Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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Vice-Chairman

Carmen G. Tajalle
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Andrew S. Leon Guerrero
Commissioner

(Vacant)
Commissioner

Jesse G. Garcia
Acting Administrative Director

COMMISSION MEETING MINUTES
2nd Flr. Division of Highways, DPW Compound, Tumon
Wednesday, September 29, 2010; 1:20pm - 3:35pm

I. CALL TO ORDER
Meeting was called to order at 1:20pm by Acting Chairman Oscar Calvo.

II. ROLL CALL
Present were Acting Chairman Oscar Calvo, Vice-Chairman David Matanane, Commissioner Andrew Leon Guerrero, Legal Counsel Delia Lujan, Acting Administrative Director Bertha Pereda. Not present was Commissioner Carmen Tajalle and Administrative Director Jesse Garcia.

III. APPROVAL OF MINUTES (August 19, 2010)
Vice-Chairman David Matanane moved to approve the minutes of August 19, 2010. Commissioner Andrew Leon Guerrero seconded the motion. There were no objections, MOTION PASSED.

IV. PENDING BUSINESS
1. Hals Angels Football Association and Rugby Club Inc. - Status update

Representatives present: Ivan Shiroma (President of the Hals Angels Association) and Arthur Clark (Calvo and Clark Legal Counsel for Rugby Association)

Before proceeding on the matter the Commission took a break from 2:25pm - 2:40pm to review Legal Counsel's opinion.

Acting Chairman Oscar Calvo - We kind of really just kind of looked into this issue but my legal counsel might want to ask you some questions here Ivan and Mr. Clark on some issues that she wants to.

Legal Counsel Delia Lujan - Yeah there were new documents that were turned over to me recently and I have questions regarding it.

Ivan Shiroma - New documents?

Legal Counsel Delia Lujan - New documents that I received not newly generated but just that I received yesterday and before that and because of those new documents I'm unable to make a final opinion to finally advise the Board so I would actually like to meet sometime next week with Hals and with Guam Rugby Club to go over that. I'm particularly interested on how a football field marked in a 2001 map or I don't think it was made in 2001 but it was attached to a 2001 letter, how that overlaps with the rugby playing field or the practice field. I don't know the answer to that.

Arthur Clark - Did you want to meet separately or together?

Legal Counsel Delia Lujan - I think we can meet together.

Arthur Clark - Okay.

Legal Counsel Delia Lujan - To be efficient unless anyone has objections. If you prefer to meet with me privately or if you prefer to meet me apart from that I'm open to that as well. I spoke to Terry Brooks, Counsel for Ivan and he's open to a meeting next week as well.

Arthur Clark - Do you have a date in mind?

Legal Counsel Delia Lujan - I'm pretty open.

Ivan Shiroma - Are you going to call us? Delia are you going to call?

Legal Counsel Delia Lujan - I'll contact Terry Brooks.

Arthur Clark - And you'll get a hold of me also right Delia?

Legal Counsel Delia Lujan - Yes.

Ivan Shiroma - Oscar in the meantime can we just get some questions answered if it can be answered?

Acting Chairman Oscar Calvo - Well it depends I guess on the question that you're going to ask.

Ivan Shiroma - Okay if you can answer it I appreciate it that way we know where we stand and we're right in the middle of making a compromise with the rugby people.

Acting Chairman Oscar Calvo - That's good.

Ivan Shiroma - That's good. We want to compromise, we don't want to go to court but we want to know where we stand. First of all I have a license here recorded at Land Management given by Chamorro Land Trust, dated, signed, as far as I'm concerned it's a legitimate document. I'm just wondering why do I have to come here and defend against somebody that doesn't have a license?

Acting Chairman Oscar Calvo - See this is where we need the Legal Counsel on some of the issues that we need to finalize because historically there's a lot of history behind this okay. And it's, Ivan I was reading in Joanne what I was reading in your how the Angels started and how the Rugby start okay and there's some issue there too that when Land Management was remember when that your piece of property was a whole piece of property at one time or another and then it was severed out. And then there was also a portion even that was given back then and that question that you're asking me would be more clarified I guess once the Legal Counsel really gets with your Counsels then you know for us to give you an actual answer for that. Because you know going back they have a

license too, you have a license okay and yes you may have that license way before them but sometimes I have no control back then whoever was the you know and now we're the ones that's really trying to resolve this issue. And that's why it's important when I told you guys about a year ago to see if you two can work out some sort of solution because at the end of the day Ivan and Mr. Clark it's really for the best of the community and for the kids. And I you know because ultimately if the Board was to decide today I'm going to cut this table right down the middle okay and say okay this is going to be rugby and this is going to be you know. But I'm trying to prevent that portion of that where you guys can work together in side by side okay. I did talk to the Rugby they're willing to help you guys out in some way in I don't know, clean up the field or I don't know.

Ivan Shiroma - Mr. Calvo we want to, we reached out to these guys before. Marcel is here he can explain everything what happened way back, that's history we're going to let that go.

Acting Chairman Oscar Calvo - I know, but I'm saying now but see it's like history repeats itself so now forget about the past let's work forward and this is what I'm trying to say Ivan is to see if you guys can come down to some sort of agreement to this. And it'll be premature for the Board right now to tell you until the final stage of the document that the Legal Counsel is going to and I guess talking to you guys next week. Both Counsels you know I would leave that Counsel to Counsel and then you guys can remedy and then whatever she recommends to the Board it may be good for the Rugby, it may be good for the Hals Angels. It might not come to your best interest and it may come to his best interest this way so I'm just saying, I'm trying to laterally make that so you two can really work something in that respect okay. Because there'll be a decision make that's for sure I can render that but I'm not going to tell you whether it's a yes to you or a no to him. So its best if you guys can work together, find some sort of solution that you guys can work together. Because I mean it's you know the piece of property there is basically for you're looking forward for the kids for the younger generation coming up you know, five years, ten years from now, twenty years from now I don't know. And so to handily say to you right now to give you answer to that Ivan you know I got to get until my Legal Counsel and once their Mr. Clark and I guess Terry right is your Legal Counsel and I don' t know if you want them, him participating that's your you know but..(interrupted).

Legal Counsel Delia Lujan - I think it's best to have Ivan since he has the historic knowledge especially of the playing fields.

Acting Chairman Oscar Calvo - Yeah, yeah.

Arthur Clark - I think that makes sense we might have representatives from both sides there along with Counsel to answer any questions that your Counsel has.

Acting Chairman Oscar Calvo - Yeah and that's why it's, I really want to solve this problem but if nobody wants to butt heads and really get together and figure out a way because there's got to be a solution okay and the best interest here is what are we really looking for? Who are we really fighting for? Is it just for the Rugby Club or is it just for the Hals Angels? What is these two clubs made of okay? It's a sport it's for the kids you know to help out but in the meantime the kids on one side is being left out on you know the side because for two organizations can't seem to come to compromise and until I get the Legal Counsels on this

when they meet with you. Delia make sure that when you meet with them feed me back right away on what their ultimate solution on this and whatever the decision you make like I said it may be a good thing for you it may be a bad thing whatever it comes. But there'll be a decision that I can render and if we can prevent that I don't want to go to that direction. So you know I think to say it all right now I think it's in the best interest, I don't know Mr. Clark do you agree to that to meet with my Legal Counsel next week?

Arthur Clark - Yes we're happy to meet with them and I understand that the Commission isn't giving an opinion yet and it's not issuing a final decision here but I also want to in rebuttal to what Mr. Shiroma is saying is of course we take exception to this representation that his license is good and the implication of the Guam Rugby license isn't. So we don't believe that would be the case we believe we've got a valid license it's been renewed it's still in effect. We see that we actually see with respect to their license that they have some issues with the description even on their license through the property that's been licensed to them. There are legal issues that go both ways here and it has the potential to be an expensive proposition for us to try to fight this out through litigation. I think there's no question about that and we both have organizations that are helping the youth of this island and I don't think it's not an example I think necessarily we want our youth to have you know the organizations fighting it out and dragging each other through court. We're looking for a resolution here that falls short of us going to court. We've provided Hals Angels with a proposal a memorandum of understanding where we've offered to help them develop a football field that can be used for Hals Angels. And I've just briefly talked to Mr. Shiroma on this and he wants to reserve the resolution depending on what the Board's going to say here which to me like he's proposing an all or nothing resolution here first before he's going to decide whether or not we want to reach a compromise. We're amenable to a compromise, we're amenable to doing this in an amicable solution. I hope you know the Commission, your Counsel will recognize that and you know you can help us to reach that resolution.

