Chamorro Land Trust Commission

Kumision Inangokkon Tano' Chamoru

P.O. Box 2950 Hagåtña, Guåhan 96932 *Phone: 649-5263 ext. 400 Fax: 649-5383*

Eddie Baza Calvo
Governor

Ray Tenorio
Lieutenant Governor

Commission Members

G. Pika Fejeran
Chairwoman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

(Vacant)
Commissioner

(Vacant)
Commissioner

Michael J.B. Borja
Administrative Director

REGULAR BOARD MEETING
AGENDA

Department of Land Management Conference Room
3rd Floor, ITC Building, Tamuning, Guam
Thursday, May 3, 2018, 1:00 PM

Public Notice: The *Guam Daily Post* on April 26, 2018 and May 1, 2018

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **APPROVAL OF MINUTES**
1. March 15, 2018 Regular Meeting

IV. **PUBLIC COMMENTS**

V. **OLD BUSINESS**
1. CLTC-GEDA MOU Final Review & Approval
2. Barrigada Mayor Request for T9 BF L15, Barrigada, for Community Use
3. Haya Foundation Request to Lease Property

VI. **NEW BUSINESS**
1. Guam Waterworks Request for T9 BF L16-R2, Barrigada, for Storage Tank; and for Easements
2. Sen San Agustin Request for Portion of L5412-R2, Mangilao, for Rev Tax Bldg

VII. **DIRECTOR'S REPORT**
1. Financials
2. Bank Signature Card Update

VIII. **COMMISSIONERS' COMMENTS**

IX. **ADJOURNMENT**
1. Next Meeting – Thursday, May 17, 2018

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COMMISSION MEETING MINUTES

Department of Land Management Conference Room
3rd Floor, ITC Buidling, Tamuning
Thursday, March 15, 2018, 2017; 1:03 p.m. – 5:28 p.m.

I. CALL TO ORDER

Meeting was called to order at 1:03 p.m. by Chairwoman Pika Fejeran.

II. ROLL CALL

Present were Chairwoman G. Pika Fejeran, Vice Chairman Joseph I. Cruz, Commissioner Amanda L.G. Santos, Administrative Director Michael Borja, Legal Counsel Nicolas Toft, and Chamorro Land Trust Commission Staff. There was a quorum.

III. APPROVAL OF MINUTES (February 15, 2018)

Vice Chairman Joseph Cruz moved to approve the minutes. Commissioner Amanda Santos seconded the motion. There were no objections, motion passed.

IV. PUBLIC COMMENTS

1. Mr. James G. Sablan

Chairwoman Pika Fejeran: Hafa Adai Sir please step forward and state your name for the record.

Administrative Director Michael Borja: You have a letter on your desk addressed to Commissioner Sablan.

James Sablan: *Buenas* Madam Chair, Board Members, Chamorro Land Trust staff. Thank you for the opportunity to submit my request to lease Lot 480-35-1 in Agat pursuant to Public Law 22-18. I would like to first of all to first of all provide the chronology of events during the last 22 years pursuing a lease agreement with the Chamorro Land Trust agency. On December 2· 1995 I submitted the application at the Chamorro Land Trust and 10 days later I paid the $50, the processing fee, and then on August 5, nine years later I received a letter from Mr. (inaudible) Dungat, Jr., he was the administrative director authorizing to initiate the survey of one acre on a Portion of Lot 480 in Agat. I received that notice and on August 16, it's a Notice of Intent to Award was

signed by both the administrator which is Mr. Dungat and myself on August 19 consisting of one acre of Lot 480 according to my file and there was a delay...I can give you a delay to a lot of things but basically the office was relocated in many occasion and subsequently there was not follow up on the (inaudible) 710 and then on February 10, 2015 I received a call from Mr. John Acfalle who is representing the Chamorro Land Trust Commission and we discussed the pending application and the surveying of the one acre Lot 480 in Agat. I informed him that I was ready and able to move forward with this survey immediately and today I can still do that, move forward right away. Again, nothing happened there was no follow up and as I called the office I was informed that Mr. Acfalle was no longer working for the agency. However, I went ahead and documented our conversation and I have attached a copy for your file. I received another phone call from Lydia Taleu regarding Lot 480 and Lot 457 in Agat. She requested the Notice of Intent dated September 29, 2004 and I provided her a copy. There were two lots that was evidently provided to me and I gave both copies to Lydia. On July 31, 2017 which is just last year, I again informed by Lydia, Lorraine Nededog, and Jhoana Casem that Lot 488-35 in Agat is being scheme and there's no time frame that was given to me to finalize the lease agreement and that was the latest information that I got. Then on January 28, 2018 which is just three months ago I again received a call from Jhoana Casem requesting to meet on Monday, February 5 at 9:00 am to discuss the half acre lot on Lot 35 (inaudible) in Agat. Upon reviewing my lease and this development of the form that the additional half acre lot will then be transferred, I requested to do a courtesy review on the property and both Lorraine and Jhoana Casem were there and they both saw that the property that was provided to us on anticipate on being designated to me, somebody put a *kaskau* and blocked the road for us to access the property, there was two big *kaskau* (gravel)and they literally blocked the road so we cannot enter on the back way of the road, however we did meet with the neighbor and he was nice enough to show us the property to his property and subsequently we found out the property that was designated is a 30 degree decline and on the other side is another 30 degree decline so subsequently to me it was a (inaudible) river basin and it was not feasible to do some farming there because the neighbor told us that it gets flooded during rainy season, and just today I talked to Jhoana and due to environmental issues on that particular property it was not feasible to turn that over to me and maybe she can explain to the Commission on what was the environmental issue but she did mention there was a concern from the Army Corps of Engineer. So basically Madam Chair and members of the Commission I've been struggling for the last 22 years in trying to move forward with the lease agreement and all I'm asking is an approval for one acre I really requested for four acres but I understand that there was downsize so that they can accommodate a number of people. I understand that but half acre maybe suitable for residential but for agricultural you need about an acre so all I'm asking is an approval to be granted what was already given to me in 2004 which is an acre of property in Lot 480.

Chairwoman Pika Fejeran: Thank you Mr. Sablan, I appreciate putting this together for us, as often our public comments are mostly just verbal so this helps...maybe we can have our land agent (interrupted).

James Sablan: Can I have one more thing. I wanted to show this to the board that in today's newspaper. It's basically I was happy to see this report that a lot of the farmers

have contributed to the community and with our retail outlets like Payless they have paid $1.6 million to the farmers in producing cucumbers, papaya, watermelon, squash, and (inaudible). So this is a really good information that our people are doing what they are supposed to do. I would like to submit as a (interrupted).

Chairwoman Pika Fejeran: Mr. Sablan I just want to focus our discussion with…there's a public law that allows us to only give out half acre at this point in time so if you wanted one acre you have to have legislative approval for that so we wouldn't be able to approve that today.

James Sablan: If I have to…I know it's difficult getting 15 legislators to agree but if I have to and perhaps, maybe I can start with half acre. We can start with that.

Administrative Director Michael Borja: What is the issue with the property, it's because it's on a ravine or…is this in the Santa Ana area?

James Sablan: It's not on the lot that was originally given to me but on the lot next to the road is Lot 480-1 and I attached the map that was given to me and it was on the designated at the time which was in July 2017. That's the map that was given to me.

Chairwoman Pika Fejeran: So his original Notice of Intent was for this (inaudible)?

Jhoana Casem: A Portion of Lot 480 so if you look at the map the 35-1 it's schemed out for (inaudible) which had already been surveyed by somebody so we requested to schemed out the whole area but due to some pending maps that haven't been submitted 35-1 is one of the ones that are still pending submission of the final map so that's why I advised Mr. Sablan that the lot which is right behind this house is two half acre lots that were schemed out for him. It's 35-3 and 2.

Chairwoman Pika Fejeran: Those were the ones that you said are sloped?

James Sablan: It's (inaudible) on both sides, and there's a river there and according to the neighbor it gets flooded during…because (inaudible) and it goes through that channel. So I'm asking for the property that's little bit higher next to the road.

Vice Chairman Joseph Cruz: But it's unusable according to this.

Jhoana Casem: We are not surveyors so…I've gone up there but I've been through all the vegetation I cannot really see it, but I did speak with my director and he did advice to go ahead and request with survey to see if they can actually access the area so this is the two lots that were on the initial scheme.

Vice Chairman Joseph Cruz: Who did the scheme on these 2 and 3, is it a final survey already?

Jhoana Casem: No this hasn't been surveyed yet. The one has been surveyed is 35-1 that's why it's schemed out to one acre. But the one that we showed him is the one adjacent to this property here.

Vice Chairman Joseph Cruz: Who's doing the survey or the scheme for 35-2 and 3?

Jhoana Casem: This is the scheme that was completed by Survey Division.

Chairwoman Pika Fejeran: The lot he's asking for, when was that surveyed?

Jhoana Casem: This was surveyed many, many years ago, the problem is we are having some issues with the current surveyor who hasn't submitted the final map and we discussed that...some of them are pending so we are still requesting from that surveyor to submit all of those pending maps.

Vice Chairman Joseph Cruz: The surveyor was hired from a private?

Chairwoman Pika Fejeran: Yes. So someone on our list has already paid for, I assume to have it surveyed?

Jhoana Casem: Yes. He surveyed for one, that's 35-1 that was surveyed for one acre the surveyor just hasn't submitted the map.

Vice Chairman Joseph Cruz: Why are we doing an acre when we can only give half acre?

Jhoana Casem: Well, they have a lease.

Administrative Director Michael Borja: So the schemes were done because of existing leases and the assignments like Mr. Sablan where they were assigned a portion of, an undefined portion of and so we have to do a scheme to determine who has surveyed the (inaudible) and how do we partition the rest, the remaining parcels.

Vice Chairman Joseph Cruz: Is there any other area that you can assign on Lot 480-29?

Jhoana Casem: I did advice Mr. Sablan that we do have lots in the area but there's nothing that's a full acre and I did explain to him that there's half acres but as he mentioned he's going to start off with half but there's nothing adjacent to it (inaudible).

Vice Chairman Joseph Cruz: Are we talking the same side 2 and 3, the half-acre...or different half-acre?

Jhoana Casem: Within the 480.

Chairwoman Pika Fejeran: So the lot is asking for is already taken and there's a lease on that?

James Sablan: The reason why I was requesting that (inaudible) it wasn't identified, there was no name on that then and that map was dated July 21 2017 and every other lots were identified so that's the reason why. I went personally and surveyed the lot, it is a flat area and then it blocks again on the back side but still it's usable.

Administrative Director Michael Borja: So what over options do we have?

Jhoana Casem: A lot of the Agat are actually walk-through there's a big slope going down so even the ones that we tried to introduce to some people for residential they don't want it because of the terrain and rainfalls it's going to go through their housing so there are (paused).

Administrative Director Michael Borja: Other than 480 there's other areas?

Margarita Borja (CLTC): Yes.

Chairwoman Pika Fejeran: Mr. Sablan unfortunately that lot that you requested…doesn't have a name on this map that you have provided it has already been leased out and the lessee has paid for the survey and is investing money in that property already so I would just ask that you work with the land agent to find the property that's suitable. We do have a guideline that we (inaudible) show you three properties and you choose one so you know there's so many people on our list that we need to show properties to but it sounds like you're really ready and eager to get out and start farming. It looks like there is access to the back Lot 35-2 or -3.

Jhoana Casem: The adjacent lot is actually residential so these are residential lot and actually all been surveyed as well, but again its pending maps.

Administrative Director Michael Borja: This is the same region which some of the money from the infrastructure fund is taken… to put $30,000 power poles in to that parcel.

Chairwoman Pika Fejeran: I would ask you to work with the land agent and we probably not going to be able to find you the perfect ideal lot but if there's a lot of water running through there you have irrigation and (paused).

James Sablan: Yes I actually almost slipped when going down to that property so it's not conducive if you gave it to anybody, I mean, you can't farm in that property because once they start planting the water will just wash it away that's my suggestion. There's several lots up there that was given to people and nothing had happened and I specifically asked for (inaudible) but I'm going to leave it with the Commission. I'm retired and I've been waiting for loan package so I don't know how long my health will be in good health but I am just trying to pursue something that I can help benefit the community in developing some agriculture…it could be agriculture, hydroponic, I was thinking of hydroponics. My family, we used to have an egg farm on the Marine Drive that was long time ago and we used to own a lot of the property until the government confiscate it because of taxes but my family

used to produce a lot of poultry and piggery but when you not there to monitor and watch it they become missing...so we had difficulties to farm.

Administrative Director Michael Borja: We had a number of issues in this area in particular you see this one road that goes in to the beach area, that really wasn't the assigned easement but that road got paved there and so we had to realign the easement in doing so we actually had to relocate the people who had been assigned that lot because it became an easement and realignment for the Chamorro people it was just not sensible to put the easement where it was supposed to be now that the road was there and in that area, yes, I've been up there's a lot of (inaudible) all around there so makes traveling pretty difficult. On the beachside it's all private property but in the center and some of those properties, right, in this area is all Chamorro Land Trust.

James Sablan: Madam Chair I don't want to take any more time with the committee with the meeting here but I leave it to the Commission we continue to dialogue and see what we can come up with. But if you can expedite more properties (paused).

Administrative Director Michael Borja: We will and there was a hold in the latter part of last year that we had to put on hold until we got released again earlier, in just a month or so ago, so that was the reason things stopped as well but we're working on it. You are right, you had already been talked to many years ago and your application is in the period where they're still trying to sign people so Mr. Sablan thank you for your patience.

James Sablan: I did contact the one surveyor and we were ready to move forward but they never gave us the green light so again (paused).

Administrative Director Michael Borja: Please coordinate with Jhoana to make sure that surveyor that you are talking to is on our list and we will prefer you use those because (interrupted).

James Sablan: That was 2004.

Administrative Director Michael Borja: A while back? Well even here that we are having a problem with surveyor in this area that hasn't submitted their maps and that's a concern to us because people paid for those surveys but they are not completed so we've been working with those surveyors to force them to finish their projects.

James Sablan: Thank you very much for your time.

Chairwoman Pika Fejeran: Thank you Mr. Sablan. Okay was there anyone else that wants to sign up for public comment today?

V. OLD BUSINESS

1. CLTC – GEDA MOU

Chairwoman Pika Fejeran: Okay we will move on to the next item on the agenda under old business we have CLTC-GEDA MOU.

Administrative Director Michael Borja: We discussed in the last meeting a draft MOU to engage with GEDA so that they can begin doing the work for the Chamorro Land Trust and the leasing because we had allowed the other one to expire so we have to complete a new one again. In the previous one they issued us the amount that they were going to be collecting for service fees which was a set about at 14% through the duration of the agreement and in this one what we have agreed upon is they will determine what those upfront cost have been to do with RFP or any kind or proposal to find a lessee for commercial properties and then be charging 14% up to that period in which they exhaust those fees and then 10% thereafter for the duration of the agreement, basically or if we continue the agreement to go forward. The agreement also goes little bit longer than before so we don't have to keep renewing it but I think we set it up for a period of 10 years with options to renew. And then the other part of it is that the lessee or whoever is determined to become the lessee their payments will be made in two parts, one part ours, other part directly for GEDA with the service fee paid to them and that way we're not having issues with collection of fees.

Mike Cruz (GEDA): I apologize for Mr. Toves he got called away for an emergency.

Chairwoman Pika Fejeran: Thanks for being here again I remember it's not the first time we've met for this MOU. I had some questions, I think the overall (inaudible) of the MOUs where we want it to go I think now it's just a little nuts and bolts to be adjusted or questions that I had. On page 2 of the MOU the first paragraph, it says "the Chamorro Land Trust has identified and retained the services of GEDA to assist with the development management and maintenance of Chamorro homeland designated for commercial leasing or licensing pursuant to Public Law 3395 and financing of capital improvements and infrastructure so said land will be developed pursuant to requirements of law". I read this to say the capital improvements and infrastructure so that said lands refers back to commercial homelands. It's all of them, right?

Mike Cruz (GEDA): Yes, that wasn't the intent. We normally require private developers to provide their own infrastructure at their cost I believe this statement, "financing of capital improvements" was for the residential subdivisions that Chamorro Land Trust is responsible for providing infrastructure on. So you're correct Madam Chair that should not refer to commercial lease it should refer to the other properties.

Chairwoman Pika Fejeran: That's how it should read. And then it was mentioned in that paragraph GEDA to assist with the management. Development, management, and maintenance of Chamorro home land designated for commercial leasing and then the next paragraph continue to say "GEDA will provide the CLTC with general consultancy and property management services". I believe property management services as discussed

previously on the Commission it was taken out of this MOU we did not need your assistance to manage the properties, we need you on the front end to develop the RFP and that whole process and then once the lease is signed and you're being paid your 14% and we get our 86% then I don't think we need any management services. Director?

Administrative Director Michael Borja: Since they are being paid, if there's anything that comes up and then even after that with the 10% anything that comes up that's related they will be the ones to help in managing whatever kind of issues that might arise with the lessee such as when it comes up with technicality issues or legal issues as well because that's what the fees are designed to do so that it will be and the 10% maintenance fee thereafter will be for any kind of other stuff so if their getting paid for something they should at least be doing something.

Chairwoman Pika Fejeran: So what would the other stuff be because the property in litigation, the Laguna, if this MOU were in effect we would be reimbursing them for all of their efforts anyway so (paused).

Administrative Director Michael Borja: Right, that's the problem if no lease was done there's no money, no revenue coming in and they be taking the bulk of all the expenses solely on themselves some of those expenses weren't coming from us but that's the case something does happens as well. But its just that if anything comes up in management of other properties that you guys do what would those other services be that comes up after leases' been initiated are there going to be other activities that comes up that require your attention?

Mike Cruz (GEDA): We always, obviously, the payment of rent we make sure that the tenant pay what they are required to pay and when they are required to pay and we do periodic inspections to make sure that they are in compliance with the lease agreement and take action if they are not.

Administrative Director Michael Borja: So if they are late they could be chasing after those guys too for collection.

Chairwoman Pika Fejeran: But we would be paying them to do that work for us?

Administrative Director Michael Borja: They are already getting paid, that's part of their fees.

Mike Cruz (GEDA): It will be part of the 14%.

Chairwoman Pika Fejeran: Do we not have the in-house capability? We're doing it now, we're telling our lessee's when they are late and sending them invoices and statements?

Administrative Director Michael Borja: Yes but the ones we do directly. Right, but that's like the Golf Course that were given to us to have to do.

Vice Chairman Joseph Cruz: In area now in the Chamorro Land Trust, who would he communicate if there was an issue going on? Does he report back to the Commission in the event that there's a lease going on there's an issue (inaudible)?

Administrative Director Michael Borja: Right, they would because (inaudible). They will bring it up to the Chamorro Land Trust and there's particular concerns, let's say for example, the lessee determines that they don't want to renew or pay then we would be given them instructions. If the Chamorro Land Trust Commission agrees to this MOU the GEDA board has to also agree with the terms. Their terms was set at 14% for the duration or nothing and we got down to 14 and then 10 later on but I mean if it's just for the upfront initial I don't know their board will agree to anything more or agree to do the MOU. We do have to rely on their expertise for doing the kind of proposal request services for real property, they are the agency for the Government who does those kind of things and then the other part of this agreement as well is when those monies do come in to assist in trying to achieve some kind long term loan to do the infrastructure development that we talked about earlier so if you can't get a 30 year lease on the property at a million dollars a year you got $30 million coming in they can help arrange for $20 million loan for example so we can go out and get the infrastructure because that's what they do too that's part of their service and they are the only people we can go to do to do that kind of stuff. We do rely on their services to go out and seek financing.

Chairwoman Pika Fejeran: I'm thinking about the property management services. I know that in-house Joey does a great job and the whole staff does a great job in with keeping current with what's owed to us and contacting lessees when issues arise so I'm not fully clear about the property management services and that would be (interrupted).

Mike Cruz (GEDA): Madam Chair, I think it also kind of refer back to the question that we had at the last Chamorro Land Trust board meeting on whether the Commission intended us to get involve with existing leases and licenses or the MOU only talking about going forward. So originally this MOU was prepared thinking that you take over management of leases that are in existence at that time we had even borrowed all the files on existing leases, we inventory them, we developed fact sheets on each of them identifying what the term of the lease was, what the issues of the existing leases were and we did all that stuff in the basis that we thought that the Commission might have wanted GEDA to be involve with the existing leases and not just new ones. If the intent of the Commission is just new leases then we might need to take a look at some of the provisions that are on this MOU because it wasn't really intended to do both.

Chairwoman Pika Fejeran: So with your assumption that you would be taking over our existing commercial leases would you also be charging a 10% to manage those same existing leases or is this 14% and 10% is only charged to future leases?

Mike Cruz (GEDA): I think the intent of the 14 and 10 will apply to any revenues that are received whether they are existing leases or new leases but again the question we raised at the last meeting was is it the intent of the Commission to have the MOU applicable to just future leases or all leases we were not sure at that time.

Chairwoman Pika Fejeran: If the existing leases are not included how would the MOU change?

Mike Cruz (GEDA): We would need to remove as an example, there's under page 4 under Cooperation by Chamorro Land Trust line 8. We probably have to remove line 20, line 22, and 23, line 25 as all those provisions were intended to take over existing leases so things like that might need to be change or removed. But that is essentially what we did, I think under the previous MOU it was in effect and as we were working on the new MOU we accessed the files here and we did a complete inventory of all the leases and we prepared fact sheets of every one of them and identified the issues that need to (inaudible) the Commission or the staff on so we did all that but if the MOU is only applicable to future leases I mean, that's the Commission's offer.

Chairwoman Pika Fejeran: Director, have you looked at what if they take over the existing commercial leases and then we start receiving 14%?

Administrative Director Michael Borja: I was only looking at the new ones moving forward because the other ones are ongoing, I've already provided GEDA with the listing of all the transmittals to the legislature with the resolutions that were approved for the commission of the 5 different properties just so that they had (inaudible) what those properties were for their purposes of getting the report to know what is already ready available for leasing.

Chairwoman Pika Fejeran: I guess I'd ask the director knowing staff capacity and ability do you think that we need GEDA to manage those new and existing commercial leases or is that something we can do in house.

Administrative Director Michael Borja: Well, some of these other ones they can be potentially large and just having them just a backup for assisting in any issues that may come forward that we may not have the capacity...today I may say I have Joey tomorrow I might not say I have Joey. I don't' know what the makeup of any of this department will look like in a years' time but the crunch we're going through right now so those are the things I have available as a backup where there's an existing agency whose sole purpose is to do these kinds of things is available to assist in those matters. Now I hope to maintain Joey but I do want to make sure the commission is moving forward, I'm not going to be here forever and it's taken care off in this matter financially there's a system in place now. The invoicing and everything we can do or they can do but in the end it's just a matter of make sure our end of the money that we are supposed to get is received and deposited property and then used for financing uses for infrastructure as it is intended to.

