day and this is a very beneficial project for the recipients at the end of the day, but we're looking at tons of cash to get it off the ground.

Acting Chairperson D. Herrera: Very good, I'd like to merge where our attorney was mentioning about, GPA was here last week and GPA was doing an in-kind service and GIS estimate. And so, the reason why, would GPA this one's, is, I mean Guam Waterworks is that for them to do an in-kind, also do table top analysis. So, that being said right, and we were also invited USDA to be here, the United States Department of Agriculture to explain their program and remember today's bill, today's bill was 107-37. And 107-37 was to provide \$500,000 for escrow. And that was for Guam Housing to uphold for the tri-MOU between CHamoru Land Trust and Guam Housing Corporation and USDA. So, the USDA representative, they make it today can explain this program. This program they focuses substantially and then research and certify; there's a program and I understand about what we were saying about the cost for water, power, sewer. Now, if you may recall, we did a trip to the three areas that's called Lada and Meadows. Now, Lada had the same project with the Guam Housing. If you may recall, it was back with Guam Housing, the government corporation and they went in trying to do the development themselves. But you see how Lada looks like today? Those are all low-cost income wage earners that are living in Lada. If you may recall when we went into Lada Estate, Earl? Do you remember?

Commissioner E. Garrido: Yes, I do.

Acting Chairperson D. Herrera: Right. So, that's a low-cost rental housing. They rent. Those are homes that are being rented at \$600, \$700, \$800 and you can tell the facility is really well kept. What does that have to do with this one? What does that have to do with Bill 107-37; it has everything to do with what with what we're discussing today. Now, if USDA should come today and explain their program, and I'm pretty sure at today's hearing, at the second reading for Bill 107-37, if we review that and if we take time to review how USDA explained the process, that is integrated with this. It sounds like tedious, but it can be done; Lada did it. Summer Home did it and other developers have done it, and this is a small project.

166 compared to the thousand that they have built, is a fraction. But the objective here is that if break the ice and it would work with USDA and the SUTA Program and get this thing; this is going to be the first project. I know it's going to be kind of, you know, for us to change gears. I don't think you can put the water, power, sewer, and this combination with the USDA and the Guam Housing but it was done and it's been done since back in the 40's, 50s, 60s, until today. Why have we not done it with the CHamoru Land Trust? CHamoru Land Trust has 11,000 acres. This is just one of them; this is only 166 lots and of course I can understand, when we look at this and we're saying that's too much to tune...

Commissioner A. Bordallo: You know why we don't? Because our budget doesn't allow it.

Acting Chairperson D. Herrera: Correct! And that's why USDA with the SUTA Program they have a program that subsidizes the project that you just mentioned. And that subsidy...

Commissioner A. Bordallo: Does Government of Guam, we're under the administration?

Acting Chairperson D. Herrera: Yes.

Commissioner A. Bordallo: Department of Administration, right?

Acting Chairperson D. Herrera: Yes.

Commissioner A. Bordallo: We're not a, what do you call that, autonomous, where we can just you know have our own money to use to do all the infrastructure cost and things like that.

Acting Chairperson D. Herrera: Yes. And if I may bring your attention to this proposal for interest. Here it recommended right, for, innovative financing. How are the other properties being developed? It's by the innovative financing, it's a combination of loans and grants. This is not 100% CHamoru Land Trust funding. It's a combination of loans and grants. I'm not a subject expert on loans and grants, this is the USDA, and SUTA Program and Guam Housing.

Commissioner A. Bordallo: Do we have a grant writer in CHamoru Land Trust?

Acting Chairperson D. Herrera: The grant is already available with the USDA but we have to meet their criteria. That is one reason why...

Commissioner A. Bordallo: Well, we need a grant writer...

Acting Chairperson D. Herrera: Yes, that is the reason why on this Power Point, on the questionnaire that we have right now, it's gonna, out of the 8,000 we have to categorize, how many are low, very low, and moderate income. So, once we categorize the 8,000 applicants and the 2,900 applicants and we categorize them, that's just based on what was submitted here, because when we resubmit this again and we're going to engage in this operation, we're going to have to know how many of 8,000 customers or the 2,900 customers are in the low, moderate, and very low income. So, that's what USDA requires. That's the demographic and that kind of table. Do we have to table? No, but we're creating it, and that's why we have this insert, so we fed that 8,000 and we vet the 2,900 and in addition to this month, this is the business group has already almost completed the electronic version. So, it's not going to be all paper.

Commissioner A. Bordallo: Of the 8,000 applicants, how many are still alive?

Acting Chairperson D. Herrera: Good point! And that's why, that's what this thing is going to do. One we do this mass outreach to get data out, you have that data, Glenn?

G. Eay (CLTC): I'm sorry...

Commissioner E. Garrido: Attorney Miller, have you reviewed the CLTC's mandates?