Acting Chairman Oscar Calvo - That's always been my take since the beginning of this thing okay is to come sort of down to compromising because if the rendering decision comes down and I decide to say I'm going to split this table down Ivan and say this is going to be your side and this is going to okay because ultimately the Chamorro Land Trust has the stake to say so if you guys can't come to that decision. But I want to make sure that before we even go to that and like you said this can go further into a legal matter it going to court or whatever and it'll be a sad day for the kids out there because it's an issue that right now. One there's got to be some sort of solution and answer and I'm pretty sure that if you guys go back and work out the details offer them because I remember last week before you came the Rugby came here when we talked to them on the last Board meeting down there they're willing to compromise and help you guys in arranging the field or helping out whatever it takes to I guess clean up the place or I don't know in that respect. But I'm going to leave this at this point in time to the Legal Counsels and you and whatever ultimate that the Legal Counsel brings up to in our next Board meeting for that matter we'll you know there'll be a rendering decision that I can assure you.

Arthur Clark - Thank you.

Acting Chairman Oscar Calvo - And I don't want to discourage whatever way you two look at it I mean you got from now to time to work out some sort. I mean it's like saying Rugby I want this and Hals Angels what do you want okay. What do you really two want at all at one time? What's the most key important here? It's for the kids right? That's the most important part so we're all adults, we're all adults and I'm saying here this you know keep in mind that this piece of property it belongs to the Chamorro Land Trust it belongs to the people of Guam. It's different than owning your piece of property and using it to utilize for a football field that you own that piece of property but you guys are getting this piece of property at a very low cost. And you know you're not paying a tremendous amount of money monthly to pay for the lease agreement or for the rental for that matter. So I'm just saying the dispute here we got to settle this and I know Ivan we can hash back the same issue again back and forth but and I can understand where you're coming from Ivan because I know that piece of property too has some sentiments, has some you know but what are we looking for here? Are we looking for the interest of the kids because that's my concern you know. If I was in your shoes honestly and truthfully I would try to work out with the Rugby. It doesn't have to be Rugby it could be another organization and see look you know what lets help each other because on weekends everybody gets together out there the kids are having a good time. But right now we're leaving the kids out there in limbo because why because we can't seem to come to an understanding. But that's my position if I was in your shoes I would compromise. What the compromising I don't know. That you two would have to work that details you know how you want to work it out. I think there's something in there that you two can offer one another. I know that it just takes it just takes two men to really accept the fact you know that's the nature of it. Nobody wants to fall, nobody wants to go down in that trench but why do you want to go down when you guys can still be in the same situation. Because if that doesn't work in your behalf you know you may come back and say you know this is not right. If it comes in your betterment they're going to come back the same thing. So all I'm saying is we need to compromise this once and for all you know. Because I will make a decision on this and I don't know how the two Board members would look at it but if it gets down to that portion and of course you have the opportunity to appeal whatever you want to do. But this is an ongoing problem for the longest time and Rugby says this Ivan says this. I don't want to know about what Rugby says and what Ivan says I don't want. What I want to hear is this is what we're going to do for the kids because that was the primary concern when you guys came, you talk about the kids. It's for the kids to teach our kids okay but in this case I don't look at it its just two adults trying to you know. I don't want to sound that way but it's you know somebody has to and you don't have necessarily to both of you to be down you can work that side by side. So that's all I'm saying Mr. Clark and Ivan and I'm going to leave that now and I think Delia so you're going to give them a call next week.

Legal Counsel Delia Lujan - On Monday or later on today just to schedule the meeting.

Acting Chairman Oscar Calvo - So right now we can't make any until because the other documents that we just found.

Ivan Shiroma - Can I just go ahead and just try to see if you guys can answer my other two issues or questions that I have if you can't that's fine then we'll just wait till we sit down. We basically have the same license agreement right the Rugby and me the Hals Angels basically the verbiage is the same.

Legal Counsel Delia Lujan - There are differences.

Ivan Shiroma - Okay but the clause where it says option to renew, that's in mine and that's in theirs. I have theirs here we got the same thing. I think they would admit that they were late. Now I just need to know if you're late and not filing according to what it says in black and white on that option to renew clause can you guys, is that thing there just for decoration or are you guys going to follow through? If you're late it says you cannot extend your license if you're late sixty days prior to the end of your lease. If I'm not mistaken Mr. Kimbo Lujan, God bless his soul, and Mr. Joe Borja explained to me these guys were late. They didn't follow the black and white clause there for option to renew so they basically lost their license. You got to tell me is that correct or not that way I can compromise with these guys. Look if your late you didn't follow the letter of the law and by the way the Counsel for the Rugby people the guy that told me Ivan a contract means a lot better than that hand shake that you're dad did way back in 83. That doesn't carry weight in this day and age. So now I'm asking you does that black and white carry any weight here and what are you guys going to do about them not filing on time. He told me they gave notice in this thing it says you got to give written notice sixty days before the end of your lease and if they can prove that they did it I'll just shut my mouth and move on to something else. So how can you guys acknowledge that they have a lease?

Legal Counsel Delia Lujan - I think it's undisputed that the option to extend was submitted in writing past the sixty day.

Ivan Shiroma - It clearly states you cannot extend your option to renew if you're late. So are we going to follow that or not just let me know so may be next year I don't have to follow that I can be late too and I don't have to worry.

Legal Counsel Delia Lujan - But whether or not the untimely submission of a written notice controls is a different issue but I think it's uncontested that they gave the written notice.

Ivan Shiroma- It's uncontested meaning?

Legal Counsel Delia Lujan - It's uncontested, it's not in dispute, it's not being challenged in other words..(interrupted).

Ivan Shiroma - I'm challenging it.

Legal Counsel Delia Lujan - No what I mean is it's not being challenged that it was late that it was submitted not sixty days before May 31, 2007 it's not in dispute.

Arthur Clark - I think what she's saying is in dispute though is whether or not that itself constitutes to continue the license.

Ivan Shiroma - I don't want to hear from you because you're the other side I need to hear from them.

Arthur Clark - Yeah I know you're talking to Kimbo you're talking to Mr. Borja..(interrupted).

Ivan Shiroma - Well they work for Land Trust so of course I'm listening to them.

Arthur Clark - Yeah I know but they're not lawyers and so I think ultimately I think the Commission is going to rely on the advice of Counsel here but Counsel will tell you what you think is black and white is not black and white.

Ivan Shiroma - So you know what scratch that thing out from this thing.

Arthur Clark - There's legal precedence especially in the context where the Rugby has spent four hundred fifty thousand dollars to develop the improvements on this lot okay.

Ivan Shiroma - Does that mean that they cannot stop their lease because they put in all that investment? If that's the trick I'll do that with Hals Angels field. I'll put in one million dollars worth or investment that way it's going to be hard for them to decide you know what we cannot terminate their lease they put in a lot of money in there.

Arthur Clark - All I'm telling you Ivan is that's going to weigh in the decision. You think it's all a matter of black and white and I'm telling you there's court precedence all kinds of legal precedence you're talking about a discussion that was held what twenty years ago again between..(interrupted).

Ivan Shiroma - Negative this is from your boss.

Arthur Clark - From late people, who's my boss?

Ivan Shiroma - Champ.

Arthur Clark - He's my partner.

Ivan Shiroma - Or your partner.

Legal Counsel Delia Lujan - If I can interrupted that's part of what would be discussed at the meeting we would have.

Arthur Clark - Yeah I think that's what Delia wants to get into.

