



Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 ext. 435 Fax: 649-5383

REGULAR BOARD MEETING AGENDA

Department of Land Management Conference Room
3rd Floor, ITC Building, Tamuning
Thursday, March 17, 2016; 1pm

Eddie Baza Calvo
Governor of Guåhan

Ray Tenorio
Lieutenant Governor of Guåhan

Commission Members

Joseph I. Cruz
Acting Chairman

Amanda L.G. Santos
Commissioner

Pascual V.A. Sablan
Commissioner

(Vacant)
Commissioner

(Vacant)
Commissioner

Michael J.B. Borja
Administrative Director

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 1. February 18, 2016
- IV. PUBLIC COMMENTS
- V. OLD BUSINESS
- VI. NEW BUSINESS
 1. Decha Farms Proposal
 2. Home Loan Guarantee Request
 3. GWA Infrastructure Modernization
 4. Homeless/Transition Facilities
- VII. DIRECTOR'S REPORT
 1. Revenue Collection Report for February 2016
- VIII. ADJOURNMENT



Eddie Baza Calvo
Governor of Guåhan

Ray Tenorio
Lieutenant Governor of Guåhan

Commission Members

Pascual V.A. Sablan
Chairman

Joseph I. Cruz
Vice Chairman

Amanda L.G. Santos
Commissioner

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Michael J.B. Borja
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Rev. 3/16/2016

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COMMISSION MEETING MINUTES

Department of Land Management Conference Room

3rd Flr., ITC Building, Tamuning

Thursday, March 17, 2016; 1:10pm – 3:20pm

I. CALL TO ORDER

Meeting was called to order at 1:10pm by Chairman Pascual Sablan.

II. ROLL CALL

Present were Chairman Pascual Sablan, Vice-Chairman Joseph Cruz, Commissioner Amanda Santos, Legal Counsel Kristan Finney and Administrative Director Michael Borja.

III. APPROVAL OF MINUTES – February 18, 2016

Vice-Chairman Joseph Cruz moved to approve the minutes of February 18, 2016. Commissioner Amanda Santos seconded the motion. There were no objections, MOTION PASSED.

IV. PUBLIC COMMENTS

1. **Angel Santos** – My name is Angel Santos. I'm from Barrigada. I came down here because of the problem that the Chamorro Land Trust have right now. At first when Mr. Bordallo put out this Chamorro Land Trust it was only for the Chamorro people and that's for the land that Government of Guam still has but now it's anybody can go in and use it. At first when Mr. Bordallo put this out there's money to be put in and you can borrow money to go to school, you can borrow money to build your business, you can borrow money to build your house. But there's nothing happen there it was the other way around you know. The Chamorro Land Trust is very beautiful for the Chamorro people. I was just talking to Mr. Artero that the Saipan people are very, very proud of their land. Nobody can tell them what to do with their land. Us Chamorros anybody can tell us. Anybody can tell us what to do. There's a lot of I would not say Micronesian or Filipino or anybody else but there's a lot out there that are staying on the Chamorro Land Trust and nobody is trying to evict them. When my son bring this up to court it was my money and my wife's money. He had no money to spend but it was my money and my wife's money that he used to bring it to court and at the help of Mike Phillip. But I'm sorry I cannot express myself very beautiful but I'm trying to do something about this. I admire Mr. Borja, I admire he's trying to do something for the good of the people but anybody is trying to cut him down you know, anybody. So he's trying to do his best to correct the mistake of other people before him you know. Like I said I admire Mr. Artero from the Northern Marianas because nobody can go into the Northern Marianas and tell him what to do on their land just like the Ponapean, Trukese, Palau and all those things only us Chamorros. Anybody can tell us what to do on our land, anybody. I am very

hurt, I'm very hurt by seeing that and hearing that because I was born here. I was born in 1934 and up until now I'm very hurt, I'm very hurt. So that's all I can say but I want to say so many things but I'm forgetful since I was a small boy. So thank you.

Chairman Pascual Sablan – Thank you Mr. Santos.

2. Catherine McCollum – My name is Catherine Flores McCollum, I'm the Maga'haga of the Nasion Chamoru. I would like to speak for the record sir that on the 15th of March I had submitted a Freedom of Information Act a request from the Chamorro Land Trust Commission with several items. I addressed some of these items on the last meeting a month ago and I haven't heard any word from Mr. Borja so that's why I had to submit it by Freedom of Information Act. I was hoping that I would be able to get these questions without having to go through a Freedom of Information Act but since I haven't gotten any word and that's been already a month ago I submitted the Freedom of Information Act and the clock is ticking since it was stamped received on March 15. There's a new section in the Freedom of Information Act which I call a FOIA because everybody keeps asking me what's a FOIA. I'd like a copy of the lease on Lot No. 5173NEW-2-2NEW. I don't know if you guys still call it Barrigada but it's situated in Tamuning between the LBJ Elementary School and the Tamuning Elementary School. I would like to know if this property is a sublease or if there are any revenue being collected by the Chamorro Land Trust Commission. That's a new agenda that I added into the Freedom of Information Act. My concern is its right near the school and are they selling any liquor? I was told by the Mayor of Tamuning that it is Chamorro Land Trust property. I'd like to also wonder and question whether do all properties wherever they're situated at if it's Chamorro Land Trust and there's a plan to have some kind of building on it regardless of commercial or not does it go through the Mayor's Office for a public hearing? I'd also like to submit for testimony these bullet points brought up by our members.

1. Chamorro Land Trust needs a big band aid because there are many problems that need fixing. If there are really money issues, leasing properties out for commercial use is not the big problem solver. This agency needs to first find out how many properties are presently being used for commercial purposes. Find out if they are up to date on payment and if they are habitual in late or none payments eviction notices should be forthcoming. You cannot move forward in your mission unless you solve the past and present challenges. Sadly, these challenges have marked the agency and have left us with doubts that you may not be able to manage future commercial leases.

2. All properties under Chamorro Land Trust should be marked with a sign that designates "Chamorro Land Trust Property" regardless if there is a tenant or not. This may sway squatters.

3. Legal forces may need to be used to collect on moneys owed by past and present clients who still owe on commercial leases. Is the CLTC lawyer able to apply this challenge?

4. If there are wrong doings from past CLT Commissioners how do we correct these problems? If we commit crimes as a regular citizen we go to jail. Rumor has it that lands were given out to friends and families. Are these issues being looked at for resolutions?
5. Leases and contracts may have to be rewritten in order to purify and solidify future encounters for none payments and/or late payments.
6. How are 3 Commissioners able to meet these challenges? Resolve getting the 4th and 5th seats occupied first then move forward in your mission.
7. Professional workers may need to be hired in order to solve many issues. These workers may be temporary hires until such time the agency is able to move forward. Former Senator Ted Nelson recommended going to the Legislature for money needed in this effort. A revolving fund of \$1million dollars is recommended in GCA, Guam Code Annotated for use by Chamorro Land Trust Commission.

We hope that you have the people of Guam's interests at heart and are truly studying the effects that you are leaving behind for our children. I don't know if Mr. Rivera would add anything. Do you have any questions that you want to ask me?

3. Ken Rivera – My name is Ken Rivera, I'm a member of the Nasion Chamoru. I just wanted to find out do the CLTC have an attorney? I notice the legal counsel here, is that for the CLTC?

Chairman Pascual Sablan – She is an attorney from the Attorney General assigned to Land Management to assist you know the management and operation of the Land Management. She's not only for CLTC but for other matters. Does that answer your question?

Ken Rivera – Yes, yes. Do they look into these matters of the contract lease with the commercial? Are those being looked into?

Chairman Pascual Sablan – Can you be more specific?

Ken Rivera – Legal contract like Guatali, like golf courses, like Cushing Zoo. Do they look into those matters?

Chairman Pascual Sablan – Okay I believe the last time we met we explained you know to you folks like for example the golf course that's not the doing of the Chamorro Land Trust Commission. It's the Legislature's the one that you know that authorized that lease. With also and when they sign the contract or lease they provide a provision where it can exercise or option to extend again. There's others out there that the Legislature you know authorize those businesses to be lease it's not us. Of course yes we're monitoring the lease to see whether they are really in accordance and conformance with what the stipulation on the lease agreement. Does that answer your question?

Ken Rivera – How can they be in conformance with the lease when they're 12 months behind or delinquent on the payment the lease payment.

Chairman Pascual Sablan – Who?

Ken Rivera – Some of the lessees, commercial leases.

Chairman Pascual Sablan – I have here a document in front of me that one company is over 24 months behind and I myself make a motion to terminate that.

Ken Rivera – 24 months?

Chairman Pascual Sablan – Yes.

Ken Rivera – Don't we have something that triggers us something like maybe 3 months, 4 months? I mean 24 months is pretty long.

Chairman Pascual Sablan – Well it's a long story you know that they try to you know stall things and keep on coming back to us back and forth but enough is enough so I was the one that made the motion to terminate and it was approved by this Commission. Now it's in the hand of the legal people you know to terminate. As I stated the last time that you know land is very close to my heart and I will stand and defend the Chamorro Land Trust and I believe my colleagues here too they're very you know up front with, they're protecting the Chamorro Land Trust.

Ken Rivera – Yeah I understand that, I understand that but we're looking for the benefit of the 8,000 clients that you have you know and how can we get money if we can't collect and we're still trying to approve other leases. I think that we should first straighten out these problems. I mean 24 months is pretty long. Maybe in 2 months you should be able to track it down and find out what's the problem.

Chairman Pascual Sablan – If you recall Mr. Rivera in the past that in fact this is how I got drafted into this that there's times when the Commission tried to meet so they can you know have meetings. They have to cancel because there's not enough quorum. Until I did something and I talk to someone that I said hey do something then I was drafted in you know how I became a member. This is one of the many things but when I came in and I noticed that it's already it's too long I said hey we'll terminate.

Ken Rivera – Who's helping the Commission? Do we have another body that helps the Commission in monitoring this?

Chairman Pascual Sablan – Well the Director here is the one monitoring you know and submitting to us Commission members for our action. It's not that he's siding with this company. I know who's afraid of this company but that doesn't stop me from. This particular company I have this financial statement in front of me that you know this is the only company that's really behind the rest are all up to date.

