



# Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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**Lourdes A. Leon Guerrero**  
Governor

**Joshua F. Tenorio**  
Lieutenant Governor

Commission Members

**G. Pika Fejeran**  
Chairwoman

**Joseph I. Cruz**  
Vice-Chairman

**Amanda L.G. Santos**  
Commissioner

**Austin J. Duenas**  
Commissioner

**Shawntel L. Techaira**  
Commissioner

**Jack E. Hattig III**  
Administrative Director

## COMMISSION MEETING MINUTES

Department of Land Management Conference Room  
3<sup>rd</sup>. Floor, ITC Building, Tamuning  
Thursday, February 7, 2019, 1:05 p.m – 5:20 p.m.

Public Notice: The *Guam Daily Post* on January 31, 2019 and February 5, 2019

### I. CALL TO ORDER

**Chairwoman Pika Fejeran:** called the Chamorro Land Trust Meeting to order at 1:05 p.m.

### II. ROLL CALL

#### Notation of Attendance

Present were: Chairwoman Pika Fejeran, Commissioner Amanda Santos, Commissioner Austin Duenas, Commissioner Shawntel Techaira, Legal Counsel Nicolas Toft, Administrative Director Jack Hattig

Excused Tardy: Vice Chairman Joe Cruz

### III. APPROVAL OF MINUTES

#### January 17, 2019, Regular Meeting

Commissioners have no comments made on the minutes  
Motion made by Commissioner Duenas to approve January 17, 2019, Regular Meeting Minutes. Second by Commissioner Techaira. PASSED Unanimously

**Chairwoman Pika Fejeran:** Moved on to the next item on the agenda

### IV. PUBLIC COMMENTS

**Chairwoman Pika Fejeran:** called Anjolisha Aguon on behalf of Gregory Aguon

**Anjolisha Aguon:** for the record, stated her name.

**Chairwoman Pika Fejeran:** explained to Anjolisha Aguon, Legal Counsel Toft gave the Commission a document which is what we, referring to the Commission and Anjolisha Aguon were waiting for.

**Legal Counsel Nicolas Toft:** informed Anjolisha Aguon, we referring to CLTC received a Judgment from court regarding the case with Juan Benavente, stated the important part is the restraint and is prohibited from interfering, planning, surveying, construction or other activity of Government of Guam related to the easement of the subject property that was discussed on prior meetings and also that there is a public right of way through that same property.

Court ordered document given to Anjolisha Aguon.

**Chairwoman Pika Fejeran:** recapped; what was happening before the easement which goes through the defendants lease property was blocked and prevented the Agoun family to have access through their road going into their home. Now with the Judgment, it says he referring to Juan Benavente cannot interfere in any way with the use, design or construction of a road on that easement.

Chairwoman Pika Fejeran and Assistant Attorney General suggested for Anjolisha to preemptively notify the Mayor's Office or the police.

**Chairwoman Pika Fejeran:** stated, you referring to Anjolisha Aguon have the full support of the Courts and reiterated the clearing on the easement must be in compliance with all laws.

**Anjolisha Aguon:** stated although there is a judgement, there is a fence that is on the easement blocking the access, and asked how to go about removing the fence.

**Assistant Attorney Nicolas Toft:** in response, you referring to Anjolisha Aguon can request from DPW to remove the fence.

**Chairwoman Pika Fejeran:** suggested to take the Judgement to Public Works, see if DPW can physically see what is there, DPW has their protocol to follow as well.

**Anjolisha Aguon:** asked if a survey needed to be done first to show DPW in order to identify where the public easement would be

**Land Administrator Margarita Borja:** chimed in, informed the Commission, the Aguon family marked the 50 foot, the center line; they (Aguon Family) can base it off the aerial map for now. Also informed the Commission, a lease still needs to be issued, a survey authorization needs to be issued. Gregory Aguon is a part of the Pre-Moratorium list, the property still needs to be surveyed in order to determine the actual property and points.

**Chairwoman Pika Fejeran:** acknowledges and informed Anjolisha the Commission will be looking at the Pre-Moratorium list later in the meeting. As far as clearing, you (Aguon Family) can clear as much as you can until you reach the area with encroachment and from there you can talk to DPW about the encroachment.

**Anjolisha Aguon:** in response, or we (Aguon Family) can go to DPW first?

**Chairwoman Pika Fejeran:** in response to Anjolisha, yeah you can.

**Land Administrator Margarita Borja:** suggested Glenn Eay, Land Agent II can help out with Anjolisha Aguon as far as talking to DPW.

**Chairwoman Pika Fejeran:** in response, that is a great idea, informed Anjolisha the CLTC staff will work with DPW, inform DPW the situation and will get DPW to keep in touch with you (Anjolisha).

Thanked Anjolisha and the Aguon family for their patience.

**Chairwoman Pika Fejera:** called Annie Siguenza, the next person for Public Comments.

**Annie Siguenza:** stated her name for the record and her issue.

Informed the Commission she and her mom were given land that doesn't exist and the place where she resides at, she is not able to get any papers stating she can transfer her father's name to her name in regards to utilities.

**Chairwoman Pika Fejeran:** asked Annie Siguenza if she has spoken to any of the CLTC Staff or Land Agents.

**Annie Siguenza:** in response, yes so many times, a year ago, two years ago and was told by CLTC they'll look into it and felt she didn't get any help at all.

**Chairwoman Pika Fejeran:** apologized to Annie Siguenza and appreciated her appearing before the board. Also asked to allow some time to talk to the CLTC Staff or Land Agents in regards to her case.

Asked the Land Administrator Margarita Borja if she is familiar with Annie Siguenza's case.