Ivan Shiroma - Just tell me if it doesn't carry weight then I'll just drop it. I'm just saying I'm trying to follow everything that is written down here and somebody else is not following it. It's a fundamental question, does it carry any weight or not. If it doesn't then scratch this thing out of the clause it shouldn't be in there it doesn't carry any weight.

Legal Counsel Delia Lujan - It's definitely a factor in determining.

Vice-Chairman David Matanane - To me leading back to Mr. Shiroma, the Legal Counsel has advised us she gave us her report but ultimately she didn't make any recommendations yet because she has new documents that was submitted to us and yes it does have but it wasn't entertained when they came in whether he's late or not but he has a license now. I guess I'll leave it up to the legal beagles so you guys can settle that then we'll make our

decision through the recommendation of our Legal Counsel. Right now we're in limbo right now because of the fact that you are the Legal Counsel and your Legal Counsel, no the three of you then our Legal Counsel will give us her recommendation then we'll make our decision.

Ivan Shiroma - Mr. Vice-Chairman you said they have a license? How can that be when they're applying for a renewal and there's a moratorium on right now.

Legal Counsel Delia Lujan - I think that's one of the issues is the validity of any kind of license.

Ivan Shiroma - Right nobody can get a license right now whether it's new or an extension because of the moratorium? Correct? That's why I'm asking why do we acknowledge that they have a license?

Legal Counsel Delia Lujan - That's an issue.

Ivan Shiroma - I have a license here so I guess that's why I'm emotional and I'm loud and but I'm trying for you guys to answer my point.

Acting Chairman Oscar Calvo - I know where you're disputing from and I know where you're coming from is the timeframe. If you knew that their license wasn't being renewed at the time that disputing factor to this is you should have disputed back then.

Ivan Shiroma - I did to Kimbo Lujan that is why they gave me a license in 2008.

Acting Chairman Oscar Calvo - Yeah but...(interrupted).

Ivan Shiroma - Because he said they ran out.

Acting Chairman Oscar Calvo - But when their time was out you know because this is something that has to fall now between you Legal Counsels okay.

Ivan Shiroma - I brought it up to Joe Borja and Mr. Kimbo Lujan I said hey they're the ones that told me that they filed late so I said okay when am I going to get my license? I've been waiting way almost twenty years before these guys and I still never got my license until 2008. In fact they got theirs before me. That is why they gave me everything back.

Acting Chairman Oscar Calvo - And that's why I said Ivan this will be dispute on.

Ivan Shiroma - Okay I just want to give you guys a little history lesson here okay.

Acting Chairman Oscar Calvo - Ivan I've read that history honestly and truthfully. I've read these documents over and over and there are things that I know but I can't dispute to that at this point in time until I get the Legal Counsel's actual opinion to this issue. I don't want to say something in this Board and you know and come to me and hunt me again and say this is what you said in the last Board. But I know that I've read the files, I've personally read the files on both the Hals Angels and the Rugby Club. But any way I think to because we

can sit here all day and keep you know we're not getting anywhere until he gets it on his opinion and your Legal Counsel's opinion. And then whatever rendering decision comes through that will be the ultimate decision of the Board.

Legal Counsel Delia Lujan - And just to let you know I'm curious about because it's not clear from the maps about how the football field, what the overlap is with the football field and the practice field and the Rugby playing field and I'm also interested in knowing because it's also not clear what improvements the Rugby Club has made since May 31st, 07. I mean what kind of improvements and the cost of that. That's what I'm curious about.

Ivan Shiroma - I can help you on the history lesson there when we meet and they can be there with us along side and they can dispute if they want to dispute it they can dispute it.

Acting Chairman Oscar Calvo - Okay so as far as concern really I think this pretty much ends the agenda until we get the, are you all right with that?

Arthur Clark - Yes that's fine.

Vice-Chairman David Matanane - Move to table it Mr. Chair.

Commissioner Andrew Leon Guerrero - I second it.

Acting Chairman Oscar Calvo - Okay.

Ivan Shiroma - Mr. Calvo, Mr. Chairman one last issue I know you guys are not very happy but I still have my kids that I schedule for football games. Mr. Morrison came here about two weeks, three weeks ago and tried to chase away our people that are lining the field. I just want to let you know that we're still using the field for youth football games and this is part of the reason why I'm upset. If these guys really care about kids this is what I have we have games on that field because we never got our practice field that they promised to build so I just want to let you know we're still playing and practicing on that field. Is that okay?

Arthur Clark - Mr. Chairman the problem we have is Rugby they had a touch game that was supposed to start the season that's supposed to start they got the Interscholastic Season that's supposed to start in December that field is getting eaten up by the games that are going on right now. We've got the Hals Angels has blocked off access for anybody else there. The Rugby needs that field to be left fallow so that the grass can grow in and it's ready for the season when they're getting ready to start Interscholastic Season too which I understand starts in December.

Acting Chairman Oscar Calvo - Ivan when you came here in June you asked for clearance okay. You told the Board it's in the minutes and I read that okay what you told the Board is you needed to get in there to clean the place up okay. I took a ride out there personally with Mr. Garcia and I looked at the place okay. And not only that I also and I mentioned this last time to you even the Mayor called me and that's why I sent you a letter for that fact too because of the Mayor and yes you had a good point because people go in there and throw trash and so forth in that area. But see when you came here to the Board at that time you told us that you were going in there to clean the field to start setting up the football field and

everything and that's why I gave you that. But when the Rugby came here I took the initiative with me and Jess I said I want to look at that site I want to look at that place what has really been cleaned up. And yes the Rugby they maintained their field but the football in front the old football there okay and that was what I was understanding from you that you said you needed to get in there to clean up the place to start for practice field and so forth. But that wasn't the case Ivan. That wasn't the case when you told us on that Board on that day because you know I'm hearing from the Mayor I'm hearing from this is honestly and truthfully I think they have that right at this point in time to continue there because that's not what you told the Board. That's not what you told the Board on June. You told the Board here that you needed to get in there to prepare for your league and that's why the Board and you said you needed to get in there to clean the place up. You wanted to clean the football field and the practice field whatever it takes to get it done and that's why the Board at that time went ahead and said okay we'll give you the authorization to go ahead and clean up the place whatever it takes to because I know it's going to take time to cut the grass and so forth and all these things okay. That was the reason why the Board did and that's why we followed it up with a letter because of that because you know and I took the time out to go out there with Jess to look at the place and you put a chain across that.

Arthur Clark - Mr. Chairman I'm sorry what I understand the youth football don't they rotate amongst four different fields?

Ivan Shiroma - Yes we don't play there on every weekend.

Arthur Clark - They've got at least three other fields that when I look at the schedule one week they're playing at what Talofofo, one week playing at UOG and I don't even know where the other fields are. They've got other fields that are available that they can rotate in to allow the fields to not get too beaten up by playing on it every week. The Rugby only has the one field they're trying to get ready for the Interscholastic Season that's getting started and it's not going to be in any kind of condition if the youth football is allowed to continue using it.

Legal Counsel Delia Lujan - See that's one of the things I'm not, it's one of the things I'm not so clear about is the field that Ivan is using right now. Is that the Rugby playing field?

Arthur Clark - That's the Rugby playing field.

Legal Counsel Delia Lujan - And was that, how does that, is that a part of the football field from that 2001 letter? You see I don't understand.

Ivan Shiroma - That is our original practice field for the Hals Angels.

Arthur Clark - But I guess the question is I know that the Board the Commission sent a letter off to Hals Angels it's about a week and a half ago now telling them to stop using the field and I think Mr. Shiroma's question is then is it still under the edict of that letter and I haven't heard anything from the Commission or from Counsel retracting or pulling back from that position. So I'm hoping that the Counsel is going to advise Mr. Shiroma yes that until Legal Counsel is going to, there's many kind of other direction in which to go in. There is a letter

that's been sent out that told him to stop using the field I hope that that letter is still going to apply at least till we can sort this out.

Ivan Shiroma - I guess my question is is this for the kids. Do we care about the kids again or no?

Legal Counsel Delia Lujan - The letter has been suspended.