Chairwoman Pika Fejeran: I see this MOU as using GEDA for your expertise to help us find the financing for this capital improvement projects, putting together the RFP package, and you know that whole process. I'm just concern that we're talking about existing leases what would the impact be to our revenue which we I think up until today have always thought that's what we're going to be getting but now if we sign this MOU and it includes

existing leases we have to go back and say okay with 10% less of the revenue we've been collecting what is that mean?

Administrative Director Michael Borja: Well even in the previous MOU we (inaudible) transferred any of those leases over…the two actions in that previous one, establish the rules and regulations and then work on the Lajuna which is still off the table.

Chairwoman Pika Fejeran: The next comments I had I think is just really making clear GEDA's roles and responsibilities and CLTC's rules and responsibilities. As I'm reading it, it says GEDA's general consultancy and property management services under 1e "Prepare Requests for Proposals (RFP) for the development and/or leasing/licensing of Chamorro Homelands designated for commercial use". I'd like to add the words "as requested by the CLTC" so it's when we initiate to work with GEDA that's when you're activated and it's not here's our commercial inventory how about it.

Mike Cruz (GEDA): It was (inaudible) intent that the board will direct us on which properties.

Chairwoman Pika Fejeran: I guess I would just like to see that stronger language in there that says that it's CLTC directing GEDA and 1g we have "in collaboration with", in g and h, I see it as GEDA assisting and CLTC presiding and directing.

Mike Cruz (GEDA): CLTC will decide…normally process we go through we receive proposals we will request the Commission to assist in the evaluation and we don't want to evaluate all by ourselves without you. We want you involve in the process with Ancestral Land Commission they normally assign one of the board members to assist in the evaluation just so the board is aware of what's going on. But we wouldn't make a decision…we would bring that to the CLTC for them to decide so for "g" and "h" we do this together. As it says in Section I that we would recommend but you would make the decision.

Chairwoman Pika Fejeran: So going back to "g" "in collaboration with the CLTC" when you're evaluating these proposals I'm assume you have an evaluation spreadsheet that you go through.

Administrative Director Michael Borja: Yes, it's the whole procurement process and that's the reason why their services is definitely for that because in this whole RFP process it's got to be to the letter to the "t" it's really specific and so there's an outline of things that are done, everyone comes in and the evaluators normally will be your guys, somebody from this Commission, someone from the staff, probably me, and then they assist in evaluating the process and go through the steps and then we make a determination after that, that it's been presented to the Commission to make that acceptance that, that's the best proposal and then once you decide that, that's the best proposal then we go towards that particular proposal and begin the process of the contract negotiations which we are also a part of but they take the helm, the guide the process alone. It's a very complicated process and the procurement laws, it's very specific and which we have to really be instep

and they do it in a very professional way to make sure that's it's not prone for a litigation in the future. But it is a real defined process that they know how to do and we don't have that expertise and I really…I've seen the built not only with the first one that we did with the Chamorro Land Trust but also with the Ancestral Lands Commission as we gone through processes of evaluation proposals. That a very methodological process.

Chairwoman Pika Fejeran: I assume that the evaluation matrix is developed at the same time the RFPs is put together so that would not be judging them on different criteria of what we ask for right?

Administrative Director Michael Borja: No.

Chairwoman Pika Fejeran: So it would be a very heavy collaborative efforts for us to work with you and tell you what we are looking for in a potential lessee.

Administrative Director Michael Borja: But they have the background knowledge to know what it is but we also have the say to make sure it's clear to everybody and then once you issue out a proposal there will be a period of time in which you allow anybody who had picked up the proposal request to submit questions. They will have a listing of all those questions and then we have to come up with the answer to those questions.

Mike Cruz (GEDA): One advantage of GEDA is it has its own procurement authority we don't need to go through the GSA and we've done it. The only protest we've had so far is the Lajuna and that wasn't a deficiency of the RFP process it was because the Legislature didn't pass the law.

Chairwoman Pika Fejeran: So going back to 1e, g, and h.

Mike Cruz (GEDA): e will make the revision as you requested so I would say, "proposals for the development under leasing designated for commercial use as directed by the Chamorro Land Trust, g and h not exactly sure but we would take the lead on that but we would need our involvement in the evaluation of proposals and in the negotiations and obviously we could perform those functions without Chamorro Land Trust but we do prefer that you involve in that your involve in it that's why we said in collaboration with you.

Chairwoman Pika Fejeran: I'm okay with that (inaudible) for g and h.

Mike Cruz (GEDA): For I we could say recommend the execution of any commercial lease license agreement for approval by the Chamorro Land Trust if you prefer that.

Administrative Director Michael Borja: As you know through public law we are also then require to submit the completed contract to the legislature for their approval and that's what I will talk about.

Chairwoman Pika Fejeran: Are you talking about "j"?

Administrative Director Michael Borja: No contract can be greater than five years for all contracts so you would then do a Determination of Needs to go beyond that so they will help in the system doing those as well.

Mike Cruz (GEDA): We would prepare the Determination of Need as part of our services, we would take that Determination of Need and publicize it, receive comments from the public on it and then presenting to the commission for approval to send the Determination of Need to the Governor and eventually to the Speaker as required by the law.

Administrative Director Michael Borja: There's already has been one done for Ypao Point but I don't know (inaudible) may still be valid but one has been done a number of years ago.

Chairwoman Pika Fejeran: Just a type under "j" assist the CLTC "in" presenting. Under the agreement no. 3 the Periodic Updates what updates would this be and how periodic?

Mike Cruz (GEDA): With Ancestral Lands Commission we provide it in their monthly meetings but we could provide it as often as you like.

Chairwoman Pika Fejeran: Maybe we can just specific "at the monthly commission meetings update is provided on status. Monthly updates.

Mike Cruz (GEDA): If there are any issues with lessees we will bring them up more often.

Chairwoman Pika Fejeran: So no. 4 "Cooperation by CLTC" that goes into our roles and responsibilities.

Administrative Director Michael Borja: I want to go back one step here, you were talking about what are the ongoing things that would require their additional service at the 10% level and even at 14%, part of the public law that allows for commercial leasing requires periodic inspections, annual and non-schedules inspections of properties and that's where they could go in and make sure that things are being done in accordance with what's going on that's more details then what we may be aware of but that's the kind of requirements that has to go into the contract that we will have to do periodic inspections.

Chairwoman Pika Fejeran: Can we put that in? We do have a "k" to do all other things necessary but if we can spell that out as part of their property management service requirements. So going back to "j". J really doesn't include the Determination of Need, does it? Maybe the Determination of Need will be another line item?

Administrative Director Michael Borja: I don't think so I think in preparing to even do this we have to go through that step anyway it wouldn't be prudent to even put out a request for a five year contract.

Mike Cruz (GEDA): There are many task that we would have to perform in order to get to various milestones that are identified here, we just didn't list everything but the

Determination of Needs is one of the things that we do we also have to research all the properties that are available for commercial lease that you directed us to take a look at or to lease we would just have to do a lot of research on these things and we really didn't really specify each and every task. We could do that but (paused).

Administrative Director Michael Borja: Those are things we could assess probably making sure it's clear title right?

Mike Cruz (GEDA): (explaining the standard procedures of the lessee to submit a proposal)

Chairwoman Pika Fejeran: Okay, going back to no. 4 Cooperation by CLTC I guess "a" "provide GEDA with an inventory", I guess it won't be the whole inventory, we make clear that we're deciding which ones you will be working on.

Administrative Director Michael Borja: Probably only the ones that we've approved by Resolution like I said I gave them that listing just to have an ideas on what is there…it wasn't the direction to do anything but it was just so that when they take it to their board they can also something to talk about…here are what had been already approved…through the process that we had to go through to get it approved.

Mike Cruz (GEDA): We can revise that to reflect just the lots the Commission wants us to lease out and not the whole inventory of CLTC.

Vice Chairman Joseph Cruz: On "c" under no. 4 maybe we should include an abstract of title on that particular lot that's (inaudible).

Administrative Director Michael Borja: They go in the system and go separately and get a title company to do…it's the same thing as the Preliminary Title Report but what we issue out and it's called Abstract Title Report.

Mike Cruz (GEDA): Just the question though, is the Commission authorize to lease properties that don't have clear title?

Administrative Director Michael Borja: No its registered land so you can see whether or not it's registered. The ones we've selected are all registered lands.

Chairwoman Pika Fejeran: So again "d", "e", and "f" are all related to the exiting commercial leases? We can leave them and decide once we've looked at the numbers and what it would mean on our end. It would be great to hand over our entire portfolio to GEDA for property management and all that but I don't know if it (interrupted).

Vice Chairman Joseph Cruz: Maybe we can label it (inaudible) in the event that they are going to take over the lease, put it in a different (paused).

Chairwoman Pika Fejeran: So for existing like at the time of this MOU for existing commercial leases and licenses if the Chamorro Land Trust decides to (interrupted).

Administrative Director Michael Borja: Let's just say right now we are not looking at that, right, and in the event down the line after this MOU has been executed there's going to be an addendum that changes that later on.

Chairwoman Pika Fejeran: So we can strike it now?

Administrative Director Michael Borja: You don't have strike it but let's say you want to make other changes later on because it's a living document and so if conditions change or ideas change and things change we can make the addendum to the MOU to update what our responsibilities are.

Chairwoman Pika Fejeran: If we leave it in is it authorizing to take over those existing leases?

Administrative Director Michael Borja: I don't think so. Just say we "shall" do these things.

Chairwoman Pika Fejeran: It "shall" do the following. It does say "shall" for "d", "e" and "f"

Mike Cruz (GEDA): We could amend "d", "e" and "f" to reflect, I mean if you give them to us then yes we can make some changes here.

Administrative Director Michael Borja: Or just delete them out?

Nicolas Toft (Legal): Or change "shall" to "may". What you can do then is have a different number that "may do the following".

Chairwoman Pika Fejeran: So we will move "d", "e" and "f" under a separate number, new number 5 so CLTC may...so it will say something the effect CLTC may choose to (paused).

Mike Cruz (GEDA): It would be helpful if counsel...this MOU has to go to the AG anyway.

Nicolas Toft (Legal): (inaudible)

Mike Cruz (GEDA): We can create a new number starting out CLTC may provide the license (inaudible).

Chairwoman Pika Fejeran: So letter 4c CLTC will participate in the evaluation of proposals, but then the selection, what happens at the Commission level without GEDA's involvement, right? Because GEDA had already given the board the recommendation, we were sitting at the table evaluating but GEDA is not going to be sitting here with us deciding.

Mike Cruz (GEDA): No, we would present it and then you would sign it. I think maybe instead of selection we said ranking because you know you received more than one proposal we will give you the ranking of those based on the evaluation that was conducted so if we said it's based on the evaluation and ranking of respective developers.

Chairwoman Pika Fejeran: Okay and then 'j" so the CLTC will "evaluate and act upon commercial lease/license agreements recommended for execution by GEDA". I'm reading that as we're going to executive what GEDA recommends, its more of where you're deciding?

Mike Cruz (GEDA): The terminology may not be the best but it says "act upon" so you would either accept our recommendation or not or director will do something else it's really Chamorro Land Trust's call.

Nicolas Toft (Legal): I think it's fine in either section whether under 4 or the new 5 what it says is still pretty permissive as far as what it does.

Chairwoman Pika Fejeran: It doesn't bind us to (inaudible) recommendation?

Nicolas Toft (Legal): No just act on it.

Chairwoman Pika Fejeran: So that was the same question for "k" so I think "k" is alright too. You know something I didn't see in here and I imagine it could be spelled out. At the very beginning of the process once the CLTC has determined, this commercial property we're ready to get a lease on there we would be providing you a directive this is the lot we want to lease out but I believe the CLTC will do more than just direct you with okay here is the lot number will be more of a here's the lot, here's what we would like to see there and it would be, I guess, more of a guiding. We could say here's the lot find the highest and best use but maybe that doesn't align with our Chamorro Land Trust goals or mission. I would like to see something that says that the "Chamorro Land Trust provides with lease or industry goals, guidelines, etc., which would inform your request for proposal", because I know in GEDA's responsibilities it does say you will be preparing the RFP as directed by CLTC but I think in the CLTC's responsibilities we would also have something that says the same thing that we are going to be giving GEDA the vision if you want to put it that way. What we would like to see in this property and then GEDA will take that vision and move forward with it.

Mike Cruz (GEDA): We can add that to (interrupted).

Nicolas Toft (Legal): I think it would be more a selection criteria because the thing with RFP is you have to put in your how exactly you're grading a proposal in the RFP before you send it out so just having kind of a genetic vision isn't really kind of helpful as far as what GEDA will need to do in preparing the RFP. It would be kind of providing the factors for each individual lot, I guess it would be the way you probably want to do it depending on where it is and what the CLTC want to do with each kind of (inaudible) individual lot

because I assume something like Oka Point will be vastly different then say something in Harmon or Yigo and so maybe just some sort of (inaudible) will be in cooperation in developing the selection criteria for the RFP will be the way to put it.

Chairwoman Pika Fejeran: I guess mine will be more of a bigger picture and I know we are talking about the selection criteria would say this is exactly what we are looking for but before we even get there we have to say, hey we would like to see this lot spore agriculture development, right, whereas maybe GEDA sees a lot as that would be great for industrial development or what have you.

Mike Cruz (GEDA): You know in regards to the use Madam Chair we normally don't specify the use, we normally say that it has to be consistent with the zone and if the perspective developer requires his own change then we assist them to the extent that we are allowed to by law. We don't normally like to tell a developer or developers how they could make money, what use they can put to the property other than what's allowed by law, the zone here, if we said commercial lease for commercial purposes then you're narrowing the perspective tenants and we would rather narrow them in the evaluation process and we would do that as an example you would expect that an agricultural activity will pay less in rent then say commercial or industrial activities. So that's how we kind of...we really just don't specify a use for the property because it kind of predisposes that we know what developers out there want to use the property for so we kind of go open-ended unless it's a very specific thing for example the Lajuna where there was just gravel extraction or say one of the properties that (inaudible) the one in Yigo for the proceeds are to be used for infrastructure development. That's the kind of guidance we would need. So if you tell us that property, the monies are going to be used for that purpose than we need to specify that in the RFP that we are really not expecting the tenant to pay rent, we're expecting them to build infrastructure and that's something that the tenant will need to know. That's something that we wouldn't normally know unless the Commission tells us about it.

Nicolas Toft (Legal): But that's something you would want to do prior to the RFP being issued to meet the criteria (inaudible) based on the fact that you had the wrong criteria in the beginning it goes to the selection process and select what you think is the right tenant for but it doesn't quite match the criteria unless you have a (interrupted).

Mike Cruz (GEDA): Oh no would have to respect the criteria and that criteria as the counselor is saying would be corrected by the Commission and normally we would provide a copy of the RFP before it goes out in draft form for the Commission to take a look at and we need to make sure that this is consistent with what the Commission wants.

Administrative Director Michael Borja: So on "a" then you could just say with specific criteria at the very end...designated commercial...and under the scope Memorandum with any specific criteria for that (inaudible).

Chairwoman Pika Fejeran: Right, okay, so yea it was exactly for those types of properties like the one in Yigo this is how we would like to see it developed and then that would inform your development of RFP solicitation. And then under 4m "perform all inspections of

current..." are these the same inspections Mike that you mentioned upon the new item under GEDA, the periodic inspections as required by the public law or is this really just taking GEDA's recommendations and us doing our due diligence and?

Administrative Director Michael Borja: It could be for both what the contact end up saying there has to be these kinds of inspections.

Chairwoman Pika Fejeran: Okay under 5 Payment for Services' "c" where we talk about how that 14% is itemized so it says, under 5c second sentence "once a lease or license is executed, GEDA shall prepare and submit to CLTC a statement of costs incurred to include an analysis of the amount of time needed to recover such costs, based upon GEDA's share of payments." Then it talks about dropping down to 10%. I imagine you already have most of that information...you have the report by the time we're signing the lease, it has already gone through all the steps in the process and knowing how things work it takes time to finally get something sign. I guess I'm just asking if we can have the reports, something in there that says we'll get the report by such a time and we can review it and then decide, I guess, approve the report or...we've got to see it first before payment start being made so just we can do our due diligence.

Administrative Director Michael Borja: I think the cost definitely are going to take more than one month's payment so while that's ongoing we have to have to go through this process of agreeing upon what these costs are and maybe what we are also looking here is that at certain time periods is we're going to process we can just kind of address what cost we have already incurred as we move along so we can do the building what but that's (paused).

Chairwoman Pika Fejeran: That would be helpful.

Mike Cruz (GEDA): We can do that like quarterly or however you want prior to the execution of the lease. I don't think I can speak for the GEDA management or board regarding approval of those cost and those are cost that are incurred by GEDA. Can CLTC then say no we don't agree with that and if we said it cost us $50,000 to do something and CLTC disagrees with that then what? What happens? GEDA doesn't get reimburse for its cost I don't know how GEDA would do that. I think in the original draft of this had approval on by CLTC and GEDA management did not agree with that because it's the cost the GEDA incurs so I'm not sure, but I think as far as every quarter or whatever providing you with the cost that we've incurred I think we can do that but approval of those costs I can't decide.

Chairwoman Pika Fejeran: I guess I'm looking at it, you know I'm a restaurant owner right, we have 30-day net credit with our vendors where we get their products and at the end of the month I have all the invoices and then I receive a statement and then I reconcile those invoices. I do my due diligence I know I owe our vendor and I do my due diligence to make sure that everything that I received I'm paying for. So I guess it's more of that kind of thing because you are able to ...it says under no. 2 "GEDA may retail expert advisors, consultants, and legal counsel as necessary" and if there's like a third party that you hired

and you're charging us $50,000 for them, can we ask that report also gives us their bill or their contract? Or is it just one itemized cost?

Mike Cruz (GEDA): I guess we could say that if GEDA employs outside services it could be subject to CLTC's approval but as far as the services that GEDA provides...so if it's GEDA's staff spends a 100 hours working on something it might be difficult for GEDA to say okay here's the 100 hours, here's the cost for that 100 hours and Commission come back and saying no we don't agree with that or no it should be only 50 hours, I don't know how that's going to work because it's the service.

Chairwoman Pika Fejeran: I understand. It's like when we hire an attorney and then they send me the bill I'm not going to be questioning that my attorney spent eight hours doing research, right, I'm going to pay the bill. Nick do you have anything to add?

Nicolas Toft (Legal): I'm trying to think of a mechanism to work that and I can't think of anything other than it's just the difference between 14% and 10% and if it's something where it appears like it repeatedly being abused then you always have the kind of record of termination of the MOU as kind of failed safe option if you feel like there's...is just being exploited but otherwise if the cost...I can't think of a mechanism where you would have some sort of a third party review of cost if there's any sort of (paused).

Administrative Director Michael Borja: Well, third party review the cost and then all of this will actually come with the Public Auditor. She will definitely look at this kind of stuff on their annual audits, they do already, they do review our procurements, their last audits they looked at (inaudible) procurements that were done, they actually went down there to review all the paper work and since it's a sealed bit they couldn't acquire it for their review, the auditor went down to Piti to look at the files themselves. So it is subject for all kinds of review and I'm sure if somebody in the legislature has a little tickle that we will be down there to talk about it as well.

Chairwoman Pika Fejeran: So if maybe we can leave that section as is and then up no. 3, Provide Monthly Updates if that could include expenses incurred?

Mike Cruz (GEDA): So on "c" maybe we can say a "final statement of cost" and we will be providing it periodically, monthly, then (paused). (Line 15 page 6)

Administrative Director Michael Borja: I think at the end what everyone will be looking at is that we're doing our due diligence as a Commission to be watching out for over-cost and stuff like that and be responsible for that and they too would have to answer to the same kind of oversight that may occur on why certain costs might seem little overboard.

Chairwoman Pika Fejeran: For the professional consultants can we add that...I guess it will be in the monthly updates. You tell us we're looking at hiring an expert for x, y, and z that would be part of your monthly updates so we know what's coming.

Administrative Director Michael Borja: I think that too if you guys had a need to do something totally unusual like hire some special professional outside of the normal thing I think the communication will be there that... hey look this has come up we need to hire a civil engineer for certain kinds of civil work to be done or someone who can review coring samples of a project because sometimes that's part of the thing, coring of the land.

Mike Cruz (GEDA): We haven't had to hire anybody special for any of the properties that we leased out. For hospital point, I don't know, I mean that one is...the Oka Point that is a different piece of property and I don't know what's going to be required for that.

Administrative Director Michael Borja: They got rid of all the concrete slobs, they all over 50 years old.

Chairwoman Pika Fejeran: That's not on the table right now. I have no further questions.

Administrative Director Michael Borja: So we modify and make these corrections and present it back on the next commission. In fact, I'll try and change this and get copies to you guys as soon as possible to review.

Chairwoman Pika Fejeran: Since this was approved by your board already?

Mike Cruz (GEDA): Yes. We had to present it to the board, in fact, it was a discussion with the 14% and they directed 14 and 10% so this exact draft didn't go to the board, it was the previous version at that board meeting and they decided so eventually we will present it again but (inaudible).

Administrative Director Michael Borja: I don't think that the changes that you are asking to make are (inaudible).

Mike Cruz (GEDA) (GEDA): Just for informational purposes we're still within their decision of 14% (inaudible).

Vice Chairman Joseph Cruz: On the next meeting you can ask for the status of our existing lease what we have and what (inaudible).

Chairwoman Pika Fejeran: On the Fact Sheets, would you be able to share those with us for the existing (inaudible) I mean the work's done.

Mike Cruz (GEDA): Yes, we provided those to...but we'll send it to you again. As a matter of fact I have a sample.

Chairwoman Pika Fejeran: Moving on to the next Old Business it's the Guam Football Master Plan

2. **Guam Football Masterplan**

Chairwoman Pika Fejeran: So included in our packet is a Staff Report. This is the Guam Hals' Angels Football Association – Request to approve the second addendum delineating the new lot designation of the leased premises now described at Lot 10057NEW-7 Municipality of Dededo.

Administrative Director Michael Borja: We withheld on signing of this until we had discussions with Hals Angels Football Association until we get some of the couple things we were missing Mr. Shiroma did provide that and so what you have a the copy of the Master Plan that they developed and he also provided and a copy of the tax exemption status so in the Master Plan he laid out what the project was going to look like statement of what they are going to do there. The issue that we had had with this was that there was a utility easement that passed through the center of this property and that our discussions we have already instructed the Rugby people that, that easement is not for their use.

Chairwoman Pika Fejeran: and that was the Rugby's lease amendment that we didn't accept.