**Land Administrator Margarita Borja:** in response to Chairwoman Fejeran's question, yes.

Ms. Siguenza has been occupying the property that she is in with her mother for the longest time under the Arruendo Program. She (Annie Siguenza's mom) was given a lease for a portion of a private property. Lot 3423, adjacent to that is Lot 3470, Government Land. Not sure what happened there; referring to the mix up in private and Government lots. However, when Ms. Siguenza came in to transfer the property from her mother who passed away to her, that is when CLTC found out, she (Annie Siguenza) is on private property. At that time, CLTC was working with the previous Director, Monte and Ms. Siguenza hired an attorney; the attorney was working with CLTC to see what can be done.

CLTC offered to relocate her to a property in Dededo near her brother which Annie Siguenza requested for; but CLTC didn't complete the switch in properties.

Asked Annie Siguenza if she is still willing to take the property in Dededo near her brother's residence.

**Annie Siguenza:** in response to Land Administrator Margarita Borja's question, she asked to be shown the property in Dededo but was never shown.

**Land Administrator Margarita Borja:** asked Annie Siguenza, if she is still willing to look at the property in Dededo.

**Annie Siguenza:** replied to Land Administrator Margarita Borja and asked if she is relocates to Dededo, will she be liable to pay for any expenses, build a house, bring in power, etc...

**Vice Chairman Joe Cruz:** asked if the land is on unregistered property

**Land Administrator Margarita Borja:** in response to Vice Chairman Cruz, yes, it is unregistered private property, however, there is a land registration map for the private property.

**Vice Chairman Joe Cruz:** stated and recalled the area Annie Siguenza is currently occupying is the Ramirez Estate property was originally government land because there was an exchange

between GW High School and the Chalan Pago property. If Annie Siguenza is there, unregistered, she (Annie Siguenza) has the seniority over the Mayor.

**Vice Chairman Joe Cruz:** also suggested to look into how did the Ramirez family get the property because it was through an exchange of an unregistered land.

**Land Administrator Margarita Borja:** suggested to look further into the situation and will put a staff report together of the findings. Also informed the Commission, Annie Siguenza does not have a lease and asked if any of her utilities were disconnected.

**Annie Siguenza:** in response to Land Administrator Margarita Borja's question, no, none of the utilities are disconnected and explained when, GWA changed out the meter, she (Annie Siguenza) received a bill from GWA which was a thousand some that GWA said she had to back pay for the old meter. But because the GWA bill is not under her name she cannot make any inquiries or arrangements; without a lease, she is not able to transfer the billing statements to her name.

**Chairwoman Pika Fejeran:** informed Annie Siguenza, she'll be placed on the meeting scheduled for February 21<sup>st</sup> and asked to be given two weeks for the CLTC staff to do more research.

**Annie Siguenza:** Acknowledged and thanked the commission.

Chairwoman Pika Fejeran: called Valerie Guerrero who signed in for Public Comments and informed her (Valerie Guerrero) she is a part of the agenda.

Chairwoman Pika Fejeran: moving onto the next item on the agenda, Old Business.

## **V. OLD BUSINESS**

1. PBS GUAM KGTF Channel 12; Guam Educational Telecommunications
  - i. PBS Proposal for Barrigada property lease repayment barter

**Chairwoman Pika Fejeran:** recalled to the Commission, Ms. Ina Carillo, the Acting General Manager for PBS appeared before the Commission at the last meeting and rather than PBS paying CLTC on a monthly lease, we would get In-Kind Services for the Barrigada property that they are utilizing for their antenna tower.

PBS has been at every meeting taking videos and recording of the CLTC meetings. And with the discussion on the January 17<sup>th</sup> CLTC meeting, Ms. Carillo said she'll put together a proposal of the In-Kind Services and present it to the Commission.

Going over the proposal that was provided by PBS, in lieu of lease payments, PBS will be providing camera operation up to two-crew, straight audio. \$100 per hour with average of 4 hours.

Dubbing fee: \$25 Conversion from raw footage to DVD which can be formatted for upload to CLTC's website and YouTube.

:15 TVC: (43x:15 slides) PBS will produce slides to run on air and serve as notice of a board meeting.

Proposed Value: \$855.00

**Chairwoman Pika Fejeran:** stated, only concern she had was the 4 hours camera operation because currently CLTC has two meetings a month which is 8 hours. Asked Administrative Director Jack Hattig III to look into the additional 4 hours with PBS or adjust accordingly. Also noticed, PBS has been present and covering all meetings.

Motion made by Vice Chairman Joe Cruz to accept the PBS Proposal as is. Second by Commissioner Techaira. PASSED Unanimously.

**Chairwoman Pika Fejeran:** moved on to the next item on the Agenda, New Business.

## **VI. NEW BUSSINESS**

### **1. Constituent Matters**

- i. Norma Arciga Benavente c/o Winnie Tenorio
  - a. Linda Meno Calica
  - b. Bill Cruz – not present and not a part of the Feja Family
  - c. Gilbert Arciga
  - d. Jermain Guerrero
  - e. Valerie Guerrero
  - f. Lorette Guerrero
  - g. Emanuel Guerrero

Constituent names listed above are all a part of the Feja Family occupying or requesting to occupy in the Tun Kiko Feja St. in Pagat Mangilao.

**Chairwoman Pika Fejeran:** started with the first name on the list, Winnie Tenorio who is representing Norma Arciga Benavente. Request for Agricultural Lease issuance and Utility Authorization located at Tract 15213 Block 8 Lot 4-R3 Mangilao 920 square meters. The original applicant is Delfina Feja Arciga, December 7, 1995, applicant for residential. In May of 2017, Norma Arciga Benavente took over her (Delfina Feja Arciga's) application.