Ken Rivera – Somebody has to review whether they're making money and if they can't I guess probably they're not making money that's why they can't pay the rental. So if they can't pay the rental somebody has to monitor it and you know terminate the lease so that we can have somebody that can pay it so that we can have money for the 8,000 people to have their lots surveyed and then propose for infrastructure you know.

Chairman Pascual Sablan – I cannot (inaudible) the last previous Commissioners but I believe you can count on us that we're really looking into this and we're monitoring this and we'll throw in everything including the kitchen sink to protect the (interrupted).

Ken Rivera – Yeah we need to see that, we need to see that. So far we haven't seen anything we still have the delinquency.

Chairman Pascual Sablan – Because we haven't approved anything so far. But this 2 years ago I've been with this Commission for 17 months only and this is over 2 years ago and we terminate already.

Ken Rivera – What are we doing in getting the other Commissioners? You're missing 2 right?

Chairman Pascual Sablan – I understand that the Governor recently appointed 2 again and it has to go through confirmation process. We need those 2.

Catherine McCollum – Mr. Chairman I'd like to just go it was in the media that the Legislature approved the commercial leasing, do you have the public law number in front of you?

Chairman Pascual Sablan – No but Public Law 33-95 and this is a public record.

Ken Rivera – What is that public law?

Catherine McCollum – Do you have it in front of you? Do you think you can make us a copy? Or I can get it online it's alright. We were reviewing 33-79 (interrupted).

Chairman Pascual Sablan – 33-95.

Catherine McCollum – Well the 33-79 had held back on any kind of movement for the commercial that's why I was wondering. Okay 33-79 an act to disapprove CLTC rules and regulations for commercial use so that's why I was wondering I needed to see that I couldn't find that particular public law 33-95. Can you just read out the big caption for me?

Chairman Pascual Sablan – Yeah I think there's several bills that came about but the last bill was bill 175-33.

Catherine McCollum – That's a bill sir, do you have the public law number?

Chairman Pascual Sablan – That became public law on 33-95.

Ken Rivera – Do you have rules and regulations now for the commercial lease?

Chairman Pascual Sablan – Right here that's the one.

Ken Rivera – That's the one?

Chairman Pascual Sablan – Yeah.

Ken Rivera – Has it been approved by the legislature?

Chairman Pascual Sablan – Yes sir.

Catherine McCollum – So when you get a commercial, let's say because we were reading some of the public laws that were mandated for properties to be given to the Chamorro Land Trust, there's Department of Education properties that were deeded over to the Chamorro Land Trust. Is there communication on that effort Mr. Borja? Is it all right if I ask Mr. Borja a question?

Chairman Pascual Sablan – Sure.

Catherine McCollum – How is that done? Do you guys record it and stuff like that or?

Administrative Director Michael Borja – I don't know what you're talking about.

Catherine McCollum – If you get properties from the Legislature under a public law how do you guys handle that, Land Management handles it? It's actually directed to go to the Chamorro Land Trust.

Administrative Director Michael Borja – There was no transfer of property there was a deletion of the reserve properties.

Catherine McCollum – Deletion of reserved properties for?

Administrative Director Michael Borja – For Department of Education.

Catherine McCollum – Okay but it was transferred to the Chamorro Land Trust according to that thing so do you guys record that and say okay this is under the inventory? Let's say for example you have 20,000 square meters of property that belongs under the Chamorro Land Trust so this is an additional 50,000 or whatever amount they have. I mean how do you guys, what is the policy and procedure, what's the SOP when you guys receive property like that? I mean because Mr. Sablan mentioned about, Chairman Sablan mentioned about the legislature handling the Guatali property I mean what was that property I'm sorry that hasn't been collected for 24 months. So apparently either Chamorro Land Trust is not aware of that property being used under the Chamorro Land Trust so who

collects that money or is there some other agency maybe under GEDA that is collecting that money? Do you know? Is there another agency involved here that maybe we're not aware of?

Administrative Director Michael Borja – No.

Catherine McCollum – But you are aware of that property I'm talking about between Tamuning Elementary and LBJ.

Administrative Director Michael Borja – We're looking into that.

Catherine McCollum – Okay alright then I'll wait for that answer.

Administrative Director Michael Borja – And you know Mrs. McCollum you're more than welcome to make an appointment or come up to see me at my office at any time so we can discuss and clarify some of the issues that you've brought up today. Because pretty much this section of the agenda is usually reserved for you to make comments to us and not really necessarily to be a question and answer period. We'll entertain questions and answers but you're always welcomed and my door is always open if you want to come and (interrupted).

Catherine McCollum – Okay I will make that appointment then thank you.

Ken Rivera – Do we have a listing of commercial properties that are delinquent?

Administrative Director Michael Borja – Yes that is public record we provide a copy of that every month to the Governor of Guam, the Public Auditor and the Speaker of the Legislature.

Ken Rivera – Do you have a number of how many of those approximate?

Administrative Director Michael Borja – There's one that is delinquent as we've mentioned that's been (interrupted).

Ken Rivera – The 24 months?

Administrative Director Michael Borja – They've been given default notice and we have to go through the Triple A process the Administrative Adjudication Law process in order to give them their; they were offered the opportunity because that's the requirement they accepted so now we have to proceed with a hearing. There are processes to do hearings and that is something that we're working through right now because there is a process for that specifically. So yes we are and any other items that are listed there that are showing past due over 90 days those have all been worked out and coordinated and discussed amongst the Commissioners on previous meetings a while back with payment plans for those specific accounts and they're all current. So everybody is current except for one that's not been paying for a number of months but we've given him his notice that he's in

default. And until that is terminated until that contract is formally terminated after a default hearing they have to continue to be invoiced. The Public Auditor is well aware of all of these processes. In fact the Chamorro Land Trust had not been audited for a number of years and when my predecessor Mr. Monte Mafnas was here he got the ball rolling for the public auditor to begin the process. So in 2014-2015 we received three consecutive audits for a 4 year period and its current and we're currently being audited. So this organization is audited by the Office of Public Accountability. Those reports are always available on her website.

Ken Rivera – So there's only one that is past due that 24 months. There's only one company that's past due?

Administrative Director Michael Borja – Correct.

Ken Rivera – Only one on the inventory list for delinquent?

Chairman Pascual Sablan – Yes.

Ken Rivera – Only one?

Chairman Pascual Sablan – Only one.

Ken Rivera – Pretty good.

Administrative Director Michael Borja – We're doing our job here and we've come a long ways in fact you know the accounting process even for Chamorro Land Trust has taken giant leaps and bounds just in the last year and a half. Every single account including agriculture and residential leases are a separate account. You can pull up their system out of an accounting software system to know where they stand on all these processes. We've even been going through the process of asking the Legislature to introduce bills that will assist us in a number of ways. Like for example \$1 a year for 99 years is the rental for agriculture and residential leases. If I was to invoice every one of these people every year for \$1 the cost of that is quite high. We'd be losing considerable amount of money just through that process. So a law now says you have one year after the signing of your lease to pay the \$99 that way your account is free and clear. If you terminate or get terminated before the 99 years you're refunded for the period of time you didn't serve. But that way the accounting books are kept clean for that account so that we don't have to worry about it for 99 years. Now do we make money on \$99 on a 99 year lease? Absolutely not but that wasn't the intention.

Ken Rivera – But the commercial should make money.

Administrative Director Michael Borja – We make money on the commercial but on whole we have not enacted any commercial leasing in the last several years. The things you were talking about were enacted through public law or were done prior to any commercial rules and regulations, prior to any of us even being around here. In some

cases some of those have problems but we have to live with it and deal with it because they already exist. We can't just go in and terminate them but we do work with them.

Ken Rivera – So we do have money in the bank for these collections of the commercial leases. Do we have a balance on that?

Administrative Director Michael Borja – Yeah like I said we provide that information, it'll be a part of this record too. It gets sent into so if you look up the minutes it's included in that right the financials anything that's listed.

Ken Rivera – What minutes is that?

Administrative Director Michael Borja – Well we just approved this minutes but if you go into the, all these minutes are always submitted to the Legislature and the Public Auditor. Am I correct?

Teresa Topasna (CLTC) – The Legislature.

Administrative Director Michael Borja – Just the Legislature, so you can find it at the Legislature and you'll also find it on the Land Management website.

Catherine McCollum – I did try I did try to look for this information that we're asking (interrupted).

Administrative Director Michael Borja – It's hard?

Catherine McCollum – It is hard.

Administrative Director Michael Borja – I'm sorry I'm trying to get that to be more streamed lined too.

Catherine McCollum – I'm sorry if we're bringing these questions up it's because we don't have the answers and we'd like the answers.

Administrative Director Michael Borja – And that's why I said I'd be more than happy to sit down with you and discuss these things you know in another setting because there is a considerable agenda ahead and this period of time is usually reserved for people to just kind of make comments.

Catherine McCollum – Well Mr. Borja I'd like for you to know that if we do make an appointment it's for our members I mean some of us that are interested in this and I hope you don't mind if there is a little crowd.

Administrative Director Michael Borja – No, no we can meet and I have in the past you know when people have asked we met in here because there was a group of people. I'll be happy to do that. I don't have a problem.

Catherine McCollum – Oh okay that's great. At least personally I don't mind the commercial leases but we need to first fix the problems that are existing at this time.

Administrative Director Michael Borja – Right and I want to also show you that the problems are relatively pretty much in control and under control. And moving forward that public law 33-95 it places GEDA as the manager of our properties that will be leased. That's what the law even set up and they're already doing that on behalf of the Guam Ancestral Lands Commission because they have the expertise in GEDA to deal with the RFPs to go out. And that's the way we have to do it and with the marketing effort that needs to go out and the personnel that manages those kinds of properties.

Catherine McCollum – Is there any kind of communication between GEDA and the Board so that you guys can have everything, dots dotted and t's crossed?

Administrative Director Michael Borja - Oh yes.

Catherine McCollum – I mean I feel that there is little communication going on and I think GEDA needs to somehow maybe be present so we can ask GEDA the question if they are the ones that are handling all these financial things of Ancestral Lands Commission and Chamorro Land Trust. I think GEDA should be here to be presented.