Attorney N. Miller (OAG): Not in the level of detail that would be prudent for to provide you advice on financing any specific project such as this one.

Commissioner E. Garrido: Just at first glance, I have not read the full regulations for the CLTC, so, but my general basic idea of the mandates for CLTC is to provide land. We are the custodians that are entrusted for that land or lease or for residential or agricultural, and we're also allowed to lease out commercial properties. And this is, this is, it feels right now from this point that it's a duplication of what Guam Housing should be in power to do, because we don't do financing.

Acting Chairperson D. Herrera: That's a good point! And this proposal, right, if you look at the second paragraph here, here it says the objective of this property is to build affordable housing units for CHamoru Land Trust lessees. So, this is a combination of having a developer, Guam housing and CHamoru Land Trust in a tri-agreement.

Commissioner A. Bordallo: You know why there's someone that's very quiet that knows affordable housing.

Commissioner E. Garrido: Who's that?

Commissioner A. Bordallo: Mr. Camacho.

Acting Chairperson D. Herrera: No, Lada is owned by Core Tech.

Commissioner A. Bordallo: No, I'm telling you.

Commissioner E. Garrido: He's a developer. He's the one that build all the Ironwood homes.

Acting Chairperson D. Herrera: Yeah, but this is Land Trust! I mean you know what I mean? We're going to use USDA and SUTA, so, you know...

Commissioner A. Bordallo: Yeah...

Carlos Camacho: I'll hold and wait till public comments side, if you want?

Acting Chairperson D. Herrera: Okay, I just want to make sure that our group here was that this was open for affordable housing. I can understand when you say, Guam Housing should build the homes, GHURA should build the homes, CHamoru Land Trust should just provide the land, provide commercial land but remember that when you did the loan guarantee right, there's a loan guarantee funds for the CHamoru Land Trust. Right now, remember, we only have seven-million dollars (\$7,000,000) and we're guaranteeing an aggregate of about maybe 100 and 3 million, Glenn? The last SUTA, the last group that came in after Typhoon Mawar, it totaled up to about

G. Eay (CLTC): Five (5) to six (6) million.

Acting Chairperson D. Herrera: Right, so, our little dinky dollars is covering everything here that was, remember we did an audit on 100 homes. How many was default? 19, right? So, that 100 homes totaled up to \$10 million dollars in aggregate. And you're right, so then we have the new group that came in, this is about 27 now?

G. Eay (CLTC): Right!

Acting Chairperson D. Herrera: Right, and it totaled up to about 2 million or something like that. So, but anyway, that total, there's homes on the CHamoru Land Trust properties. There's veterans building their homes on CHamoru Land Trust but those veterans are building it on their own. And remember out of the 2,900, only like 14 veterans built on the 11 thousand acres that we have. So, what we're trying to do is to promote that but for us to know how many veterans are from the 8,000, or how many veterans are from the 2,900. We got to be the reach; we got to do outreach. So, when we do the outreach, then we're gonna get the demographics of the category; out of 8,000, how many are still alive? How many have their children that are still there but we're gonna get the demographics that's required by the Guam Housing or the HUD and the USDA. That's the only way we can merge and integrate what they're doing and what our objective is, and you know this was started by the administration, in the Calvo Administration, and then afterwards it was carried through to this administration. So now at 2022, four (4) companies submitted. So, that means there's interest of the developers that want to come in. So, if you heard, some home, or what did you say, Lada, Ironwood? These are all low-cost rental housing. So, they did it right, they did install water, power, sewer. Now, how can you and I afford a three-bedroom home that cost \$300-\$400,000 at 600 a month or less right? But there's that combination that we need to dive into because it was done. And remember, Glenn, we went through Lada? We went through, I forgot what was this, Meadows, Paradise Meadows, then we went to the back, the Ysongsong, that's \$500,000 home. That's out of our category, so, we're just trying to piggy back what was already done back in 2013. We're gonna let go is going to be another 30 years, but today, I believe, and I am confident that we can merge with the USDA group. We invited Guam and USDA, but they're not here today. Maybe it's a long time because they're down at the Legislature doing their same testimony and I believe from the 2nd reading of Bill 107-37, were just now in the 3rd reading, so, that's a blessing for us because once we have that security funds for the escrow, then we can start on the next project. How does that tie in with, what I just mentioned here, look this was done even before the bill in the floor today. This was done since September of last year. So, okay, so you want you can make a, should we make a motion to request for proposal for this lot or....

Commissioner E. Garrido: Mr. Chair, I feel it would be pretty mature right now. There's still a lot that we do not have access to.

Acting Chairperson D. Herrera: Okay.

Commissioner E. Garrido: And I was, and I would differ to Commissioner Bordallo's request that we have a open dialogue with Mr. Camacho because Mr. Camacho is verse in dealing with federal grants to build those low cost homes.

Acting Chairperson D. Herrera: And then I think you mentioned you also have fourteen (14) homes to develop or something earlier?