Referring to the staff report, she (Norma Arciga Benavente) is a December 7, 1995 applicant, on her application she indicated she is a pre-occupier in Pagat Mangilao Lot 5355-1-1A coming in as a take over as she was designated the benefactor.

There is a Land Use Permit for Delfina Arciga who was the original applicant for three hectors for a period of 12 months. In 1967 a termination letter was signed for the LUP, in 1998 a Land Use Agreement was drafted between Delfina Arciga and Joaquina Tenorio; both parties signed the agreement as an agreement between both parties.

**Winnie Arciga Tenorio:** states her name for the record and informs the Commission she is the daughter of the late Delfina Feja Arciga and the granddaughter of the late Francisco Feja Feja. Also informed the Commission she is speaking on behalf of her sister, Norma Arciga Benavente who couldn't be present because of her contractual obligation and was asked to represent. With her is a statement written from her sister (Norma Arciga Benavente) which was read to the Commission.

After reading the statement addressed to the Chamorro Land Trust Commission, Winnie Arciga Tenorio also stated there are 10 siblings, 7 brothers who all served in the military; they are either in active duty, retired or discharged because of disability. She (Winnie Arciga Tenorio) is also married to a military member. Through the years, they come back and forth, she has come back to the island 16 years ago.

**Chairwoman Pika Fejeran:** stated, we (CLTC) is aware you (Winnie Tenorio) is speaking on Norma's behalf and asked Winnie Tenorio if she has anything to represent on her behalf. Because presenting on her behalf referring to Norma Arciga Benavente, she is basically requesting for a lease to be issued to her.

**Winnie Arciga Tenorio:** in response to Chairwoman Fejeran's statement, Norma is speaking on behalf of all of us sibling.

**Chairwoman Pika Fejeran:** replied and asked do you all want to be issued a lease?

**Winnie Arciga Tenorio:** in response to Chairwoman Pika's question, yes.

**Chairwoman Pika Fejeran:** asked Winnie Arciga Tenorio, how many siblings are there and asked for the names of the children of the original applicant, Delfina.

**Winnie Arciga Tenorio:** in response, there are 10 of us and provided the 10 names. Roque Feja Arciga, Frances Feja Arciga, Gilbert Feja Arciga, Ernie Feja Arciga, Winifreda Arciga Tenorio, Norma Feja Arciga Benavente, Michael Feja Arciga, Gerald Feja Arciga, Arcenio Feja Arcenio Jr. and Raymond Feja Arciga

**Chairwoman Pika Fejeran:** requested to get oriented on the property Winnie Tenorio is talking about and asked Winnie Arciga Tenorio if she knows who are occupying on the properties shown on the TV screen.

**Winnie Arciga Tenorio:** responding and stating who is staying on the properties as it is being pointed out on the TV screen.

**Chairwoman Pika Fejeran:** stated, there are currently 3 homes on the property, Gilbert's, yours (Winnie) and Norma's, the rest is storage...

**Winnie Arciga Tenorio:** in response to Chairwoman Fejeran's statement, correct.

**Chairwoman Pika Fejeran:** generally asked what property is this?

**Land Administrator Margarita Borja:** responded to Chairwoman Pika Fejeran it is Tract 15344.

**Vice Chairman Joe Cruz:** Asked Land Administrator Margarita Borja if it is the same as basic lot 5355-1

**Land Administrator Margarita Borja:** responded to Vice Chairman Cruz's question, yes.

**Vice Chairman Joe Cruz:** asked how many parcels did CLTC create in the tract.

**Land Administrator Margarita Borja:** in response to Vice Chairman Cruz's question, an estimated amount given 30, 40.

**Chairwoman Pika Fejeran:** stated under Norma Arciga Benavente, a staff report provided indicates a Land Use Permit was drafted under Delfina Arciga and Joaquina Tenorio.

**Winnie Arciga Tenorio:** in response to Chairwoman Fejeran's statement, Joaquina Tenorio is her mother in law. At the time, her husband was in the Military and they (Winnie Arciga Tenorio and her husband) would come back and forth, she occupied the house they live in now.

**Chairwoman Pika Fejeran:** stated on the staff report for Winnie Arciga Tenorio, it says, a map scheme was approved and signed by Director Borja in 2017 and for the applicant to pursue with the completion of survey. Asked Winnie Arciga Tenorio if she had her property surveyed.

**Winnie Arciga Tenorio:** in response to Chairwoman Fejeran's question, no.

**Chairwoman Pika Fejeran:** asked to see the map scheme

Most recent map scheme shown on TV screen.

**Chairwoman Pika Fejeran:** stated the LUP held by Delfina Arciga since 1962.

**Land Administrator Margarita Borja:** chimed in and advised Chairwoman Pika Fejeran that in 1962, 1956 all those years leading up to 1967 has been 3 hectors. From 1972 every year after that was an acre for Delfina. And the LUP that CLTC has under Delfina Arciga is in 1984 for the once acre property. It went from 3 hectors to 1 acre, from the 60's, 1972, '73, '74, all the way to the 1984 it dropped to 1 acre. That is what CLTC has in file that Delfina Arciga signed. The original file is under Arcenio Arciga. Again, that is the file CLTC has and all the LUP agreements are in file with Delfina's signature.

**Winnie Arciga Tenorio:** chimed in, yes there is an LUP agreement for Arcenio Arciga.

**Land Administrator Margarita Borja:** in response to Winnie Arciga Tenorio, all the LUP agreements are all in the file. It was Arcenio Argica at one time which was the 3 hectors and then they (Arcenio and Delfina Arciga) joined together and it was still the 3 hectors.