Administrative Director Michael Borja – Well because they are not currently doing anything for the Chamorro Land Trust. They are ready to assist once we get properties approved for commercial leasing. Like for the Ancestral Lands Commission they're present in the Commission hearings because they have to provide the financial status of what the collections were.

Catherine McCollum – Oh I see.

Ken Rivera – We'll meet with you so we can (interrupted).

Chairman Pascual Sablan – Wait, wait I also want to clarify something you mentioned about there was a complaint filed that an establishment selling liquor and that establishment under Chamorro Land Trust. As you know Mrs. McCollum there's a law that if you're going to apply for a liquor license there's a law that stipulates or says that you cannot or they would not grant you that license if it's 500 you know it has to be more than 500 feet away from the school, church.

Catherine McCollum – I didn't mention anything about that store selling liquor sir. I was confused as to how did that person establish himself right in the middle of the school. It's a store and from what I was told, I was told I don't know about the liquor part sir I just know that there is this establishment brought in attention to me and once I look at it I said wow that's really a concern because it's snap down in the middle of two schools. The kids take a break they can run over there and (interrupted).

Administrative Director Michael Borja – Mrs. McCollum we're looking into that specific matter. There are a number of blemishes that we inherited and that is one of the blemishes. People way before us, different administrations who just handed out parcels to different groups and those are the kinds of things that we're trying to live with and take care of as they come up and that may be one of those.

Catherine McCollum – Yeah I think those need to be straightened out. I mean if it's going to be in some of our minds then what's in you know. Not everybody follows the law sir and procedures and all that stuff so we got to be on top of all that you know.

Chairman Pascual Sablan – And I believe and I can assure you we're doing that and I think the Commissioners have the right also to ask questions if they have any. Mr. Cruz?

Vice-Chairman Joseph Cruz – No not at this time.

Commissioner Amanda Santos – Mrs. McCollum or Cathy, what have you heard from that establishment? What liquor?

Catherine McCollum – No I didn't hear of liquor. We did want to find out whether there is liquor being sold there but I haven't heard if they're selling any liquor. I just know that this establishment was set up it's under the GTA the present GTA and yet it's Chamorro Land Trust property. So that was just my first concern. Someone else had brought to my attention about liquor possibly being sold there but I have never entered the establishment I don't want to say that there's liquor going on in there when I've never really entered it. But there's a school between the two entities and I know we had a problem with one of the schools where he kids were stealing the liquor in the stores that were nearby so we're just worried about that.

Administrative Director Michael Borja – One of the findings that I think was repeated in the OPA reports was the issue that the Chamorro Land Trust was having problems with enforcement and compliance of the rules and the laws and that's with the leases. So that can only be done when you have a good number of personnel available. The personnel we have available is hardly enough to do even that. Except when we hear of problems then we go out and look. But we've began to increase our personnel manning a little bit more and brought on some great folks, retained a lot of good people. Some of the ones that we've found troubles with we've encouraged them to find other sources of income you know in other places. But we're working on that matter because enforcement and compliance is very, very important even for the residential and agricultural leases because believe it or not there's a lot of violations going on there too and we can't really deal with that. And most recently I think within the last year we actually had to terminate a lease on an individual who had significantly amount of property. I never ever thought anyone can steal the land but they did. 35 dump truck loads of soil. So that's not cool either and what they left was a nice big hole. When I went back to check on it a carabao was having the best time of his life in a waterhole. But that's not what the land is for and for someone to steal the soil and it was good soil and probably making profit on it that's very (inaudible). So those are kinds of things through good neighbors and through watchful eyes from other people and even

citizens like you that bring it to our attention. Then we're able to go in and be able to identify a problem that's been brought to our attention and look into it and then file it with a report. If we find another issue, we're not an enforcement organization we don't have that authority so we then would have to report it to people like EPA, the Police or whoever it is that we need to report it to to take care of those issues.

Catherine McCollum – I'm glad Mr. Borja I'm hearing a different side of the Department of Land Management and that you guys are trying your best to work on these issues and not setting it aside.

Administrative Director Michael Borja – We really are, we really are and that's why I'd be very happy to sit down with you and your group just to talk with you and any other groups that are out there that want to hear what's going on and truly what the stories are that are happening. And we are audited annually so there's nothing to hide, it's there. If we have dirty laundry it's aired out. When I came on board I was happy to have an audit report come in a month after I took over because that was my to do list right. It's important to know from them what the problems were so I can work on those.

Catherine McCollum – I know it's sad that you had to inherit a lot of these issues that are at your doorstep.

Administrative Director Michael Borja – Well you know its 20 years of it that's the issue. It was easier to do things the easy way even if it wasn't the right way. So those are the problems that we're trying to take care of. We got a whole lot of them taken care of but there's still a lot more to go through.

Ken Rivera – We'd like to thank you very much Mr. Borja and the Commission members for these information. We'll set up a meeting and we're a member and she's the Maga'haga for the Nasion Chamoru so we're interested.

Chairman Pascual Sablan – So you Mrs. McCollum and Mr. Rivera you're going to see him?

Catherine McCollum – Oh yes we will believe me we will.

Chairman Pascual Sablan – Maybe I'll come along.

Catherine McCollum – Oh I would love that I would really love that. I'd love for you to be in our board meeting.

V. OLD BUSINESS – None.

Administrative Director Michael Borja – I'd just want to add for the record and I think you might have heard me in one of the media the commercial leases that we have been discussing for the last two months we've put it on hold until we can go through a lot of the comments that have been made and work on the projects more personally on each one of

those different lots. There isn't going to be any discussion on that. Maybe in the near future but not today.

Chairman Pascual Sablan – Thank you Mr. Borja. Any comments from the public? (There were none)

VI. NEW BUSINESS

1. Decha Farms Proposal

Administrative Director Michael Borja – Can I go through the staff report on this one? I handed you a new one but there's also one in the back of your agenda and that would have an additional map but the staff report that was just handed out would be the most appropriate. What Decha Farms is requesting to do is to obtain a portion of Lot 5075 which is located next to the Nissan Motors in upper Tumon right next to the water tower as well behind East West Rental. This portion is approximately 7,800 square meters and it's currently zoned Residential-Multiple Dwelling (R2). There's a land for trade that they're looking to do and this would be kind of a trade in a payment if they were able to get this land and that would be the property identified as Lot 154-1 in Yona which is located in Windward Hills near the Israel Apartments and the Our Lady of Peace Cemetery or actually the new cemetery next to it that is zoned as agricultural. The land transfer methods would be of course the value for value in average to get the fair market value of the appraisal and there's also an area for area. The requirements for all Government owned lands there needs to be duly authorized legislation in spite whatever we do the Legislature still needs to pass a bill and enact it into law that would allow for any land transfer to occur. There are two different options. One is a land transfer again for value for value or to do a commercial lease if they wanted to use this piece of property. The pros and cons for land transfer, the pros is we will possibly get a larger land area of CLTC land if it's transferred under the value for value formula since the property in Tumon would definitely be much greater in value most likely per square meter than the one in Yona. The cons is that Lot 5075 has immediate access to full infrastructure while Lot 154-1 has proximity to water and power and road but it's undetermined what the access to available sewer would be. Lot 5075 is available for commercial zone or greater. If we did a commercial lease what the pros on that would be is that CLTC would have an income source based on the taxed assessed value. That portion of land would be worth \$570,000 with a potential annual rent at 10% of \$57,000 per annum. In that kind of money we can use that income for infrastructure development or other kinds of things like surveying. The cons is that the land is not approved for commercial use. A portion of Lot 5075 under other, approximately 1,500 square meters of that lot is currently being used by East West Rental without authorization or compensation and had been for an undetermined number of years. Also Guam Waterworks is seeking approximately 50 to 700 square meters of this same lot but not part of this 7,800 square meters for tank replacement as mandated by the Clean Water Act and by court orders. I'll be discussing in more detail the Guam Waterworks issue later on the agenda. So what you have in this map if you've seen the maps the one that is attached to this document is red shows you an aerial and a map of that lot the one that was part of your agenda package which I had updated shows Lot 154 in Yona and where it's located at. I've been to that lot, it looks in very good shape. It's flat it's slightly angled down but it's a

beautiful area up there. There's farming in the nearby area but this area is rapidly growing with residential housing in Windward Hills and on Route 4A on the way down to Talofoto.

Commissioner Amanda Santos – How big is the land?

Administrative Director Michael Borja – Well it all depends I can't remember the total land size but there's more than enough land in there to accommodate if it's a full transfer or a transaction that's part transfer and part cash. I think Mr. Adkins and company had given us a package here of probably the same kind of stuff. So I've asked Mr. Jim Adkins and his son of Decha Farms to please come in today to present their story.

James Adkins – Thank you very much for having us today. We'd like to make an offer with the Government and that's Chamorro Land Trust to do a land exchange for their property which is 8,808 square meters for the other property at similar value and of that we propose and we would give you 50% of the value in cash and 50% of the value in property. The property is the one in Windward Hills which will equal to approximately 326,000 plus dollars in cash and it would have approximately 33,000 square meters of property which is buildable next to the main road. It's an excellent property for people to build housing on it. The land is much bigger than what we're asking for. I believe at the location and the requirements for us would be a very fair of fair market. Of course we would have to have two appraisals approved by the Government as to what the actual value is before we can go in and decide how much each one will get. So it's up to the Commission I guess and the Government upon the Legislature whether they would like to have all the land in exchange value for value, whether they would like have cash value or to do a 50/50. In my opinion I think the fair for the Chamorro Land Trust is to go in and get 50/50 that way you get land where you can give it to people who need housing now it would give you over 25 house lots and you get over \$300,000 to where you can use that money to go out and get surveys and other things done for other pieces of properties. This is what we're offering and we hope that we can work out something with you.

Administrative Director Michael Borja – What your document is talking about though is for the entire Lot 5075 in upper Tumon but I know I had advised your company that Guam Waterworks does have an interest in a portion of that property as well which reduces that size. They needed about 40% of that lot.

James Adkins – Right the property after Guam Waterworks gets theirs it would be 8,808 square meters. The lot in total is I believe that it was 13,000.