Acting Chairman Oscar Calvo - Ivan if I may interrupt I mean Jess and I we spoke to the Director of Parks and Recs okay Mr. Duenas is willing to offer you guys that field up at Tiyan area for a practice field or playing field. That can be accommodated at least until we can solve this problem once and for all. That was already and Jess did talk to you about that and we spoke about it and Mr. Duenas said he has no problems from the Parks and Recs. They're willing to lend you guys that field you know as long as I guess until this dispute is resolved once and for all.

Ivan Shiroma - Mr. Chairman our kids are from Dededo.

Acting Chairman Oscar Calvo - Well there are players see we can go again here in circle Ivan I mean you know if that's the case Ivan what you're asking me right now is they have the field ready to be, you can rotate your players around. So what do you want to do? I mean yes it's about the kids but your taking one kids out of there their playing game. There are other fields that can be utilized. The Parks and Recs I'll just call Mr. Duenas today and let him know that you guys are willing to use that field at least till and we did talk to you about this Ivan remember with Jess that there is an area that we can provide you temporarily until this is done.

Ivan Shiroma - Understood and I told you I said why don't you send the Rugby over there? Why, our home field is Dededo. We cannot make these guys go to Tiyan or Barrigada. We got the Raiders there we got the Giants we got nine teams in our league. I'm going to up root my whole organization, hey start practicing over here? We're originally there and that property that's the biggest issue here. We were there twenty years before these guys and now we're going to have to compromise?

Legal Counsel Delia Lujan - The letter that was sent out was suspended pending final decision by the Board. If it does in fact fall within the license then of Hals Angels then it wouldn't be, the Commission doesn't want to take that position yet. So the Commission just needs to make its final determination before it will take action on that letter so it did send out a temporary suspension of that, it was provided to Mr. Shiroma last week.

Arthur Clark - Can we get copies of these correspondences? I mean it seems to me that any correspondences going between the two parties are as a matter of courtesy there should be a copy to the other side so when come in to these meetings I think we're better prepared to address the issues before the Commission.

Acting Chairman Oscar Calvo - I think we did I told Bert to send one but if not we'll.

Legal Counsel Delia Lujan - It will be provided.

Arthur Clark - And so it can be copied to Calvo and Clark and we'll accept the document on behalf of Guam Rugby.

Acting Chairman Oscar Calvo - Anyway so right now we'll get that letter to you either today or hopefully today or the end of the day or tomorrow. But we'll get it down there for that reason okay? That will be okay with you Mr. Clark, okay?

Arthur Clark - Yes Mr. Chairman.

Acting Chairman Oscar Calvo - Alright.

Ivan Shiroma - Thank you.

2. Ana Ishmael and John Ishmael - Lease status

Ana Ishmael - I'm here for the dispute but I don't see my brother in law around.

Acting Chairman Oscar Calvo - What I understand your brother is off island but he's disputing that. Until he comes back because I think his legal counsel has advised him from what I understand from Jess that Randy Cunliffe talked to him that they're going to dispute. I don't know how this thing is going to work out.

Ana Ishmael - I'm just reference myself to the public laws.

Acting Chairman Oscar Calvo - Yeah but also we need the other parties you know to come forward and I explained that to you. So for us to make a firm decision on that today it's going to be biased because we have to give the other side of the party and from what I understand he's off island and they did try to get a hold of him. But Mr. Garcia right now is off island too and Bert here is the Acting GM for Chamorro Land Trust for now. But Jess did advise me before he left that the legal counsel for your brother in law called and told him to hold on to it until he gets back. So I don't want to put you into a lot of stress but you know I know that we have to resolve this issue okay.

Ana Ishmael - So we're looking at maybe next month.

Acting Chairman Oscar Calvo - Yeah maybe you know the minute I guess when he, when Jess gets back I'll have him follow up and then call and then call Mr. Ishmael in and see what's his dispute too on the issues okay.

3. Roman Perez Quintanilla - Lease status

Daniel Quintanilla (brother of Roman Quintanilla) - Concerning the parcel of that property up in Yigo we were called to be present today I'm not sure for what reason.

Acting Chairman Oscar Calvo - I did have a talk with Mr. Garcia before he left and because he had to leave right away for training okay and when he gets back we'll get together with him on the issues and how we're going to because you know Ms. Bert here is just the Acting Administrator right now for and when Jess gets back we're pretty sure we can resolve the issue to that Dan you know. It's something that I have no control that my boss had to leave. But he should be back, Bert, next week Monday right? Yeah he should be

back by Monday and then maybe what we can do Dan on that is basically call you guys in for that matter. Take a note on that Bert that when he gets back on the issue of their property.

Commissioner Andrew Leon Guerrero - Can we get a briefing of what's going on because I'm totally in the dark.

Acting Chairman Oscar Calvo - Okay what's happening is they own a piece of property in Yigo and you know because of the situation that we have in the Chamorro Land Trust a lot of these properties were just being cut out and not being identified so there are a couple of people that are actually encroaching into their property and the survey. But they do have at one time the land use plan and they're for grazing right, raising cattle and so forth up there. I know you guys got about what 20, 30 cattle up there and so what they want to do and there are dispute on that piece of property Andy. And the piece of property that they have they need to survey that piece of property because it really belongs to, back then it was given to them by the land use plan. So now there's about maybe three or four families that they have problems in there and it's not to their fault but it's really on the fault of the Chamorro Land Trust because they weren't, the people that went out and assigned these properties they weren't really looking at this piece of property whether it belongs to the Quintanilla family and so forth. So that's the dispute that we have right now with them is you know they have these surveyors coming in there and surveying and cutting up a piece of property so we need to and according to Jess you know they do have rights to that because that was at one time at Land Management and then of course it was transferred over to the Chamorro Land Trust and the dispute on that that we have.

Daniel Quintanilla - Just for the record we had that since the year of 1951. That's where we all grew up and right now maybe about two years ago we had a fence so what the surveyor did is he even surveyed inside the fence. Now I don't know what's the problem of Chamorro Land Trust just you know talking to the surveyor saying that you're not supposed to encroach that area where the cow fence is at.

Acting Chairman Oscar Calvo - I think what's happening in there Andy is when they looked at the maps as far as the land agents they looked at, what lot number is that Dan?

Daniel Quintanilla - 7150.

Acting Chairman Oscar Calvo - 7150, when they looked at 7150 they see this big portion of property so they're thinking in their rightful mind that's a vacant piece of property. But see and this is the problem that we have also that a lot of these properties have not really been surveyed and the land inventory. That's why we need that land inventory to really identify all these piece of property and that's been the lingering problem with the Chamorro Land Trust.

Vice-Chairman David Matanane - You surveyed the property already?

Daniel Quintanilla - In 51 my father did yes, my father passed away in 66.

Commissioner Andrew Leon Guerrero - And it's registered at Land Management?

Daniel Quintanilla - Yes, to my knowledge yes.

Acting Chairman Oscar Calvo - So you might want to just double back on that you know not to say that, but that's the problem that we have and they do have in their records showing according to Jess. So we need to get back and then you know we'll tape it out with Jess or on the next Board meeting.

Commissioner Andrew Leon Guerrero - How many other property owners are there in your property?

Daniel Quintanilla - Just me and my families, my brothers.

Commissioner Andrew Leon Guerrero - I mean after, that are supposedly..(interrupted).

Daniel Quintanilla - Oh I really don't know, I only heard names, Johnny Dungca, Rosary Aflague, Richard Rigardo. But I guess Chamorro Land Trust found a piece of property for this individual already like John Dungca I heard.

Acting Chairman Oscar Calvo - Actually what really brought that upon was when Rose Aflague because she didn't know herself and she's willing to, she's not fighting the issue but that was the property that was assigned to her. But the surveyor you know should have looked at it too you know that's the survey to really look into and research whether that piece of property really is you know belongs to Chamorro Land Trust. So when they came out there you know the surveyors were doing that and of course like what Dan said they were coming in but then they didn't want to come in because they didn't want to mess with the Quintanilla brothers. But anyway so she's really willing to go anywhere where ever we you know but see these are some of the issues that we run into and in some way it's really good for us because now you know now we know where a lot of mistakes that we have. And there are maybe one or two like what he says that's been in there but Ms. Rosary Aflague says you know man Oscar I don't want to be you know be disturbing somebody that I know my neighbors not going to want me you know and that's how we encountered that issue you know. So maybe when Jess gets back on Monday, you, me and Jess and Dave we really sit down and knock heads on this issue okay.