**Winnie Arciga Tenorio:** asked to see the file and what was signed by Delfina Arciga

**Land Administrator Margarita Borja:** showed and explained to Winnie Arciga Tenorio what was in the file and what was signed by Delfina Arciga.

#### **[Multiple Discussion Ensues]**

**Winnie Arciga Tenorio:** asked to interject and states the lease shown in file indicates the lease is effective the 1<sup>st</sup> of January 1983, also informed the Commission her mom, Delfina didn't sign it until March 1<sup>st</sup> 1983 and expressed concerns in regards to her mom signing the documents and may have only been presented the signature page instead of the whole lease. Stated how will she know if her mom read the whole lease or was only given the last page to sign.

**Winnie Arciga Tenorio:** stated and informed the Commission she (Winnie Arciga Tenorio) will not accept that her mother only signed for one acre. We referring to the Arciga / Feja families have been at the property for 60 years and feels the family has been ousted out and ever body else is coming in.

**Chairwoman Pika Fejeran:** asked Winnie Arciga Tenorio, who is coming in and to give the Commission and idea of who is coming into the property.

**Winnie Arciga Tenorio:** in response, to Chairwoman Pika Fejeran's question, there is a lot of people coming in. Some, are people that are not recognized as family. The squatters that live behind her mother's place is what she, Winnie Tenorio wants to know how did they (Arciga Family) loose that piece of property.

**Chairwoman Pika Fejeran:** Asked Winnie Tenorio to point out on the TV screen the property she is referring to.

**Family Member Chimed in:** informed the commission, their mom referring to Delfina Arciga has 10 kids and asked how are 10 kids going to fit on the one acre?

**Chairwoman Pika Fejeran:** informed and explained to Winnie Arciga Tenorio and the rest of the Feja Families, it is an issue CLTC is facing today. CLTC is only issuing half acre lots, in the future should the lessee have 6 children, CLTC is still going to be faced with the same situation you (Feja) are faced with today. The 6 children are going to come into CLTC and ask, where is my property, we have been staying here since....it will be the same situation. Expressed to the Feja families the Commission appreciates them (Feja Family) coming in and going before the board. The Commission wants to get to the bottom of the problem but the Commission also needs to understand and know the facts of the case before making any decisions. Asked Winnie Arciga Tenorio if it is only the property that was originally under her mother or if it is the whole area.

#### **Multiple response**

#### **[Multiple Discussion Ensues]**

**Chairwoman Pika Fejeran:** stated the whole subdivision which you referring to the Feja Families are claiming belonged to your grandmother and grandfather, as shown on the TV screen. And CLTC came in per the Law, CLTC cannot evict you; that has not happened and asked if that is correct.

In response to Chairwoman Pika Fejaran's question, yes, that's correct.

**Chairwoman Pika Fejeran:** informed Winnie Arciga Tenorio, what CLTC had to do, was to subdivide because you referring to Winnie Arciga Tenorio was not occupying the entire property.

**Winnie Arciga Tenorio:** in response to Chairwoman Pika Fejeran's statement, even though they were not occupying did do their due diligence but none of them were granted including her siblings. Restated her mother had 10 children and her (referring to her mother) mind whatever the hectors she had, was supposed to be divided among the 10 children. Because their lives take them to different places such as the military, they couldn't stay and occupy, but they came back. The whole time they were thinking when they retire, they have a place to live but when they came back they found out the area their mother had was parceled out to different people who they don't know and who are not family.



**Chairwoman Pika Fejeran:** stated, the documentation was not showing the entire area and was only showing the one acre.

**Land Administrator Margarita Borja:** stated, when she last spoke with Norma, (who Winnie Arciga Tenorio is representing) she (Norma) indicated this whole area (shown on the TV screen) should have been her (their mom, Delfina) 7 acres.

What the CLTC staff did was go back to the property to identify whole the individuals are that are occupying. Norma did confirm she knew none of the individuals. From this area (shown on TV screen)

are the Guerrero's the Santiago's, the Martinez's are a part of the Feja family.

Norma did say, that area is a part of her 7 acres, it is the 3 hectars that her mother supposedly own.

Land Administrator Margarita Borja also informed Norma at the time she came into CLTC the area was given to part of the Feja family which was the Santiago family. Believed there was a Santiago family, the area where there is a Jermain Guerrero and another (voice muffled couldn't make out the name) Guerrero family.

**Feja Family member** from the audience chimed in and stated what had happened in '95 their mom the whole side that is red (shown on TV screen) that was hers. On the left side which is Lot 5402 the 4 hectars that their grandfather, Tun Kiko Feja, that was the side that they (referring to family member speaking) were going to occupy.

**Chairwoman Pika Fejeran:** asked for the family member speaking to state his name for the record.

**Jermain Guerrero** stated his name.

**Chairwoman Pika Fejeran:** asked Jermain Guerrero if he is a current lease holder?

**Jermain Guerrero:** in response to Chairwoman Fejeran's question, no, he was never given a lease.

Stated he did the survey and everything but was never given a lease.

**Land Administrator Margarita Borja:** chimed in and informed Jermain Guerrero that Norma claims his (referring to Jermain Guerrero) area is a part of the 7 acres.

**Jermain Guerrero:** stated if you (CLTC) go back to Lot 5402 and start from the beginning, Lot 5402 should have all been divided out and his family should have been given first rights to claim that property, bottom line. Lot 5402 should be divided into the new regulation which is 100 by 200 because it's residential and that will fix the problem.