Commissioner E. Garrido: But it's private.

Acting Chairperson D. Herrera: Oh.

Commissioner E. Garrido: It's private, it's not a...

Acting Chairperson D. Herrera: Well, USDA works with private developers also.

Commissioner E. Garrido: No, but what I'm saying is that it is not as simple as that. It's not as straight forward as that because there's a lot of other considerations that need to fall into making it a complete picture.

Acting Chairperson D. Herrera: Okay. Alright.

Commissioner E. Garrido: So, for now, I would like to request a motion, being that it is premature, at least by my opinion, that I, my motion would be that we set this aside for now until we get more definitive feedback from the other agencies involved also because it's still feels like this should've been a Guam Housing project instead of CHamoru Land Trust. But you know just basing at 166 homes, and let's say on average at today's rate, may it's \$500,000...

[crosstalk]

Commissioner E. Garrido: \$500,000 per home? We're talking 83 million.

Acting Chairperson D. Herrera: Correct! Now, but this project right, it's doing a breakdown. Remember it's saying to work with the HUD and the USDA...

Commissioner E. Garrido: Yeah, but it's still 83 million based on half a million per home.

Acting Chairperson D. Herrera: Okay, understand.

Commissioner E. Garrido: And that should include the infrastructure.

Acting Chairperson D. Herrera: Yes. Okay. Alright, so, remember out of this program right, they want 40% at 100k, 30% at the...

Commissioner A. Bordallo: That's your dream.

Acting Chairperson D. Herrera: I know, I agree.

Commissioner E. Garrido: That's for the end user, not part of, not what impacts us!

Acting Chairperson D. Herrera: This is the developer, so then 20/30. So, maybe we can put this on the March agenda to discuss?

Commissioner A. Bordallo: Let's just get more info.

Acting Chairperson D. Herrera: Good! That, that's good! Yeah, because...

Commissioner A. Bordallo: You know what I'm saying. I don't agree. I'm just saying be realistic today's [inaudible].

Acting Chairperson D. Herrera: I'd like to share with the attorney because they already did the zoning that you know, they went through that...

Commissioner E. Garrido: The zoning is out of the question. The zoning is already there, it's already been approved.

Acting Chairperson D. Herrera: Yes, yes.

Commissioner A. Bordallo: And a lot of times too, our government agencies, water works, power, they have their own budget and sometimes they don't have room for us to get, you know, the...

Acting Chairperson D. Herrera: The GIS and lidar. See, right now they can do...

Commissioner A. Bordallo: What do you call it, the MOU to trade? You know?

G. Eay (CLTC): In-kind services.

Commissioner A. Bordallo: Yeah!

Acting Chairperson D. Herrera: And right now, the in-kind service is done by drone. They can drone the place as long as it's surveyed.

Commissioner A. Bordallo: I've seen that development in there; aerial view, yeah!

Acting Chairperson D. Herrera: Yeah, yeah.

Commissioner A. Bordallo: So, the airplane I saw my daughter took a photo because she was traveling last month. She took a photo. She said mom, where is this?

Acting Chairperson D. Herrera: Oh, this is, Paradise Meadow?

Commissioner A. Bordallo: Yeah.

Commissioner A. Bordallo: Well, good. Now I see it here.

Acting Chairperson D. Herrera: Yeah, thank you! You know, and it's good that we have an attorney that's very well-versed on properties because we've been we really need some assistance in that so, okay, with that being said, okay we'll table this for March?

Commissioner E. Garrido: We need a second.

Acting Chairperson D. Herrera: Oh, okay.

Attorney N. Miller (OAG): Mr. Chairman, if I might so that the staff knows where you'd like to end up in March, you know, perhaps in the interest of forward progress, perhaps it might be prudent to do an RFP to hire a land planner engineering firm. There's an infinite number of ways that the project can come together; partnerships, joint ventures, public/private partnerships, but if you, if the trust were willing to make the investment to have a professional land planner, just take those lots, take the existing infrastructure and simply say, well, because the water and sewer are up here we should really start building up here and work our way down there.

Commissioner E. Garrido: That's the way it will have to happen.

Attorney N. Miller (OAG): And, and the professional can advise the commission and then the housing authority if the commission can take a pretty comprehensive plan to the housing authority, again, they too will be able to work with you much more enthusiastically and much more quickly if they have a real plan in front of them that you know, a consulting engineer said, well in today's market every power pole is \$8,000. Every foot of sewer line is \$100 and the computer will just add up the feed of sewer line and tell you, somebody else is going to pay \$5 million for the sewers and somebody is going to pay \$3 million for power poles. And then and then we could work with our fellow agencies, and say, okay, how can we, who is like in the best position to be responsible for these various pieces and parts?

Acting Chairperson D. Herrera: [inaudible] okay, so to make the motion to hire a, or...