Administrative Director Michael Borja: And Mr. Shiroma was kind enough to agree that (inaudible) that transition to discontinue the use of that by the end of this calendar year. So he provided all the stuff…and technically this addendum is just to accept for the last segment of their renewal and moving forward we are also looking at a later date to begin the process for another term.

Chairwoman Pika Fejeran: Sir did you want to state your name for the record.

Ivan Shiroma: Hi my name is **Ivan Shiroma** I'm representing Hal's Angels.

Chairwoman Pika Fejeran: Going through the history sir, I know you've been through a lot with us and I appreciate you coming today and coming with this Master Plan, I see you have a really good plans for the facility and I already know you've done a lot for our island and the sport. My brother in law is a football player so I've gone up there to watch him many a time so if I'm hearing correctly, director, the Football Association and the Rugby has come to an agreement on the access on that easement?

Administrative Director Michael Borja: Well I have informed Rugby that they would no longer have that access and they understand that. I just need to coordinate when the transition time is going to be.

Ivan Shiroma: I had my acreage severed again just to come to a conclusion (inaudible) where the squatters are at those were all part of my total acreage. I don't want to deal with those people…you know it's up to you guys how to deal with them but so now my total acreage was severed again but I'm doing that just to (inaudible) and move forward so I can continue with my football. That's all we do (inaudible).

Chairwoman Pika Fejeran: So is that why it's this new lot (inaudible)

Administrative Director Michael Borja: This was the map that was originally made. The original Lot was 10057 and when that's what he had that whole area to include where these squatters are at and the Rugby and a section was portioned out specifically for Rugby.

Chairwoman Pika Fejeran: Are we looking at the map dated 2/27/17?

Administrative Director Michael Borja: Yes.

Chairwoman Pika Fejeran: So the portion that was severed out because of the squatters is a NEW R-7 is that right? I know in the June 16th meeting, we had questions about that 40 foot easement that went down the center where Rugby is accessing. It said that easement must be deleted as per Public Works concurrence that it's a utility, has that easement already been (interrupted).

Administrative Director Michael Borja: That's what this map did.

Chairwoman Pika Fejeran: I know Director Borja, you mentioned that storm water run-off and drainage was your main concern that's why you wanted to see this.

Administrative Director Michael Borja: The Master Plan to make sure that the elevation...the elevation of the second field is not going to be the same as the first field, right, it's much lower and he just leveling it out. But we have a natural drainage area towards the back near where the spotters are at...they saying it's the sink hole.

Chairwoman Pika Fejeran: I'm looking at the Master Plan, what is the French drain, I'm not familiar?

Ivan Shiroma: Actually it has pipes in there it has more route and it's like a ditch that you could walk (inaudible) .

Chairwoman Pika Fejeran: Mr. Shiroma, I was looking at the previous meeting (inaudible) you talked about your need to be able to lock up and protect your assets. I am assuming that this Master Planning includes that.

Ivan Shiroma: Yes. Now there is no conflict on whose trash because people like to go in there and dump since that's an easement now anybody goes in there they go to the backside where it's hidden from the road and dump trash there and both sides now can point fingers as to that's theirs, that's mine. Stay on your side and put fence down the line and good luck.

Vice Chairman Joseph Cruz: So what part of your Master Plan has been permitted?

Ivan Shiroma: Just the moving of the soil there or backfilling that's the first thing everything else is going to be in phases because (paused).

Vice Chairman Joseph Cruz: So you got your permit for the existing site both from EPA and the Public Works?

Ivan Shiroma: Yes, everybody signed off. Just for your information, whenever you (inaudible) and you have a main playing field and you have a practice...we cannot keep using the same one because you're going to keep tearing the grass up and the football is the worse (inaudible) and lot of actions is down in the middle so it's always nice to have a practice field and that's why I'm trying to create the practice field same with the rugby. While we're on that subject I think they should also (inaudible) water too because they are kind of higher and I think their second field is much higher elevations.

Administrative Director Michael Borja: Yea but there's no paved surfaces, that's the thing...you cover the ground with asphalt to keep it from being (inaudible) from soaking in the water.

Vice Chairman Joseph Cruz: So your (inaudible) is designed for your parking?

Ivan Shiroma: Minimal parking; most of the parking (inaudible).

Vice Chairman Joseph Cruz: But for this plan right now that we are seeing you have three sides for your French drain and can it be connected to the parking lot?

Ivan Shiroma: Yes.

Chairwoman Pika Fejeran: I appreciate the introduction and purpose of your Master Plan I didn't know that the history and I know your family as entrenched in those...I think the plans looks great, I don't have any questions. We already approved the removal of the easements.

Vice Chairman Joseph Cruz: On this second and then we will amend your existing lease to lessen Lot 7 out of your (inaudible). Where would you identify your lease because if your lease is now R6 what document are you going to use to reflect the new lot (paused).

Chairwoman Pika Fejeran: It sounds like we are reaching some kind of (paused).

Administrative Director Michael Borja: It doesn't change the terms it describes the lot.

Chairwoman Pika Fejeran: Thank you Mr. Shiroma.

Peter Walls (Rugby Club): Is there any public record on that as well because I was here to represent the Rugby Club. My name is Peter Walls and I'm the President of the Guam Rugby Club and in 2010 we came to a resolution with the Chamorro Land Trust to buy this land and at the time that was called the Master Plan and that plan included the road put in around the side of the lot that allowed access to the Rugby Field. So that took about three years of coming to these meetings (inaudible) to come up with the plan of this is what we would like to do in order to go forward. That was passed, legal counsel at the time was

there and saw all the documents so in 2010 there was a document that looks completely different than what we looking at today so I just like to know what happened to that motion to that plan and it just disappeared.

Administrative Director Michael Borja: When you came in and your lease is defined by a specific map that you drew which severed out the portion that you have period that is your defined land then you came in and asked for this easement that cuts through someone else's leased property which at the time the Commission approved it. This Commission subsequently after the review of that easement and the determination of your access is actually Lada Avenue, your legal access is Lada Avenue, not cutting through someone else's property and this Commission by motion revoked that process to allow that process to allow that easement through somebody else's leased property. We could not and should not have done that in the first place and that's what it is. We had that discussion with Mr. Morrison that we also decided that...I told him that you could not have it that we need to find the process in which to take the use of that easement which is primarily for your water and for having a septic removal tank come in to find an alternate access in and as you heard earlier its until the end of this calendar year to get that done. You have been given...this property was originally leased in Toto to the Football and then it was severed out you did a full map and it was approved and recorded and that was your property to be leased and then to substantially ask for someone to create an easement through someone else's leased property should not have been done at all because you are not disrupting the use of somebody else's already leased property and that's the problem because your access...if you hadn't no legal access to your land then that probably would have gone but you have a paved road on the other side called Lada Avenue which is the legal access we would have not even allowed the severance of that land had there not been a legal access and that easement would not have been some utility easement, it would have been a full easement, a full right of way, but you already had access and that was Lada Avenue.

Peter Walls: and so during this time there was just no...the documents were just really messed up there was no real definition of where that line was there was a fence going one way and a fence going another way and (inaudible) this is Lot 1 or Lot 2 but it wasn't define on this whole map because (paused).

Administrative Director Michael Borja: What map? I don't have it in front of me the property map that you guys had but that survey map defined your lot (interrupted).

Peter Walls: It was ambiguous on who has what areas and that's why the DPW at the time and Chamorro Land Trust at the time agreed in 2010 well this area right here is not being used there is no body's name on the slot which is 10057 up there so the edge of this could be used for that purpose. That was just the question for that so there was a plan done at that time.

Administrative Director Michael Borja: As the Chair mentioned earlier there has been a lot of discussions on this and previous (inaudible) many of them heated and we don't want to have that at all. We want everyone to be good neighbors for each other and it's all for the sake of games and the participants of the games which are many youths and adults as

well and we want to keep those games to be as pleasant with each other as possible and the neighboring of each other (interrupted). We want the use of those lands that are being used for public goods to continue on each of you guys both you and the previous speaker have lot of sports that you do that are good for the community and your license agreements are both going to be coming up pretty soon we want to look forward to being renewed again for that sake and just because you put a lot of energy and expenses into these properties we don't want to see it disrupted into something else. It serves a greater good to many people, many children throughout the island, the schools especially and other extra intramural activities so it is a good thing that you guys have been doing we just really need to make sure that now each of you have been fully defined by your survey maps, yours came first, you severed yourselves out of the total and what was left is the remnant as we show in this other map. We even have to reduce further because it included an area where they were a lot of swatters that we just could not displace and so we had to take that into account. The thing we were holding up for the longest time with the Football's, unlike you guys they have not submitted a Master Plan, and you guys submitted a full Master Plan, you guys are good, you have all your documents and so we (inaudible) to be exactly the same. Our concern is to make sure was to make sure that there was not going to be any kind of flooding in the area because we know there's a lot of water that runs from upstream down to there and it doesn't happen every time but when you get those significant down pours you do want to make sure that nobody is going to get flooded. My concern was even though there's squatters on the land we got to be concern about them as well that they are not flooded out and displayed because then it becomes a more social problem for everybody so that's the issue. But we are not looking out to try to disrupt your issues in this whole matter what we are trying to do is just have peaceful coexistence with everybody that's using this Chamorro Land Trust properties in that area that's providing a great community service and it's authorized for that use under the law specifically that's why your terms is just limited to 21 years, there's no requirements for us to go get legislative authorization it's already there for this particular kind of use and so I know you guys...we're not here to try to disrupt what you are trying to do we just want to make sure that for the property that they been leased, there's no disruption because of an easement that should not be there. You have to begin to look to see that the legal access for your property is Lada and as I mention before Lada is not very difficult to access there's actually just go two blocks up and there's this beautiful paved road that cuts through the jungle. You don't have to go through speed bumps or around houses and just make an immediate left turn and half a mile down you're there. In fact, even across the street as you guys already know where all the cultural centers are and so there's a lot of activities going on, and that's what this area was created for. The legislature put those cultural centers there to be a community area and that's what it's turning into.

Peter Walls: and so that seems to be a problem then they are having with the soccer at the moment, like this, just no field there. It's just tons and tons of kids that want to play and in 2010 we really didn't have a problem but then all of a sudden the women on Guam decided they want to play rugby and all of a sudden that number just doubled so the increase was not what we expected at all as we thought it was just a guys' thing but all of a sudden it became a much bigger demographic started to get involved and now same as Ivan we just had kids everywhere and when they had an event and we have an event

together it's going to be a major problem and I'm pretty sure the neighbors in that area are going to be like, "hey, we have some major problems with what you guys are doing here, where's the parking for the (inaudible) facility". You look at GFA on Saturday morning, they are packed and they got people parked on the side roads and down the pipeline roads and down the pipeline roads and it may not be happening right now but you know it can happen two events on the same day.

Administrative Director Michael Borja: and we got the same kind of thing even with the soccer folks. The pull by all these different organizations is tremendous and the lands are limited and to some extends some of the professional soccer organizations are trying to acquire private properties to do certain activities although they also been able to acquire private properties to do the same. And you know they are building a new place down in Agat for example, outside of Agat, between Agat and Umatac. I know the mayor of Talofofo has been trying to acquire a lot of properties too to have some kind of playing fields in his village because there's a number of people that live in that whole area of Inarajan, Talofofo, and (interrupted).

Peter Walls: That's good to have so many people playing. It's always the hardest thing because everyone comes here with the aunties and the uncles and grandfather and grandmothers and everyone there and there's a big party but it's a big party with a lot of traffic a lot of cars and it's just something to consider (inaudible) a traffic and stuff and also safety area so your thoughts on that will be greatly appreciated.

Administrative Director Michael Borja: Okay, and I will be providing written notice to you.

Chairwoman Pika Fejeran: I'd like to call a 10-minute recess. We'll come back here at 3:20 p.m.

3. Guam Raceway Update

Administrative Director Michael Borja: Just on the bottom line of it all. They are up to speed on all their lease payments they have paid a significant portion of what is for their ticket sales although Joey does have full details of all those activities that they announced and I don't know if anyone is here from Guam Raceway but the only thing that the balance due on them right now is just the current month. Joey you want to talk.

Joey Cruz: Like the Director said the Guam Raceway had submitted their Quarterly Report including (inaudible) it's from 2015 through 2017 but we were questioning the certainty of the information so what we did is we went online and we Googled and we were able to find their calendar of events so there have been many events like Friday Night Drags, Drifting events, other auto cross events that are not listed on the report that they submitted. The most recent event that we found was the Battle Showcase event which occurred according to what we got from the internet on February 24, 2018 which charge admission fee of $10 per person but that wasn't also stated on their report.

Administrative Director Michael Borja: What's the date of the Quarterly Report?

Joey Cruz: They just turned in on Thursday last week.

Chairwoman Pika Fejeran: On Monday I was just at the Raceway amazed at all the hundreds and hundreds of people (inaudible) paid $55 from each ticket so I would imagine…okay so Joey this is a good start at least.

Joey Cruz: They also submitted their most recent (inaudible) on grading permit which is also part of (inaudible).

Chairwoman Pika Fejeran: You know, he did mention even the last meeting that every Friday night they have drag races up there and you said it's not here already and I wonder if they do charge.

Joey Cruz: I'm not too sure.

Chairwoman Pika Fejeran: It would be nice to show it here and then just say no revenue collected from this event, put everything on the table.

Joey Cruz: We can send the follow up letter requesting for that type of information.

Administrative Director Michael Borja: and that was just the latest in the things that we'd asked them to provide in the last meeting and I know that they were working together to amass all those stuff but Joey is really a private investigator and he found all that stuff off the internet so you know you he just have to be accountable for those kind of things.

Chairwoman Pika Fejeran: This is the clearing and grading permit?

Joey Cruz: Issued December 4, 2017.

Administrative Director Michael Borja: and you notice under Land Management they noted there's no removal of graded material, they weren't allowed to do that so it was just saying he was doing in there it was just moving piles of stuff around.

Chairwoman Pika Fejeran: With this report that shows their third party events and it says the balance due from just the two year period is $1,705.

Joey Cruz: That was paid.

Chairwoman Pika Fejeran: Okay, so they did pay this. Their license started in 1998 so we're missing seven years' worth of events.

Joey Cruz: In 77 days their license will expire.

Administrative Director Michael Borja: I don't know what we're going to do if it's continuing but it's not…it had no provisions for renewal so either…that was the action of

the legislature to create that lease and the only two approaches we have on them is either through legislative action to give them a new lease or we have to go do it in accordance with the rules and regulations for commercial lease which we have to RFP it and go through that whole process.

Vice Chairman Joseph Cruz: When are they expiring?

Joey Cruz: May 31st, 2018

Administrative Director Michael Borja: Even if we had GEDA RFP the MOU in place it would not be enough time because first we have to declare it for commercial lease. That could be as long as six months of we really move at it.

Chairwoman Pika Fejeran: So right now is it a commercial license?

Joey Cruz: It's a commercial license.

Chairwoman Pika Fejeran: Are they a non-profit organization or are they for profit?

Joey Cruz: I believe so they are non-profit. They are also exempted from property real property taxes.

(Discussions on the lease extension ensued)

Chairwoman Pika Fejeran: Joey, you say you would engage with him about the last 17 years that's not covered and the most recent events from this year?

Joey Cruz: Yes.

Chairwoman Pika Fejeran: Okay, Thank you. On to the next item.

4. Matthew Quinata – CLTC Land Exchange Resolution

Chairwoman Pika Fejeran: This was first presented to us on last month's meeting but we have a copy of the Resolution and also the attachments. I know in our discussion last month our approval was just one step of many that we would have to undertake.

Administrative Director Michael Borja: What this Resolution does is if you would agree to an area for an area land transfer because it's primarily beneficial to our CLTC leases in the back it takes advantage of the natural terrain for the proper road rather than one that (inaudible) and then it cures the problem of us encroaching into his property to access ours and cures the problem of his house encroachment into our private property and so everything else beyond that has to be legislative to be approved and that's where all those other actions will be necessary for them to ensure that there's no lien on the us taking the property and transfer to us (inaudible) because it's an area for an area lease and he has to get the bank's approval if there was a lien to be able to engage in just the (paused). So

what I provided you in an exhibits is first what the Master Plan shows what these lots are and then the survey map is properties that…the triangle property and it's a very old property map so old that it doesn't even have an FY number and Exhibit C shows what the current area looks like and where the use of the world is actually transmits through his property and the Exhibit D shows how the proposed area exchange of property would look like and (inaudible) even had one of our Chamorro Land Trust lessees that has building that was encroaching into the designed easement so that will cure that as well.

Chairwoman Pika Fejeran: I saw also in the Resolution that on March 8th the lessees in the affected lots where contacted and (paused)?.

Administrative Director Michael Borja: Yes, I don't have a copy of that with me. Margarita called them all in and advised them of this alteration to their property layout and they concurred so I have signatures of three different lessees and their concurrence.

Vice Chairman Joseph Cruz: So in the area of the 223 square meters that is to be consolidated to Mr. Quinata possibly would been the road right? And the 223 square meter from Mr. Quinata (paused)?

Administrative Director Michael Borja: Mr. Quinata is part of that roadway and that little pie shape that comes out of that (inaudible).

(Discussion ensued on location)

Chairwoman Pika Fejeran: Director you were asking about the survey cost?

Administrative Director Michael Borja: He should absorb, it should be almost 50-50 because part of it is our issue and part of it is his issue. I will make sure it's in the legislation.

Vice Chairman Joseph Cruz: But we did verify the topography that the new alignment is not that (paused).

Margarita Borja (CLTC): Yes.

Chairwoman Pika Fejeran: So the only revision will be the word specific lot number?

Margarita Borja (CLTC): Yes.

Administrative Director Michael Borja: and I'll put in here too about the cost to share the survey cost.

Chairwoman Pika Fejeran: Any other discussion?

Administrative Director Michael Borja: So I will try to make this changes and pass along to Pika for signature.

VI. NEW BUSINESS

1. **Mayor of Barrigada – Request to obtain Lot 15, Block F, Tract 9 and Lot 16-R1, Block F. Tract 9, Municipality of Barrigada for construction of a recreational facility**

Chairwoman Pika Fejeran: Okay we have a Staff Report here and the Mayor has joined us. Hafa Adai Mayor please state your name.

June Blas (Mayor): *Buenas* and *Hafa Adai* Director Mike Borja, Madam Chairwomen Pika Fejeran, Vice Chair Joe Cruz, Amanda Santos and Attorney Toft and staff. For the record my name is June Blas, the Mayor of Barrigada. Several months ago I requested assistance to help obtain for a parcel in Lot 15 Tract 19, Block F, Lot 16-R1 Tract 9 adjoining the Foster Home in Barrigada Heights. The intention is the same as it is today. The desire to construct the recreational area with facilities inclusive of a playground, a sidewalk, and a perimeter for joggers and walkers, a basketball court and open field for outdoor sports. This property will most beneficial for the community to demonstrate and promote active lifestyle as well as providing our children an outlet to exert their energy in a positive all aimed at developing and creating a positive aspect of life. The Vice Mayor and I have the same philosophy when it comes to our children that is "more children on the field and less on the streets". This has been my driving force in encouraging children to stay active provided the adequate facilities are made available. Since our initial request we have been able to meet with Mr. Wayne Flores and his commitment from W.B. Flores assisting our community with the development of a recreational need assessment to Barrigada. These future plans proposed were attached as Exhibit 1 and as soon as others are made available to us by our partners we will share them with you. These plans are being made possible by our community partners. The donations that are made possible with little to no cost to the Government of Guam and the upkeep of the maintenance in the facility will be provided by the Barrigada Mayor's office personnel and as of today we have playground equipment in our compound waiting for a new home. On behalf of myself, of course the Vice Mayor Bautista and the Barrigada Municipal Planning Counsel and the community of Barrigada pray for your approval on the transfer of these lots for a place for our kids to play and get active. *Si Yuu Ma'ase.*

Chairwoman Pika Fejeran: Thank you Mayor Blas.

(Discussion on location ensued)

June Blas: Before the Foster was built we went out with the director to kind of look at other possibilities for a park to somehow put a park for them as well so they can also integrate with the parcels that they are giving up there and trying to capture also that the residence or the kids that are up there I don't want any vandalism going on or some delinquency but when you put these parks up there for all those people they have a place that they can run to, get their energies out and I feel that we should kind of integrate and

look into this, the design that is made is just for strictly for a field, a walking park, and (inaudible) of a basketball pavilion. The other side that was identified of the 7 1/2 acre that was supposed to be ball field such as soccer, baseball, football and others. But this one is a smaller property so that's why we kind of (inaudible) to this smaller scale but also work with the foster next door. So that being said, I have three sets of playground equipment that were ready in the event that this is approved that we pray that it does so that we can also help our kids on that side to have a place to go and play.

Administrative Director Michael Borja: And because of all the Chamorro Land Trust properties around there they can all directly benefit from this for their children or adults who wants to go for walk but it serves the bigger community around there as well that can help being part of their neighborhood watch. My concern though is that if you put this parking lot behind the water tank it's kind of open for a nice to do things (paused).

June Blas: No we're going to paint it...we have private partnership we want a gate around the area just for security as well. It's going to be monitored by my office, my staff and myself.

Vice Chairman Joseph Cruz: What's your timeline on this project?

June Blas: We have private partnerships already unfortunately they are off-island but they are willing to help develop this place and like I said waiting for H-2B workers but we have like 5 or 6 construction...I mean they are committed already to us. We need the playground and I work my way but first we need to get the Resolution and also the access and approval for us to go in and develop and by doing so we will also get a plan in terms of getting all the clearances that's very important to get clearances from the different departments and how we going to execute and put this playing field and a park together.

Administrative Director Michael Borja: But you are looking to have an administrative transfer of land?

June Blas: For this purpose? Yes, I feel that we should so you know from years to come I just don't want that one day it going to go again and it's going to be gone for all the efforts that we put in and the monies that had been (paused).

Administrative Director Michael Borja: So for an administrative transfer you would then need the legislative action so the Resolution would then agree to have a legislation to do this but maybe in the caveat that in the event there's a requirement for the foster care expansion they might have to utilize certain areas.

June Blas: It would be a lease upon how many years, are we talking about 21 years?

Administrative Director Michael Borja: Well, there can be a license agreement for Chamorro Land Trust for 21 years or there can be an administrative transfer through the legislature. The administrative transfer, I mean, it put it fully under your control and in the event you're going to...or sometimes you look for community block grants then that would

be what they would require, a license agreement would just give you a specific term to use the property.

June Blas: But then I'm not sure if I'm able to get some grant monies and I know right now that GHURA has those (inaudible) that I cannot get something that is not under the Barrigada jurisdiction of my office.

Administrative Director Michael Borja: But under the license agreement do you have it?

June Blas: Would that lease suffice if I (paused).

Administrative Director Michael Borja: We could ask GHURA but it would be…you got an agreement for a period of time, 21 years is the max.