**Winnie Arciga Tenorio:** stated, she thinks that is the reason why her mother is very disappointed is because they didn't see a lot of their family members get divvied up within the property. They saw a lot of people they don't know. Also stated as she remembers, Pagat Mangilao was only called Pagat, was always the Feja Family; there was always one in and one out. They were young and wanted to venture out into and live in places where there were modern amenities and so on...and they moved away but always come back. The properties were divvied up to different families that were not the Feja Family.

**Jermain Guerrero:** chimed in and stated, in all honesty, like the Gilbert Subdivision and asked the Commission what do they want them (referring to the Feja family).

**Vice Chairman Joe Cruz:** Chimed in and asked, who's Gilbert?

**[Multiple discussion ensues]**

**Jermain Guerrero:** in response, the Subdivision in Yigo; the Government is providing all the amenities and asked the Commission what did they want them to do in the '80s. All that could have been done was farm and even now in the '90s he (Jermain Guerrero) couldn't get a permit and had to build a wooden tin structure.

**Feja Family Member:** chimed in and stated they did apply in 1995.

**Chairwoman Pika Fejeran:** asked the family member for her name

**Valerie Guerrero:** stated her name and pointed out Manuel Guerrero another Feja family member.

**[Multiple discussion ensues]**

**Manuel Guerrero:** asked the Commission to place the original lot (shown on TV screen) and stated he would know how much property they have since he is the oldest one and he is the one who remembers.

**[Multiple discussion ensues]**

**Manuel Guerrero:** stated all these lands are Feja's (shown on TV screen)

**Feja Family Member chimed in:** stated yeah, they referring to the Feja family have 13 hectors.

**[Multiple discussion ensues]**

**Manuel Guerrero:** stated all they are asking for is what their grandfather had under is land use.

**Feja Family members:** chimed in stating Arruendo

**[Multiple discussion ensues]**

**Chairwoman Pika Fejeran:** stated, one Arruendo is held by one person to be passed to one person

**Land Administrator Margarita Borja:** in response to Chairwoman Fejeran, yes.

**[Multiple discussion ensues]**

**Feja Family Member:** chimed in and stated when the years went by, he doesn't know what happened to the Government, but his grandfather's initial hectors was down sized

**Chairwoman Pika Fejeran:** for clarification and referred to Assistant Attorney General Nicolas Toft

based on her understanding; in the Trust eyes, if one person holds a Land Use Permit or an Arruendo, restated that is one person holding a LUP or an Arruendo, is it up to the Trust to issue that one person one lease and the size of the property? Again asked if that was the discretion of the Trust and as long as we referring to CLTC didn't evict?

**Assistant Attorney Nicolas Toft:** In response, yes.

**Chairwoman Pika Fejeran:** also wanted to confirm if it was as long as the Trust didn't evict them.

**Assistant Attorney Nicolas Toft:** in response to Chairwoman Fejeran's statement, yes.

**Chairwoman Pika Fejeran:** asked the Feja family if they understood what was just asked to the Assistant Attorney General.

**Jermain Guerrero:** chimed in and stated, basically what you, referring to the commission is saying, if his grandfather had 13 hectores and you referring to the Commission decided to take it and apply it to Arruendo under the Chamorro Land Trust, now you can tell him (Feja grandfather) we are only going to give a 100 by 200 (referring to the size in property. And asked the Commission if that is what they are saying? Stated that is wrong and you referring to the Commission can take Arruendo land and go further back; asked where does Arruendo land come from and brought up the Land for the Landless.

**Chairwoman Pika Fejeran:** stated the Land for the Landless is a different program.

**Jermain Guerrero:** in response to Chairwoman Fejeran, he understood it is a different program but you referring to the Commission is basically telling him, the Commission can only give him 1 acre and when you referring to the Commission decides to swap it over to the Trust can only give him 10 feet. Again stated, that is what you referring to the Commission is telling him.

**Chairwoman Pika Fejeran:** stated that is why she is asking the Legal Counsel because back when this was written doesn't think it give those parameters that a lease has to be given that match the Arruendo property or the Land Use property. And asked to be given a few minutes as she checks into what the law states.

**[Multiple Discussion ensues]**

**Valerie Guerrero:** asked how is it that other families under the Arruendo able to have the whole hectores that were given to them but their referring to the Feja family are not and asked why are they being singled out.

**Feja Family Member:** stated there are inconsistencies.

**Chairwoman Pika Fejeran:** agreed

**Winnie Arciga Tenorio:** chimed in and stated, clearly they know it's not going to be an easy fix but asked if they, the Feja family can be given an opportunity to claim their land.

**Feja Family Member:** stated in light of everything that was said and asked to introduce himself formally and stated his name as Gilbert Arciga and the son of the late Delfina Arciga. Also suggested to revamp and change all the laws and move forward so their families can get their leases.

**Chairwoman Pika Fejeran:** to confirm, asked if he, Gilbert Arciga is asking to be placed on the lot that he is currently occupying.

**Gilbert Arciga:** in response, yes

**Land Administrator Margarita Borja:** chimed in and stated, Gilbert Arciga, Winniefreda Arciga Tenorio and Norma Arciga Benavente.

**Chairwoman Pika Fejeran:** stated, the three of you referring to Gilbert, Winniefreda and Norma are occupying Lot 15344 tract 8 and 9.

**Land Administrator Margarita Borja:** also stated Jermain Guerrero is also ready to be issued leases.

**Commissioner Techaira:** stated they are all getting their own lots.

**Chairwoman Pika Fejeran:** asked who would take the bigger portion as shown on the TV screen.

**Land Administrator Margarita Borja:** said it would be Norma Arciga Benavente and repeated that she referring to Winnie is here for Norma Arciga.