Attorney N. Miller (OAG): Well, perhaps, perhaps your motion is to ask staff to investigate and report back next month about options for land plan.

Acting Chairperson D. Herrera: Before we do an RFP?

Attorney N. Miller (OAG): Before we do an RFP.

Acting Chairperson D. Herrera: Okay. Understand.

Attorney N. Miller (OAG): I mean, they understand where you're going. Yeah, and they can just make some phone calls and see who is interested and see what that might cost and then you all can decide whether you want to move forward.

Acting Chairperson D. Herrera: Yeah, they're pretty well familiar with this one, so, and he came from Public Works, so; okay so...

Commissioner E. Garrido: I made a motion.

Acting Chairperson D. Herrera: Okay. To...

Commissioner E. Garrido: I need a second.

Attorney N. Miller (OAG): Motion is to table for now, till next month.

Commissioner A. Bordallo: I second the motion.

Acting Chairperson D. Herrera: So, all those in favor?

All: Aye!

Acting Chairperson D. Herrera: Okay, motion carries. Thank you, sir! Okay so we're now; I know, E, is acceptance, D is, I mean B is Bill 107-37, general fund appropriation to the Guam Housing Corp relative to GHS rural housing service escrow savings for affordable homes. So...

Commissioner E. Garrido: Where are you at?

Commissioner A. Bordallo: At the back.

Acting Chairperson D. Herrera: This was heard this morning, that's where Joey was at so they finished the second reading and I think they went to the third reading, which is hopefully would be positive for us to have another escrow account that would combine Guam Housing, USDA and CHamoru Land Trust. Ok, so...

Commissioner E. Garrido: Did we discuss memorandum of agreement with GWA and GPA?

Acting Chairperson D. Herrera: We did that last time and...

Commissioner E. Garrido: No, we didn't! That was a separate issue.

Acting Chairperson D. Herrera: Oh, I see! Well, we, I asked if they can be invited today, especially the Guam Waterworks and GPA because GPA is kind of aware of what we were requesting, so...

Commissioner E. Garrido: This has to be a whole brand-new discussion with these separate entities.

Acting Chairperson D. Herrera: Yes, because the last one was for rental, right? The rental of the

property...

Commissioner E. Garrido: Yeah, it was specifically for the rental. It's not an open ended memorandum of understanding.

Acting Chairperson D. Herrera: Ok, understand. Ok, so we're going to, any comment? Chairwoman Bordallo, we're good?

Commissioner A. Bordallo: You're the Chair.

Acting Chairperson D. Herrera: Okay. So, item number seven, public comments. And Commissioner Bordallo recommended...

Commissioner A. Bordallo: No, Mr. Camacho can talk about...

Commissioner E. Garrido: Yes, and he can give us some insight of what; we're going to the challenges we're gonna have.

PUBLIC COMMENT(S)

Carlos Camacho: This is the public comments section?

Commissioners. Yes.

Carlos Camacho: Hafa Adai, commissioners and attorney. My name is Carlos Camacho, today I wear another hat; I've done a lot of real estate development, but I'm going to be cautious of what I say because I don't want to conflict myself out on future opportunities here. So, if you think I am not trying to stir anything, I'm just going to say what's been discussed what I heard at the public hearing today, it's public, and I'll leave my discussion based on those parameters. Those are already public, disclosed. So, in regards to this...

Commissioner E. Garrido: First of all, can I ask you a question?

Carlos Camacho: Yes!

Commissioner E. Garrido: How many subdivisions have you developed? Ironwood?

Carlos Camacho: With Guam and Saipan, close to 600.

Commissioner E. Garrido: And that was all done through grants?

Carlos Camacho: Combination of grants and loan.

Commissioner E. Garrido: Okay, I just wanted to know.

Carlos Camacho: So, [inaudible] I just want you to know so people say you built for today's price market but your rent is this much, because we are subsidized by the internal revenue service. That's public record, that's the housing code of 1986, passed by US Congress. I brought that to Guam in 2005. Today is 2024 and I used it, CoreTech my good friend, that used to be my contractor, and ended up using it too. And in Saipan now, they're using it all for their housing programs.

Commissioner E. Garrido: Well, they learned from you.

Carlos Camacho: Again, yeah, it's a federal policy that non-exclusive. It's those who want to apply for it.

Acting Chairperson D. Herrera: I have a question on Saipan because Saipan has a homestead also and this is land trust but with homestead, now that's a different criteria again based on, is it possible to do the same on...