Administrative Director Michael Borja – Yeah it was 13,500.

James Adkins – 13,500 and the Waterworks was going to be taking like 1,500 square meters.

Administrative Director Michael Borja – I came up with a different number. We've been going a little bit back and forth with Waterworks because we wanted to make sure that what they needed is what they got. But I'll be talking about Guam Waterworks' needs later in the

agenda. But for you Commissioners the issue here is if you concur with a land transfer, part transfer, part sale we would do it by resolution and that would be forwarded to the Legislature because again it has to have legislative approval to do this by public law. If they were going to proceed with something like that the current feel I get from the Senators is that they want to get a resolution from the Commissioners to demonstrate their position on any of these transfer issues. So we'll be talking about that and the need to do these by resolution so that it's formally presented to the Legislature. It's the same kind of thing we need as well from the Mayor's Municipal Planning Councils when there's action that they're formally are taking is required by resolutions.

Chairman Pascual Sablan – One quick question on number 4 on this summary that you prepared 4b. CLTC land and it says CLTC Board of Commissioners, aren't you supposed to put a comma there, and Legislative approval? It looks like Board of Commissioners which is us and the Legislature have to approve. In other words if we disapprove or we approve the Legislature don't have to approve.

Administrative Director Michael Borja – If you disapprove and they want to do it they'll still do it.

Chairman Pascual Sablan – Yeah that's right.

Administrative Director Michael Borja – But if you disapprove I mean it all depends if they want to do it or if they're going to follow your action then they'll take that as justification why not. It's one of these things where I think that's been a frustration by Commissioners I know I've experienced it as well (interrupted).

Vice-Chairman Joseph Cruz – So on the option available for land transfer or a commercial lease we still have to send it to the Legislature.

Administrative Director Michael Borja – Yes we cannot conduct this action without Legislative approval. But we'll base on whatever option you want to do if you want to do all of it as a land transfer or half and half or all of it as a sale whichever way you want to go and present it in the resolution you know that what they could be able to use for getting legislative language. But in the end if you do the idea here on at least doing the transfer or half and half no matter which way we go we're still going to still get more land mass, more area in return and it's reasonably a good area out there.

Vice-Chairman Joseph Cruz – When you say land mass the area of 33,000 square meters from 154?

Administrative Director Michael Borja – Well yeah if you even look at his calculations on appraised value the lot in upper Tumon is worth \$74 per square meter while the lot in Windward Hills is worth \$110 per square meter.

Vice-Chairman Joseph Cruz – Yeah but you already calculated 33,000 with a cash of \$330,000.

Administrative Director Michael Borja – But that's based on the full size lot. We're not offering the full size lot.

Vice-Chairman Joseph Cruz – No that's the calculation that he mentioned that will come up with 25 house lots.

Administrative Director Michael Borja – But that's based on 13,000 square meter of Lot 5075 but instead it's (interrupted).

Vice-Chairman Joseph Cruz – So if we go half and half, half cash and half land we're talking about 25 lots is what you mentioned that we can create.

James Adkins – It would make to about 25 lots as you put in the road and (interrupted).

Vice-Chairman Joseph Cruz – And we're looking at half acre each or quarter acre each?

James Adkins - Quarter acre each. 1,000 square meters each.

Vice-Chairman Joseph Cruz – That won't be able in an agricultural zone it has to be 1,858 without sewer.

James Adkins – I'm quite sure the land here could get it made into R1.

Vice-Chairman Joseph Cruz – But even if it's an R1 without sewer you still have to go 1,858 as the EPA standards. At 1,858 you can only come up with 18 lots on the 33,000.

Chairman Pascual Sablan – And if I may Joe, again even though you go to spot zoning on R1 they will not approve your blue print if you were to build a house because there's no sewer.

James Adkins – I could only say what our architect said that's how much houses they could put on a piece of property that size.

Chairman Pascual Sablan – Quick question Mr. Adkins, how far from the road to this property the one in the back that you're interested, what's the dimensions? From Route 1 to the property in the back what's the distance?

James Adkins – About 300 feet.

Chairman Pascual Sablan – The reason why I ask that is because there's a law that the Legislature passed that I think this area all the way down the frontage is rezoned from whatever zoning to commercial. That's why I'm asking my question.

James Adkins – But it's outside of that.

Vice-Chairman Joseph Cruz – It's a strip zone between center lane of Marine Drive, 200 feet in. So whatever that 200 that's where the, it's a strip zoning.

Chairman Pascual Sablan – Thank you Joe. Mrs. Santos do you have any question?

Commissioner Amanda Santos – No.

Chairman Pascual Sablan – I think I need a guidance here. How can we act on this when either way when this is not part of or we haven't transmitted anything to the Legislature?

Administrative Director Michael Borja – Well no we would transmit to them in resolution if you concur with doing a transfer here or if you concur on doing a transfer half with land and cash whichever way you want to go we would approve this in a vote on a resolution. And the resolution would expressly describe how you guys want to go about doing this then we would then give that to the Legislature and say a constituent came made this request we agreed here's what we resolved. They would need to get it passed through the Legislature because it's incumbent for them to go forward as well to seek the necessary legislative approval to get this thing passed.

Vice-Chairman Joseph Cruz – If we decide to go on option B this would be our first parcel to be listed as commercial lease.

Administrative Director Michael Borja – If you have to lease right. Well it was one of the ones that we had on the original list.

Vice-Chairman Joseph Cruz – I know but like I said we didn't submit that list being that a client is requesting for this parcel it's an option of doing a transfer or a commercial lease.

Administrative Director Michael Borja – I placed it down as an option because it always is an option but I've had discussions with Mr. Adkins and his associates about this matter and their preference is not to lease. They're preference is to own the property and I think you've came before us once before right to discuss this?

James Adkins – Yeah.

Administrative Director Michael Borja – They came here late last year to discuss the same the issue.

Vice-Chairman Joseph Cruz – Now is there any previous case that we can cite that we're not establishing a precedent of just transferring Chamorro Land Trust to an exchange of a private entity? Because if we concur with this for transfer (interrupted).

Administrative Director Michael Borja – Well no there is transfers occurring all the time.

Vice-Chairman Joseph Cruz – To swap it with a private owned and now it belongs to Chamorro Land Trust. Was there a case?

Administrative Director Michael Borja – Well there's one that's just got a public hearing yes and there's a number of them where there's actually a whole lot a whole tract of land up in Dededo that was reserved for those kinds of issues. Let's say somebody this one specific case (interrupted).

Vice-Chairman Joseph Cruz – No I think you're referring yourself to that 70 acres where Chamorro Land Trust gave Land Management to exchange any Government project with that Government land and not be part of Chamorro Land Trust. The 70 acres you reserved for exchange. But I'm asking is there any case the Chamorro Land Trust transferred or acknowledged an exchange with another private entity?

Administrative Director Michael Borja – Yes recently with Mr. George Toves remember we just did that. We actually expanded his land even larger a couple of months ago.

Vice-Chairman Joseph Cruz – Well George Toves is a special case because it was an alignment that was there.

Administrative Director Michael Borja – No but the original public law was because the Government needed his land for the entrance into Okkodo (interrupted).

Vice-Chairman Joseph Cruz – Yes and that's a hardship based on the Government of Guam having an alignment right through his lot.

Administrative Director Michael Borja – Well yeah but that's (interrupted).

Vice-Chairman Joseph Cruz – What I'm saying is there's no hardship here for Chamorro Land Trust to exchange. There's no hardship here where the owner comes in and asks us to transfer 8,000 square meters in lieu of a 33,000 square meters.

James Adkins – Plus 300,000 in cash.

Vice-Chairman Joseph Cruz – Well I understand that but the concept of exchanging is what I'm asking. So I would prefer to do option B, start with a commercial lease instead of just relinquishing Chamorro Land Trust property and absorbing a land that's up in Yona. That's my recommendation.

Chairman Pascual Sablan – Mrs. Santos?

Commissioner Amanda Santos – So are we going to vote for that or send it to the Legislature?

Chairman Pascual Sablan – I was talking to Mrs. Santos earlier I think we need to digest this more. Now that Mr. Adkins submit document to us we need to sleep over this the way I see it really. As Mr. Cruz said having question is I think this would be a first of a kind you know. So the Chair is ready to hear a motion what to do.

Commissioner Amanda Santos – I move that we postpone this until a later date so we can familiarize ourselves.

Vice-Chairman Joseph Cruz – I second the motion to postpone and discuss further.

Chairman Pascual Sablan – Those in favor say aye.

Commissioner Amanda Santos – Aye.

Vice-Chairman Joseph Cruz – Aye.

Chairman Pascual Sablan – So the ayes have it.

Administrative Director Michael Borja – Well we'll bring this up at another date but if you like to come and meet (inaudible). So it'll give them some time to digest I guess and what the ramifications will be.

James Adkins – Okay.

Chairman Pascual Sablan – Thank you Mr. Adkins.

2. Home Loan Guarantee Request

Administrative Director Michael Borja – As you know the individuals who have agricultural or residential lease with the Chamorro Land Trust in most likely would have to go through the Guam Housing Corporation to obtain their loan for their home. The individual Mrs. Valerie Kaipat is an applicant, she has a Chamorro Land Trust lease and she is asking for a guarantee of \$170,000 to build her home. This is a modest home this is not anything that's unnecessarily or unusually large or anything, it's a three bedroom home. The way the law reads for home loan guarantees and it gives us that authority to guarantee the loans and then what would happen is if there was ever a default we would then take over and pay the monthly payments and then go through the process if necessary to terminate the lease and repossess the house. And then find another eligible applicant who can take over the loan and pay up all the fees and other payments that the Chamorro Land Trust had made on this time. Unfortunately our rules and regulations for the loan guaranty program we're still kind of stuck getting an economic impact statement out of GEDA before it can move on. But the recommendation from Guam Housing Corp because what we had initially had tried to create was the size of the loan that we should consider should be based on the size of the family and the size of the family determines the size of the house but that turned out to be a really poor example and we've since dropped that completely. If you recall we had an individual who came in one time and he's just a single individual and if we were only going to approve his loan for the size of a house for one person you're talking about a house that is smaller than a third of the size of this room. It then would not even be marketable because who is in the market of a one bedroom house. But a three bedroom home which this is is more marketable if it is necessary for us to have to repossess. Currently we have one small house that we had to repossess but we can't you know it's difficult to find a buyer for that and we're in the process of having to take over another one

because the owner has decided to terminate her own lease. She did not want the Chamorro Land Trust.