Quintanilla family member - In addition to that when the surveyors were there the property is already in use. It's not something that my brothers got and they're not doing anything about it. You know for you to raise cattle you need to fence them in, you need to keep the grass cut so that you know that's being done. If you go up there you're going to see that it's actually being up kept. It's not just yeah thank you and later on we'll plant banana tree and all that. It's being utilized, fully utilized now. Quite frankly when the cow eat the grass and you're a golfer you can go in there and play golf inside the fence. Seriously we're using the property for what the property is for.

Acting Chairman Oscar Calvo - I was there years ago and I know they're raising cattle and so forth but they are utilizing the property what Mr. Quintanilla is saying. But that's a dispute that we have and technically I think what we need to do is for them to give them an authorization of survey. Right Bert or something like that? And when Jess comes back they'll be the one to do that.

Daniel Quintanilla - We have an authorization from the past Director Ron Teehan. Is that still in effect or?

Commissioner Andrew Leon Guerrero - Authorization for what?

Daniel Quintanilla - For surveying and we're the ones that had the power go into that property. We're the ones that had the water go into that property, the phone because we're way inside.

Acting Chairman Oscar Calvo - Yeah I know you're deep inside.

Daniel Quintanilla - You know it hurts when somebody comes in and just build something there where you were the one that had all those things go in there. But we do have a authorization for surveying for whatever for whatever we...(interrupted).

Acting Chairman Oscar Calvo - Do you have a copy of that Dan by any chance?

Daniel Quintanilla - I still have it now. What I heard is when they change the Director then they must also change the authorization. I don't know whether that is true. They did that to my brother Joe just for applying for water.

Acting Chairman Oscar Calvo - No unless there is a disparity or some sort of problems into that but if there was an authorization that was given you back then to do the survey and .. (interrupted).

Daniel Quintanilla - To be honest with you Mr. Calvo I even have the receipt for the property when it's under Land Management from 1967 I have it here with me. Here is the authorization for survey.

Commissioner Andrew Leon Guerrero - You said you have a receipt from Land Management?

Daniel Quintanilla - From Land, I still have all the receipts.

Commissioner Andrew Leon Guerrero - What is the information on that receipt?

Daniel Quintanilla - I have it right here. It is the arrendo which is Department of Land Management.

Commissioner Andrew Leon Guerrero - Does it have the total square footage?

Daniel Quintanilla - No not really not on the receipt.

Acting Chairman Oscar Calvo - That's still valid Dan (referring to the survey authorization). This is what we'll do when Jess comes back next week then I'll have you note that we'll call them and maybe schedule one day next week okay.

Daniel Quintanilla - You know what happen last two weeks ago my brother Joe he went down to apply I mean he went to Guam Waterworks to apply for water they told him he got authorization from Ron and Joe Borja and they informed him that that's obsolete.

Acting Chairman Oscar Calvo - Not that I know.

Daniel Quintanilla - That's what they told him from...(interrupted).

Commissioner Andrew Leon Guerrero - You know Mr. Chairman let's give them an authorization with you as the Chairman and Jesse and that takes care of that.

Acting Chairman Oscar Calvo - Okay we'll give you another authorization into that issue that way there will be no problem okay.

Daniel Quintanilla - His name is Jose P. Quintanilla.

Commissioner Andrew Leon Guerrero - And then Bert can go ahead and prepare that for you so you won't have any more problems with that.

Daniel Quintanilla - Thank you so much. I appreciate, I really appreciate it.

Acting Chairman Oscar Calvo - We'll schedule a meeting with you with Jess next week.

Daniel Quintanilla - Just contact Roman and he'll let us know.

Acting Chairman Oscar Calvo - Yeah just leave a number or somebody to Bert so we can get a hold of them.

Roman Quintanilla - 969-1175, Roman and 878-0556.

4. Catholic Social Service - Request for one acre for Alee Shelters

Sister Brigid Perez - First of all I want to acknowledge the presence of my Executive Director behind me Diana Calvo, and of course next to me on my right is my Board member for Catholic Social Service (Mark Ruth) and Administrative Assistant Tricia Tenorio. Good afternoon former Senator and all of you my name is Sister Brigid Perez, Religious Sister of Mercy and a Program Director for Alee Shelter under the Catholic Social Service. This is my seventh year as the Program Director of Alee Shelter and Alee Shelter has been around for twenty-nine years. Next year Alee will be celebrating its thirtieth year as a service provider. As one of the representatives of Catholic Social Service I am here personally to plead on behalf of our agency, the women and their children that we serve, to request for one acre of property that belongs to the Chamorro Land Trust Commission. Such property is located in the municipality of Tamuning. Our agency had formally submitted a request identifying the lot number. We are requesting a portion of that property. After working with women and their children in the last seven years it is with experience that the facility we currently have is not conducive to the needs of our victims. At present our home is comprised of four bedrooms and a day bed for a single woman without child in the living room. In addition we're renting homes for this purpose. When we have our own place we do not have to be paying rent and wondering if the property would renew the rental contract

when it nears expiration date. Moreover, we have had the opportunity to apply for a grant with Guam Housing and Urban Renewal under the community development block grant, public facilities and improvements for program year 2010 to fund this proposal. We are happy to say that GHURA has accepted our application and awarded us the grant of one-million fifty thousand. Although in our application we have applied to build two facilities, one for the family violence and the other for the abused and neglected children. However, GHURA approved funding for the family violence and denied the latter due to its specific eligibility for the grant requirements. Because there was a deadline to submit the application our program went ahead and submitted the application while we were looking for a property. However we located an unused property. The property is both ideal and what we envisioned to build our facility on. Through inquiry and research we learned that the property belonged to the CLTC this is why we are present here today. Tamuning is an ideal location for the mission of our program. It is ideal because the property is accessible to the police precinct, hospital, courts, Attorney General's Office, Guam Legal Service Corporation, Healing Hearts, schools, grocery stores to name a few. Our mission is to assist our victims in a safest and quickest way possible without endangering their lives. Our program provides emergency shelter to adult women with or without minor children who are victims of domestic violence and/or sexual assault. The maximum stay for these women is forty-five days depending on the severity of their case. We have had women with eight children who had to be in our care because their lives were in danger with her spouse or live-in partner. We have had women who had disabled child to care for. We have had women who did not speak or understand English at all. We have had women who were extremely traumatized with their experience. We have had women who were helpless. We have had women who were confused and do not know what they want or where to go. We have had women who were fearful of their lives. We have had women who do not have families or friends. We have had women who are thankful for our program and we have had women who spoke against our program. We have had women who are repeaters and we have had women who did not know we existed. We have had women of all lifestyles. We continue to be here for the women who victims of domestic violence or sexual assault as we have in the past twenty-nine years. The property that we are requesting is to build a bigger facility where we can accommodate the women we need to remain with us as they rebuild their courage to move on despite the fearful experience they have had through without feeling rushed out because the space is for in-coming women. We need this property as soon as possible because our agency received the notice of approval of the funding to build the facility. This is a huge project for our agency. By your support and everyone else we can realize this project sooner. We are an island community, the victims that we serve are not only Catholics but of different denominations. The majority of our victims are Chamorros. As Chamorros we are proud to be known that we are a caring people. Our ancestors have instilled that value in us to look out for the betterment of our children and families. We can share this legacy with all. The service is for the public in whole and not just a few. If we do not protect these women and their children then we are not concerned about what it means to be an island to belong to a family and to have a prosperous future. Catholic Social Service is there to see these women and children are safe, guided and assisted to re-enter into normalcy. Catholic Social Service is not there to make a profit but to respect peoples lives and to give them back their dignity that is due to them. When we acquire the property we are not going to publicize that this is the shelter for battered women. We will publicize that this is Catholic Social Service. We will not disclose the exact location. With modern technology we will ensure the safety of our women.