Carlos Camacho: I have to have my lawyers looking into it but in Saipan, you're right, we cannot own land there so we lease the land from either the government or private because that's article 12. But our program was still applicable in Saipan. I now got to check if it's applicable, and CHamoru Land Trust, I'm assuming it is because you get, I don't know, I don't want to make no comments on that at this point, but if it worked in Saipan and we've done 88 units there under the ground lease scenario, I am assuming; we haven't tried out land trust yet but because we got so much private land outside the equation. But to answer your question about that particular project you got, you're right the government is not a developer. You have the resources and you don't have the financial resources so there are people out there you don't have to be me, could be anybody else because there are federal programs that if these people know about it can't apply it, if they want to. When I first saw this RFTI, in 2022 they put a fixed number, but if you read it and I'm only reading what was publicly announced, I can't. They said it must be energy efficient, it must include the infrastructure and it must, put in all of that by the time you put attorney, Miller said an infrastructure, let's say \$8 million, and then you got the vertical to do that, those numbers I don't think will work. I don't think will work. I mean the cost of inflation, I don't know how to say it, it's already known is cost of concrete, cost of material cost of labor, everything is up and by putting a fixed number, nobody, that's my opinion again. That's just my opinion. I don't think it'll be hard to reach that number. I think if you targeted just based on income demographics, based on again, what's publicly announced, why because each of these has income category and each of them has different buying power based on debt ratio.

Those in the finance world, debt ratio is affected by how much debt you have in the backend and if you look at, I called the Lada situation. Lada was a government development 30 years ago. Great idea from two different governors, Governor Ada and Blas wanted to build affordable housing. They had the idea to do it but Governor in the last 8-year term, he ran out of time. Governor Gutierrez came in and said okay, I'll do it, he put the infrastructure in, curve, gutter, and sidewalk, then GEDA floated and, and this is all public record, okay, nothing to you, and just give you the history and the government says will do it! They flowed in 15-million mortgage revenue bond. They had a rate...

Commissioner E. Garrido: What year? 2019?

Carlos Camacho: 1998 or in the 90's when Governor Gutierrez was governor at the time.

Commissioner E. Garrido: And that time it was 50 million dollars?

Carlos Camacho: Bond to do it. Well, when they did was, they attracted thousands of applicants for the 399 unit. Nobody qualified because it was written under Freddy Mac guidelines which we have to have a AAA rated credit. When you're going after low-income families, I'm not saying they're all good or bad, but a lot of them don't have the credit criteria to meet the Freddie Mac criteria. So, Guam had to return the 50 million bond to the bond market. We couldn't use it! If you guys recall that property became a ghost town, jungle grew, tanga tagan grew, everything grew. Then it was the legislative mandate that amended that homeownership criteria to a rental criterion, that's why that's it's a rental criterion because the homeownership had at target to the low, they couldn't fulfill the whole 399 but converting it to rental, there were other federal programs that made it work, which is why today that's what Core Tech have used and that's public record to develop that whole project. In your particular case again, I only heard what Joey Cruz said at the legislature today. Again, all public records you can play and rewind because the legislature did ask him about the 166 because they're saying we're doing all these programs but there's

no housing for everybody in the waiting list. Joey made a statement there was over 8,000 applicants and of course Therese Terlaje and everybody they're saying, why are we not delivering and what about the 166 and Joey gave the chronology what the chairman was giving right now and left it up to the last part of the Department in Public Works, the one that you guys are reading. And Joey said the next step is exactly an RFP. How that's designed you're correct. The attorney is correct, the staff have to get together and report how they're going to do that to you guys. The RFI is just a request for interest. This is supposed to say who's interested are you able to meet our terms because that's public records. Why are the four that submitted I was one of the four, one of the four. And I keep asking CHamoru Land Trust, this is a big part you guys before you guys all came in and at that time the Director was Angie Camacho, I think and Joey was the code at DPW. I said where are we at, what's going on? At that time, they were all stuck and they don't know how to fund it or I don't know, they just said they just can't fund it or the next step was an RFP and the RFP in public world, the attorney can break it down to two parts, the design part but she got to put all the soft cost and paid it or you can do all the way we do Simon Sanchez, design, build, finance with your parameters with who your target market is and no developer can meet it, you know it's not going to go. If somebody can meet with those parameters, then it'll be a goal. But I think you would need to talk to your internal staff, Glenn and Joey and you're right, Glenn who has a diverse background for our land trust and public works, probably knows the design build concept where you transfer that to the private world and see who can do it under those conditions. You don't leave it open ended you who do you want to target? Remember it's only it's restrictive to CHamoru Land Trust recipient and it's up to you guys, if you guys use the RFI category percent, you can just say, low, very low moderate, whatever, which is already stated in the [inaudible], but it's how you guys do it and I'm only going to discuss those concept that is publicly written already. I can't be over creative because I did submit and I will submit again if it becomes available but I don't know your parameters and I'm not going to stir how you're going to do your parameters. That'll be up to you guys in your work session with the staff, but the 107-37 is a vehicle. As you guys all know, I testified at 107-37 on the original testimony at the legislature because I believe in affordable housing. In a little nutshell, 107-37 provides USDA 502 and 504 financing. Right now, the only loan for available to you guys through Guam housing because no banks can do it, only Guam Housing, remember? Guam Housing's portfolio at 6%, VA portfolio at 6%, USDA announced today, at the legislature that it goes from one to 4%. And they go up to 38-year term.