Chairman Pascual Sablan – Excuse me Mr. Director, Valerie Kaipat signed in I would like to see her please.

Administrative Director Michael Borja – Okay I just wanted to bring you up to speed.

Chairman Pascual Sablan – You know we're talking about Chamorro land and based on what you just said our culture even though a single because a couple they bring in their mother, their father you know so it cannot be, I'm glad that you come to that point. I know that previously we discuss that if it's only two persons or one child the maximum is two bedroom but when you're going to bring in don't forget the culture see.

Administrative Director Michael Borja – Right and I also have Ms. Mary Guerrero here from Guam Housing Corp who can help assist with the applicant on whatever questions you might have concerning the loan. But it's necessary that we have to approve this loan guaranty if she's able to close on her loan and in many cases these get kind of timely because there is a time period in the loan process.

Vice-Chairman Joseph Cruz – Interest rates.

Administrative Director Michael Borja – Well not just interest rates but the loan offer is made for a period of time and if they don't get that loan within that period of time they have to start all over. We've had the unfortunate circumstances in the past where a person had to start all over again and he's sitting right over there.

Chairman Pascual Sablan – I'd like to hear from Valerie.

Valerie Kaipat – Good afternoon Board, Valerie Kaipat lessee as of February. Actually I have more accommodations than anything sir because I was in the process just to make a long story short of closing a house in Talofofo and upon closing I found out that through the help of the Administrator upstairs for Guam Housing he said you know girl why don't you go check if you have land. You know just very informal like that and I said no sir its okay I think my mom started the process but never finished it because I'm an only child. My Chamorro last name is Aguon by the way. So anyway I go there okay let me just go check and Ms. Nededog says are you Valerie, I said yes I am, well you are the beneficiary of property that your mom left you when she passed away in 2004. So I was just in tears I didn't know what to do and I said this is definitely a sign. So from then since last summer I've been pushing to get this property surveyed which was a whole new challenge in itself. Only one surveyor on this island to date will survey our property. Mr. Castro thank you very much and my loan has been approved upstairs. That took 8 months and thank you Ms. Guerrero for being here. The team at Land Trust Commission, Mr. Borja I've also written to you about my experiences. It has been challenging but positive and I pray that the Commission or all the Commissioners will push for my loan guaranty because pretty much as of right now that is the only document that is delaying my final approval. Appraisers have been out and so

forth, title has been open and it's just a matter of waiting for the board meeting. I'm eager, I've been working for the Government for the 18 years. I understand sir about the culture over this process I gained a grandson from the time I applied to the time I'm here and I didn't anticipate a grandson. But it's true the family grows and I'm glad that that clause was taken out because I can't control how our family grows. But I'm just here to gain a guaranty on my loan that I will work hard to repay or to pay. I don't plan on leaving Guam. My husband and I don't plan on leaving our home. He's from Saipan I'm from here. We plan on living here until we die because our moms are born and buried here. So that's pretty much my story.

Chairman Pascual Sablan – What do you think about the Chamorro Land Trust are they doing their job or what? Are you satisfied?

Valerie Kaipat – They are doing their job the best way they can. When I started working with Jhoana because my last name was H before then I remarried in the last 8 years I switched to Ms. Duenas after the transfer. A lot of it was digging up old records and figuring out you know they looked at call logs from my late mother, tried to figure it out and make it right this time around and we followed the process although lengthy we followed it and I'm happy that I signed my lease. I'm ready to make payment and to build my first home on that land. So yes sir I am satisfied. They have kept me in the loop, email works great. They've returned my phone calls, Ms. Borja, Mr. Leon Guerrero as well as GHC on 5th floor they know me probably by heart because I call almost daily because I feel like I need to. And there is a timeline sir like you said. I don't want to start the process over like the one person who had to whoever is in here. It is enough to test your strength and your faith and I'm happy I've gotten this far. So with their help I'm here today looking for a guaranty on the loan.

Chairman Pascual Sablan – My next question is how do you manage to get 4 point whatever percent of loan? Or should I address that to the Guam Housing? Why that in the past you're charging 6% or is that the prevailing?

Mary Guerrero (GHC) – It's Mary Guerrero from Guam Housing. Her loan was approved under I believe the 6% program. The interest rate is dictated by law. The floor is 4% the high is 6%. It could be between 4 to 6 depending on the prevailing rate at the time she came in. Even that interest rate is good for 6 months.

Chairman Pascual Sablan – So that's the prevailing now it's 4.875?

Mary Guerrero (GHC) – For the 6% loan.

Chairman Pascual Sablan – How about if you got a loan already can you refinance it?

Mary Guerrero (GHC) – You would have to demonstrate hardship that you would need us to refinance. And even at that you would have to go through the process of being denied by a bank that you are unable to obtain a conventional loan. You're going to go back to the original process.

Chairman Pascual Sablan – Last question Valerie you don't have to answer it. How you get Kaipat?

Valerie Kaipat – I'm married to Christopher Kaipat from Saipan a Carolinian. He moved here when he was 8 years old and they lived here since so I married him in 2010 and we hope to build our first home in Dededo if it's guaranteed. Thank you sir for that question.

Chairman Pascual Sablan – Any questions?

Vice-Chairman Joseph Cruz – I just want to ask the staff the field description it says here presently vacant with utility within 100 feet. Sewer, water and power are there?

Matthew Leon Guerrero (DLM) – This in Tract 1113 the FEMA subdivision area.

Vice-Chairman Joseph Cruz – Oh okay.

Chairman Pascual Sablan – Mrs. Santos?

Vice-Chairman Joseph Cruz – Motion to approve.

Chairman Pascual Sablan – Motion to approve. Mrs. Santos?

Commissioner Amanda Santos – I move that Mrs. Kaipat's (interrupted).

Chairman Pascual Sablan – Already a motion you second it?

Commissioner Amanda Santos – I second it.

Chairman Pascual Sablan – Those in favor say aye.

Vice-Chairman Joseph Cruz – Aye.

Commissioner Amanda Santos – Aye.

There were no objections, MOTION PASSED.

(Commission took a break; 2:26pm – 2:34pm)

3. GWA Infrastructure Modernization

Administrative Director Michael Borja – What you have here is Guam Waterworks is going through a process where they need to modernize some of the infrastructure most specifically the water tanks. We've been talking with Guam Waterworks over several different meetings and we've even all gotten together Waterworks, Land Management, CLTC got together with even Senator Tom Ada to also go over the process. In the end what we have to do still will require legislative approval but the thing is that they have been mandated by the Clean Water Act and by court order to accomplish these tasks immediately well actually not immediately the deadline is quickly approaching. Now they

have significant amount of bond funding to take care of this issue. There's three different lands that we're going to go over but before I go into those I just want to again mention that there still needs to be authorized legislation. It really will need your resolution to approve it if you so desire but I highly recommend we work on this because it is for the common good. Remember that water is the life blood of everybody and if we don't modernize these tanks they'll probably even mention at Guam Waterworks is that the existing tanks as they sit on the ground today if we had to replace them they would need a bigger foot print you need a bigger tract land to put it on because of new requirements. The resolution will go to the Legislature for legislative action. Compensation for the land that's going to be needed has not yet been determined. What we're going to even include because we need to move this quickly that the bill will probably even state that the determination of the compensation has to be done within a specific period of time. But there are several different options we can use. You can do a land transfer, you can do a land purchase, you can do a land lease or you can do a trade of services. Those are four different possibilities. Again none of them have yet to be determined and at this point we're not ready to determine that. We will determine each of them on a case by case basis but spend additional time to deal with these issues with Guam Waterworks. Because they're also going to need whatever route we go will also require the action of the Guam Waterworks Commissioners, Commission on Utilities. So those are the issues. Now the pros and cons on the land transfer the idea here is if they are able to get a large land let's say 38 acres and then as they need land they take it out of this bank. There's a possible property and you know depending on where it's going to be if it's another piece we'll look at that but that's what we'll probably make a determination if we use the land bank. But it gives us a bigger tract of land to work from so we're not really losing out in the inventory. The con is the land has not yet been identified. The pros on the land purchase is that you get immediate revenue. The cons on a land purchase is that there's an inventory loss. The pros on a commercial lease is that you have a steady stream of income. The cons is that the land is not yet approved for any kind of commercial but then again legislation can overcome that easily. The pros and cons of trade of services is that on the good side you can have survey services or infrastructure development. On the cons based on the land value the amount for the land to be used as trade of services might be way too little to do any kind of significant infrastructure development but the survey could be something that would be very, very beneficial. So as I go through the three different parcels of properties if you look at the first map again this is related to the Decha Farms one that is the tract of land that we were looking at and that's where the division is where Guam Waterworks basically gets around I think it's almost like 40% of the lot size. It will be a straight very easy line. There's nothing funky about that. They will be responsible for the surveying of all the properties and if necessary like in the case of the next one even land registration. On the next one it looks like third submittal on the top, here is an area if you look at the shaded area on the bottom they have two water tanks in which the biggest water tank sits right between the lot line. To the left of that they need additional space again and identified it as the portions of in my comments. They need that much land over there to the left as well to add additional tanks. This is out in Astumbo. It's a vast growing area and you really need a lot of water especially since it's sitting right on top of the aquifer. And in the lot on the right this is a corner intersection by the way the lot on the right it's an oddity. It is part of a weird part there's a big piece of property on the other side of the road and it's a rectangle with a little pimple sticking up like this and that's

that piece of property and it's also unregistered. So they're going to need to resurvey it, register it and then partition it out for their use. But what we could do in this legislation and in our resolution is we're going to grant them the authority to begin the process to begin using the land so they can start staging the equipment, getting the lands ready for the installation for this stuff. On the third one on the third map the one that say I-113 on the back this is in Santa Rita right next to JP Torres School. The shaded area is a portion of property they already have a section of property but they need another portion down below for their needs. Now in the issue here we've already leased out that piece of property to a CLTC applicant the one that got it for his cattle.