**Chairwoman Pika Fejeran:** asked what about Lot 4-3 and 4-2

**Land Administrator Margarita Borja:** in response to Chairwoman Fejeran's question, Lot 4-2 is Gilbert Arciga and 4-3 is Winniefreda Tenorio, 4-R3 is Norma Arciga Benavente then across the street number 21 is Jermain Guerrero. (Lots shown on TV screen)

**Gilbert Arciga:** stated he didn't like the lot shape (Lot shown on TV screen) and asked to change it to a perfect square.

**[Multiple Discussion ensues]**

**Feja Family Member** asked who is on lot 4-1 (Lot shown on TV screen)

**Chairwoman Pika Fejeran:** replied, the lot is under Arellie Garcia

**Feja Family Member:** in response, said they referring to the Feja family does not know who that person is.

**[Multiple Discussion ensues]**

**Jermain Guerrero:** chimed in and stated if there is a lease on it then there is a lease on it and informed the family to just start taking whatever is left for the Feja Family.

**Valerie Guerrero:** stated Lorette Guerrero came in and they are trying to get that part (Lot shown on TV screen)

**Chairwoman Pika Fejeran:** asked where does Lorette Guerrero want to be placed? And informed the Feja family, it would be helpful to inform the Commission where they are all currently occupying. If there is conflict within the family, that needs to be fixed.

**[Multiple Discussion ensues]**

**Jermain Guerrero:** lot shown on TV screen and directs where Lorette Guerrero is.

**Emanuel Guerrero:** stated the lot behind Lorette Guerrero there is no body staying there.

**[Multiple Discussion ensues]**

**Land Administrator Margarita Borja:** informed Chairwoman Fejeran, Lorette is a part of the 102 list referring to the 102 switched list on hold.

**[Multiple Discussion ensues]**

**Gilbert Arciga:** Asked for a copy of the CLTC rules and regulations

**Chairwoman Pika Fejeran:** in response, yes.

**[Multiple Discussion ensues]**

**Winnie Arciga Tenorio:** Asked the Commission what is the next step?

**Chairwoman Pika Fejeran:** in response to Winnie Arciga Tenorio, she still has a lot of questions that the Commission needs to figure out.

**Winnie Arciga Tenorio:** stated the meeting held is her second meeting to attend and asked if she still continues to attend every meeting held to get an update.

**Chairwoman Pika Fejeran:** in response to Winnie Arciga Tenorio stated the Commission is not ready to figure that referring to Winnie's question out right now. The Commission wants to figure out what was currently presented before moving on. The Commission needs to figure out how to tackle the situation.

**Winnie Arciga Tenorio:** in response, acknowledged Chairwoman Pika Fejeran.

**Gilbert Arciga:** asked if the referring to the Feja family still come to the next meeting?

**Chairwoman Pika Fejeran:** stated the discussion is not closed and the Commission is still talking about it to try to figure a way forward.

**Winnie Arciga Tenorio:** informed the Commission she tried to go onto the CLTC website to look for the agenda and stated she's not sure if it was the correct website but there's a lot of stuff on the website and wasn't able to view the agenda.

**Administrative Director Jack Hattig III:** stated the website is under the Department of Land Management and gave instructions on how to view items under CLTC. [dlm.guam.gov](http://dlm.guam.gov) and click on CLTC on the bottom.

**[Multiple Discussion ensues]**

**Chairwoman Pika Fejeran:** stated what would be very helpful for the Commission and asked for a family tree.

**Valerie Guerrero:** in response, informed the Commission Francisco Feja Feja only has five kids.

**[Multiple Discussion ensues]**

**Chairwoman Pika Fejeran:** restated she would like to see those who are the main applicants. Delfina Arciga, Francisco Feja Feja...

**[Multiple Discussion ensues]**

**Chairwoman Pika Fejeran:** wanted to figure out who has a lease, who doesn't have a lease, who is occupying....

**Emanuel Guerrero:** stated he has a lease.

Feja Family member stated she doesn't have a lease

**Chairwoman Pika Fejeran:** asked for her name.

Feja Family Member stated her name as Linda Calica and her maiden name is Feja.

**[Multiple Discussion ensues]**

**[Gilbert Arciga speaking out among other discussion]**

**Chairwoman Pika Fejaran:** referring to Gilbert Arciga she understands the situation with him, Norma and Winnie, the Commission is kind of clear for that property and the Commission will be in touch with them. Thanked them.

**Chairwoman Pika Fejeran:** moving on to Francisco Feja Feja on the other side of the road.

Family member speaks out and confirmed it is on the other side of the property the Arciga's were discussing.

**Chairwoman Pika Fejeran:** asked for the family member to state her name for the record.

**Valerie T. Guerrero:** stated her name

**Emanuel T. Guerrero:** also stated his name

**Jermain Guerrero:** also stated his name

**Chairwoman Pika Fejeran:** addressed the Guerrero / Feja family. Started with Emanuel Guerrero who currently has recorded agriculture lease and asked where is the property (shown on the TV screen)

**Emanuel Guerrero:** described where the property is located (shown on the TV screen)

**Chairwoman Pika Fejeran:** asked to explain why they are appearing before the Commission

**Valerie T. Guerrero:** in response, for the Feja, the Arruendo and wanted to find out what happened to their grandfather's Arruendo. Based on what they were told by Delfina Arciga was to apply and state on the application Francisco Feja Feja as the pre-occupier. They (the Guerrero/Feja family) wanted to stay and occupy what Tun Kiko Feja already had. Also explaining, their (Valerie Guerrero) already started. But one of their family members came in and tried to build, that family member was told they couldn't build, couldn't get water, couldn't get power so the family member stopped and other family members. So now, that is the reason why no one is living there.