Commissioner E. Garrido: Our legislature doesn't dictate...

Carlos Camacho: Oh, no, no, no, because of the bill of the appropriate money, they want to know what is the impact, so they ask in the community the whole, they ask questions, that's why I didn't come here this morning because I was listening to that. I want to ask how they answer it, and I'm glad I made it up to third reading. Again, for the record, I am not CHamoru Land Trust recipient. I don't benefit on the 502, 504, it's your recipient. The guys that come here, the guys that come here for you guys help, this will be the third loan opportunity for them. I guess that's income driven as they stated in the public hearing, I mean, the oversight hearing, I mean the community hold today. So, their concept way of doing it, but I don't want to start, I think Joey mentioned a few. His next step after the RFAI on the legislative for today, I think maybe you should have Joey Cruz, you guys do a work session and see how you guys figure out what needs to be done but I think it could be done. We've done that in the private world. We've done it to save Lada. Lada was a [inaudible] today; those who took the drive, so how Lada is done It's done in Saipan, but that's how I can say and these are federal programs that are statutory done by the US Congress that is available for any development, not only the guys that know how to use it; any developer. I hope, am I conflicting myself so no...

Attorney N. Miller (OAG): Not yet!

Carlos Camacho: I just want to make sure. Stop! So that's basically the general sense.

G. Eay (CLTC): You mentioned that for rental purposes, right? Cause, right now we're on the lease terms right now, our mandates, so how is that's going to fit in from lease to rental.

Carlos Camacho: Well, I can only stay what on the RFI that I submitted. I submitted that I may need to do a statutory amendment to your statute to allow that flexibility. Same way we did Lada. Lada was statutory only for homeownership but failed for 30 years. But when we changed it in the legislature to allow the flexibility, the results today is 399 families living there.

Commissioner E. Garrido: Yeah but that's rental?

Carlos Camacho: I know, but I'm just saying; you've got three loan programs, I'm going to say, the V.A., I mean, Guam Housing and potentially USDA. Not every applicant of your 8,000, and maybe Ms. Bordallo can understand the credit criteria. Everybody wishes to get a home but they don't meet the debt ratio and credit criteria. They're either have to fix their credit; whatever their reason might be. I only give the Lada experience because when they floated the 50-million-dollar bond, it sounds so exciting; they rushed everybody down to the ground battle to sign up but nobody qualified. That's public record and you can rewind and check that out but you're trying to learn from lessons from the past and all I'm saying is try to make it flexible. And it's so ironic you guys put the word, "innovative financing" there, on your, several years ago but I have to keep all the stuff tight to my chest. Maybe there's other people that learn from this program, not that I've been doing this for 15 years.

Commissioner E. Garrido: Well, that's why I was commenting that they learned it from you.

Carlos Camacho: Which is fine. I don't control the federal program. And now he's done a lot over Guam now and...

Commissioner E. Garrido: And he collaborated with you to learn your method and now they're using your method.

Carlos Camacho: Well, a good, good story about its congressional statute that he's using.

Commissioner E. Garrido: Yeah, he did research it.

Carlos Camacho: Yeah, maybe or maybe hires good consultants later. You know at the end of the day, these programs are available for anybody. And normally, I don't talk publicly because I don't like to give out my trade secrets, but I'm already getting this old and if you don't share it to the policy makers, they won't know that it's going to work or not, you know what I mean? I'm not going to say it's going to work or not, I don't know. I mean you guys are all, correct and concerned but I really think what I heard what Joey said, Joey went through that whole exercise up to this February 22 whatever the date is and he probably can give you guys an update on what transpired and what needs to be done to make it work. Because he also mentioned that he tried to do SUTA, Joey, and I know the reason why SUTA failed in Guam. I was the one that helped SUTA in 2012 from Congress to get it implemented for the territory but for Guam, I know the reason there's a hiccup but that's the government trying to do SUTA. There's only three types of entities that can apply for SUTA and recognize Native American tribe. This is in Congress, a government entity like you guys; what you guys tried to do, not you guys, the CHamoru Land Trust, like Joey said, we tried. And number 3, a NGO, 513c, IRS approved NGO. It's only three categories, three types of entities.

Acting Chairperson D. Herrera: That's the nonprofit?

Carlos Camacho: Yeah, nonprofit. The Native American, I know Attorney Miller is pretty much familiar with the Native American area in Arizona, so we're in good hands.

Carlos Camacho: Well Guam Housing is doing the Native American Veteran Loan Program that was adopted in 1998. That is available and soon to be the USDA on land trust lease, but...

Commissioner E. Garrido: Attorney Miller we don't qualify under the Native American, do we?