Please do not let my profession as a religious hinder this request. I am working for the total community, the people of Guam. Keep in mind that the women and their children that we serve in this program are not only Catholics but are also from all denominations. In conclusion to you the Board members whom the Chamorro people of Guam entrusted this duty onto you I humbly ask that you highly favor our request. Thank you and Si Yu'us Ma'ase for your time and attention to this urgent matter. God Bless you all.

Vice-Chairman David Matanane - Thank you Sister. You know I still don't get the exact place that you are requesting for. Is it at Ypao Point?

Acting Chairman Oscar Calvo - Yeah, Ypao Point.

Vice-Chairman David Matanane - My only comment is that you know that we feel for all the battered women and all the children but since Mr. Garcia is not here I would really like to discuss with Mr. Garcia concerning the area and where your preference is at. But right now I would request to Mr. Chair to kind of table this for now and then we will discuss it with Mr. Garcia and then we will call you Sister.

Sister Brigid Perez - I actually got the map from Mr. Garcia already. I have the lot number.

Vice-Chairman David Matanane - Yes Sister but Chamorro Land Trust has plans before your request for Ypao Point and maybe we can tailor it to really a more amicable area within that area. So what I'm saying is we need to sit down with Jesse and make sure that area is more amicable for the shelter.

Sister Brigid Perez - Okay.

Acting Chairman Oscar Calvo - Sister don't get us wrong we understand all the issues that you brought up and I'm fully aware to that but it's just like you have a mission we have a mission too Sister so we got to understand that part. It's harder for us to make that decision at this point in time because we also here if we do this you know the legislature and we want to know more about the GHURA how their funding is coming to you guys. Because I know for GHURA because that's a federal money they expect that they want legal owned property for that matter on that issue. So that alone we would need a clarification also from GHURA's point of view on how that money would be given to you guys. So it's you know yeah we just got to make that and until when Mr. Garcia gets back and then we'll tape it out and so forth and see and whatever the other Board members decide to come down you know. We don't make promises Sister I'll just tell you that right now only the Lord so other than that okay.

Sister Brigid Perez - I know because we have to give a notice to GHURA there's a definite time that we have to give, we don't want to lose the...(interrupted).

Commissioner Andrew Leon Guerrero - When is your deadline Sister? What are your timetables?

Sister Brigid Perez - Actually I know that we were supposed to give a notice this month.

Commissioner Andrew Leon Guerrero - This month.

Sister Brigid Perez - Yeah, the funding this part.

Commissioner Andrew Leon Guerrero - When you say this month next month, October?

Sister Brigid Perez - They just want to know that actually September, it's just to give them a little bit of notice how is our land transaction going.

Vice-Chairman David Matanane - Sister as you know Chamorro Land Trust don't mortgage any property and we don't give away property but also we would lease it but it won't be for all times, it's with limited time frame also. And with GHURA coming into play of course they would ask assets for them to mortgage the property itself or is it a grant your saying?

Sister Brigid Perez - It's a grant.

Vice-Chairman David Matanane - It's a grant. Just bear in mind Sister that it's not Chamorro Land Trust procedure to just dish out the property we are in a lease mode type and of course the price will and looking at Tamuning area as you know the value of the property and we have to go through the procedure the standard procedure and there's kind of leeway right Ms. Lujan?

Commissioner Andrew Leon Guerrero - Sister you did mentioned that something in writing was due to GHURA at the end of this month by the end of this month?

Sister Brigid Perez - Well actually you know when you're receiving a grant they still want to see where your status are when it comes to looking for property.

Commissioner Andrew Leon Guerrero - Would a letter from Chamorro Land Trust of any sort regarding your request be sufficient enough at least until the end of this month?

Sister Brigid Perez - Oh sure.

Commissioner Andrew Leon Guerrero - You know stating that we have entertained your request and that maybe we can, we're going to continue to entertain it and then we're going to find some parable solution to all this and maybe either lease the property to you or maybe by legislative approval to give you the property. Let's say there's so many different ways we can do this so if that's okay Mr. Chairman we can get something out of Chamorro Land Trust at least.

Acting Chairman Oscar Calvo - Well my only take to that Sister is I have no problem but we got to make sure because remember even if it's a grant okay I know for a fact that we in fact have one program right now that we're still running into situation with the grant on GHURA because it's federal money and we don't know what their, in other words we need what is their, what's the return factor to that grant. Whether you know at the end of the day I know it's free money but it's ...(interrupted).

Commissioner Andrew Leon Guerrero - Mr. Chair it's not a commitment letter of any sort.

Acting Chairman Oscar Calvo - No, I know.

Vice-Chairman David Matanane - You understand Sister that GHURA might ask for collateral and we cannot put up the land for collateral.

Acting Chairman Oscar Calvo - See these are the things that we need to clarify Sister. We can give you a letter that we have entertained your but at the same token the legal counsel of the GHURA can pretty I guess Delia get with their legal counsel and you know find out what their on this issue you know. But we can write up a letter that we did entertain you for that matter and as far as for us to take any appropriate action at this time it's not highly right now Sister.

Sister Brigid Perez - Okay but I spoke to some Senators already so they're just waiting for you to submit your documents to the legislature to be introduced into the bill.

Commissioner Andrew Leon Guerrero - Introduce for a transfer?

Mark Ruth - For a transfer. We did the same thing on Guma San Jose.

Acting Chairman Oscar Calvo - If I may ask that's good that you have gone to see the legislature but the legislature hasn't given us any calls or given us any courtesy for that matter you know. I would like to know who the Senators that are bringing this up or you know. Because it's good that you are approaching the Senators right now okay but who are the Senators that are because they can draft a bill. They can you know that's their call if they want to do that but you know we want to know who are the senators too so we can also have some communication time with them in that respect.

Sister Brigid Perez - Well I did submit a letter to you first to give it to Senator Ben Pangelinan and from there they're just waiting for a letter from the Chamorro Land Trust.

Acting Chairman Oscar Calvo - As you know that Senator Ben Pangelinan is the oversight hearing for the land okay and as you know we just submitted our rules and regs okay a couple of weeks ago which was just shut down in a matter of seconds. So that's one of the pressing issues that the Senators have been pushing us is the rules and regs okay. Now I just don't want to go overboard on something I want something him writing telling us. You know that direction to tell us the Chamorro Land Trust that this is what I want you guys to do because I'm not going to lie to you Sister I mean we worked on that issue too because he as far as the moratorium portion he held that okay and he does not want us to give out any properties or lease for that matter. I'm not going to you know like I said the Senator was the one that pushed us to do the rules and regs and everything and you know in less than twenty-four hours we were shut down. So if the Senators if the good Senator you know do want that okay then I want it to this Board in black and white you know stating that you have already given the you know the authorization to go ahead and plan out whatever needs to be done. I don't know about you Andy but that's how I feel and I don't know about you Dave but I think it's more appropriate now I mean I don't want to put this in a situation it's almost like being in a political situation but you know it comes down to that point. I don't want to because we've been down there on many occasions and Senator Ben Pangelinan handles this okay and so he's got to give us his forefront of what he wants us to do. Not

just us because if we do it and it doesn't work you know we're going to be the one that's going to be you know I know it's disheartening but this something that we need to clear from the Senator too himself because he holds that chair committee for this reason. And I don't want to be that hard but like I said this is Chamorro Land Trust this piece of property belongs to the people of Guam and I have to account to everyone not just to one individual. By all due respect Sister I respect you I have the most respect but like I said we have a task in this world, you have, I have and all of us here. So I hope that you can sympathize and understand our position too.

Sister Brigid Perez - Yeah as I stated in my comment that this work is really not just mine it's ours you know and it's true we wrote the letter to Ben but it went to your office first before it goes to him to address it first to the Chamorro Land Trust. It never went to the Legislature first it went through you.

Acting Chairman Oscar Calvo - Yes it may have come to us Sister but what you did you're just telling us what you're going to do but I want to know what's the end result of Senator Ben Pangelinan.

Sister Brigid Perez - No we're just waiting from you that's all.