Commissioner Amanda Santos – Kosaka.

Administrative Director Michael Borja – Right Kosaka but he already surveyed it. He's agreed to move his portion to another section adjacent to here and then Waterworks says that they'll finish off on his survey too to accomplish that. But they need that again as additional infrastructure for the area that they currently have. So those are the three different lots today that they need. You have from Guam Waterworks Authority Vangie Lujan and Bobbie Cruz and if you have any questions from them we'll let them give their comments on the properties and you can ask them any specific questions. But we have been working closely with them in the very highest levels but the issues here is that we do need to get our different Boards to be concurring on what actions we need to go through. But the first action is to dedicate the land for their needs.

Vangie Lujan (GWA) – Thank you so much for hearing our case so very quickly. I'd like to concur with the applicants before us that the staff and Mr. Borja have been extremely cooperative and helpful in trying to shepherd this project through. These three projects are part of GWA's court order under 2011. The tanks are the projects that were done towards the end that we need to make sure that they're under construction by 2018. There's some that will be done by 2020 but not these three projects. We already have under contract the designers so that we are able to move forward. I think two of the projects need to be on their way by the end of this year and one of them I think the Nissan tank needs to be constructed by 2018 so the time is quite of an essence. What we're looking for is your approval to utilize the land and work out the details later for the compensation. As Mr. Borja said there's multiple ways that we can deal with the compensation. I want to stress that the properties because there's 20 tanks that we have to build all together, these 3 happen to be on Chamorro Land Trust. The rest of them are either on property that GWA owns or private property that we have to go seek out. The location is critical to the hydraulic system and so it's not like we can just because we have some property here in Tamuning we are going to put something there or something like that. It's because of the elevation of the property, the characteristics of the property and the location that's why those sites were selected. They went through an extensive process of trying to locate the property, trying to locate these areas for these additional properties. And so what you have are the three areas that are in the inventory of the Chamorro Land Trust that we are requesting to be able to work with you to get those properties. The one in Nissan there's an existing tank there and so that particular one will be replaced as well if we have enough property we will put another tank there. But we also need additional where there's an existing sink hole already so we will

use that as a method to manage storm water which is the US EPA regulation to deal with storm water so there's retention basins that are required for all the, it's a new requirement versus the time like when that tank at Nissan was built so that's part of it. In order for us to take down some of these tanks sometimes we're co-locating two tanks there. When one is being maintained we'll still have the advantage of filling up the other tank with water. Especially in Tumon that location is quite critical. The tank will provide fire flow so if there's a fire there's enough water in the system to put out the fire. Especially Tamuning is a commercial area and it requires a lot. The opportunity for fire in those locations is quite high as well as provide additional water service to Agana, Tamuning and Tumon. You know that we're at a point in our tourism economy that additional 2,000 rooms are being requested for construction and I think that having the tank specifically in that area would assist in terms of providing the much needed water supply in that area. As Mr. Borja also mentioned the Astumbo property that's an area of growing population and in Santa Rita part of it is to take down that tank and to be able to replace it with a newer tank.

Chairman Pascual Sablan – Mr. Borja what would happen if we give Decha, if we granted him what he is requesting?

Administrative Director Michael Borja – No I already told him, I already told him.

Chairman Pascual Sablan – For instance what would happen then they're finished.

Administrative Director Michael Borja – Oh no, no. They both came in almost in the same doorbell. It's just that the Adkins came in first but once the Waterworks came in and presented their needs for the land you know I found that what we should be looking at is what's greater for the public good than for a private interest. So the public good in water is overwhelmingly more important. So I asked them what parts they needed and there were several weeks of us going back and forth with different drawings on what they wanted. And then we actually gave them the authorization to go out and clear part of the land so they can do their due diligence to determine what the land actually has whether it is even suitable for their needs and that's when they also discovered there's a huge gravel pit there that was done from post World War II. Mr. Adkins thought that it was a liability, they see it as an asset and I saw it as an asset too. I said that's your basin don't tell me it's a hole in the ground. By my telling Mr. Adkins and they know it I've given them the drawing showing them exactly what part they're going have and what would be available. Now he was quoting a number that was a thousand square meters larger than what we saw but that was based on the last set of schemes. I hadn't shared them with this latest one which Guam Waterworks had gone through and then finally delineated what their specific line is going to be. I was trying to make their area just enough for what they need and I actually had one thousand square meter difference but Waterworks said you know in order to accommodate the setback requirements that they have to have and all that they needed that space.

Vice-Chairman Joseph Cruz – Your plan, is this the master plan that you have for utilizing this lot is this a short term or is this a long term master plan that this is the acreage that you need?

Vangie Lujan (GWA) – For the lot in Tamuning the three lots this is going to be (interrupted).

Vice-Chairman Joseph Cruz – No the one next to (interrupted).

Vangie Lujan (GWA) – Adkins?

Vice-Chairman Joseph Cruz – Yeah.

Vangie Lujan (GWA) – That is a long term and so we need to in our request it's going to be constructed a concrete tank that's going to be permanent so it's not like we're going to be able to tear it down.

Vice-Chairman Joseph Cruz – So what are we looking at if you were to come up with the proposed tank that you have now what's the chances of you needing additional acreage for 10 years from now or 5 years from now?

Vangie Lujan (GWA) – It's going to be two tanks so the tank size and the capacity of the tanks are built for future growth in addition to existing. So it's going to be where Nissan, we have a tank there we call it the Nissan tank there because Nissan painted their name on it, it could be called the Adkins tank if they wanted to but it's that tank plus this additional tank is our request.

Vice-Chairman Joseph Cruz – So what's the capacity of the new tank?

Vangie Lujan (GWA) – I'm not quite sure I'm sorry I don't have that information.

Administrative Director Michael Borja – Probably we're talking about 1 million.

Vangie Lujan (GWA) – Is it a 1 million gallon?

Bobbie Cruz (GWA) – No I believe it's 2 million.

Administrative Director Michael Borja – 2 million, I had the drawings I just didn't bring it down with me.

Vice-Chairman Joseph Cruz – The reason I'm asking is that if this is the acreage that you need for these two tanks is this sufficient to accommodate over flow of that 2 million or a million tank?

Vangie Lujan (GWA) – It's to accommodate both of the (interrupted).

Vice-Chairman Joseph Cruz – In case there's a spill and in case there's flood.

Vangie Lujan (GWA) – Because I think one of the option is if that property is not the full property is not available to us what we're going to end up doing is rebuilding the Nissan

tank but we'll need still properties so that we can deal with the storm water requirement. But that's not our I mean to deal with the issue related to the demand we really need that property there so we can have two tanks there.

Vice-Chairman Joseph Cruz – Well I just want to clarify whether will you be needing additional acreage aside from the 5,000 that you're asking and if so then.

Vangie Lujan (GWA) – No. We recognize that there's other opportunities for Chamorro Land Trust to lease out their properties for the purpose of the Commission and so we don't want to take up more property than we have to.

Vice-Chairman Joseph Cruz – Have you done the site inspection on this?

Vangie Lujan (GWA) – Yes I think they even did the boring testing to make sure.

Vice-Chairman Joseph Cruz – So what's the topography on the coral pit?

Vangie Lujan (GWA) – I don't have that.

Administrative Director Michael Borja – There's a drawing we have upstairs where they actually outline the shape of the pit.

Vice-Chairman Joseph Cruz – Are we looking at 100 feet deep, 50 feet deep, 25 feet?

Administrative Director Michael Borja – No, no.

Bobbie Cruz (GWA) – We would have to get that from our engineering.

Vice-Chairman Joseph Cruz – I mean I just want to know how deep this pit is.

Administrative Director Michael Borja – No it wasn't that deep. No not 100 feet, I mean it was probably (interrupted).

Vice-Chairman Joseph Cruz – Because we're mentioning coral pit some coral pits are deep some are not.

Vangie Lujan (GWA) – It's not that deep and the point of the pit is to really to manage any overflow and to manage the storm water on the property because of that regulation to you know you have to manage your storm water.

Vice-Chairman Joseph Cruz – No we're just trying to figure out the usage of this lot if you already know the topography of the pit I mean.

Vangie Lujan (GWA) – You know we have a full because we were part of the analysis of determining this site especially because the construction needs to happen pretty soon because of the court order deadline. They did do a full assessment and there are some

engineering drawings and the full topography, the property line. All those details were provided to Mr. Borja. We can provide that to you as well.

Vice-Chairman Joseph Cruz – So what kind of document do you require us to enter the property to meet your federal guidelines?

Administrative Director Michael Borja – What we need to do is by resolution approve that this land be transferred over to the Guam Waterworks for a compensation to be determined at a later date and that will be part of, that will be put in as an exhibit into the bill because it still has to be done by legislation. We can't give it to them directly the legislation (interrupted).

Vice-Chairman Joseph Cruz – But why not come up with a right of entry agreement in the meantime for construction where we can authorize them to utilize the lot? We are the grantor of that agreement and they're the grantee. I mean I'm just suggesting that.

Administrative Director Michael Borja – Yeah. Well we're trying to move this legislation. I think the draft we're probably going to see it sometime next week.

Vangie Lujan (GWA) – Yeah I'll be finish with it by this week and then we're going to vet it through our agency and we should have it by early next week.

Administrative Director Michael Borja – Yeah because the hope is to try to get it to the Legislature by the first week of April for a public hearing the week after and then introduction.

Vice-Chairman Joseph Cruz – I understand that but with the right of entry you can continue the construction from the get go.

Vangie Lujan (GWA) – I think that would be fine if that's something that you can do quickly.

Vice-Chairman Joseph Cruz – I mean based on advice from our legal here.

Vangie Lujan (GWA) – Will that be for all three properties? You're going to give us right of entry?

Administrative Director Michael Borja – Yeah, yeah.

Vangie Lujan (GWA) – But we're hoping that we can expedite this through the Legislature and get it done by next month.

Administrative Director Michael Borja – Because you know because of their bonds too I think it's real strict.

Vice-Chairman Joseph Cruz – That's why I'm asking get the documents (interrupted).