Attorney N. Miller (OAG): You have to Congress; yes it was and changes it that for every particular program under my general understanding, the answer would be no, but that doesn't mean that they in regard to this particular program they haven't changed the definition so that in fact, Guam would qualify.

Commissioner E. Garrido: Yeah, because I remember I am not sure where I was receiving information about that but it was mandated. For us to be included Congress has to change. I'm not sure if it's the constitution because it's specifically just implied for native Americans, not...

Attorney N. Miller (OAG): My general understanding...

Commissioner E. Garrido: Like Indians.

Attorney N. Miller (OAG): My general understanding is when federal law says Native American or Native American tribe. It means you're on a list at the Department of Interior where the Bureau of Indian Affairs says put year has done all the work that they do to say yes. You are an Indian tribe. We now put you on the list; join the club.

Commissioner E. Garrido: Yeah! Because Hawaiians are not in that, they're the same situation as we are because like you said, we're not with the Native Americans.

Commissioner A. Bordallo: Yeah, but we're under the Department of Interior.

Attorney N. Miller (OAG): And that's why we have to go check.

Carlos Camacho: So, clarity for SUTA, CHamoru Land Trust is eligible entity [inaudible], so you guys qualify and then that's why Joey tried it previously when he was working with the big group out of the United States RCAC. I see this close to the public hearing. So, you guys, GovGuam entity is qualified just like a native tribe is qualified and an NGO. So, the three under the territory areas that I know of. Now I know what the hiccup was, but I'm keeping that tight to my chest. If the government can't solve it and if it comes out, I will recommend a solution and then, if it doesn't work, it doesn't work. If it works, it works, but that's what I can see.

Acting Chairperson D. Herrera: Thank you, sir. Of course this is; you know as we were presenting this Chairman Bordallo was saying that too much but of course there's a lot of moving parts in this one and...

Carlos Camacho: Well, the great thing Mister Chair is as you stated from 2013 to today, it had all the findings, agency review committee, but here's the problem about that, those are all expired now. They only have one year life, but driving to Yigu, I don't see major development that can impact your water and sewer where GWA and GPA come, oh wait a minute you going to put another 166 homes. You got to review it but you can tell if there's any new impact but that'll be up to your lessee to invite these guys to say you know when if your team and say here so old report that expired, are we able to update it or reuse it. That's up to you guys. You guys have to look at that.

Commissioner E. Garrido: Oh no, it's not up to us, it's up to GWA and GPA.

Carlos Camacho: Oh yeah, that's right, what I'm saying is...

Commissioner E. Garrido: Accommodate that load in that sector, especially sewer.

Acting Chairperson D. Herrera: Yeah, all those data are in this report here. If you read it page by page their engineers from GPA and Guam Waterworks...

Carlos Camacho: They probably, sure they probably have to be updated because since 2013, it's almost 11-year-old.

Acting Chairperson D. Herrera: But you're right, there was no other major development other than Paradise Meadows.

Carlos Camacho: But other than that...

Acting Chairperson D. Herrera: But it can be done?

Carlos Camacho: I don't want to make no promise but you know all I can do is compare. I don't know your 8,000 potential, qualifying position they're in, right. You got a lot, they're all going to pay a dollar per year per lot based on your statute. The only cost is your infrastructure and the building, so if I took that in the private world today, they'll be three layers of expense. Building and infrastructure if you're removing the land part, all they're paying is a dollar a year lease and the top two part like Madame Bordallo said is the cost of today's price, but if you guys invite GHURA here that oversees HUD, they'll just kick you off a program where and that's public record again that does 30% subsidy on high-cost homes. And I know HUD can come to CHamoru Land Trust land cause 15 years ago, I applied a HUD program in one of your own clients.

Commissioner E. Garrido: What is Richard Untalan's development called up there in a...

Carlos Camacho: Paradise Meadows.

Commissioner E. Garrido: No.

Carlos Camacho: Paradise Estates.

Commissioner E. Garrido: Paradise Estates, Paradise Meadows and any new development occurring along Route 1 is a big impact to the sewer system.

Carlos Camacho: Well, I don't know if you guys know this but you guys accommodated and it's public record, you guys accommodated the utility easements to go through you guys' property.

Acting Chairperson D. Herrera: Correct. And that's why we want to start on this one.

Carlos Camacho: And that particular property, right through that if you see in the middle, see the big project in the back, you see that big project in the back? I can't see, my eyes are blurry.

Acting Chairperson D. Herrera: That's okay.

Carlos Camacho: Right through you guys' property is water and sewer through Marine Drive.

Acting Chairperson D. Herrera: Yes.

Carlos Camacho: So, they already brought in the utilities to that property, so you got Marine Drive frontage and right through it and you turn in to Paradise Meadows.

Commissioner E. Garrido: My concern is not the availability of the sewer line. It's the capacity of the sewer line.

Carlos Camacho: Exactly!