Vice Chairman Joseph Cruz: What the time frame in fixing the problem on the South side or the North side?

Administrative Director Michael Borja: The individual that was complaining he went and scraped all the (inaudible). but never came in to see us even though he had an appointment.

Vice Chairman Joseph Cruz: With that complaint where did he stand?

Administrative Director Michael Borja: The problem is that the lessee passed away and the beneficiary is the lessee's daughter and the individual who's making claim that it's his the beneficiary's son but they haven't gone through the process to go through the paper work to engage (inaudible) they haven't come in (interrupted).

Vice Chairman Joseph Cruz: But there's a timeframe for claiming a deceased claim?

Administrative Director Michael Borja: No.

Vice Chairman Joseph Cruz: What kind of lease do they have?

Margarita Borja (CLTC): Agriculture lease.

(more discussions of location ensued)

Chairwoman Pika Fejeran: So as we discussed earlier we have two options we could provide you a license because this falls well within our licensing authority, a license to develop this as a community facility to your village or we have a resolution that we would forward to the legislature which would then put in the legislature's hands and I guess it would be (inaudible) with the other villages like the village of Yigo we did the resolution and he would have to go to the legislature because he was going to be applying for those Block Grants and he did it under (inaudible).

June Blas: That's the other thing and he wanted to go direct so that we can get and take advantage of those other federal grants that we need…and if it does go through that I prefer getting a resolution and getting our senators to go ahead and approve at least this one going for now.

Administrative Director Michael Borja: What it can be is we do a resolution to support legislation for an administrative transfer and then we also do a grant of access that allows them to define property there.

Vice Chairman Joseph Cruz: Did we do a resolution for the Northern in the legislature?

Administrative Director Michael Borja: Yes we did.

Chairwoman Pika Fejeran: I even see a draft bill but it was never (paused).

Vice Chairman Joseph Cruz: You don't want these two to collide down in the legislature.

Administrative Director Michael Borja: I don't think it's been introduced.

June Blas: One is in the North and one is in the South so there's two different areas. It may be in Barrigada but one is bigger and one has a larger capacity of what we need to do and its more of a soccer, baseball, football fields.

Chairwoman Pika Fejeran: I know there's several that watch what the Commission does and they are not fans of when we administratively transfer land outside of our inventory into other people inventory but as we have been faced with other municipalities that have come towards us and ask for this transfer when it's for recreational use for the children you know I would say that the ends justifies the means, the means justifies the ends.

Administrative Director Michael Borja: You actually have a (inaudible) and it's (paused).

Vice Chairman Joseph Cruz: All it needs is a timeline when is it going to (paused)?

June Blas: Well once we have those H-2B workers I'm quite sure…I'm very adamant…you know we do have private partnerships, we have contractors that live in the village or within that area I can name a lot of them that lives in Barrigada Heights. They are just waiting for us to get the property, get all the licensing and they will do it at zero cost to us for the community so their kids can also benefit on this one and utilizing.

Chairwoman Pika Fejeran: It seem the plan is not final, right? I'm also wondering about that big parking lot back there.

June Blas: It's about a 108 stalls that we, 101 correction.

Chairwoman Pika Fejeran: and it's tacked away.

June Blas: We want to go ahead and gate it for security purpose as well.

(Discussion on location ensues)

Administrative Director Michael Borja: I don't think we should do a resolution right now until we get those details and get clearance from GWA and what their intent to use on that area for right now because we need to get the full clarity on the Water Works use on tank and where it's (inaudible) specifically are and get the full definition and in the intent I think with the commissioners is to move forward on this but I want to make sure the resolution is correct...the deep description of the property is correct.

Chairwoman Pika Fejeran: and once we work that out then a resolution is fully researched and has all the right information we will forward it to the legislature.

June Blas: Okay then you will be calling me again.

Administrative Director Michael Borja: No it will be on the Old Business in the next meeting.

Chairwoman Pika Fejeran: Thank you Mayor I appreciate your time.

June Blas: Thank you so much.

Chairwoman Pika Fejeran: Just to clarify we will determine the accurate description of the lot and we'll contact GWA to ensure the description is accurate?

Administrative Director Michael Borja: Yes, their property use and needs.

2. **Sophia Palacios Use of Joey Taimanglo Designated Lot**

Administrative Director Michael Borja: Is there a Sophia Palacios or Joey Taimanglo?

Chairwoman Pika Fejeran: I don't see any signed in.

Administrative Director Michael Borja: This is the follow up on Mr. Aguon who came to our meeting the last time and I sent a memo for record we called in the individuals he was complaining about who was using the property. The individual is not a lessee. This has been the individual who we've been working with for a number of years, she has been on the land, the land has actually leased to her ex-husband and he has two wives or something like that so she was the one who was residing there, she did not qualify to be an applicant but she was living there so in some efforts for humanity reasons we looked to find the person that can be qualified to allowed for leasing. There's been a lease issued still but her grandson had been identified. So I called her in to talk to her about the issue of the trash in the area, if you read my description here it was quite an interesting meeting because she came in with an individual who she said was her Filipino husband and she

was on crutches and so when I asked her about the trash she said, we put the trash under the mango tree but we take it away so I showed her the pictures of the trash under a mango tree and she said, "I don't know what that is we take away the trash". The issue is also somewhat this one individual who was in a photo in a pickup truck was the one that (inaudible) has said is dumping the trash. I asked who that was and she said, "I don't know who it is, and she said oh that's the guy that's picking up my pepper plants". And it turned out that's the man that came in with her that was sitting in the other room while we were having our meeting and then I asked where her grandson was and if he's residing there and he said no, he lives in Mangilao and he just had a baby and he said they will move back later on. Then she grabs her arm crutches and says I don't really need these, these are fake and I just thought and I just thought I'll do it to make you laugh and then she went walking out without her crutches. So everything she told me she really was not telling me the truth on the trash, on the individual dumping the trash, which were the specific issues that were concerned to Mr. Aguon. She claimed that she always gave respect to Mr. Aguon (inaudible) or calling uncle, but anyway, their spoiling the land. When I told her if you get a lease you're going to be required to have a Guam Solid Waste agreement to remove your trash and she kind of jumped and said "no, we can do that ourselves". But I said you've already demonstrated you're not and Mr. Taimanglo is not residing on the property and may not be intending to and so the two recommendations I have is issue a Violation Notice and then reconsider the issuance of the lease to Mr. Taimanglo based on his application date because his application date was not until February 19, 2015. She was not the lessee and there isn't a lessee. She's been trying to get the documentation going to (inaudible)...and that was the issued we had earlier on because apparently somebody in the lot between her and Mr. Aguon there has been and there continues to be somebody to be squatting in there who she claims are ex in-laws that she just doesn't want to disturbed them so I don't believe that she's allowing them to live there. What I saw several years ago and what is happening still is that they are living in some kind of tent or tarp facility and defecating in the jungle. That's the problem Mr. Aguon has got all along is that all this nastiness going on next to his house...you know his lawn and his house is actually kept very well and some of his medical issues that he mentioned to us as well doesn't help out, he's got all his frustration.

Chairwoman Pika Fejeran: Have you been in touch with Mr. Aguon to let him know that you went out there?

Administrative Director Michael Borja: No the land agent that went out to go and take a look at this he gave them pictures which he didn't want us to release so those were the pictures I showed her and said, "what's going on here, who's this individual inspecting the truck"?

Chairwoman Pika Fejeran: I like your recommendations.

Administrative Director Michael Borja: Then I'll proceed. There's really not much to do as far as anything else goes here, no motion requires, it's just that they are not entitled and authorize for the use that land.

Administrative Director Michael Borja: So we will go to the process to notify them to clean and desist and to remove themselves but we've invited her to be here.

Chairwoman Pika Fejeran: It hurts to know that there's at least two families living there that we're going to kick off the property, where would they go, but our properties are meant to be used appropriately and there's (inaudible). Thank you guys.

3. Veronica Patao Garrido Patao - Disturbance

Chairwoman Pika Fejeran: I remember this.

Administrative Director Michael Borja: Let me bring you up to date we do have individuals we've asked to come here. This is a property the lessee had come to us to vacate the property because she couldn't live there anymore and we went through this whole process to try and find the buyer for the house (inaudible) we ended up going through the legislation to purchase the house and we moved Ms. Teresita Blas in there, she was the Yigo lessee that had to be moved because of the problems with the property where she was not put there properly, it was too small and because we had to vacant her from her house we had to give her...so that's where she went and she assumed this house after we had bought it through legislation. So she's been living there and now the surrounding neighbors are the daughters and sons of the former lessee have been causing disturbances to the point that Mrs. Blas is had to call the police and we gone back out to find what's going on to find issues with I think...so I'll let the Land Agent take on what he had done.

Glenn Eay: What we've done here, Dee and I, went out there several times for various complaints and as outline here in this report first started in Saturday, January 6, 2018, Matthew Leon Guerrero, Land Agent Supervisor, received a call from Teresita Blas that somebody had broken her lock and replaced it with another lock where she couldn't enter her premises anymore and because of that, and this was the weekend, she could not enter her property, she stayed overnight at the relative's house and made the compliant to our office the next working day which was Monday. Then again on Monday, January 8th our Director Borja spoke to Ms. Veronica Patao that she has to remove the lock from the entrance gate and that (inaudible) no jurisdiction to interfere with the Chamorro Land Trust property or the lessee who is occupying the premises. Again, another incident on Friday, March 2, 2018 I received a call from Mathew to respond to a complaint from Teresita Blas regarding dispute of property boundaries and clearing when I arrived there Mrs. Blas explained to me that Mrs. Garrido, along with her two other gentlemen came there and told her that this is their property and this is where we're going to clear. She disputed that because even though she doesn't have a survey she has a general idea where her premises are because Matthew and I had told her the proximity and we told her that until it's survey then we can really identified (inaudible) but this is the proximity. Well, heated argument came about when Mrs. Garrido was there and talking with Mrs. Blas it came to the point where Mrs. Blas went in and took the machete and because what she said and it was on the police report and (inaudible) to get off the premises so she did remove and vacant and according to the report from Mrs. Blas she explained that she (Mrs. Garrido) will

be back with a backhoe to clear the property. On that incident she was advised that she can go ahead and do a formal complaint with the GPD and regarding those issues and she did file a harassment complaint against Mrs. Garrido and on Wednesday, January 7 we meet with Mrs. Garrido with her brothers and they volunteered to remove the front gate which she had placed several years ago and that' the end of the report.

Commissioner Amanda Santos: Who's the legal owner of the Land Trust?

Glenn Eay: The lessee is Teresita Blas. She just got it recently about a month and half ago and after two days these things happened.

Administrative Director Michael Borja: To put it even more bluntly she requested to terminate her lease because she could not live there anymore because she was being terrorized so after she came to that meeting I went out the next day with the land agents to find the access road, the drive-way was chained off with no trespassing sign put up, a large tree next to this drive-way had a big branch broken down and hanging over the drive-way so it would not be passable to through the driveway so we parked outside and walked in and we had to do our due diligence to secure and safe guard the property from any vandalism if we were going to be the ones to acquire and then through a long process we finally made the changes to assume the property back and pay for (paused). So we'd asked Veronica Patao Garrido Patao to come here because of the disturbance and I believe we have her present as well as her two brothers that the sons and daughters of Simplicia Garrido.

Chairwoman Pika Fejeran: They are not Chamorro Land Trust lessees?

Administrative Director Michael Borja: Three of them are and I believe Mr. Patao as well has a lease, separate lease under his name. There's no recorded map in that area so we ended up in a process but what you see here in this sketch is a description of a layout over here which not a true layout anymore when they did the Master Plan to allow a direct access to this house that we were going to lease to Mrs. Teresita Blas for the purpose of her unhindered access into this property where the house was at. So what we've done a Master Plan because no survey has been done on this area so any define spaces that the Garrido's claim have never been defined.

Chairwoman Pika Fejeran: Is there a lease?

Administrative Director Michael Borja: They have a lease, for portions again.

(Viewing the map on the screen and discussing the location)

Administrative Director Michael Borja: I would like to let the commissioners know that one of my first meetings as a Land Use Commissioner in 2011 was an issue with this same group of family members in this property right there, disturbances ongoing.

Chairwoman Pika Fejeran: Ms. Patao, what is it that you provided us?

Veronica Garrido Patao: I provided the correspondence, the leases that is with Richardo Garrido, Roque Garrido, and Wilfredo Garrido. I also got a Master Plan, an agricultural Master Plan map that is registered with Land Management here identifying all the different lots. In addition to what I also presented to you in the very back there is a map there that I obtained that map from my mother years ago. She had to pay survey, I beg to defer with some of the reports that has been presented to the board and to Mr. Director here I'm humbly asking the opportunity to speak and to share more the dynamics that are not familiar with our immediate family members. In addition to those package there's a map in the very back, the leases and then some correspondence that Senator Aguon had helped us to try to get some clarification in reference to the surrounding areas including the house that previously belong to my mother.

Chairwoman Pika Fejeran: Going back to that specific property, we are aware that her lease was with Chamorro Land Trust so it's Chamorro Land Trust property.

Veronica Patao: I understand that now. There's a lot of clarity that we see now as oppose to what was (inaudible) that was going on. Bear with me as a struggle to talk I have cancer of the throat again, I'm a disabled person and I also had undergone heart surgery. Now I'm here to speak from the heart but I've also written down all the other concerns I have and right here is the Master Plan map and other smaller copies.

Chairwoman Pika Fejeran: The issue at hands that we're having is with the current lessee who we moved in to your mother's former leased property, Ms. Teresita Blas and she is there because we put her there so I want to know why are you blocking her from entering the property that we allowed her to move in to.

Veronica Patao: May I read my note. Buenas Madam Chair and Board Members and Mr. Borja I'm humbled and I thank God that we are giving the opportunity to be here to resolve issues and move forward at the 385 Batulo Road. A little history, for the last 59 years at 385 Batulo Road my brothers and I grew up there at the ranch farming and a good life. My father deceased in 1998 was a man of God, he did the best he could to provide for the family, he was a remarkable man, his words always echo in my heart, be humble and take care of others that are in need. On or about 2014 a fire broke up on the family dwelling place and if you see that map what's behind the concrete that was the family house for many, many years up until 2014 and a fire broke out on the family house on a wooden structure my brothers and Roque, Ricardo and Wilfredo were living there with my mother living in the concrete house. In 2008 she moved to my sister whom returned after 33 years from living in the states and my mother moved out and live with my sister on one of my mother's cutter houses. After the fire there was a garage that was still standing, a burnt structure that was still standing with suite along the wall on the ceiling and to the rear, my brothers didn't want to move, my husband took tarps and put tarps on roofing, the wall and my brothers continue to stay there and they were sleeping on the ground. They refused to move and asked them why they don't just go to a safer place I'll shelter you. We grow up here and this is a sentimental place for us so what had happened, after that fire up until early this year my bothers finally relocate because the power was shut off and the water

was shut off (inaudible) that there was my mother's desire was to sell and all the other...started to un-grabble, we didn't know after the fire my husband erected a fence on that driveway and on that driveway is a lot that belongs to my deceased brother Hubert Garrido and he since passed away his death certificate is there and that was utilized as an entrance as far as we can remember and I paid for the asphalt after my dad died in 1998 I paid for the asphalt because it was the only way in and the only way out to and from the family home and we erected the gate years ago again after the fire because we were not (interrupted).

Administrative Director Michael Borja: The gate was not there when I inspected it couple years ago and when Simplicia Garrido first came to us it was just a chain.

(Unidentified brother): May I speak. The reason being for me to put that thing on is being we were getting lots of different people coming in and if you look at the map it's very isolated and they are using that place for their own kind of business like I'm talking about drugs (interrupted).

Administrative Director Michael Borja: Did you talk to your wife's mother about blocking it off because she has a lease for it, did you guys even (interrupted).

Veronica Patao: She knows about it because she wanted us to watch the place.

Administrative Director Michael Borja: The subject here is the disturbance in which they had placed upon a duly authorized legal lessee of the Chamorro Land Trust Commission. Mrs. Patao is deviating completely from a written statement. I want to state for the fact that I had a number of different workings with this individual she has been convicted of a land fraud you need to understand that, she is also...her mother if you look at the minutes was practically terrorized and that's the reason why she abandoned that lot. Late last year you have a son who came racing over here in full desperation because this lady was harassing her own son. The next day he came back asking for me to assist because she was then also disconnecting all his utilities from the house that she had deeded to him and was demanding it be returned back. This is a woman who, as I pointed out, has been convicted of land fraud, his mother has recorded with us issues that she's had and fearful for living in her own home and her son also coming to me fearful of the activities that she's been distressing upon him and so she is now conveying the same kind of stress upon an authorized Chamorro Land Trust lessee on a property formally leased to her mother and her statement should reflect strictly on what is going on and we asked you to come here to tell you to cease and desist and to stand off from any disturbance with that lessee. She has full rights to live there in peace and in her own harmony and not to be disturbed by you or anyone else period.

Veronica Patao: There was never any ill intend.

Administrative Director Michael Borja: There was never any ill intend but yet it yield it. Police activity, it yielded police report so you just need to understand that's the reason you're here to be publicly instructed to stand back and leave this lessee alone.

Veronica Patao: Because we didn't know she was there.

Administrative Director Michael Borja: Then why don't you come and talk to the Chamorro Land Trust about it. It is not your business to know that she's there. You are not the lessee of that property. You already been talking, apparently to, you said, to your mother, did she tell you anything, no, why, she was fearful of you. That's why she left that property period.

Veronica Patao: You know Mr. Borja, I believe I'm giving the opportunity to share. I believe that I am in title to share bigger dynamics that you are not aware of that's happening with our family.

Administrative Director Michael Borja: You know how I know about you too because as I began to have to endorse and sign off of lessees I began to question certain leases why were there other names put on. You have been on my radar from the very start of my tenure of this job because of your intent to add all different people to the different leases that are under your family's name and I had to question why are these other individuals on here, why are these individuals who are not even immediate family members placed on the same leases and I had to instruct my staff to stop that because that's not authorized, one, through our legal opinion that we received one name goes on the lease, there's only one lessee because we are going to not have to deal with the whole host of people on one property for 99 year lease and that's the issues that I had to deal with, with you over the course of the last four years that I had been on this job for a variety of different things. I never knew who you were, I just knew all these activities until you woke me up at the Naval Hospital waiting area to hand me a stick-em with properties asking me to provide you with titles for your children which I couldn't do because you hadn't even surveyed the piece of property to give you a title for those properties. I have seen the activities you have done and I don't want you to try and think you can throw a vail of hopelessness on your part on to us because you don't have that. You are a different person to other people then you are when you are looking for compassion. I am basically a compassionate person we will help those we can help but when people come in and distress our lessees, your mother, in fact Senator Frank Aguon's office engaged in a long conversation with me in a couple of Fridays ago to follow up on some staff and to get my opinion on what was going on. They specifically asked me, "is Mrs. Simplicio Garrido alive?", I said, "Yes she is". Well Veronica Patao told her she's not.

Veronica Patao: I never said that, that's incorrect.

Administrative Director Michael Borja: I'm telling you that's what two ladies in the office that you're seeking assistance from told me.

Veronica Patao: That's incorrect information Mr. Borja because (paused).

Administrative Director Michael Borja: I said, "what, what are you talking about?". Look at the Public Law that just got recently passed, your mother's name is not even listed there for one reason. She did not want to be harassed.

Veronica Patao: May I speak?

Administrative Director Michael Borja: Explain why you are distressing this woman. That is all you're here to talk about. Why are you distressing one of our CLTC lessees?

Veronica Patao: I deserve to express my feelings whether to concur with you with some of the stuff that you just shared just a little while ago back to my felony conviction. Yes, that is correct and I am going to own it but I and your Registrar Andrew Santos were involved but I took the fault for that because preparations on those documents Andrew prepared. God knows this. I take ownership for some of the actions and the decisions I made.

Administrative Director Michael Borja: What did Andrew Santos get for his assistance?

Veronica Patao: Andrew approached me and told me years ago that his son was terminally ill and he met my uncle who deeded that property to me and the house which I gave my son. Andrew, "(inaudible) can you deed me a property so I can sell it so I can bring my son to the hospital in the mainland".

Administrative Director Michael Borja: And for the record, Andrew Santos is the Deputy Registrar of Titles of the Department of Land Management.

Veronica Patao: If you look at the history and the documentation Andrew acquired one acre from me because I was helping him out at the time and then everything else started to unravel. I take ownership of what happened Mr. Borja I am not (interrupted).

Administrative Director Michael Borja: And what is this have to do with distressing Mrs. Teresita Blas?

Veronica Patao: I don't understand why you're interrupting me and all I'm trying to convey is the bigger picture that you all don't know what really going on (crying).

Administrative Director Michael Borja: We know that Mrs. Teresita Blas, a Chamorro Land Trust lessee, is distressed enough to have to call us and the Guam Police Department for assistance because you and your brothers are distressing her and threatening to (interrupted) (inaudible).

Veronica Patao: We didn't know she was even in there, we didn't know because that's more inland.

Administrative Director Michael Borja: So why are you distressing her?

Veronica Patao: Mr. Borja, may I please speak. On March 1st, my brother Roque and Ricardo and I went there to introduce ourselves and neighborly and again, I'm going to say this because it's coming from the heart and I want to stay focused to convey this to you. We went over there to introduce ourselves and let her know this is Roque, Roque has a lease there, Ricardo has a lease, she's dead centered and then Wilfredo is at the front, and all we wanted to do...I went up to her and I amen her and said, "you know, I want you to know, and she was in the dark, she knew of nobody owning all the property there, she was never told by the Chamorro Land Trust and I said...and I have the folder, I have the lease because I was being respectful to her and she refused to have anything to say to me. At that time on March 1st which is supposedly (interrupted).

Administrative Director Michael Borja: Why would she refuse to have anything to say to you?

Veronica Patao: Because she said she doesn't know anything about the surrounding leases and I had the folder and I asked her I said would you like to look at the leases and Mrs. Blas her sister was there.

Chairwoman Pika Fejeran: If I may, ma'am, you know, March 1st , her knowing her knowing her neighbors is not her job. We put her on that property in that house and that's her business so you coming with leases, I mean, I don't understand what's the point of that would be but perhaps maybe she didn't to entertain you because back in January her lock was cut and replaced and she had to sleep elsewhere because she couldn't access her property.

Veronica Patao: I sincerely apologize for that because we didn't know. We were not told that she was over there.

Chairwoman Pika Fejeran: You know, ma'am, I understand all of the dynamics and the long history that you, your brothers, and your family have dealt with but where we are today is we have put our lessees into that property in that home. Okay, so she is there with full rights and authorizations by the Chamorro Land Trust. We are her landlord as we are your landlords so we are telling you today that she is there and she's there by all rights and any further disturbance is not going to be tolerated.