Administrative Director Michael Borja – Yeah it's real strict on the use of the lands and stuff.

Vice-Chairman Joseph Cruz – Because I know it's going to take time to consider the compensation. Are we going to elect to go through a service or are we going to select to go through cash or you know but with a right of entry they can just go ahead but we negotiate what needs to be (interrupted).

Administrative Director Michael Borja – Okay so we can include that as part of the legislation.

Vangie Lujan (GWA) – So is the legislation to because you're authorizing us to do the (interrupted).

Administrative Director Michael Borja – The deed cannot be completed until the compensation has been done. And so this will grant, the bill will grant the property or transfer the property to the control of Guam Waterworks effective upon the final compensation closure but for the meantime there's a right of entry.

Vangie Lujan (GWA) – Okay. And so because I think that although we did a lot of study on the Nissan tank property I don't think we did a lot of like boring testing and stuff on those other two.

Administrative Director Michael Borja – Yeah so that will give you the opportunity to do that to make the final determination but you know part of this bill was to set a time period of how quickly we have to come to a conclusion on the (interrupted).

Vangie Lujan (GWA) – So what's a reasonable time period for us to be negotiating this compensation?

Administrative Director Michael Borja – To be concluded before 180 days.

Vangie Lujan (GWA) – Oh okay.

Administrative Director Michael Borja – Effective to some other date.

Vangie Lujan (GWA) – Okay and I think that as Mr. Borja said that GWA will pay for all the administrative costs like if we have to resurvey it or whatever documentation that (interrupted).

Chairman Pascual Sablan – We're not going to put any at least a figure as to you know as to what is our bottom line figure?

Administrative Director Michael Borja – No because if it's going to be some lease there's already stipulations established on percentage of fair market value. If it's going to be a

purchase it's going to be based on the fair market value that kind of thing. That's what we will be asked.

Chairman Pascual Sablan – So we're looking to leases and (interrupted).

Administrative Director Michael Borja – Well I gave you four examples and some of these may not work for whatever the covenants of the Waterworks is or maybe not agreeable with their Board. Their Board may not want to have leases or say yes let's go ahead and do leases whichever one. We have to be flexible in whichever direction we want to go. Now if you want to dictate and say no they're all going to be leases you know then it limits the possibilities of what we can talk about.

Vice-Chairman Joseph Cruz – Can I bring something up Margaret, remember the land reservation when we did a grant deed to Waterworks and they got all that parcel listed under their reservation, are you aware of that?

Vangie Lujan (GWA) – Yes.

Vice-Chairman Joseph Cruz – Do we have any excess land that's coming from that grant deed to Chamorro Land Trust?

Bobbie Cruz (GWA) – Yes there is. Right now we're in a surveying project actually severing out the grant deed list. We're actually on-going with that and we are going to be putting a quit claim deed for the remainder.

Administrative Director Michael Borja – Oh yeah we've been working through that and the process has been flowing through. There were some hiccups because I think somewhere along the approval system some engineer fell off the earth and had to wait for the new one to climb in and take over.

Vangie Lujan (GWA) – So one of the things I do want to mention is that our Board is very, wants to have the compensation so that there's no question as to because you know it's an infrastructure thing and it's going to be permanent that it's not something where one day you tell us remove your stuff.

Administrative Director Michael Borja – The preference is outright ownership.

Vangie Lujan (GWA) – It could be a long term lease (interrupted).

Administrative Director Michael Borja – And maybe even perhaps with the stipulation that in the event it's ever not needed it's reverted back.

Vangie Lujan (GWA) – I think that as we go through the process of registering our property as well that there's opportunities for seeing either through services or properties that we really don't need that we have already in our inventory to return those properties back.

Chairman Pascual Sablan – You know on Fadian Point where Guam Waterworks and GPA they conveyed that land to Guam Waterworks and GPA but there's a language there of \$800,000. I would like to explore that because I think (interrupted).

Administrative Director Michael Borja – The language in that, the language in that is that it's just one of those trick legislations. Like you know if they don't say appropriate but they're allowed to have money you know if you don't use the correct language it said it shall come from the surplus fund. But if you look at the Waterworks and the power company who have Boards and bonds if you have a surplus fund you're not managing your money correctly. And so just like in our budget if I have surplus in my budget I don't expect to have that budget next year and so that's where it's supposed to come from and that's why it's not been paid. And it's just one of those trick pieces of legislation done by someone so that it can make somebody else happy.

Chairman Pascual Sablan – The definition of budget is an estimated amount of anticipated expenditure okay and I would like to get that elaborate you know.

Administrative Director Michael Borja – Well we would too but you know it was like one of the first task I did when I went and spoke to the chief financial advisor and you know we stumped our feet when GPA wasn't paying it and they kind of chuckled and said really? But it's kind of like fantasy and I think it's unfortunate because I was already spending it before I got it. I had plans but it didn't happen.

Chairman Pascual Sablan – What really surprise me Vangie is that they did it you know right in front of us but golly when there was ribbon cutting a ribbon ceremony up there where was the Chamorro Land Trust?

Vangie Lujan (GWA) – We weren't invited us too. We weren't there yet.

Chairman Pascual Sablan – On Villagomez Street, two new water tanks, 2 million gallons each I think that Guam Waterworks is encroaching. The road it's 32, 33 feet, now it's only about 10 feet wide. What are you people going to do with that?

Vangie Lujan (GWA) – With the tanks or with the encroachment?

Chairman Pascual Sablan – No the road.

Vangie Lujan (GWA) – I think we'll have to figure that out.

Administrative Director Michael Borja – Where is Villagomez Street at?

Bobbie Cruz (GWA) – On top where Latte Heights.

Administrative Director Michael Borja – Latte Heights?

Vangie Lujan (GWA) – They call it the Barrigada tanks those two concrete structures.

Administrative Director Michael Borja – Oh that they've been surveyed out.

Bobbie Cruz (GWA) – Yeah we're actually going to be going through the process of land registering those properties actually or that property.

Administrative Director Michael Borja – The road is encroaching on them.

Chairman Pascual Sablan – No.

Administrative Director Michael Borja – That's what they'll tell you. No, no the map I don't know if it's been approved already but (interrupted).

Vice-Chairman Joseph Cruz – I guess the alignment of the road on the map is straight but the pavement of the physical location is off.

Administrative Director Michael Borja – Yeah, right the as-built and the plan is different.

Vangie Lujan (GWA) – Can I ask a question? So after we've done this process because I know that we would like to try to get access to the property and have that and after the 180 days and GWA and Chamorro Land Trust come to an agreement as to the compensation do we then go back to the Legislature for them to approve the compensation?

Administrative Director Michael Borja – No, I mean that all depends on how we put the language in the bill. There shouldn't be a reason to have to go back and do anything more.

Vangie Lujan (GWA) – Oh okay.

Vice-Chairman Joseph Cruz – It's a one time.

Administrative Director Michael Borja - Yeah.

Vangie Lujan (GWA) – Okay and then the approval will be done you pass a resolution and then we should pass a resolution after we agree to the compensation or what's (interrupted).

Administrative Director Michael Borja – Probably yeah most likely that's the kind of language we can put in that the final approval of the compensation will be by resolution of the respective Boards and be made as a matter of exhibits in the (interrupted).

Vangie Lujan (GWA) – In the law.

Administrative Director Michael Borja – Not the law but in the well there has to be a deed right? There's going to end up being a deed at the end so it'll be exhibits in the deed to determine the compensation.

Vangie Lujan (GWA) – Okay. Anything else? So this is just the tanks and we'll probably have to come back to you in a couple of months.

Administrative Director Michael Borja – This is the dry run. Wait till you see the next one it's like thicker.

Vangie Lujan (GWA) – Because there's other facilities in our master plan for like booster pumps or wells or things like that and unlike other infrastructure water is very specific to where it is. So depending on where when we drill we find water that's what's going to end up happening so.

Administrative Director Michael Borja – And they have a land agent that's really pikaru man she knows how, her ears hear when somebody wants land she goes I want that first. She can find records that are recorded that nobody else ever knew existed so she does a great job.

Vice-Chairman Joseph Cruz – She's a part time worker.

Administrative Director Michael Borja – Part time where?

Vice-Chairman Joseph Cruz – In the library.

Administrative Director Michael Borja – This is her job interview.

Vangie Lujan (GWA) – So anything else?

Chairman Pascual Sablan – I just want to go on record that if there's going to be any compensation I'd rather see land exchange. That's my.

Vangie Lujan (GWA) – Okay.

Administrative Director Michael Borja – Okay we'll consider it. So what I needed from the Commissioners is a resolution to approve the moving forward on these three areas of land so we can begin the process to go in and do the bill. I'll write out the details of the resolution to talk about the specifics and identify it as you see here the specific identities of these properties and then I'll get the signatures on the resolutions if you approve to do this by resolution.

Chairman Pascual Sablan – Before or after our confirmation?

Commissioner Amanda Santos – You're not confirmed?

Chairman Pascual Sablan - I have to go again. Okay anyway Joe make the, the Chair is ready to hear a motion.

Vice-Chairman Joseph Cruz – Motion to approve the request of Waterworks on the utilization of the three parcels.

Commissioner Amanda Santos – I second it.

Chairman Pascual Sablan – Those in favor say aye.

Vice-Chairman Joseph Cruz – Aye.

Administrative Director Michael Borja – Can I just and direct this to be approved as a resolution.

Chairman Pascual Sablan – Oh definitely that’s part of our (interrupted).

Vice-Chairman Joseph Cruz – Yeah.

Chairman Pascual Sablan – Okay, thank you. So the ayes have it.

Vangie Lujan (GWA) – Thank you.