Acting Chairman Oscar Calvo - Well I want the Senator to come out forefront on this issue. Where does he stand because right now like I said the rules and regs that was shut down okay he was supposed to give us a rules and regs in twenty-four hours which he never up to this day. He hasn't even given me a call or not I don't know if anyone of these guys have ever been called okay. Now I don't know I mean you know the all good the Senator I don't know where he stands. But I got to know too because I don't want to take anymore and then called down and say why are you doing this you know. So I need for him to write to this Board that you authorize and okay to go ahead and do this. That's what I want from him because I'm not going to lie to you Sister I'm not going to hang myself.

Sister Brigid Perez - He's not authorizing I just wrote in courtesy.

Acting Chairman Oscar Calvo - Yeah in courtesy.

Commissioner Andrew Leon Guerrero - Excuse me Mr. Chairman but excuse me from my lack of information maybe something went on previous to this but was the request to the Chamorro Land Trust for property for legislature's authorization to be transferred over?

Sister Brigid Perez - No, no, no I've always been here first. Chamorro Land Trust was my first.

Commissioner Andrew Leon Guerrero - No, no but what is your request from Chamorro Land Trust exactly?

Sister Brigid Perez - Well I heard that it's supposed to go through a hearing and that's all I...(interrupted).

Commissioner Andrew Leon Guerrero - No, no but what is your first official request?

Mark Ruth - We came to Chamorro Land Trust maybe six months ago something like that and Chamorro Land Trust at that time advised us to prepare a letter to the legislative committee that handles this that then it'll be presented back to the Chamorro Land Trust and the Chamorro Land Trust will then send that letter on saying we support this and we agree the land is available and whatever it is.

Commissioner Andrew Leon Guerrero - Okay everything to this point has appeared except now from the Chamorro Land Trust.

Mark Ruth - So now the letter is I guess you can say it's in draft form because it has never gotten beyond the Chamorro Land Trust at this point in time.

Acting Chairman Oscar Calvo - What's your position?

Commissioner Andrew Leon Guerrero - Truly my position? I mean I think it's a great cause you know I would be more than happy to give them the opportunity to get this piece of property. I mean that's my stand but we do still have protocols that we need to meet you know and whatever they are. I think some concurrences Sister maybe from some of the other Senators not just Senator Pangelinan but some of the other Senators would really be helpful in getting this bill through.

Sister Brigid Perez - I've spoken to Rory Respicio, Frank Blas, Telo Taitague and quite a number of them that I've spoken to you know and they gave me it's up to really the Chamorro Land Trust to you go. They respect you highly for your position in regards to this for a good cause. They just want to make sure it's done the right way.

Commissioner Andrew Leon Guerrero - I think concurrences from them is really important because this is a really expensive piece of property that we're looking at. We certainly don't want to put this responsibility on our shoulders and say you know I mean the cause is great you know Sister but there are prices to pay and I think Ypao Point is a very sensitive area and if we get the concurrences from all the Senators and they buy into it, it makes our jobs a little easier to say here Sister, here's the piece of property you need.

Mark Ruth - So you want to reverse the order at this point in time if we go to the members of the legislature with the request and we have them saying yes we would support this request if it came to us in a form of a bill.

Commissioner Andrew Leon Guerrero - I don't think it would hurt, I don't know.

Acting Chairman Oscar Calvo - I mean you know Sister I mean don't get me wrong we have a very good cause to that and like what Mr. Andy is saying is we want to know their sentiment too. We want to know what's their stands okay. We want them to know because it's easy for us to say okay Sister we'll sign it over to you tomorrow okay but I want to know what's their thoughts and feelings. I want to know in each one of those Senators where do they stand on this issue.

Commissioner Andrew Leon Guerrero - We could easily get criticized for decision made of this magnitude.

Acting Chairman Oscar Calvo - Now if I can get them to support it then I don't think so the Board would have that problem but I need that from the legislature ultimately for them to take a grand stand to it that's as simple as that. Maybe because I hate to use this word Sister but I don't want to grand stand something that is at the end I'm going to get shut down again. I mean I went to that process already and I'm not going to go through that. So I need the consent the feelings of the legislature whether it'll be BJ whether it'll be Respicio, Ben or anybody else in that legislature okay. I need their consent because remember if this property is to be released okay then we have we're not going to be, it's going to be under their purse not mine, it's not going to hang. But if I hang my neck first before they do I'm not going to do that Sister, I'm not going to lie. So I need their full consent and approval how they feel about it you know. And Joanne's here, Joanne Brown if I may ask can the legislature act something into that behalf?

Former Senator Joanne Brown - Thank you very much Mr. Chairman I mean the legislature would have the authority to do so but keep in mind that every time the Guam Legislature has taken property out of the Chamorro Land Trust inventory you lose that asset. In the case of Ypao Point obviously it's one of your what we would identify as your prime property. So if the legislature which they do have the authority to do and they have a challenge because every time they take that asset from the Chamorro Land Trust they take away the ability for the Chamorro Land Trust to generate revenue and hence you have the problems of inadequate resources to address all the other problems. I think right now you know the question is will they concur to take out more assets out of the Land Trust, continue to diminish your ability to generate revenue to properly implement the Land Trust programs which I think we all agree and certainly the work we're currently doing with you now continues to show that that is not the case. Perhaps if you're able to meet there might be another property that has less impact on the revenue stream of the Chamorro Land Trust that might be feasible but again that's going to require more work and information to see what can be worked out because I'm sure there's a workable solution. But every time you infringe on prime property and right now particularly because of the criticism the legislature has provided to the Land Trust I am curious which Senator will voluntarily say they're going to continue to take out and diminish the ability of the Land Trust to generate revenue because this is not the only public service property. The Rugby Club the Hals Angel's Club has prime property up in Dededo of which again you generate almost no revenue even to administrate those particular leases.

Acting Chairman Oscar Calvo - I hope you can understand Sister where we're coming from. I don't want to put you in circle but you know I need to really stress that out because like I said the legislature and all I need is their consensus and if they're fine you know.

Sister Brigid Perez - No the legislature really wants the CLTC Board resolution to know if the CLTC is, your position actually. They want your position because for them they'll just have a hearing and see who is in favor and who is not in favor. It's your position.

Mark Ruth - The position that I think Sister is referring to is is the property available, does the property have other designated uses already, this kind of a situation because you know we're going around in circles if we go to them.

Vice-Chairman David Matanane - That's my point the property up at Ypao Point is prime property and we have I believe some plans on that piece of property but if there's any other property within the Chamorro Land Trust that is and you will accept that particular property and it just happens that Mr. Garcia is not here but I know that you preferably want it in Tamuning. But any other place other than Tamuning?

Sister Brigid Perez - Because of the severity of the work really that we do that's the most feasible because if you were to put me in Yigo can you imagine going down to the court and running to the police precinct when they're in Dededo it's not wise because of the conflict and there's safety issues that's our concern. And these are our people that we need to provide a healthy environment and less trouble. They're already traumatized so we're trying to make sure that Guam is healthy and if we don't look at it now then when are we going to look at it. Its twenty-nine years of service already so with on that twenty-nine years I'm on my seventh year and I really feel that we should be building instead of renting, we can save the money.

Mark Ruth - The adjacent property is the Healing Hearts facility which was built under the same situation. Its Chamorro Land Trust property deeded over to them with the building built by GHURA and we're essentially just building right over next to the fence. So it's really, I'm not trying to pull what's happened in the past but I'm just saying that that's, it's already been looked at as an area for that particular use.

Vice-Chairman David Matanane - I'm not aware that Chamorro Land Trust owns the property on the Healing Hearts. Is it?

Sister Brigid Perez - Yes.

Acting Chairman Oscar Calvo - Yes.

Vice-Chairman David Matanane - Oh I'm not aware of that.

Commissioner Andrew Leon Guerrero - Well you know Mr. Chairman even though I did state that it would be nice to have concurrences from the legislature it really doesn't dictate our position or our ability to decide on whether to give it to Healing Hearts or not but it certainly would you know somehow I don't know how much of it would influence our decision or make it easier for us to make the right decision. But I just want to make sure that it's understood that because of those concurrences from the legislature doesn't mean that it's the first hurdle in getting the piece of property. It may have a piece of influence in it but it's not going to be the determining factor in our decision making process here at the Chamorro Land Trust but it sure would help the cause.