Veronica Patao: It was not meant to be that, we were just being neighborly and I'm being respectful and we went up to her and she just got so upset her sister was there and her sister told us they were related to somebody at Land Management and was taking care of the paperwork and that she didn't know, even her sister was startled to what we're doing and I said all I wanted to say was "hi", Roque was there, Wilfredo was there and she got upset and we were standing in the cul de sac and then she turned around and she got so upset. I didn't blame her but all I wanted to do is just be kind and respectful.

Commissioner Amanda Santos: Are you going to put Blas there?

Chairwoman Pika Fejeran: It was nobody else's business but the old lessee and the new lessee. Sorry going back to the access. Is that through a...who's property is that and have we severed it out and?

Margarita Borja (CLTC): Land Trust it was never issued out.

Chairwoman Pika Fejeran: We've authorized Ms. Teresita Blas to use that current access I'm guessing where that new gate is put up.

Veronica Patao: It's no longer there, my husband took it down just to be peaceful and be in a better place. Ma'am, Madam Chair, on that day she got upset and I told my brothers let's remove ourselves because when she's upset she looks very sickly and I was sickly and in pain and then she came out and she said in Chamorro which really just caught me off guard, get out of my land or else I'll shoot you (translated from Chamorro to English) and I said, "oh, my gosh" and we just left. I later found out because I got a call from GPD that she made a complaint and that the next day we try to go back to go cut the gate down just to show her good faith and reaching out to try to be harmonious

Administrative Director Michael Borja: That wasn't a good faith you were instructed to remove the gate. You were given instructions and so you followed instructions that you were given to do.

Veronica Patao: We did but then what happened we came back on a Saturday to take it down immediately, we just learning in a very short span that she is in fact a lessee in there.

Administrative Director Michael Borja: You were told since January that she was there.

Veronica Patao: We weren't sure until we saw her physically already in there. We didn't know, we were having a lot of people coming in, like I said my husband erected that because of all the other traffic that was going in there. So when she did that I came with the police officers on Saturday just again to take it down it was locked and according to the police who spoke to the family members that Mathew Leon Guerrero instructed her to leave it locked. From what Mr. Borja shared with me weeks ago, take it down, we haven't had the opportunity. I go to the dialysis during the week. My husband is also a disabled veteran. We haven't had the opportunity to get the right equipment to take it down but then later we found out that she just was extremely upset, I totally was able to see where she was coming from and everything and I ended up filing a police report for the threats because the police told me she shouldn't have threatened you like that and I said and I'm looking on the other side saying, you know she is sickly, there's something wrong with her, I get it, all I wanted (interrupted).

Chairwoman Pika Fejeran: and then you were on her property after locking her out and you brought the police to her property on Tuesday, March 6, with her mother's old irrelevant lease.

Veronica Patao: To cut the gate on a Saturday because I didn't want no altercations I just want (paused).

Chairwoman Pika Fejeran: Regardless Ms. Patao, Ms. Teresita Blas is authorized by us to be there and to use that access. We are instructing you and your family members to cease and desist from disturbing her. Ma'am that is our instruction to you.

Veronica Patao: Yes, and we will be obedient. All we want to do was just make friends with her and leave in a very peaceful and plus if in the event (paused).

Administrative Director Michael Borja: No, stay away or else we'll be required to have to do a restraining order, please stay away.

Chairwoman Pika Fejeran: At this point please...at this point there's no way, it sounds like there's not going to be happy neighbors so let's please let her live in her property undisturbed and she will be (inaudible) and if she ends up disturbing you then please come to us okay.

Veronica Patao: I wanted to add for the record also when my sister got back from the states she removed my mom from my mom's concrete house.

Chairwoman Pika Fejeran: I don't understand how this is related to our discussion today.

Veronica Patao: There's restraining order that my mother got on every member of the family because my sister was doing some things with my mother's bank account and houses. Here are the restraining orders and if there's only one problematic family member we understand that but when my sister got back after 33 years gone she comes back, takes over and she gets my mom to get three restraining orders on us. My brothers are disable, one is a veteran who is beaten and raped in the military and all they got (interrupted).

Administrative Director Michael Borja: Stay away from Mrs. Blas. That's all the discussion with you is about, your family history is not of any concern to us (interrupted).

Veronica Patao: Because you were able to hear my mother's side Mr. Borja.

Administrative Director Michael Borja: No ma'am we are taking care of a person who was abandoning their lease and we had to go to the legal processes to do the taking of the home and the purchasing of the home and the new issuance of the home and the land in the lease, okay, that's all we're here to talk about. I do not need to know about all the other details involved with the former lessee.

Veronica Patao: You know Mr. Borja, I know that you are a man of God Mr. Borja I see you at the church and the only person to pass judgement on me is God and I'm here but your tone of voice you've made a decision to overlook all the other dynamics that are very important that will bring to why this is going on like this.

Administrative Director Michael Borja: Not so (inaudible) has nothing to do with this. No, this has nothing to do with Mrs. Blas and we're only here to talk about you not about Mrs. Blas.

Veronica Patao: We didn't know she was there.

Administrative Director Michael Borja: So you do know since January. Since January you knew.

Veronica Patao: 'cause she wasn't moved in yet since January.

Administrative Director Michael Borja: You knew since January.

Veronica Patao: I take care of my three brothers after the fire, and I feed them, and I cloth them and you don't know the bigger (interrupted).

Administrative Director Michael Borja: But we're not there to talk about (interrupted).

Veronica Patao: Because it relevant so you can see Mr. Borja on why my mother came in.

Administrative Director Michael Borja: It's not relevant to Mrs. Blas, it's not relevant to Mrs. Blas.

Veronica Patao: It has nothing to do with being ill will or any matters at all (crying). We just found out that she finally was there and I spoke to Mr. Borja on the phone and he said, "take down the gate". So we did and my intention was to just (paused).

Administrative Director Michael Borja: Two months later.

Veronica Patao: Because you told us to keep away.

Administrative Director Michael Borja: Then why did you go to Mrs. Blas?

Veronica Patao: I wanted to say hello. I wanted to say hello and be respectful to her and maybe just maybe if she needs us and nobody is there for her in Chamorro, we will help her, we will help her if she needs us. There was never no ill intent. Never. I'm happy she's there. She's just as deserving to be there because I don't know her history but I'm conveying the bigger dynamics.

Chairwoman Pika Fejeran: Unfortunately the bigger dynamics, Chamorro Land Trust has already acted on your mother's old property and Mrs. Blas is there now so I trust that you and your family will continue to live in peace and allow Mrs. Blas to live in peace.

Veronica Patao: We just want to get to know her and just be there.

Administrative Director Michael Borja: No, stay away. Stay away.

Chairwoman Pika Fejeran: I think you need to just...don't bother, don't do that.

Veronica Patao: But we can access the properties right? I mean 'cuz Ricardo's property's right to...if you are standing in front of her house looking out to the road Ricardo's lease properties is on the right then to the left is Roque's.

Administrative Director Michael Borja: Stay away from her house don't even talk to her.

Veronica Patao: Okay, how else can Roque go in to her property?

Administrative Director Michael Borja: But why, what are they doing in there? What property is Roques?

Veronica Patao: Roque's is to her left.

Vice Chairman Joseph Cruz: She's sandwiched between the two brothers.

Veronica Patao: Yes. That is correct.

Administrative Director Michael Borja: They don't' have to go up to the house. The easement is behind the other house on the street not through Mrs. Blas' leased front yard.

Vice Chairman Joseph Cruz: Is the access accessible?

Veronica Patao: No, it's vegetation. There's vegetation. That vegetation is the cor de sac.

Chairwoman Pika Fejeran: These properties has not been surveyed?

Veronica Patao: It was surveyed but it's not registered.

Administrative Director Michael Borja: There's no recorded survey so as far as we're concerned it's not surveyed.

Veronica Patao: On that letter Hubert Garrido deceased it showing that Hubert signed his leased on 2015, my brother died in 2014, based on the letter that Senator Aguon got feedback from the office of the Chamorro Land Trust and initially that road that enters one way in, one way out, that was actually Hubert's.

Vice Chairman Joseph Cruz: What activity is Roque having on his lot?

Veronica Patao: Planting and there's fruit trees and stuff there and on Ricardo's lot. My husband built Wilfredo Garrido's small 12x12 shack and Wilfredo is living on and off on in his properties on 12x12 shack.

Chairwoman Pika Fejeran: That access is Mrs. Teresita Blas' access?

Vice Chairman Joseph Cruz: Together with the two lots on the side.

Chairwoman Pika Fejeran: Ms. Patao, our direction to you again is please leave Ms. Blas alone there's no hope for friendship or neighborly stay away as best as you can, you know, if your work is going to be done on those nearby properties be sure it's on that property and not on encroaching on to hers.

Administrative Director Michael Borja: If you're going to do any clearing you need to get a clearing permit which you need to get approval from us first.

Chairwoman Pika Fejeran: So there should be no backhoe's back there doing work.

Veronica Patao: Right. Right in front of her house identified on the map is a cor de sac and that's where I was standing talking to her so we have to ...and we cleared that vegetation so we can make it on to his lot because he's got vegetation and we haven't touched anything we just (paused).

Administrative Director Michael Borja: I want Roque to come up with a plan and I want Roque to speak to our land agents concern what his desire is and his plan is and then my land agent could go out there to assist and make sure that's it's done in an orderly way.

Veronica Patao: Just for the record rather quickly, I do have a POA in those documents there.

Administrative Director Michael Borja: Why would you need a POA? Why? Are they present on the island?

Veronica Patao: My brother is being diagnosed schizophrenic, he's got cognitive issues and so is Ricardo veteran's cognitive issues. I'm their caregiver, I do my best to take care of them by taking them to and from the doctor providing all their needs and I take care of them so (paused).

Administrative Director Michael Borja: Are they legally incompetent?

Veronica Patao: Not legally incompetent but they talked it over with me years ago that if it should...you know they got health or cognitive issues that I do want to take care of them, they don't have no wives.

Administrative Director Michael Borja: If you do have such Power of Attorney on behalf of those Chamorro Land Trust lessees you will need to provide us with the original copy

recorded at the Department of Land so we can have it on record. We cannot deal with any Power of Attorney that are not recorded in the Department of Land Management so do so and we will put it in the file for our record.

Veronica Patao: All the original copies are with you folks here. They are in the packet I gave you.

Chairwoman Pika Fejeran: I think we are finished with our discussion here thank you for waiting this entire meeting and I wish you the best. I feel a lot of pain in your heart and I can only wish you the best for everybody involve.

Veronica Patao: Again I take ownership of everything else that's happen in my past and I convey those sentiment to you Mr. Borja and then I know God will pass judgement on me. I see you at church and I see that you are good person and I don't blame you for questioning and like you said putting me on your radar but I'm only human and I come to peace with God with that. All I know right now in my heart is to take care of my brothers (crying).

Administrative Director Michael Borja: Take care of your family but leave Mrs. Blas along.

Veronica Patao: That's all I got to do she doesn't want to have anything to do with us fine but again the clarity is there.

Chairwoman Pika Fejeran: Thank you.

VII. DIRECTOR'S REPORT

Administrative Director Michael Borja: You have the financial inside there. I want to also point out that the audit completion report will be on March 20, 10:00 a.m. and I did send you a schedule to keep if you want to attend it will be along with the Guam Ancestral Land Commission so that will be our completion of the audit. Pretty much everything is good but I do want to bring to your attention though the money that we had collected from the Land for the Landless Program and some other current new leases were required us to put the money into the Survey/Infrastructure Fund according to what the law said and the Treasurer of Guam took it and didn't...so the financial auditor Deloitte and Touche on review of that said that we had to write it off. It's the loss.

Chairwoman Pika Fejeran: What!? Where did it go?

Administrative Director Michael Borja: I said the same thing. It was cash that went into the use of government operations (inaudible).

Chairwoman Pika Fejeran: The General Fund?

Administrative Director Michael Borja: and so the auditor's point was because of the current financial situation that's going on there's no possible and credible way and even any hope that the money can ever be repaid period and so if we didn't write it off then I would be cited for violation of a Government Accounting Standard Rule no. 34 which basically said that if you can't collect you write it off. So what they did they went back again and they saw that there was an outstanding amount of the Chamorro Land Trust owed to the Land Survey Revolving Fund for legal fees and so they off-set that cost. They zeroed out that last year's and they off-set it...there's monies that we're never going to get claim get from the General Funds.

Chairwoman Pika Fejeran: How much are we talking about?

Administrative Director Michael Borja: $300,000. So I had some preliminary discussions with (paused).

Joey Cruz: Sir, its $600,000.

Administrative Director Michael Borja: Did one of our land sales go in there?

Joey Cruz: No it all went to...the $455,000 went into the Operations.

Administrative Director Michael Borja: So I already just preliminary discussions with Senator Ada and I've been waiting to have a meeting with him but it got postponed from earlier this week again but I gave him heads up that I want to shut down the whole lot of these funds that are identified in the original law that we don't need that never have any activity but also to just shut down the Chamorro Land Trust Infrastructure Fund because we want it all going to the Operations Fund because that they don't touch.

Administrative Director Michael Borja: The money we have for the loan guaranty that's completely separate, it's in the Certificate of Deposits it's not even in the Treasurer at all.

Chairwoman Pika Fejeran: $600,000?

Joey Cruz: $631,000

Chairwoman Pika Fejeran: So this audit meeting next Tuesday 10am is that only receive the other results and they discuss what it is?

Joey Cruz: The audit won't be prepared until like 5 days after, before the March 31st it should be published.

Administrative Director Michael Borja: But are there any open items?

Joey Cruz: The only thing we're pending is the MOU for Chamorro Land Trust but it will be completed by (inaudible).

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CHAMORRO LAND TRUST COMMISSION
AND THE
GUAM ECONOMIC DEVELOPMENT AUTHORITY

This **MEMORANDUM OF UNDERSTANDING ("MOU")** is entered into by and between **CHAMORRO LAND TRUST COMMISSION ("CLTC")** whose address is P.O. Box 2950, Hagatna, Guam 96932; and, the **GUAM ECONOMIC DEVELOPMENT AUTHORITY ("GEDA")**, a Guam public corporation whose address is 590 South Marine Corps Drive, Suite 511, Tamuning, Guam 96913.

RECITALS

WHEREAS, Guam law provides at 21 G.C.A. §75101 that upon and after the enactment of this Chapter, all available lands shall immediately assume the status of Chamorro homelands and shall be under the control of the CLTC to be used and disposed of in accordance with the provisions of this Chapter; and

WHEREAS, GEDA is authorized pursuant to 12 G.C.A. §50103(d) to promote investments of entrepreneurial capital in Guam, if need be form and operate its own industries, invest in and provide technical assistance in support of its objectives, develop and maintain facilities for lease or sale and provide for the expansion of agricultural, industrial, hospital, housing and tourist facilities through financial assistance and other means; and

WHEREAS, the CLTC has identified the need to retain the services of GEDA to assist it with the development, management, and maintenance of Chamorro

3/16/18 Draft

homelands designated for Commercial Leasing or Licensing pursuant to 21 G.C.A. §75122 and financing of capital improvements and infrastructure so that CLTC lands will be developed pursuant to the requirements of law; and

WHEREAS, because of GEDA's unique mandate to promote investments and the development of various industries in Guam and to invest in and provide technical assistance in support of its objectives, the CLTC desires to enter into a service agreement whereby GEDA will provide the CLTC with services relating to development, management, and maintenance of Chamorro homelands designated for Commercial Leasing or Licensing pursuant to the requirements of the Chamorro Land Trust Act as amended.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereby agree as follows:

AGREEMENT

1. **General Consultancy and Property Management Services to be provided by GEDA** for those properties placed under GEDA management by CLTC. Within the scope of services to be provided by GEDA, GEDA agrees to:

   a. As directed by the CLTC, manage commercial leases/licenses and prepare billing, accounting and receipts of money from commercial leases/licenses; negotiate payment plans for those in arrears if necessary; and remit commercial lease/license rents to the CLTC as provided for in this MOU.

   b. Periodically review CLTC Rules and Regulations for commercial lease/licenses and recommend revisions as needed to ensure that the CLTC achieves the objectives of the commercial lease/license program.

c. Assist the CLTC in preparing a land use plan and analyze the infrastructure needed by the CLTC for its residential and agricultural subdivisions to determine the amounts that need to be generated from commercial leases/licenses;

d. In its role as Central Financial Manager for the Government of Guam, assist CLTC in identifying the type of financing required for capital improvements including infrastructure development on CLTC properties, securing financing for capital improvements and infrastructure development, negotiating financing agreements and recommending the execution of any financing agreement.

e. As directed by the CLTC, prepare Requests for Proposals ("RFP") for the development and/or leasing/licensing of Chamorro Homelands designated for commercial use;

f. Advertise RFPs and receive all proposals;

g. In collaboration with the CLTC, evaluate all proposals received and rank prospective developers and/or lessees;

h. Negotiate lease/license agreements to be entered into with the highest ranking developer(s) in collaboration with the CLTC;

i. Recommend the execution of any commercial lease/license agreement for approval by the CLTC;

j. Assist the CLTC in presenting leases/licenses to the Guam Legislature for approval as required by Public Law 32-40;

k. Conduct periodic inspections and prepare reports in collaboration with the CLTC, in accordance with 21 G.C.A. §75122, Commercial Leases and Licenses;

l. Do all other things necessary to carry out the above objectives.

2. **Professional consultants**. In connection with the services provided to the CLTC, GEDA may retain experts, advisors, consultants, and legal counsel as necessary provided that prior approval is obtained from CLTC.

3. **Provide monthly updates** to the CLTC on the status of the inventory, development and leasing of Chamorro Homelands reserved for commercial use and expenses incurred by GEDA during the previous month.

4. **Cooperation by CLTC**. The CLTC shall do the following to assist GEDA in performing the services set forth in Section 1:

a. Provide GEDA with the lot number(s) and location(s) of Chamorro homelands designated by CLTC for commercial use covered under the scope of this Memorandum of Understanding to include CLTC objectives and requirements for the development of the property and requirements for the solicitation and selection of prospective tenants;

b. Provide Legislative notification of GEDA involvement;

c. Provide survey maps, sketches, abstract of title, etc. of the commercial properties by the CLTC for commercial lease/license and, if not available, vicinity maps of properties;

d. Participate in the evaluation of proposals and ranking of prospective developers and/or lessees/licensees;

e. Review periodic reports submitted by GEDA;

f. In collaboration with GEDA, seek all necessary approvals for the commercial lease/license of the Chamorro homelands;

g. Evaluate and act upon commercial lease/license agreements recommended for execution by GEDA;

h. Act upon financing agreements, contracts or other documents recommended for execution by GEDA in order to secure financing for capital improvements on CLTC properties;

i. Execute all other documents necessary for GEDA to carry out the services listed in this MOU;

j. Perform all inspections of current and future commercial leases/licenses, issue and enforce eviction notices and pursue any legal action against tenants including but not limited to evictions, based upon the advice and recommendation of GEDA.

k. If deemed necessary by the CLTC and agreed to by GEDA, the CLTC may allow GEDA to manage commercial leases and/or licenses currently being managed by CLTC under any terms and conditions agreed to at that time.

5. **CLTC may assist GEDA** with the following:

a. Provide lease/license files for each commercial lessee/licensee;

b. Authorize GEDA to speak with staff and lessees when necessary to ensure completeness and accuracy of inventory and lease/licenses;

c. Authorize GEDA to bring CLTC files to the GEDA office with GEDA commitment to ensure complete file return upon completion of the tasks identified in this MOU;

6. **Payment for Services**.

a. GEDA shall require lessees and licensees to pay the CLTC directly for its share of the payments required to be paid by commercial lessees/licensees of Chamorro Homelands and shall require lessees to pay to GEDA directly for its share of the payments required to be paid by commercial lessee/licensee to GEDA, as payment for GEDA services unless other payment methods are approved by CLTC. To allow effective management of leases, each party shall provide the other with a monthly accounting of payments which shall be due within twenty (20) calendar days after the end of each month.

b. The CLTC shall be entitled to 86% of all payments due and GEDA shall be entitled to 14% of all payments due, until such time as GEDA's initial costs are paid. Thereafter, the CLTC shall be entitled to 90% of all payments due while GEDA shall be entitled to 10% of all payments due. GEDA's entitlement to payment under this MOU, shall expire pursuant to Section 7 of this MOU.

c. The parties agree that GEDA's initial costs as specified in Section 5(b) above, consist of all costs associated with the performance of duties specified in Section 1 (a) through (k), except as provided in Section 5(d) below. Once a lease or license is executed, GEDA shall prepare and submit to CLTC, a final

statement of costs incurred to include an analysis of the amount of time needed to recover such costs, based upon GEDA's share of payments. Upon expiration of this time period, GEDA's entitlement will be 10% of payments.

d. For services under Section 1(d) above (GEDA as Central Financial Manager), fees associated with the provision of this service shall be identical to the fee structure established by GEDA's rules and regulations for the sale of bonds and are in addition to the fees specified in Section 5(b) above. GEDA Rules and Regulations currently set financing fees at one-half (1/2) of one percent (1%) of the principal for the first Ten Million Dollars ($10,000,000.00) plus one-fifth (1/5) of one percent (1%) of the principal above Ten Million Dollars ($10,000,000.00).

7. **Method and Time of Remittance of Payments and Rents**. Should any revenues that are intended for CLTC be collected by GEDA from commercial lessees/licensees, GEDA shall remit such revenues to the CLTC no later than twenty (20) calendar days after receipt from commercial lessees/licensees. Should any revenues that are intended for GEDA be collected by CLTC from commercial lessees/licensees, CLTC shall remit such revenues to GEDA no later than twenty (20) calendar days after receipt from commercial lessees/licensees.

8. **Initial Term and Automatic Renewal**. This Memorandum of Understanding shall remain in effect for an initial term of ten (10) years from the effective date and shall be renewed at the expiration of the initial term for three additional terms of five (5) years each, subject to mutual agreement and the availability of funds.

9. **Termination.** At any time during the initial term or extended term, either party can elect to terminate this Memorandum of Understanding if either party provides the other with a written notice of termination no later than ninety (90) days prior to the

termination date. Upon termination of this MOU, all files shall be returned to the CLTC and all transactions including any outstanding payments shall be concluded.

10. **Effective Date**. The effective date of this Memorandum of Understanding shall be the date of execution by the Governor of Guam.

/ / / / /

DRAFT

IN WITNESS HEREOF, the parties have executed this Memorandum of Understanding effective the day and year the Governor of Guam affixes his signature.