**Jermain Guerrero:** chimed in and stated it was difficult for them at the time especially they were younger. A lot of them had to move out and rent a home and move into the villages. Recently now, there is the VA who helps with building a home and they (Guerrero / Feja Family) would like to be afforded the same opportunity; feels the opportunity should be afforded to them because they were there in the beginning. Because of the situation, they were forced to move out.

**Chairwoman Pika Fejeran:** addressed Jermain Guerrero and stated (lot shown on TV screen) it looks like this was assigned to you but you just don't have a lease?

**Jermain Guerrero:** in response to Chairwoman Fejeran, yes. He was given a letter, was called to go into the office about 10 years ago. He forgot who was the director at the time but was told they (CLTC) is not going to issue any leases because of some issues.

**Chairwoman Pika Fejeran:** to reconfirm, asked if what 10 years ago. Looking at the staff report prepared, also stated he was issued a survey authorization.

**Jermain Guerrero:** in response, the property has already been surveyed; Santiago, right next to the property assigned to him was given a lease.

**Chairwoman Pika Fejeran:** asked Jermain Guerrero if Gregory Quinata Santiago is his...

**Jermain Guerrero:** in response, he is the Stepdad.

**Chairwoman Pika Fejeran:** asked if he has a lease

**Jermain Guerrero:** in response, if he is correct yes he does have a lease.

**Vice Chairman Joe Cruz:** asked Land Administrator Margarita Borja if it is safe to say you assigned on him referring to Jermain Guerrero on Tract 1513 Block 9 Lot 21, based on the scheme in file because the staff report indicates basic lot a portion of Lot 5402. What is the status of the surveyed? Was the map approved?

**Land Administrator Margarita Borja:** in response to Vice Chairman Cruz's question, it was probably an in house surveyed that was done prior to 2012.

**[Multiple Discussion ensues]**

**Jermain Guerrero:** stated to use the map of Frederiko Quinata Santiago because the survey was done for all three lots (Lots shown on TV screen).

**[Multiple Discussion ensues]**

**Land Administrator Margarita Borja:** informed the Commission, they (CLTC Staff) did find an in house approved map done in 2007; in 2017 or 2016 there was a public law that allowed the Chamorro Land Trust to accept all in house approved maps that were done from 2012 and back.

**Chairwoman Pika Fejeran:** asked Land Administrator Margarita Borja if this qualifies. (referring to Jermain Guerrero's in house approved map)

**Land Administrator Margarita Borja:** in response, yes it does qualify but can only be used as an exhibit to the lease; back then Jermain's lot was described as Lot 5402-R4NEW-30 which is now Tract 15344.

**[Multiple Discussion ensues]**

**Jermain Guerrero:** informed the Commission; when he first applied, he applied for all three lots, it was all one piece of property and we referring to his family had all three lots surveyed.

**Land Administrator Margarita Borja:** referred to Jermain Guerrero and stated, it was for Frederiko Quinata Santiago, Jermain Guerrero, Abraham Guerrero and on the top side (lots shown on TV screen) was for Francisco Cruz Feja and that is the lot that is supposed go to Doris Santiago who is the beneficiary for Francisco Cruz Feja.

**Emanuel Guerrero:** informed the Commission, stated the beneficiary was him from his uncle (Francisco Cruz Feja) and doesn't understand how it was transferred to his sister but that is okay it's still within the family.

Chairwoman Pika Fejeran: in response okay and you (Emanuel Guerrero) still have your property and occupying it right?

Emanuel Guerrero: in response to Chairwoman Fejeran, yes.

Chairwoman Pika Fejeran: moving onto Valerie Guerrero and asked where is her lot?(Lots shown on TV screen)

Valerie Guerrero: in response to Chairwoman Fejeran, I don't know

Multiple response from family members: right there....right where the clearing is (lot shown on TV screen)

**[Multiple Discussion ensues]**



**Chairwoman Pika Fejeran:** asked if (lot shown on TV screen is Lorette's)

**Valerie T. Guerrero:** in response, yes and informed the Commission that she and Lorette are trying to switch back in regards to their application time. Informed the Commission, Lorette is not able to attend the meeting.

**Chairwoman Pika Fejeran:** in response to Valerie Guerrero, that is okay, her testimony was heard at the legislature several times.

Stated, the switched happened, in 2010 she (Valerie Guerrero) requested to switch with her sister Lorette and it was approved in 2013, then after the switch of the date and time, her sister Lorette was issued a lease and the lease is for the property that is cleared (Lot shown on TV) so that means you (Valerie) are still waiting in line, parse...and asked what is Valerie Guerrero's application date and time.

**Valerie Guerrero:** in response, she switched with her sister Lorette so she would be going by Lorette's original application date and time.

**Chairwoman Pika Fejeran:** Asked Valerie if she is asking for a lease in the area (lot shown on TV screen).

**Land Administrator Margarita Borja:** informed the Commission that Valerie is coming in under Emanuel Guerrero, Francisco Cruz Feja has an agriculture and a residential application. Emanuel was named as a beneficiary to Francisco Cruz Feja; he is requesting to give up his rights to that application to Valerie.

**Chairwoman Pika Fejeran:** for more clarification summarized the situation, Francisco Cruz Feja, December 7<sup>th</sup> applicant at 10:34 a.m. currently has an Agriculture application and a residential application. For the Agricultural application, Mr. Cruz Feja passed away and Emanuel Guerrero is the beneficiary.