4. Homeless/Transition Facilities

Administrative Director Michael Borja – I spoke to you guys I think last month or the month before again this has to do with the transition homeless facilities a land request that we need to move on a long term project for properties up in Dededo. The property that we had been looking at is the one over in Lada. I think Commissioner Cruz pointed out that this big tract of land right here was really one tract of land and DPW actually came in and built a road it’s not even an easement. So our surveyors are going to actually go through now and subdivide this land properly and declare this roadway. So the property we’re looking to use is this section this north west corner. It comes out to roughly around 6 acres. Now there is a covenant on this property because it’s part of this big master plan for Dededo that it shall be a drainage reserve. In discussing this with the chief surveyor and the chief planner that we’re still going to be able to uphold the requirements of the covenants as long as the water continues to be draining, we’ll probably have to put a culvert under the road to continue to allow the water to drain in here. But it’s not an impediment to be able to use the property. What we would like to have is that if we transferred the property be identified for use and assigned to whatever necessary (inaudible) to be but it will again revert to Chamorro Land Trust if it’s not used in that way for the use for transition homeless facilities and that we’re also going to convert it to an R2 lot so that we don’t have to subdivide this area. We can go in there and do whatever we need to do to build multiple unit facilities as necessary instead of subdividing them into individual lots. We’ll determine that at a later date. So I’d like to get a resolution in this case because the bill has already been heard. The original property that we were looking at is the one down by the, the land we were looking at was down by the Northern Public Health Center and the Mayor of Dededo preferred that it not be used. I guess she really wants that area; there’s going to be a new proposed infectious diseases laboratory to be built on Guam and she wants it to be on that site. You know since you got Public Health and the Mosquito Lab there. So in

moving she then said that she was okay with this area back here. Now the reason this is an ideal lot as well is up on this very corner here is the Guam Housing Corporation's offices. They take care of all these different homes over here in Lada Estates Subdivision. In this Lada Subdivision they have rental homes that are out there. They're most likely going to be the agency that will be taking care of the operational needs of this facility and if they're just in this same proximity it will be most advantageous for the operation. Now GHURA and Homeland Security are the ones that are moving forward in seeking the funding to build something here. GHURA's requirement is that it has to be a permanent facility. Homeland Security says I got some money but it's going to be for whatever even temporary facilities that can be built even if it's just tents and canopies.

Commissioner Amanda Santos – For the homeless.

Administrative Director Michael Borja – Right but it's not just necessarily for the homeless I mean even transition is for those whose house burns down, house floods you can move them into some place quickly. But there is a homeless problem throughout the island including even in this village and what we're finding in the studies is that there's plurality of them that are also Chamorro. We got to move forward as a community to start identifying these kinds of needs to take care of people who are somewhat down and out in their life and you know it's pretty unfortunate.

Vice-Chairman Joseph Cruz – Seeing on the map here and the covenant being identifying as a drainage, is there any flow of drainage system coming into this area from Lada or from that Guam Housing area?

Administrative Director Michael Borja – I will have them take a look at it but that will probably be part of the issue in including a culvert that identifies that.

Vice-Chairman Joseph Cruz – But even if you put a culvert and we're planning on developing at this corner Public Works put up a road and that road has been elevated and it's no longer the same elevation as the drainage system. So we might be creating a ponding in that area of development.

Administrative Director Michael Borja – Right and that's what I was looking that even on the size of property like this we would probably have to set aside a portion for a ponding basin.

Vice-Chairman Joseph Cruz – Okay as long as we consider any flood area here in this corner. The other one you mentioned zoning it to R2 so is the zone change going through the Land Use or is it going to be part of the bill?

Administrative Director Michael Borja – Well you know it can go either way but if we're going to do the legislation of transfer we're looking to just do it in one quick (inaudible).

Vice-Chairman Joseph Cruz – Maybe you can add on to exempt this portion under the covenant being a drainage system and also zone changing it.

Administrative Director Michael Borja – Okay. Well you know what we're also doing the surveyors are currently redoing this whole area and we're going to re-identify them with new lot numbers.

Vice-Chairman Joseph Cruz – The topography is important that we know how deep this is.

Administrative Director Michael Borja – Yeah.

Vice-Chairman Joseph Cruz – Because if you fill that up you're going to create a flood within these houses on the corners.

Chairman Pascual Sablan – But Mr. Director is there sewer around here?

Administrative Director Michael Borja – Oh yeah there's sewer everywhere.

Vice-Chairman Joseph Cruz – Lada has a sewer line this is Lada Avenue.

Martin Benavente (GHC) – Mr. Chairman, just a point of information. I just want to make a point if I could make on your concern sir. There is a connecting culvert that goes to the main ponding area. It comes up from behind that property the very rear of that property then it goes under the road Elena Road then it goes right back to (interrupted).

Vice-Chairman Joseph Cruz – Are we talking about the new road that was established within the ponding?

Martin Benavente (GHC) – Yeah.

Vice-Chairman Joseph Cruz – Or are you talking about the road aligned with (interrupted).

Martin Benavente (GHC) – No the road, Elena Road which is the road that (interrupted).

Vice-Chairman Joseph Cruz – The new one.

Martin Benavente (GHC) – Yeah, it's not that new anymore but yeah.

Vice-Chairman Joseph Cruz – I mean it wasn't there during the development.

Martin Benavente (GHC) – That's right. But there is a culvert that goes underneath it and the five years that I've looked at that I've never seen a pond or anything.

Administrative Director Michael Borja – Okay we'll go and check it out. One of the things too this road way we're going to make it a 50 foot wide easement.

Vice-Chairman Joseph Cruz – For the new one I mean this one the existing.

Administrative Director Michael Borja – Yeah it will be in conjunction with the width of the openings of the roads in both ends but we're going to dedicate it to be as wide as we can make it.

Chairman Pascual Sablan – The 50 foot is that the minimum?

Administrative Director Michael Borja – Well I mean I would like to make it much wider but the problem we have is at the mouth at both ends is only so wide.

Vice-Chairman Joseph Cruz – Connect it to a 40.

Administrative Director Michael Borja – Yeah.

Vice-Chairman Joseph Cruz – But that will accommodate sidewalk and curb.

Chairman Pascual Sablan – Okay I just don't want it lower you know.

Administrative Director Michael Borja – Oh no, no, no I want it to be even wider so we can make sure that you know for future use I mean at the rate this village is going you can see high rises all over the place pretty soon.

Chairman Pascual Sablan – Okay. So what do you want a resolution?

Administrative Director Michael Borja – To approve the use of this lot on the north west corner and when I get there's a sketch being drawn up I was hoping I would have it today but we'll have a lot number. So I'll sign it as this lot number there's that map that sketch will be part of the exhibit and when the map itself becomes recorded then that will be the final document that we'll be referring to. We'll actually get, have an FY number.

Vice-Chairman Joseph Cruz – Is this Public Health or? Who's the entity that we're transferring this to?

Administrative Director Michael Borja – That's what I got to determine. I think it's going to go to, is it going to go to you Martin, Guam Housing?

Martin Benavente (GHC) – It could yeah.

Administrative Director Michael Borja – We're working out the details as how it's going to be assigned to somebody.

Chairman Pascual Sablan – But this is a swap with Public Health right?

Administrative Director Michael Borja – No not any more the way that Senator Ada had talked about it is because he basically already took all that land out and gave it back to CLTC from the reserved list. So he said if you need land ask for land we'll talk about transfer.

Chairman Pascual Sablan – We need land.

Administrative Director Michael Borja – No, no, no if there's a land needed for a specific purpose instead of trying to find something in the reserve list to make a transfer from just get it out right. Like I said there's already an existing bill and I will include that bill number and the only thing we're waiting for is that in the testimony at the public hearing for the bill they wanted the land to be some other piece of property to be identified. So I'll provide that as far as a resolution goes with the FY number sketch.

Chairman Pascual Sablan – I think we can table this until the next meeting.

Administrative Director Michael Borja – No I need to move on this one because we really need to move on this bill.

Chairman Pascual Sablan – The last time they mentioned that it's a swap with Chalan Pago (interrupted).

Vice-Chairman Joseph Cruz – No the swap that he's referring himself was that the one next to Public Health is being relocated to this site.

Chairman Pascual Sablan – If that can be possible why can't this be possible this one?

Administrative Director Michael Borja – No ever since that time there's been a public law now enacted that took away all that reserve land.

Chairman Pascual Sablan – What public law?

Administrative Director Michael Borja – I can look it up but it took away lands from Public Health, Guam Memorial Hospital, Mental Health and you heard Mrs. McCollum talking about DOE they took away like 35 acres from DOE in three different places.

Chairman Pascual Sablan – And what?

Administrative Director Michael Borja – And it goes to CLTC. So we got a lot of land into CLTC's inventory now as Mrs. McCollum was alluding to that's part of our inventory now.

Chairman Pascual Sablan – So the 11,000 acres (interrupted).

Administrative Director Michael Borja – It's growing and as we record some of these or register some of these unregistered lands it's growing. There's 9,000 acres of unregistered property.

Chairman Pascual Sablan – Does that include the document I gave Kristan to register the unregistered? Remember I gave you a document.

Legal Counsel Kristan Finney – Yes I do remember it.

Chairman Pascual Sablan – Is that being included in your proposed legal document to register?

Legal Counsel Kristan Finney – I'm not sure we need to (inaudible).

Administrative Director Michael Borja – So I do ask if you could please give a yay or nay to this so we can move on with this property so we can (interrupted).

Vice-Chairman Joseph Cruz – I move to authorize the use of Tract 112, Block 9 for the purpose of the transition and homeless facility.

Commissioner Amanda Santos – I second it.

Chairman Pascual Sablan – Those in favor say aye.

Vice-Chairman Joseph Cruz – Aye.

Commissioner Amanda Santos – Aye.

Chairman Pascual Sablan – Ayes have it.

Vice-Chairman Joseph Cruz – Remember you have to give us the authority whether GHURA, Guam Housing or (interrupted).

Administrative Director Michael Borja – Yes.

VII. DIRECTOR'S REPORT

1. Revenue Collection Report for February 2016

Administrative Director Michael Borja – Attached to your report is the revenue reports.

VIII. ADJOURNMENT

Commissioner Amanda Santos moved to adjourn the meeting. Vice-Chairman Joseph Cruz seconded the motion. Meeting adjourned at 3:20pm.

Transcribed by: Teresa Topasna, WPSII: *Terese Topasna*

Approved by Board motion in meeting of: *April 21, 2016*

Michael J.B. Borja, Administrative Director: *MJB Borja*
Pascual Sablan, Chairman: *P Sablan*

Date: *4/21/16*
Date: *4/21/16*