Guam Economic Development Authority	**Chamorro Land Trust Commission**
_____	_____
JAY ROJAS	**MICHAEL J.B. BORJA**
Administrator	Administrative Director
Date:_____	Date:_____

CONCURRED BY:

Guam Economic Development Authority	**Chamorro Land Trust Commission**
Board of Directors	**Board of Commissioners**
_____	_____
EDWARD J. CALVO	**PIKA FEJERAN**
Chairman	Chairwoman
Date:_____	Date:_____

APPROVED AS TO LEGALITY AND FORM	***APPROVED***
_____	_____
ELIZABETH BARRETT-ANDERSON	**EDDIE BAZA CALVO**
Attorney General of Guam	Governor of Guam
Date:_____	Date:_____

DRAFT

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting

HAYA FOUNDATION – REQUEST FOR LEASE

1. **FACTS:**
   a. **Location:** Lot 354-4-R2, Inarajan
   b. **Lot Size / Lease Type:** 61,641± square meters as per Agricultural Subdivision Master Plan
   c. **Field Description:** The subject area of interest is presently vacant with utilities not available within one hundred feet from the site. This property is adjacent to the Inarajan Middle School.

2. **RECOMMENDATIONS:**
   Lot 354-4-R2 is in the CLTC inventory and is available for leasing however, approximately 50% of the property consist of rolling hills and steep drops.

   Ms. Pangelinan has shared with us as well that they are working on getting a grant that can help them with their program. Ms. Pangelinan and others who did the visit with DLM Survey and CLTC were shown several lots and with this particular lot, we advised Ms. Pangelinan and others that we are unable to show them the full spectrum of the area, just a general area until they survey the property. Once they have surveyed the property then they will see the full lot.

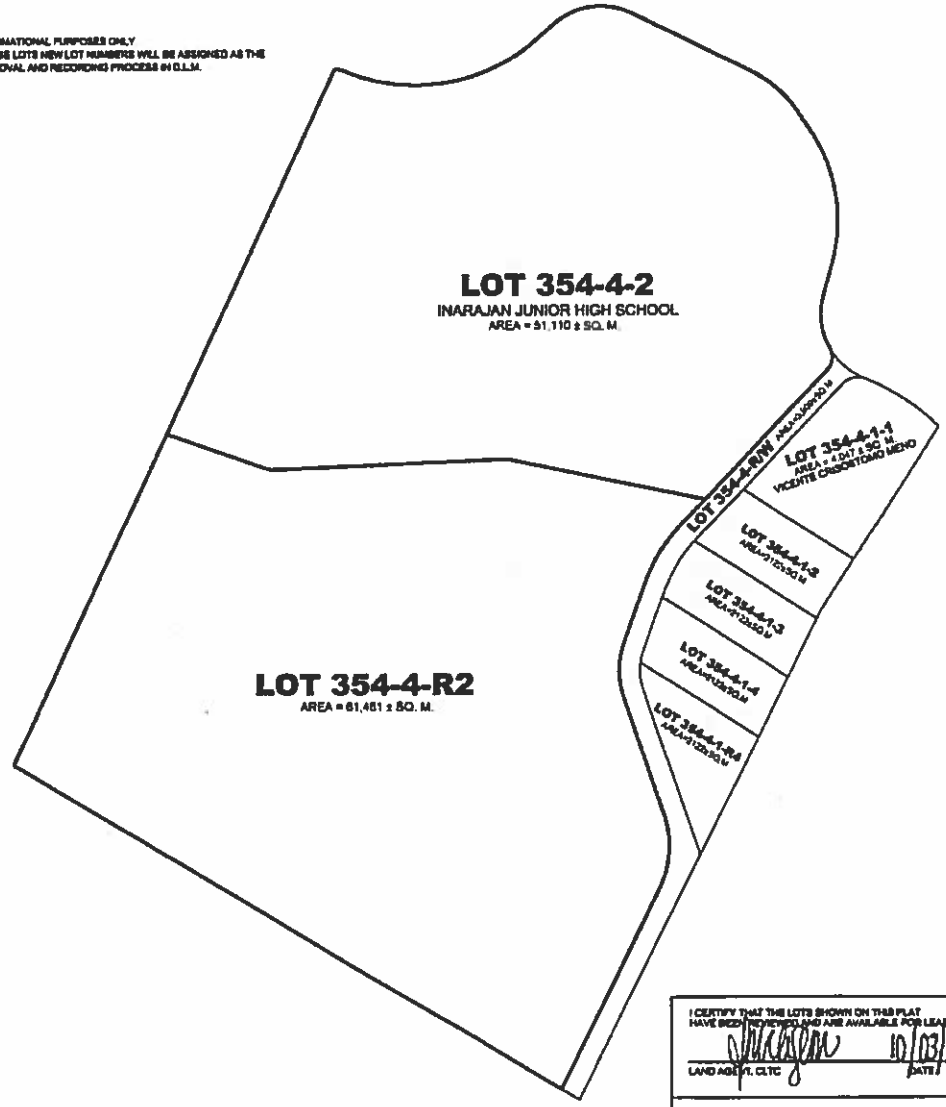
   Our recommendation is to lease this property to the Haya Foundation for 61,641± square meters, and the Haya Foundation absorbs the cost for the survey and mapping.

EXHIBIT A: **TOPOGRAPHY MAP**

EXHIBIT B: **MAP SCHEME M06-004 FOR L354-4-R2 INARAJAN**

SPECIAL NOTES:

THESE LOT NUMBERS ARE FOR INFORMATIONAL PURPOSES ONLY
UPON SURVEY AND MAPPING OF THESE LOTS NEW LOT NUMBERS WILL BE ASSIGNED AS THE MAP PROCEEDS THROUGH THE APPROVAL AND RECORDING PROCESS IN D.L.M.



SATISFACTORY TO AND APPROVED BY:

MICHAEL J.B. BORJA — 9/27/16
DIRECTOR OF LAND MANAGEMENT — DATE

REVIEWED BY:

MARGARITA V. BORJA — 9/26/16
LAND MANAGEMENT ADMINISTRATOR — DATE

PAUL L. SANTOS P.L.S. NO. 88 — 9-23-16
GUAM CHIEF SURVEYOR / CHIEF OF CADASTRE, DLM. — DATE

PREPARED BY: MELVIN O. JAVIER, SURVEY DIVISION, DLM.

I CERTIFY THAT THE LOTS SHOWN ON THIS PLAT HAVE BEEN REVIEWED AND ARE AVAILABLE FOR LEASE:

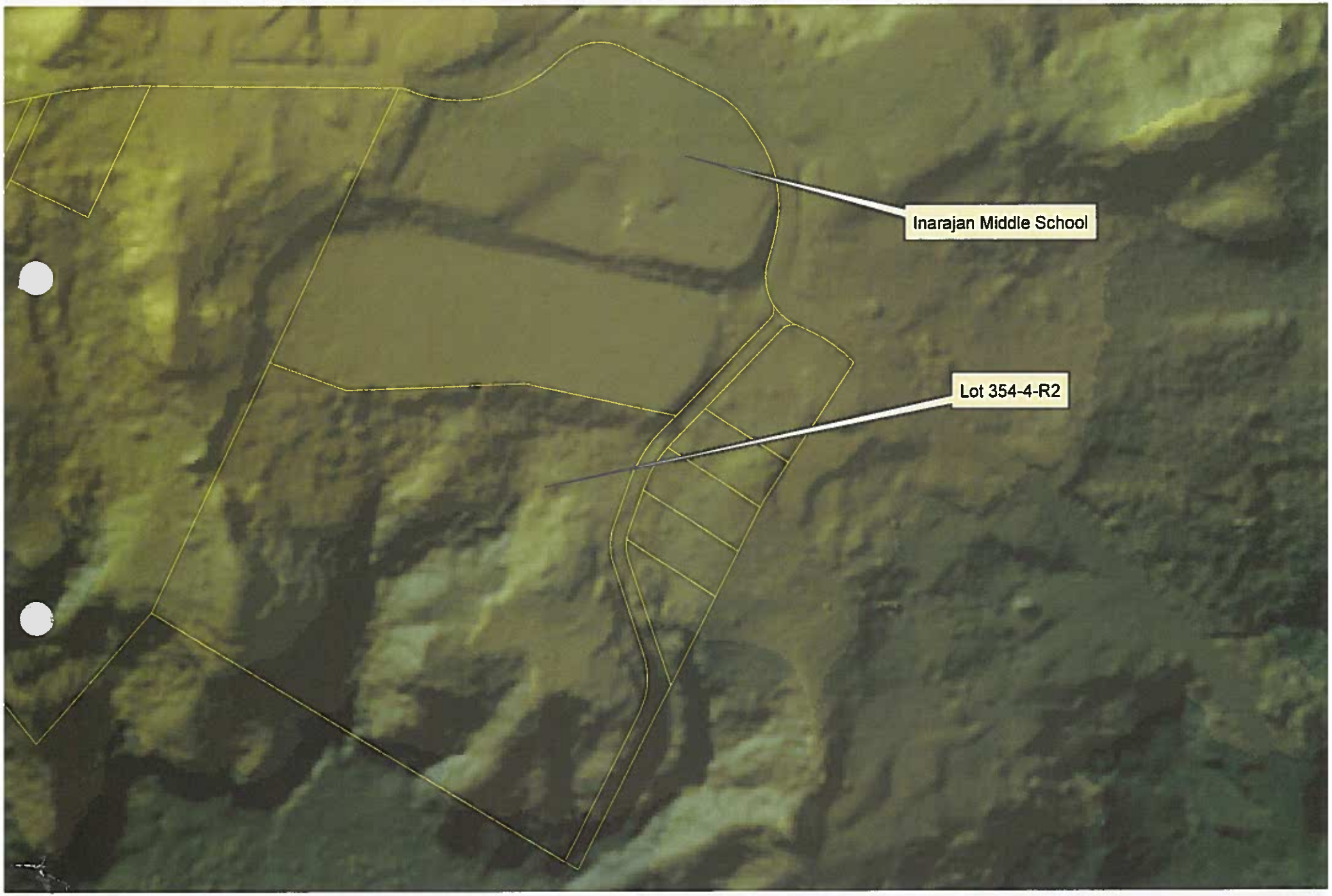
LAND AGENT, CLTC — 10/03/16
DATE

SCHEME NO: M06-004

PROPOSED LOT SCHEME
OF
LOT 354-4-R1
MUNICIPALITY OF INARAJAN

LAND SQUARE NO. 37 — SECTION NO. 1

GOVERNMENT OF GUAM
GUBETNAMENTON GUAHÂN
DEPARTMENT OF LAND MANAGEMENT
DIPÂTTAMENTON MINANÊHAN TÂNO'
LAND SURVEY DIVISION
DIVISION AGRAMENSIAN "TANO"


Inarajan Middle School
Lot 354-4-R2

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting
April 19, 2018

GUAM WATERWORKS AUTHORITY– REQUEST TO MAINTAIN LOT 16-R2, BLOCK F, TRACT 9 MUNICIPALITY OF BARRIGADA FOR THE EXPANSION OF THE HYUNDAI RESERVOIR SITE

I. FACTS:

1. Location: Lot 16-R2, Block F, Tract 9, Municipality of Barrigada
2. Lot Size: 5,382± square meters or 1.3 acres

II. CHRONOLOGICAL FACTS:

1. July 23, 1997, Grant Deed between the Government of Guam and Guam Waterworks Authority transferring Lot 16, Block F, Tract 9, Municipality of Barrigada for existing and future needs, subject to the approval of the Department of Land Management and the Governor of Guam.

2. March 16, 2016, Lot parceling survey map of Lot 16, Block F, Tract 9 (Severence of GWA Water Storage Reservoir), more particularly described as Lot 16-2, Block F, Tract 9, Municipality of Barrigada, recorded under Instrument No. 890501.

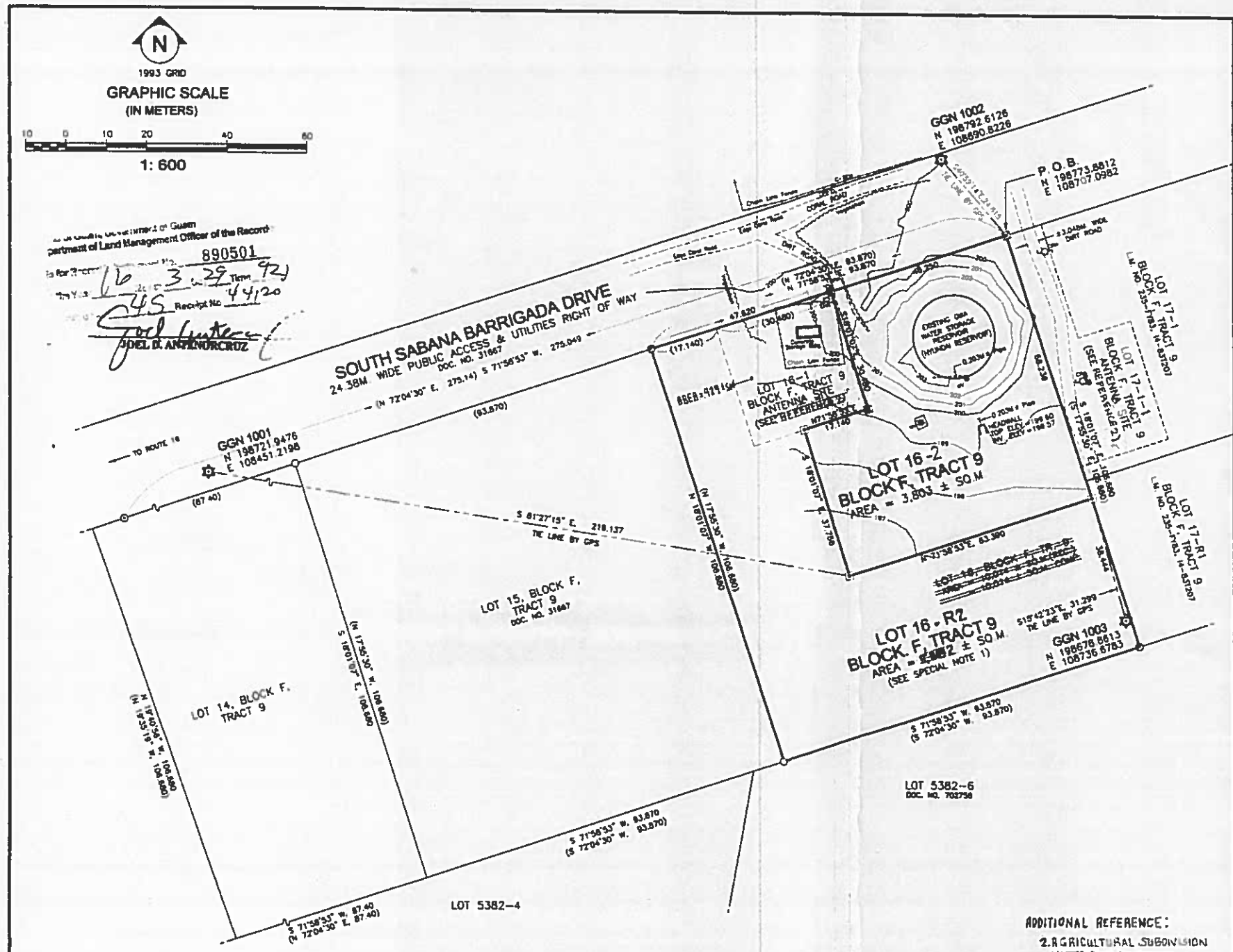
3. March 26, 2018, Administrative Director, Michael Borja met with Guam Waterworks Authority in a meeting requested by GWA, regarding the request to acquire Lot 16-R2, Block F, Tract 9, Municipality of Barrigada for the future expansion of the existing water tank.

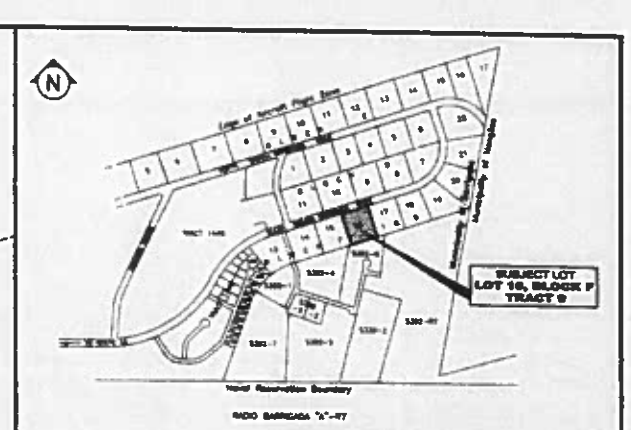
4. April 16, 2018, Request by GWA to maintain the subject lot for the construction of a booster pump station and storm water detention basin.

III. STAFF ANALYSIS:

CLTC finds that GWA was given the exclusive right to determine its real estate requirement needs in 1997 and on March 16, 2016, GWA severs the portion required and remaining portion is transferred to the CLTC.

CLTC staff recommends that since GWA had full rights in 1997 to acquire the entire Lot 16, Block F, Tract 9, as referenced in the Grant Deed, but severed only a portion. The remaining portion Lot 16-R2, Block F, Tract 9, Municipality of Barrigada should be purchased at Fair Market Value.





VICINITY MAP
NOT TO SCALE

REFERENCE:

1. BARRICADA HEIGHTS SUBDIVISION, BLOCKS E, F, PORTIONS OF LOTS 5218, 5219 & 5362, PREPARED BY THE DEPARTMENT OF LAND MANAGEMENT, GOVERNMENT OF GUAM, L.M. DRAWING NO. (E4-537210, DOC. NO. 31667
2. AGRICULTURAL SUBDIVISION MASTER PLAN OF TRACT 9, DOCUMENT NO. 880750.
3. SPECIAL USE PERMIT NO. 2015-002

NOTES:

1. SURVEY WAS BASED ON FOUND PROPERTY CORNERS AS SHOWN ON THIS MAP
2. ALL DISTANCES & DIMENSIONS SHOWN HEREON ARE IN METERS UNLESS OTHERWISE NOTED.
3. BEARINGS & DISTANCES IN PARENTHESES ARE RECORD DATA. ALL OTHERS ARE 1993 GRID VALUES.
4. SUBJECT LOT IS ZONED "A," AGRICULTURAL PER 1976 OFFICIAL ZONING MAP, SHEET 3.
5. SUBJECT LOT IS WITHIN THE NORTHERN AQUIFER.
6. AS-BUILTS ARE AS SHOWN ON PLAT AS OF APPROVAL OF THIS MAP

SYMBOLS

- GGN STATION
- FOUND NO. 4 REBAR WITH ILLEGIBLE PLASTIC CAP, REPLACED WITH 0.102m x 0.102m x 0.457m CONC. MON. CENTERED WITH 0.064 DIAM. BRONZE DISC MARKED GWA BOUNDARY / P.L.S. NO. 65, SET ON SAME POSITION, DOC. NONE
- 0.102m x 0.102m x 0.457m CONC. MON. CENTERED WITH 0.064 DIAM. BRONZE DISC MARKED GWA BOUNDARY / P.L.S. NO. 65, SET.
- FOUND NO.4 REBAR — NO IDENTIFICATION.
- FOUND 3/4" IRON PIPE SET BY PLS 24 — DOC. NONE.
- RECORD CORNER NOT FOUND NOR SET.
- FOUND NO. 4 REBAR WITH PLASTIC CAP, MARKED PLS 84, REPLACED WITH 0.102m X 0.102m X 0.457m CONC. MON. CENTERED WITH 0.064 DIAM. BRONZE DISC MARKED GWA BOUNDARY / P.L.S. NO. 65, SET ON SAME POSITION, DOC. NONE
- ELECTRICAL HANDHOLE, (EHH)
- WATER VALVE, (WV)
- TELEPHONE CABLE PEDESTAL, (C-BOX)
- CONC. POWER POLE, (CPP)
- CHAIN LINK FENCE

CERTIFICATE OF GUAM CHIEF SURVEYOR

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 60, ARTICLE 3, UNIFORM TRIANGULATION SYSTEM AND REGULATIONS THEREUNDER ON THIS 8th DAY OF March 2016

PAUL L. SANTOS, P.L.S. NO. 68
GUAM CHIEF SURVEYOR / CHIEF OF CADASTRE

CERTIFICATE OF GUAM CHIEF PLANNER

APPROVAL PURSUANT TO TITLE 21 GUAM CODE ANNOTATED, CHAPTER 62, SUBDIVISION LAW

MARVIN Q. AGUILAR
GUAM CHIEF PLANNER

11/18/2015
DATE

CERTIFICATE OF SURVEYOR

I, NESTORIO C. IGNACIO, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION; THAT IT IS BASED ON A FIELD SURVEY MADE MADE ON JAN. 12, 2009 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATIONS SHOWN HEREON. I FURTHER CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP.

10/6/16
DATE

NESTORIO C. IGNACIO
PROFESSIONAL LAND SURVEYOR NO. 65

NESTORIO C. IGNACIO
CERTIFICATE
No. 65
GUAM
PROFESSIONAL LAND SURVEYOR

DCA
DUERAS · CAMACHO & ASSOCIATES

ENGINEERING (CIVIL/STRUCTURAL)
CONSTRUCTION MANAGEMENT • PLANNING
ENVIRONMENTAL SERVICES • SURVEYING
DEVELOPMENT CONSULTATION
GEOGRAPHIC INFORMATION SYSTEMS
P.O. Box 5000 Tamuning, Guam 96931

REV.	BY	DESCRIPTION	APPRVD.	DATE

THIS MAP HAS BEEN PREPARED IN CONSULTATION WITH THE DEPARTMENT OF LAND MANAGEMENT FOR THE PURPOSE OF APPROVAL AND RECORDATION AS REFERENCED TO CHAMORRO LAND TRUST COMMISSION SUBDIVISION MASTER PLAN NO. 2015 MDA-2 PURSUANT TO GUAM LAND USE COMMISSION RESOLUTION NO. 2015-002

MICHAEL J.B. BORJA
ADMINISTRATIVE DIRECTOR, CHAMORRO LAND TRUST COMMISSION

SPECIAL NOTES:

1. COMPUTED DATA OF LOT 16-R2, BLOCK F, TRACT 9 IS BASED FROM RECORD DATA AND NOT NECESSARILY FIELD CONDITION.

[redacted]

3. PER PL 28-128, SECTION 1 (d), THIS IS A "LOT PARCELING" SURVEY AND THEREFORE, EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF PL 28-128, SECTION (1a).