Sister Brigid Perez - Yeah they just want to know your position really.

Acting Chairman Oscar Calvo - I think ultimately Sister you do have a good you know I think the program that you guys are putting up it's a worthy cause. It's not something of building a mom and pop store or whatever it's for a cause that you guys are going to be putting that up there and I like the idea. But ultimately I need the you know, it's not just for me to decide or Andy or you know, we need to really get back in focus again with I guess the three of us

and with the Director and then we'll see you know. Because I also want to know what's the sentiments of the legislature because you know if it comes down to that point cutting that piece of property I just don't want any I guess media or a lot of these issues out there you know going out why is Chamorro Land Trust again cutting a piece of property you know and giving away for this. Even though it's a worthy cause because everything is you know I think that's a worthy cause. The hospital is being a worthy cause because a lot of things that can be done up there. And I don't want to be the one to you know my position on that I like the idea but I think I need more of that support behind knowingly that if I make that decision okay it's a worthy of support. And I know I want to know because the legislature it's easy for them down there just tell us what to do but when it comes down I don't know what's their thoughts. I want to know their feelings and thoughts and sentiments right now. Where do they stand on that issue? I think and like what Andy was saying it would help us to you know to ultimately give us that because if that piece of property was to be cut out it has to go through them. It has to go to the legislature, the legislature would be the one to determine to cut that piece of property because we can't sell property for that matter. So that alone itself would have to be their sentiment on how they want to do it you know and given that because it's easy for them right now to say you know it's election year Sister they'll tell you that the star is there but you don't know where they stand. I don't want to be sarcastic about it but.

Sister Brigid Perez - But right now I don't know where I stand but so where do we go?

Acting Chairman Oscar Calvo - Well Dave, what we can do is put it up on the next agenda okay.

Vice-Chairman David Matanane - Well Mr. Chairman like I said Mr. Garcia is not here and we would like to sit down with him and maybe we can have Sister look at other properties not trying to sway you but.

Mark Ruth - Can we have a meeting with Jess Garcia and with somebody from GHURA that can speak for the GHURA and whoever from the Board that wants to attend and to compare and get everything so the next time we're sitting at this table we don't have to wait?

Vice-Chairman David Matanane - That's right that's where we're coming from and also please do. Bert please let Jess be notified and at anytime call up Mr. Garcia and make the appointment to come in and maybe hash it out.

Sister Brigid Perez - The other issue is how many supporters do you want us to ask the Senators to sign. Do you want majority or no?

Acting Chairman Oscar Calvo - Umm, you know Sister really ultimately at the end of the day I support the issue don't get me wrong I think it's a good program you know and I'm just tired of being bombarded by the legislature put it this way Sister okay. Now I think you know the bull court is in their hands. I want to make it in their hands now because every time we seem to do something the right way they put a block. I'm not going to go that route Sister I'm sorry.

Sister Brigid Perez - I think I'm a different person though the work is different.

Acting Chairman Oscar Calvo - And I know Sister that, everybody has, we understand that but I think we can resolve this issue and I don't see any just with the GHURA especially with the grants okay we also want to know what is that grant. What it does, what it entails? Does it also tell us do they want that property? Because I know for GHURA that's one of their things is day one that piece of property. That is one of GHURA's if they're going to give up money whether it's grant they want co-own of that piece of property that's why it's going to go back to the legislature. That's why I'm saying is for them are they willing to cut that I mean look at that one issue that we have on the grant. I mean the legislature would have to go back because that alone it's not a local money. We got to get the clarification from GHURA how are they going to derive with this program okay giving out what 1.2 million dollars or something like that okay to build and giving you that grant of money. There's got to be within that contract or in that that specify about the land. Because that's the only way they're going to give you is do they want stake hold of that piece of property that's what I want to know.

Vice-Chairman David Matanane - Besides that we're still in moratorium and not unless Mr. Garcia is finished with his task that has to be done I believe then we can confer and find out whether it meets the moratorium or not. So at this mode we are on moratorium for any new leases. As far as renewal, yes we can entertain that but for new leases we have not issued out any new leases at all at this point in time.

Sister Brigid Perez - Okay I just want to thank you all for your listening ears and hopefully that you can address it as soon as possible.

Acting Chairman Oscar Calvo - But get back with the GHURA okay and get with them especially what does that grant really pertains, what do they want out of the grant.

Vice-Chairman David Matanane - Or if they collateralize the land because the Chamorro Land Trust cannot collateralize.

Mark Ruth - GHURA has got very strict rules.

Acting Chairman Oscar Calvo - That's why I'm saying because we're dealing here with federal.

Commissioner Andrew Leon Guerrero - That's assuming it's a lease. If it's not a lease and it's a transfer then it's another problem.

Sister Brigid Perez - But actually when you talk about the ownership it's really the people of Guam owning it because we're using it. I know it's a federal but just remember this is not going to end, domestic violence continues.

Commissioner Andrew Leon Guerrero - What we mean Sister is if we legally transfer it over to Healing Hearts then the property can be used for collateral.

Sister Brigid Perez - No that's not Healing Hearts its Alee, Catholic Social Service.

Commissioner Andrew Leon Guerrero - Oh Alee I'm sorry. But then those problems you're going to have if it was a leased property it would be different as if it was turned over to you, it's only different set of circumstances.

Mark Ruth - We entered into an agreement with GHURA for a fifteen year period during which we operate according to criteria that was established to us after fifteen years the ownership reverts to us. So there's this fifteen year period when technically they can take it back so they would of course would want to add the land.

Commissioner Andrew Leon Guerrero - Well actually I was just referring to the property itself.

Acting Chairman Oscar Calvo - See that's why I'm coming from that direction with that because we got to clarify that with GHURA and if that calls it has to go to the legislature and that's what I'm saying because grants that's a lot of money and what is the federal statute on that is okay. Do they want that piece of property as a collateralize okay. We can't do that and that's going to be our problem.

Vice-Chairman David Matanane - And also we go through the role of you leasing the property the market value up there is tremendous so if you're going to be leasing it it's going to be for the value of the piece of property you'll be leasing it out.

Mark Ruth - We were hoping we can proceed with the same way Healing Hearts did.

Vice-Chairman David Matanane - That's the procedure here sir but as you know that's a very valuable piece of property and we have to set it on the value itself in order for you to make the lease.

Acting Chairman Oscar Calvo - We'll send you a letter that we did entertain you Sister but you know we'll give you that courtesy letter. Bert make sure of that okay. But from there on really we need to also work with the GHURA and find out what is really what is the intention of that 1.2 million dollars okay. If they give you that full 1.2 million dollars there's nothing to hold it back, there's not going to be any collateralize from the Chamorro Land Trust and we're not going to be responsible to pay back or whatever for that matter in the future okay, Sister.

Sister Brigid Perez - Okay thank you so much.

Legal Counsel Delia Lujan - Mr. Chairman if I can state while we're still on this item of the agenda if the Commission requests legal assistance from my office then I need to disclose that we also represent GHURA and if necessary we get the waivers of potential conflicts before anything needs to be done.

Acting Chairman Oscar Calvo - Yeah we can give that we did it already anyway the first time so but you know your office works with another legal counsel in the same office area.

Vice-Chairman David Matanane - Duly noted legal counsel.

Acting Chairman Oscar Calvo - I hope you understand where we're coming from Sister.

Sister Brigid Perez - Oh we do.

V. NEW BUSINESS - None.

VI. DIRECTOR'S REPORT - None.

VII. EXECUTIVE SESSION - None.

VIII. ADJOURNMENT
Meeting was adjourned at 3:35pm.

Transcribed by: Teresa T. Topasna: Teresa Topasna
Date completed: October 11, 2010

Approved by Board motion in meeting of: Oct. 21, 2010

Acting Administrative Director, Jesse G. Garcia: _____
Date: 10-21-2010

Chairman (Acting), Oscar Calvo: _____
Date: 10-21-2010