Commissioner E. Garrido: Northern sewer, my understanding, northern sewer is maxed out and so everything is going to be rerouted for new developments down to the Agana sewer treatment plant.

Carlos Camacho: So that would be if I did that in the private world, we can always go to GWA and they'll do the exactly the impact analysis.

Commissioner E. Garrido: I can tell you much, [inaudible] to accommodate.

Carlos Camacho: Yeah, so, I don't know. I can't answer to that one, but I'm only talking about what was publicly done.

Commissioner E. Garrido: What we want from you is the procedures that we should be made aware of before we move forward.

Carlos Camacho: Yeah, and maybe that's why when you guys got the, I saw the GWA, GPA MOA. Maybe you guys can ask.

Commissioner E. Garrido: We don't have an MOA with them yet.

Carlos Camacho: Oh! When you guys can ask the utilities, if we did this, can you guys give us an analysis if a 166 homes is going to impact your water and sewer line. At least that kind of relation you guys have. If it says yes and oh boy, yeah we're in trouble.

Acting Chairperson D. Herrera: Cause GPA kind of give us a preliminary already so you know with their GIS, so that's where we got the idea that they could do it through lidar and their GIS then you know at the very minimal price, this can be done at very fraction of the price versus sending out a crew of ten (10) surveyors.

Carlos Camacho: But again you got, like Joey Cruz, that's I think one of your long-term administrator here, I think he knows the history of this because he spoke at the legislature, he gave the chronology of it exactly what you're doing today, so I'm hearing it twice. I heard it down there and I heard it here and the senator goes, what's your next step, then Joey mentioned...

Commissioner E. Garrido: I'm not so worried about the power company because Ukkudo is going to be opening up soon and possibly a new solar station will be put into the grid soon but we also have the solar grid on the marble side. And that's all serving the northern part of the island. It's really GWA with their sewer lines because...

Carlos Camacho: Yes, but at the end of the day to answer your question, it's doable. But I have to ask when you get the design RFP, who is your target market whatever you guys how to do it then, you did the RFI already and the RFI interest is you're supposed to take these proposals and it's public record and all of us share each other, that's how we do that for GHURA, that's for the housing. Everybody submits your idea and then they take that and they create the RFP. And then RFP is a competitive process. I mean, there could be some other quiet guys out there that don't want to talk. I don't normally speak like this, but I was here because of the stuff and I saw the agenda. I go, oh it's housing; anything related to housing, I'll stick around to listen.

Acting Chairperson D. Herrera: Affordable housing is our problem for us to buy, you know for our constituent.

Carlos Camacho: That's what I do with my private development. I do private land because I don't do government, the procurement, not, not your blame. It's the government procurement bureaucracy you

know what I mean? I can put a price today and it takes six months' time to contract and the price goes up.

Commissioner E. Garrido: And not only that if it's contested, longer time frame, again.

Carlos Camacho: Then if I put \$10 a price today, contest it for several months and then Hawaiian Rock goes, the concretes no longer this much for cubic yard. Oh, my goodness! Then we're stuck. In the private world, we don't have that but that's why I'm always very cautious and government projects, but unless it's flexibility but it's no way going to be; I don't know. I never done a government contest because of the procurement and the potential of the delay once you put a firm, fixed price in there then sometimes you don't get your product till 10 months later, then oh I priced it 10 months ago but that's just my view. But anyways thank you very much for allowing me to speak in the public comment.

Commissioner A. Bordallo: Yeah, and thank you too!

Carlos Camacho: I hope that helped you guys. Open up some thoughts, thank you very much. Attorney Miller, thank you.

Attorney N. Miller (OAG): Thank you!

Commissioner A. Bordallo: Are we finished?

Acting Chairperson D. Herrera: Number 8.

Commissioner A. Bordallo: We're not going to five o'clock are we?

Acting Chairperson D. Herrera: No, we're going to go early so and then I won't be here next month so...

Commissioner A. Bordallo: Why you are not going to be here next month?

Acting Chairperson D. Herrera: No, I just got terminated so, next meeting will be on Thursday, March 21, 2024 at 1:00PM, CHamoru Land Trust Conference Room, Suite 223, 2nd floor, ITC Bldg., Tamuning, Guam. Any motion to adjourn?

Commissioner E. Garrido: Mr. Chairman, I moved that we adjourned the meeting.

Acting Chairperson D. Herrera: Do I hear a second?

Commissioner A. Bordallo: I second.

Acting Chairperson D. Herrera: All those in favor say, aye!

All. Aye!

Acting Chairperson D. Herrera: Bon Voyage! Adios!

Commissioner E. Garrido: Thank you, we're done!

(MEETING ENDED – NOTHING FOLLOWS **)**

The meeting adjourned at approximately 3:38PM

Chairperson Arlene P. Bordallo *Arlene Bordallo* Date 8-19-24

Concurred by: *JBC* Date 8/19/2024
Acting Administrative Director
Joseph B. Cruz