CHECKED BY:

FRANK TAITANO
PLANNER, D. L. M.
10-28-15
DATE

GEORGE CASTRO
ENGINEERING TECHNICIAN, D. L. M.
2-16-2011
DATE

NEMESIO SANTOS
ENGINEERING TECHNICIAN, D. L. M.
02-03-16
DATE

SATISFACTORY TO & APPROVED BY:

MARK MEDER
INTERIM GENERAL MANAGER
GUAM WATERWORKS AUTHORITY
GOVERNMENT OF GUAM
DOC. NO. 587559
10-16-15
DATE

MICHAEL J.B. BORJA
DIRECTOR, DEPARTMENT OF LAND MANAGEMENT
ADMINISTRATIVE DIRECTOR, CHAMORRO LAND TRUST COMMISSION
3/9/16
DATE

EDDIE BAZA CALVO
GOVERNOR OF GUAM
DOC. NO. 587559
3/16/16
DATE

LOT PARCELING SURVEY MAP
OF
LOT 16, BLOCK F, TRACT 9
(SEVERANCE OF GWA WATER STORAGE RESERVOIR SITE)
MUNICIPALITY OF BARRIGADA & MANGILAO

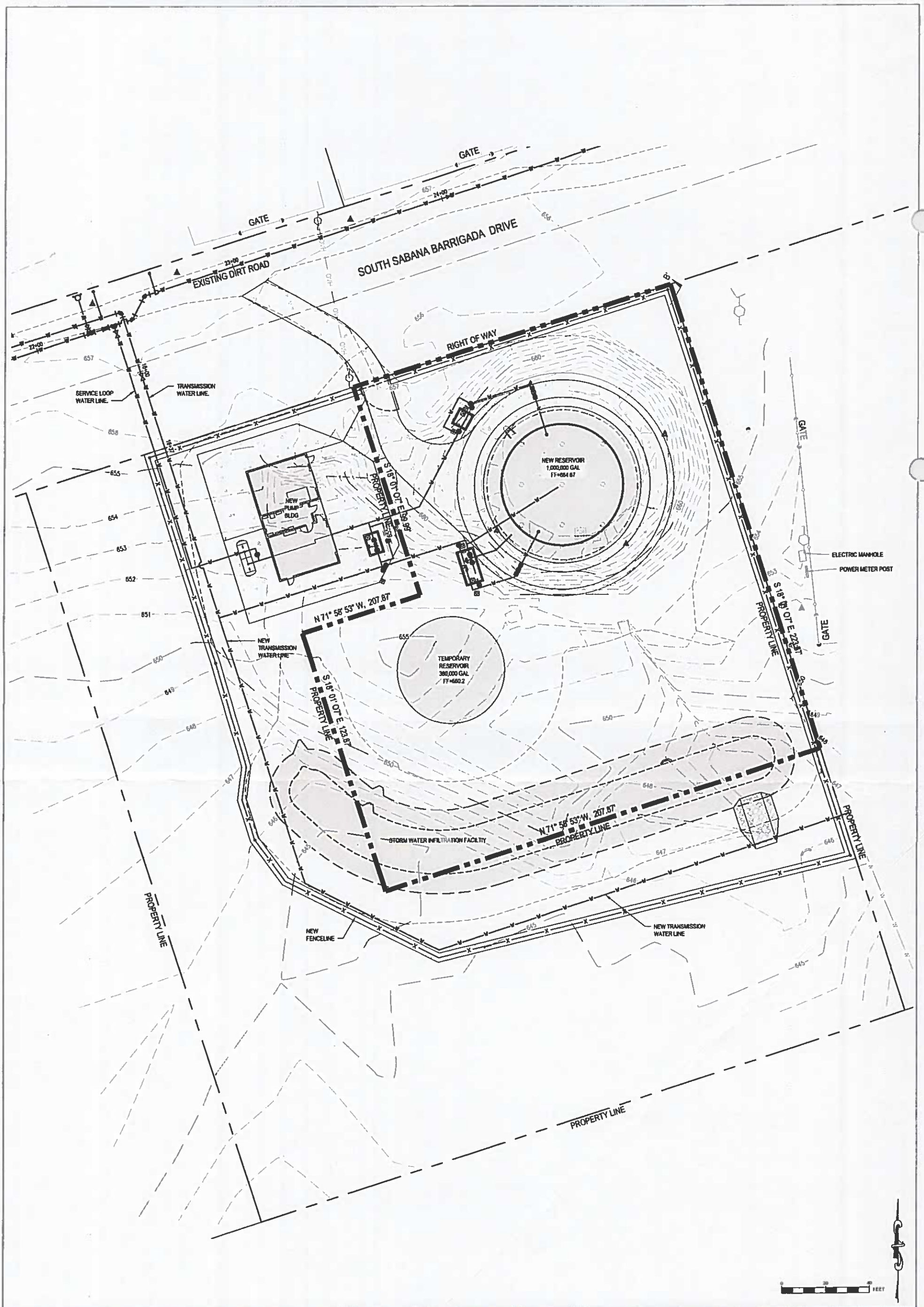
L.S. 14 SEC. 4

SURVEY DATA		DATE	LOT DATA
FIELD	VAO and CREW	1/12/09	BASIC LOT NO: 5382
BOOK NO.		—	CERT. OF TITLE NO.: 9097
COMPUTED	TGS/EFL	JAN., 2009	REGISTERED ON: APRIL 9, 1958
DRAWN	EFL	JAN., 2009	IN THE NAME OF
RESEARCHED	FDO	JAN., 2009	GOVERNMENT OF GUAM
CHECKED	NCI	JAN., 2009	

SATISFACTORY TO & APPROVED BY:

SEE PLAN

DWG. NO. DBC AI-S-09-05 | SHT. 1 OF 1 | SCALE: 1:600 | L.M. CHECKED NO. 181 FY 2015



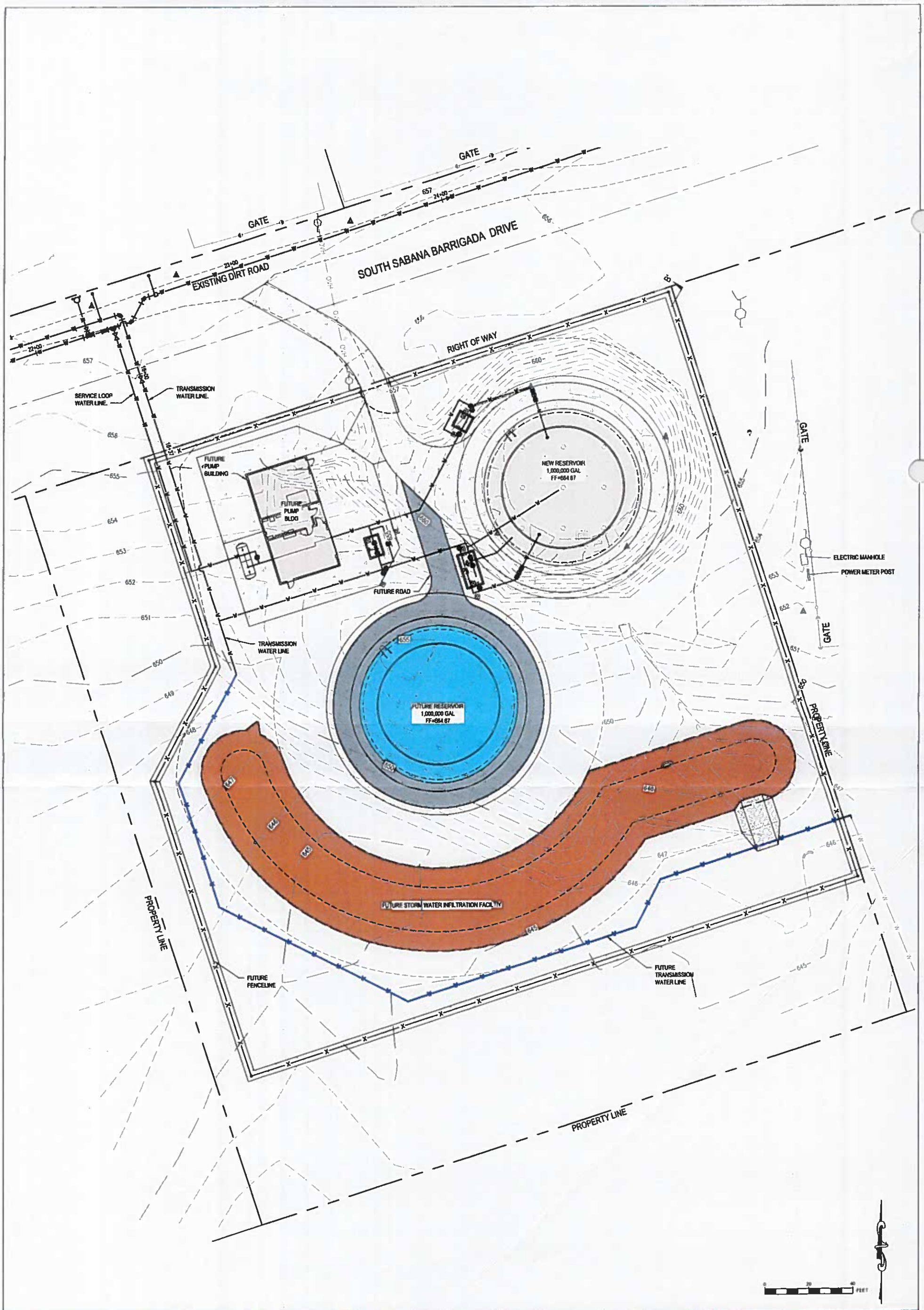
GUAM WATERWORKS AUTHORITY

GHD Inc
865 S Marine Corps Drive, Suite 202
Ortean Pacific Plaza
Tamuning 96913 Guam
T 671 472 6782 F 671 477 8229
E guam@ghd.com W www.ghd.com

Client: GUAM WATERWORKS AUTHORITY
Project: GWA CENTRAL GUAM RESERVOIRS DESIGN- HYUNDAI
Title: CURRENT SITE LAYOUT

Contract No. 8411830-200
Original Size: Ansi D
Drawing No: FIG-1
Sheet 1 of 1
Rev:

30 March 2018 - 2:43 PM Mark Pachkoski G:\8411830\08-CAD\Sheets\Hyundai\8411830-HYUNDAI-FutureFig2.dwg



GUAM WATERWORKS AUTHORITY

GHD Inc.
665 B Marine Corps Drive, Suite 202
Orlean Pacific Plaza
Tamuning 96913 Guam
T 671 472 6792 F 671 477 8229
E guam@ghd.com W www.ghd.com

Client: GUAM WATERWORKS AUTHORITY
Project: GWA CENTRAL GUAM RESERVOIRS DESIGN- HYUNDAI
Title: FUTURE SITE LAYOUT

Contract No. 8411830-200
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Drawing No: FIG-2
Sht 1 of 1
Rev:

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CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting
April 19, 2018

SENATOR JOE S. SAN AGUSTIN -REQUEST TO TRANSFER A PORTION OF LOT 5412-R11, MUNICIPALITY OF MANGILAO TO DEPARTMENT OF REVENUE AND TAXATION

I. FACTS:

1. Location: Lot 5412-R11, Municipality of Mangilao
2. Lot Size: 298,450± square meters or 74 Acres
3. Field Description: Lot is moderate slopes to steep cliffs to include an old quarry; approximately 18 acres is developable; Zone "A"

II. CHRONOLOGICAL FACTS:

1. February 6, 2018, request to Director, Michael J.B. Borja, to transfer twelve (12) acres of Lot 5412-R11, to the jurisdiction of the Department of Revenue and Taxation to build a government owned structure suited to the agency's purpose and mission.
   a. Building Size Requirement: 100,000 square feet
   b. Number of Personnel: 300

III. STAFF ANALYSIS:

CLTC finds that the request by Senator San Agustin to transfer twelve (12) acres to Department of Revenue and Taxation be approved with a reversionary clause be included in legislation requiring the property being transferred to the Department of Revenue and Taxation reverts back to the CLTC land inventory if it is not used for its intended use and the Zone Change from A to PF.

SENATOR JOE S. SAN AGUSTIN

Chairman, Committee on Education, Finance, and Taxation
I Mina' Trentai Kuåttro na Liheslaturan Guåhan Thirty-Fourth Guam Legislature

MB 2/8

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
FEB 07 2018
CLTC/GALC/GLUC

February 6, 2018

Michael J. B. Borja
Director
Department of Land Management
590 South Marine Corps Drive, Suite 733
Tamuning, Guam 96913

Hafa Adai Mr. Borja,

The Department of Revenue and Taxation has outgrown its current leased location. The building, which was originally a commercial enterprise, does not fit the square footage and parking requirements of today's staff and customers. A bigger building to accommodate the current scope of the agency's business transactions, with space for future growth, would be optimal.

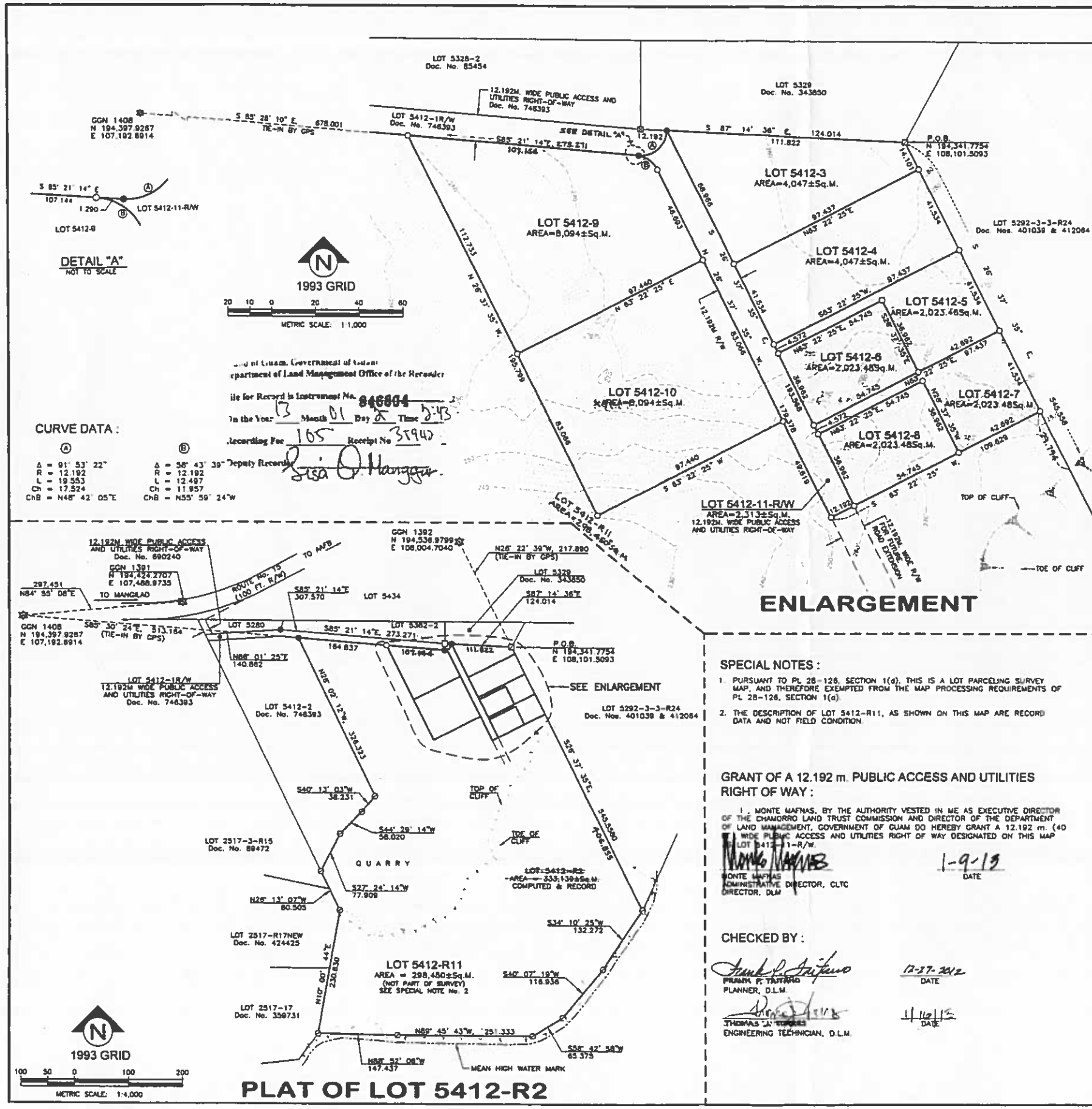
I request 12 acres of property at Fadian, Lo 5412-R11U0, be transferred from the Chamorro Land Trust inventory to the jurisdiction of the Dept. of Rev and Tax to build a government-owned structure suited to the agency's purpose and mission. This will also eliminate the cost of leasing one more building to the government, which will result in a cost savings for the people of Guam.

I look forward to your support on this idea and hope we can continue to work together towards a more efficient and better government.

Si Yu'us Ma'åse',

JOE S. SAN AGUSTIN
Chairman, Committee on Education, Finance and Taxation
I Mina' Trentai Kuåttro na Liheslaturan Guåhan

Ran-Care Commercial Building CBU # 230, 761 South Marine Corps Dr., Tamuning, Guam 96913
Tel: 671-989-5445 ♦ Fax: 671-969-6737 ♦ senatorjoessanagustin@gmail.com



CURVE DATA :

Ⓐ	Ⓑ
Δ = 91° 53' 22"	Δ = 58° 43' 39"
R = 12.192	R = 12.192
L = 19.553	L = 12.497
Ch = 17.524	Ch = 11.957
ChB = N48° 42' 05"E	ChB = N55° 59' 24"W

Land of Guam, Government of Guam
Department of Land Management Office of the Recorder
File for Record in Instrument No. 846604
In the Year 13 Month 01 Day 8 Time 8:43
Recording Fee 105 Receipt No 37940
Deputy Recorder Lisa O. Hanger

PLAT OF LOT 5412-R2

SPECIAL NOTES :

1. PURSUANT TO PL 28-126, SECTION 1(d), THIS IS A LOT PARCELING SURVEY MAP, AND THEREFORE EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF PL 28-126, SECTION 1(a).
2. THE DESCRIPTION OF LOT 5412-R11, AS SHOWN ON THIS MAP ARE RECORD DATA AND NOT FIELD CONDITION.

GRANT OF A 12.192 m. PUBLIC ACCESS AND UTILITIES RIGHT OF WAY :

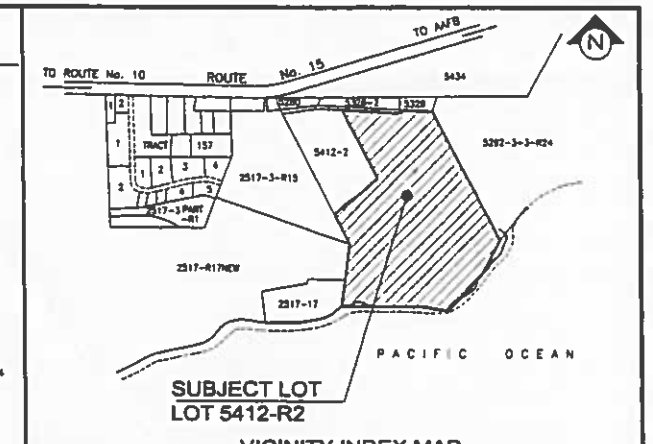
I, MONTE MAFNAS, BY THE AUTHORITY VESTED IN ME AS EXECUTIVE DIRECTOR OF THE CHAMORRO LAND TRUST COMMISSION AND DIRECTOR OF THE DEPARTMENT OF LAND MANAGEMENT, GOVERNMENT OF GUAM DO HEREBY GRANT A 12.192 m. (40 ft.) WIDE PUBLIC ACCESS AND UTILITIES RIGHT OF WAY DESIGNATED ON THIS MAP AS LOT 5412-R11-R/W.

MONTE MAFNAS
ADMINISTRATIVE DIRECTOR, CLTC
DIRECTOR, DLM — DATE 1-9-13

CHECKED BY :

FRANK P. TAITANO
PLANNER, D.L.M. — DATE 12-27-2012

THOMAS A. TORRES
ENGINEERING TECHNICIAN, D.L.M. — DATE 1/16/13



VICINITY INDEX MAP
NOT TO SCALE

NOTES :

1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES ARE 1993 GRID.
4. SUBJECT LOT IS WITHIN THE NORTHERN AQUIFER.
5. SUBJECT LOT IS ZONED "A" AGRICULTURAL PER 1966 OFFICIAL ZONING MAP F387S4D
6. NO AS-BUILT EXIST AS OF APPROVAL OF THIS MAP.
7. CONTOUR LINES SHOWN ARE IN FEET AND WAS DERIVED FROM GUAM LIDAR 2007, DATUM ARE BASED FROM BUREAU OF STATISTIC AND PLANNING, LIDAR 2008

REFERENCE :

1. DWG No. DAI-S-06-20, SUBDIVISION SURVEY OF LOT 5412, PREPARED BY PLS No. 71, L.M. No. 166-FY2006, Doc. No. 746393.

LEGEND :

- GGN STATION
- FOUND 4"x4" PRE-WAR CONCRETE MONUMENT, SEE Doc. No. 746393
- FOUND 6"x6" CONCRETE MONUMENT, NO ID, SEE Doc. No. 746393
- FOUND No. 4 REBAR WITH PLASTIC CAP MARKED PLS No. 71, Doc. No. 746393
- SET No. 4 REBAR WITH CAP MARKED PLS No. 85
- COMPUTED CORNERS, NOT FOUND

CERTIFICATE OF GUAM CHIEF SURVEYOR

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 60, ARTICLE 3, UNIFORM TRIANGULATION SYSTEM AND REGULATIONS THEREUNDER ON THIS 18th DAY OF January 2013

PAUL L. SANTOS, P.L.S. No. 68
GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE

CERTIFICATE OF GUAM CHIEF PLANNER

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 62, SUBDIVISION LAW

MARVIN Q. AGULAR
ACTING GUAM CHIEF PLANNER — DATE 12-27-2012

CERTIFICATE OF SURVEYOR

I, NESTORIO C. IGNACIO, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION; THAT IT IS BASED ON A FIELD SURVEY MADE ON NOVEMBER 15, 2012 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION SHOWN HEREON. I FURTHER CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITION INDICATED ON THIS MAP.

NESTORIO C. IGNACIO, PLS No. 85 — DATE 12-10-12

NESTORIO C. IGNACIO — LICENSED PROFESSIONAL LAND SURVEYOR — No. 85 — EXP. 04-30-13

DCA&A DUEÑAS·CAMACHO

- ENGINEERING (CIVIL/STRUCTURAL)
- CONSTRUCTION MANAGEMENT • PLANNING
- ENVIRONMENTAL SERVICES • SURVEYING
- DEVELOPMENT CONSULTATION
- GEOGRAPHIC INFORMATION SYSTEMS

P.O. Box 8900 Tamuning, Guam 96931

LOT PARCELING SURVEY MAP
OF
LOT 5412-R2

MUNICIPALITY OF MANGILAO

L.S. 18 — SEC. 4

SURVEY DATA		DATE	LOT DATA	
FIELD	FBS & CREW	NOV. 2012	BASIC LOT	5412
BOOK	DCAI-CPS-2012		CERT. OF TITLE No.	61175
COMPUTED	CB	NOV. 2012	REGISTERED ON:	AUGUST 11, 1977
DRAWN	CB	NOV. 2012	IN THE NAME OF:	GOVERNMENT OF GUAM
RESEARCHED	FD	NOV. 2012		
CHECKED	NCI	NOV. 2012		

SATISFACTORY TO & APPROVED BY:
SEE PLAN
OWNER: — DATE

DWG No. DCAI-S-12-44 | SHT. 1 OF 1 | SCALE: AS SHOWN | L.M. CHECK No. 036 - FY2013

S-14182

LOT 5412-1R/W
L5412-1-R/W
AREA=5,545±SQ.M
LM166FY2006
PLS NO.71
DOC.NO.743393
SEPIA NO. 12926
PROPOSED LOT
A=4,046±SM.
1 ACRE
L5412-9
LOT 5412-9
A=8094±SM
036FY2013 (R)
PLS NO 65
DOC.NO. 847940
SEPIA NO.14182
L5412-3
LOT 5412-3
A=4047±SM
L5412-4
LOT 5412-4
A=4047±SM
L5412-11-R/W
L5412-6
LOT 5412-6
A=2023±SM
L5412-10
LOT 5412-10
A=8094±SM
LOT 5412-5NEW
AREA=4047±SM
064FY2014
I-730
DOC.NO
L5412-5NEW
LOT 5412-11-R/W
LOT 5412-8
A=2023±SM
L5412-8
LOT 5412
AREA=60,7
L5412-2
G.P.A
PROPOSED LOT
A=48,552±SM.
12 ACRES
PROPOSED LOT
A=20,862±SM
5.15 ACRES
L5412-R11
LOT 5412-R2
AREA=298450±SQ.M

March 2018 CLTC

Date	POS Receipt #	Account No.	Account Name	Amount	Customer Name
03/19/18	2218 064285	322254202	DLM Comm'l Lease/License	$1,610.49	Pacific Underwater Observatories, Inc.
03/27/18	2218 067242	322254202	DLM Comm'l Lease/License	$1,433.88	Transworld Radio Pacific
				$3,044.37	
03/07/18	2218 059752	362452101	Application Fee	$50.00	Quichocho, Rose Marie Cabrera
03/12/18	2218 061382	362452101	Application Fee	$50.00	Baza, Francisco SanAgustin Jr
03/13/18	2218 061841	362452101	Application Fee	$50.00	Desamito, Linda Susan Camacho
03/14/18	2218 062386	362452101	Application Fee	$50.00	Holt, Geiselle
03/14/18	2218 062551	362452101	Application Fee	$50.00	Atoigue , Laurie T
03/16/18	2218 063443	362452101	Application Fee	$50.00	Benvente, Joe Davy
03/21/18	2218 065014	362452101	Application Fee	$50.00	Jackson, Teresa Lee
03/26/18	2218 066732	362452101	Application Fee	$50.00	Cortez, Rita-Renee
03/26/18	2218 066801	362452101	Application Fee	$50.00	Salas, Amparo Vitoria Tenorio
03/26/18	2218 066801	362452101	Application Fee	$50.00	Quintanilla, Kin Jesus
				$500.00	
03/06/18	2218 059273	362454201	Commercial Lease	$850.00	Moy Communications, Inc.
03/06/18	2218 059275	362454201	Commercial Lease	$918.84	USPC (Inarajan)
03/09/18	2218 060923	362454201	Commercial Lease	$1,348.68	KM Broadcasting
03/14/18	2218 062537	362454201	Commercial Lease	$4,000.00	Guam Racing
03/14/18	2218 062534	362454201	Commercial Lease	$1,705.00	Guam Racing
03/15/18	2218 062783	362454201	Commercial Lease	$3,500.00	Agfayan, Inc.
03/20/18	2218 064613	362454201	Commercial Lease	$1,592.70	Docomo Pacific
03/30/18	2218 068676	362454201	Commercial Lease	$30.00	James Walter and Barbara Benevente Cushing
03/30/18	2218 068782	362454201	Commercial Lease	$3,000.00	JTC Rental Services
				$16,095.22	
03/12/18	2218 061555	366952001	Survey Infrastructure	$458.33	USPS (Dededo)
03/15/18	2218 062647	366952001	Survey Infrastructure	$2,765.00	LKC Farmers

March 2018 CLTC

				$3,223.33	
03/01/18	2218 057652	366956001	Land Lease	$99.00	Aguon, Jose Jr. Aquiningoc
03/13/18	2218 061765	366956001	Land Lease	$21.00	Atoigue, David Pablo, Jr.
03/30/18	2218 068899	366956001	Land Lease	$99.00	Camacho-Gacgacao, Maria D.
				$219.00	
			Grant Total	**$23,081.92**	

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

DEPARTMENT OF LAND MANAGEMENT

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

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Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

April 16, 2018

Memorandum

To: Governor of Guam

From: Director, Department of Land Management

Subject: **FY 2018 MONTHLY REVENUE COLLECTION REPORT – MARCH 2018**

Buenas yan Hafa Adai! Forwarded is the ***MARCH 2018*** Revenue Collection Report, pursuant to Public Law 17-70, Section 13971.1, revenues collected by the Department of Land Management and the Chamorro Land Trust Commission and deposited into the various accounts listed below:

ACCOUNT NAME	MARCH Rev COLLECTED	To Date COLLECTED
3222 - Land Survey Revolving Fund	$541,162.81	$1,442,118.75
1100 - Dept's/Other Special Account	$2,492.54	$8,425.81
3100 - General Fund Account	$0.50	$0.50
3624 – Chamorro Land Trust Commission	$19,262.16	$563,472.44
3669 – Chamorro Land Trust Survey	$3,442.33	$25,748.07
GRAND TOTAL	**$566,360.34**	**$2,039,765.57**
To Date Collection for FY 2018		**$2,039,765.57**

In addition, revenues from the Non-Appropriated Funds were received, as follow:

Chamorro Land Trust Commission

DESCRIPTION	MARCH Rev COLLECTED	To Date COLLECTED	Account Bal as of MARCH 2018
Bank of Guam Account TDOA #XXXXXX2274	$21.62	$126.90	$203,670.89
Bank of Guam Account Chkg #XXXXX5976	$0.00	$0.00	$10,580.94
Bank of Guam TCD #XXXXXX7964	$0.00	$0.00	$300,000.00
GRAND TOTAL	**$21.62**	$126.90	**$514,251.83**
To Date Collection for FY 2018 (Chamorro Land Trust – NAF)		$126.90	

Ancestral Lands Commission

DESCRIPTION	MARCH Rev COLLECTED	To Date COLLECTED	Account Bal as of MARCH 2018
Bank of Hawaii Account # XXXX-XX0217 Trust	$4.10	$23.44	$77,932.76
Coast 360 FCU Account #XX6454			
- Trust Share Savings #0100	$47,414.37	$291,811.16	$297,757.17
- Secondary Savings #0101	$5.52	$11.16	$7,470.46
- Checking #0200	$0.87	$1.75	$1,003.82
- 12 Months Jumbo Term Share #0401	$0.00	$5,151.65	$520,316.12
- 24 Months Jumbo Term Share #0403	$0.00	$7,445.87	$314,705.87
- 36 Months Jumbo Term Share #0404	$0.00	$0.00	$311,890.85
- 18 Months Jumbo Term Share #0405	$0.00	$0.00	$1,000,000.00
- 24 Months Jumbo Term Share #0406	$0.00	$0.00	$1,000,000.00
- 48 Months Jumbo Term Share #0407	$0.00	$0.00	$2,100,000.00
GRAND TOTAL	$47,424.86	$304,445.03	**$5,631,077.05**
To Date Collection for FY 2018 (Ancestral Lands – NAF)		$304,445.03	

If you have any questions or require additional information, please do not hesitate to call our Administrative Support Unit at 649-5263 ext. 600.

Senseramente,

MICHAEL J.B. BORJA

Attachment

cc: Speaker Benjamin J.F. Cruz, 34th Guam Legislature
Chairman Thomas C. Ada, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor of Guam
Director, Bureau of Budget and Management Research
Mr. Jason Baza, DLM Budget Analyst, Bureau of Budget & Management Research
Director, Department of Administration
Comptroller, Department of Administration
Financial Statement Reporting Branch, Department of Administration
CLTC Board Members (via Ruth Sakuma)
DLM Deputy Director
DLM Division Heads (4)

DEPARTMENT OF LAND MANAGEMENT
REVENUE COLLECTION REPORT
FISCAL YEAR 2018

TITLE DESCRIPTION	Carry Over Balance	ACCT.	ACCT. #	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	TO DATE
Documentary Taxes		LSRF	3222-51801	$ 191,009.33	$ 107,733.42	$ 138,656.75	$ 119,109.83	$ 128,625.26	$ 492,409.69							$ 1,177,544.28
Recording Fee		LSRF	3222-56910	$ 28,827.50	$ 27,633.50	$ 32,305.00	$ 28,232.00	$ 28,226.50	$ 34,496.25							$ 179,720.75
Photostat Fees		LSRF	3222-56912	$ 1,411.50	$ 6,553.00	$ 5,830.00	$ 2,860.00	$ 3,755.00	$ 3,511.50							$ 23,921.00
Survey Copies		LSRF	3222-56912	$ 2,604.00	$ 3,257.00	$ 2,840.00	$ 2,323.50	$ 1,514.00	$ 2,521.50							$ 15,060.00
C.T. Copies		LSRF	3222-56912	$ 4,081.00	$ 2,961.50	$ 3,842.00	$ 5,002.50	$ 5,935.50	$ 5,179.50							$ 27,002.00
Subpoena Fees		LSRF	3222-57208													$ -
Commercial Lease		LSRF	3222-54202	$ 3,048.87	$ 3,044.37	$ 3,044.37	$ 3,044.37	$ 3,644.37	$ 3,044.37							$ 18,870.72
Recording Overage		GF	3100-56916						$ 0.50							$ 0.50
HPR & Other App. Fee	$ 64,834.43	SA	1100-2429A	$ 611.00	$ 1,564.00	$ 80.00	$ 364.25	$ 941.50	$ 1,658.00							$ 5,218.75
LUPRA (2900RS010)	$ 9,326.81	SA	1100-23316	$ 890.53	$ 220.01	$ 475.91	$ 236.07	$ -	$ 834.54							$ 2,657.06
[illegible] Fee (2910RS010) P.L. 23-31	$ 7,939.00	SA	1100-23337			$ 550.00										$ 550.00
Land Trust Application Fees		CLTO	3624-52101	$ 250.00		$ 150.00	$ 100.00	$ 200.00	$ 500.00							$ 1,200.00
Commercial Lease/License		CLTO	3624-54201	$ 23,018.98	$ 52,319.57	$ 33,787.93	$ 391,226.73	$ 41,988.15	$ 18,484.58							$ 560,825.94
Interest		CLTO	3624-54101	$ 220.07	$ 218.84	$ 230.05	$ 252.29	$ 247.67	$ 277.58							$ 1,446.50
CLT-OPS Sale of Govt Land		CLTO	3624-57207													$ -
CLT-SUR-Commercial Lease & Lic (P.L. 33-90)		CLTS	3669-52001	$ 458.33	$ -	$ 916.66	$ 458.33	$ 458.33	$ 3,223.33							$ 5,514.98
CLT-SUR-Agr/Res Land Trust Lease (P.L. 33-90)		CLTS	3669-56001	$ 1,525.00	$ 392.00	$ 218.00	$ 448.00	$ 495.00	$ 219.00							$ 3,297.00
CLT-SUR-Sale of Govt Land (P.L. 33-90)		CLTS	3669-57001	$ 11,979.53	$ 2,976.08	$ 100.00	$ 1,214.04	$ 666.44								$ 16,936.09
LSRF COLLECTED (3222)				$ 230,982.20	$ 151,182.79	$ 186,518.12	$ 160,572.20	$ 171,700.63	$ 541,162.81	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,442,118.75
GENERAL FUNDS COLLECTED (3100)									$ 0.50	$ -	$ -	$ -	$ -	$ -	$ -	$ 0.50
SPECIAL ACCT. COLLECTED (1100)				$ 1,501.53	$ 1,784.01	$ 1,105.91	$ 600.32	$ 941.50	$ 2,492.54	$ -	$ -	$ -	$ -	$ -	$ -	$ 8,425.81
DLM TOTAL				$ 232,483.73	$ 152,966.80	$ 187,624.03	$ 161,172.52	$ 172,642.13	$ 543,655.85	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,450,545.06
Chamorro Land Trust Operations Total (3624)				$ 23,489.05	$ 52,538.41	$ 34,167.98	$ 391,579.02	$ 42,435.82	$ 19,262.16	$ -	$ -	$ -	$ -	$ -	$ -	$ 563,472.44
Chamorro Land Trust Survey Total (3669)				$ 13,962.81	$ 3,368.08	$ 1,234.66	$ 2,120.87	$ 1,619.77	$ 3,442.31	$ -	$ -	$ -	$ -	$ -	$ -	$ 25,748.07
CLTO/CLTS TOTAL				$ 37,451.91	$ 55,906.49	$ 35,402.64	$ 393,699.39	$ 44,055.59	$ 22,704.49	$ -	$ -	$ -	$ -	$ -	$ -	$ 589,220.51
GRAND TOTAL				$ 269,935.64	$ 208,873.29	$ 223,026.67	$ 554,871.91	$ 216,697.72	$ 566,360.34	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,039,765.57

Documentary Taxes collection is now being deposited into LSRF, effective 23 Oct 2000, as per Executive Order 2000-35

(GF) Deposited into General Fund.
(LSRF) Deposited into Land Survey Revolving Fund Account
(S/A) * Deposited into established Special Account.
(CLTO) Deposited into Chamorro Land Trust Operations
(CLTS) Deposited into Chamorro Land Trust Survey Fund

Copies Provided to:
Speaker Benjamin J.F. Cruz, 34th Guam Legislature
Chairman Thomas C. Ada, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor
Director, Bureau of Budget & Management Research (BBMR)
BBMR, Mr. Jason Baza, DLM Budget Analyst
Director, Department of Administration
DOA, Comptroller
DOA, Financial Statement Reporting Branch
DLM Deputy Director
DLM Division Heads (4)
CLTC Board Members

Prepared By:
Patricia A. Muna, Administrative Assistant 4/16/18

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

DEPARTMENT OF LAND MANAGEMENT

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

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671-649-5383

March 19, 2018

Memorandum

To: Governor of Guam

From: Director, Department of Land Management

Subject: **FY 2018 MONTHLY REVENUE COLLECTION REPORT – FEBRUARY 2018**

Buenas yan Hafa Adai! Forwarded is the ***FEBRUARY 2018*** Revenue Collection Report, pursuant to Public Law 17-70, Section 13971.1, revenues collected by the Department of Land Management and the Chamorro Land Trust Commission and deposited into the various accounts listed below:

ACCOUNT NAME	FEBRUARY Rev COLLECTED	To Date COLLECTED
3222 - Land Survey Revolving Fund	$171,700.63	$900,955.94
1100 - Dept's/Other Special Account	$941.50	$5,933.27
3624 – Chamorro Land Trust Commission	$42,435.82	$544,210.28
3669 – Chamorro Land Trust Survey	$1,619.77	$22,305.74
GRAND TOTAL	**$216,697.72**	**$1,473,405.23**
To Date Collection for FY 2018		**$1,473,405.23**

In addition, revenues from the Non-Appropriated Funds were received, as follow:

Chamorro Land Trust Commission

DESCRIPTION	FEBRUARY Rev COLLECTED	To Date COLLECTED	Account Bal as of FEBRUARY 2018
Bank of Guam Account TDOA #XXXXXX2274	$19.53	$105.28	$203,649.27
Bank of Guam Account Chkg #XXXXX5976	$0.00	$0.00	$10,580.94
Bank of Guam TCD #XXXXXX7964	$0.00	$0.00	$300,000.00
GRAND TOTAL	**$19.53**	$105.28	**$514,230.21**
To Date Collection for FY 2018 (Chamorro Land Trust – NAF)		$105.28	

Ancestral Lands Commission

DESCRIPTION	FEBRUARY Rev COLLECTED	To Date COLLECTED	Account Bal as of FEBRUARY 2018
Bank of Hawaii Account # XXXX-XX0217 Trust	$3.59	$19.34	$77,928.66
Coast 360 FCU Account #XX6454			
- Trust Share Savings #0100	$14,297.00	$244,396.79	$250,342.80
- Secondary Savings #0101	$0.00	$5.64	$7,464.94
- Checking #0200	$0.00	$0.88	$1,002.95
- 12 Months Jumbo Term Share #0401	$0.00	$5,151.65	$520,316.12
- 24 Months Jumbo Term Share #0403	$0.00	$7,445.87	$314,705.87
- 36 Months Jumbo Term Share #0404	$0.00	$0.00	$311,890.85
- 18 Months Jumbo Term Share #0405	$0.00	$0.00	$1,000,000.00
- 24 Months Jumbo Term Share #0406	$0.00	$0.00	$1,000,000.00
- 48 Months Jumbo Term Share #0407	$0.00	$0.00	$2,100,000.00
GRAND TOTAL	$14,300.59	$257,020.17	**$5,583,652.19**
To Date Collection for FY 2018 (Ancestral Lands – NAF)		$257,020.17	

If you have any questions or require additional information, please do not hesitate to call our Administrative Support Unit at 649-5263 ext. 600.

Senseramente,

MICHAEL J.B. BORJA

Attachment

cc: Speaker Benjamin J.F. Cruz, 34th Guam Legislature
Chairman Thomas C. Ada, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor of Guam
Director, Bureau of Budget and Management Research
Mr. Jason Baza, DLM Budget Analyst, Bureau of Budget & Management Research
Director, Department of Administration
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CLTC Board Members (via Ruth Sakuma)
DLM Deputy Director
DLM Division Heads (4)

DEPARTMENT OF LAND MANAGEMENT
REVENUE COLLECTION REPORT
FISCAL YEAR 2018

TITLE DESCRIPTION	Carry Over Balance	ACCT.	ACCT. #	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	TO DATE
Documentary Taxes		LSRF	3222-51801	$ 191,009.33	$ 107,733.42	$ 138,656.75	$ 119,109.83	$ 128,625.26								$ 685,134.59
Recording Fee		LSRF	3222-56910	$ 28,827.50	$ 27,633.50	$ 32,305.00	$ 28,232.00	$ 28,226.50								$ 145,224.50
Photostat Fees		LSRF	3222-56912	$ 1,411.50	$ 6,553.00	$ 5,830.00	$ 2,860.00	$ 3,755.00								$ 20,409.50
Survey Copies		LSRF	3222-56912	$ 2,604.00	$ 3,257.00	$ 2,840.00	$ 2,323.50	$ 1,514.00								$ 12,538.50
C.T. Copies		LSRF	3222-56912	$ 4,081.00	$ 2,961.50	$ 3,842.00	$ 5,002.50	$ 5,935.50								$ 21,822.50
Subpoena Fees		LSRF	3222-57208													$ -
Commercial Lease		LSRF	3222-54202	$ 3,048.87	$ 3,044.37	$ 3,044.37	$ 3,044.37	$ 3,644.37								$ 15,826.35
HPR & Other App. Fee	$ 64,834.43	SA	1100-2429A	$ 611.00	$ 1,564.00	$ 80.00	$ 364.25	$ 941.50								$ 3,560.75
LUPRA (2900RS010)	$ 9,326.81	SA	1100-23316	$ 890.53	$ 220.01	$ 475.91	$ 236.07	$ -								$ 1,822.52
[illegible] Fee (2910RS010) P.L. 23-31	$ 7,939.00	SA	1100-23337			$ 550.00										$ 550.00
[illegible] Trust Application Fees		CLTO	3624-52101	$ 250.00		$ 150.00	$ 100.00	$ 200.00								$ 700.00
Commercial Lease/License		CLTO	3624-54201	$ 23,018.98	$ 52,319.57	$ 33,787.93	$ 391,226.73	$ 41,988.15								$ 542,341.36
Interest		CLTO	3624-54101	$ 220.07	$ 218.84	$ 230.05	$ 252.29	$ 247.67								$ 1,168.92
CLT-OPS Sale of Govt Land		CLTO	3624-57207													$ -
CLT-SUR-Commercial Lease & Lic (P.L. 33-90)		[illegible]	3669-52001	$ 458.33	$ -	$ 916.66	$ 458.33	$ 458.33								$ 2,291.65
CLT-SUR-Agr/Res Land Trust Lease (P.L. 33-90)		[illegible]	3669-56001	$ 1,525.00	$ 392.00	$ 218.00	$ 448.00	$ 495.00								$ 3,078.00
CLT-SUR-Sale of Govt Land (P.L. 33-90)		[illegible]	3669-57001	$ 11,979.53	$ 2,976.08	$ 100.00	$ 1,214.04	$ 666.44								$ 16,936.09
LSRF COLLECTED (3222)				$ 230,982.20	$ 151,182.79	$ 186,518.12	$ 160,572.20	$ 171,700.63	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 900,955.94
SPECIAL ACCT. COLLECTED (1100)				$ 1,501.53	$ 1,784.01	$ 1,105.91	$ 600.32	$ 941.50	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,933.27
DLM TOTAL				$ 232,483.73	$ 152,966.80	$ 187,624.03	$ 161,172.52	$ 172,642.13	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 906,889.21
Chamorro Land Trust Operations Total (3624)				$ 23,489.05	$ 52,538.41	$ 34,167.98	$ 391,579.02	$ 42,435.82	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 544,210.28
[illegible]				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CLTO/CLTS TOTAL				$ 37,451.91	$ 55,906.49	$ 35,402.64	$ 393,699.39	$ 44,055.59	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 566,516.02
GRAND TOTAL				$ 269,935.64	$ 208,873.29	$ 223,026.67	$ 554,871.91	$ 216,697.72	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,473,405.23

Documentary Taxes collection is now being deposited into LSRF, effective 23 Oct 2000, as per Executive Order 2000-35

(GF) Deposited into General Fund.
(LSRF) Deposited into Land Survey Revolving Fund Account
(S/A) * Deposited into established Special Account.
(CLTO) Deposited into Chamorro Land Trust Operations
(CLTS) Deposited into Chamorro Land Trust Survey Fund

Copies Provided to:
Speaker Benjamin J.F. Cruz, 34th Guam Legislature
Chairman Thomas C. Ada, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor
Director, Bureau of Budget & Management Research (BBMR)
BBMR, Mr. Jason Baza, DLM Budget Analyst
Director, Department of Administration
DOA, Comptroller
DOA, Financial Statement Reporting Branch
DLM Deputy Director
DLM Division Heads (4)
CLTC Board Members

Prepared By:
Patricia A. Muna, Administrative Assistant 3/19/18