**Emanuel Guerrero:** chimed in and stated he wants to give it to his daughter (Valerie).

**Chairwoman Pika Fejeran:** asked Emanuel Guerrero if he is the son of Francisco Cruz Feja

**Multiple response from family:** he doesn't have kids.

**Chairwoman Pika Fejeran:** asked if Emanuel if he is the nephew

**Emanuel Guerrero:** in response, yes.

**Chairwoman Pika Fejeran:** asked if Francisco Cruz Feja designate a beneficiary

**Land Administrator Margarita Borja:** in response, yes he designated him, Emanuel Guerrero.

**Chairwoman Pika Fejeran:** reconfirmed and stated, he, Francisco Cruz Feja designated him Emanuel Guerrero as a beneficiary on his Agricultural application and would like to pass on that application right to Valerie Guerrero (daughter).

**Emanuel Guerrero:** in response, yes that's right.

**Chairwoman Pika Fejeran:** Informed Emanuel Guerrero that the way the law is written it is not allowed.

**Valerie Guerrero:** stated, at the last CLTC meeting there was someone who transferred their beneficiary rights to someone else.

**Chairwoman Pika Fejeran:** in response and explained that it can be allowed and you can transfer if the lessee holds the lease for 7 years.

**Emanuel Guerrero:** stated, 7 years and he has been living in there for 60 years.

**[Multiple Discussion ensues]**

**Chairwoman Pika Fejeran:** stated and informed Valerie Guerrero, the switched with her sister Lorette that was done and now Lorette has a lease was a huge controversy and the Attorney General said that should have never happened.

**Valerie Guerrero:** in response, stated they're penalized for it and their done.

**Chairwoman Pika Fejeran:** stated and informed the Guerrero / Feja family that CLTC is trying to ratified and work with the legislature to allow those changes including from beneficiary to beneficiary changes.

**Valerie Guerrero:** asked what happens with the situation with Lorette?

**Land Administrator Margarita Borja:** in response, at the last Public Hearing, Lorette indicated that she wanted to now become a pre-occupier status and work her lease that way to get her off the 102 switch lease list. What will happen, Lorette will revert back to her original application date and time basically switch back with Valerie.

**Valerie Guerrero:** stated and asked where is her lot supposed to be, also stated she should be getting her lease since she applied in 1995. But doesn't see a space for her on the lots shown and asked where would she be placed? Would it be on one of the lots that were discussed or would it be under Francisco Feja Feja. Asked why is there no space for her, if her dad, Jermain, Abraham and Frederiko have assigned lots. What happened and is she going in between everyone else who are not family.

**Land Administrator Margarita Borja:** informed Valerie she holds a 2006 application, you referring to Valerie switched with Lorette. That is why CLTC is unable to move forward; CLTC moved forward with Lorette because of the switch.

We (CLTC) haven't approved the request from Emanuel Guerrero's (Valerie and Lorette's dad) request to give you Francisco Cruz Feja; if that gets approved, CLTC can move forward.

**[Multiple Discussion ensue]**

**Chairwoman Pika Fejeran:** (Lot shown on TV screen) asked who is assigned to the lot outlined in red.

**[Multiple response and discussion]** in response, under Francisco Cruz Feja.

**[Multiple discussion ensues]**

**Chairwoman Pika Fejeran:** stated Valerie switched with her sister Lorette now she is a 2006 applicant. CLTC has an application which was in 1995 that was passed to their father who already has a lease and would like to pass it to Valerie; referred to Assistant Attorney General Nicolas Toft and asked what can CLTC do.

**Assistant Attorney General Nicolas Toft:** in response, not much until the legislature acts on the 102 switch list. The only other possibility is for Lorette to take the lot and allow the 7 years to pass then transfer it and also designate Valerie as the beneficiary in case something happens to Lorette.

Also stated, the problem is they referring to Lorette and Valerie would have to prove they were residing since 1995 or since the acting of the Arruendo.

**Chairwoman Pika Fejeran:** stated, she thinks the records show their family has a long history there referring to the Pagat Mangilao Feja area and doesn't think that is in question. The question is how to get Valerie onto the property.

**Jermain Guerrero:** chimed in and stated the problem can be fixed. The lot outlined in red (Lot shown on TV screen) was the Francisco Cruz Feja area so that is proof that he was occupying the whole property which was the property they surveyed.

**Chairwoman Pika Fejeran:** stated, that is the area the benefactor was Doris Cruz Santiago

**Jermain Guerrero:** in response, yes and because that is the only amount of property they were able to obtain through the laws of Chamorro Land Trust that was the reason why they had to survey that property.

**Chairwoman Pika Fejeran:** asked who is in the property adjacent (Lot shown on TV screen)

**Linda Calica:** in response, stated it was her (Linda Calica)

**Chairwoman Pika Fejeran:** asked Linda Calica if she doesn't have a lease?

**Linda Calica and Land Administrator Margarita Borja:** in response, yes there is lease.

**Linda Calica:** informed the Commission she had one question to ask and stated her daughter is building a shack behind her (Linda Calica) but didn't apply for Chamorro Land Trust. Linda informed her daughter to occupy the place because it is Tata's place referring to Tun Kiko Feja Feja.

**Jermain Guerrero:** chimed in and stated the surveyed lot there (lot shown on TV screen) the pre-occupier clause occupied the entire lot and only recently was it surveyed out.

**Chairwoman Pika Fejeran:** in response stated the lot outlined in red (Lot shown on TV screen) and there is no one currently there? Asked if that is the residential lease and who is Doris Santiago

**Jermain Guerrero:** in response, yes that is correct and she (Doris Santiago) is his mom.

**Chairwoman Pika Fejeran:** stated, since that is a lease on an actual property and Jermain's mother is the beneficiary it (based on the file) says your mother has to submit qualifying documents. Asked if Jermain's mother is a Chamorro Land Trust applicant .

**Jermain Guerrero:** in response, yes with property with his step father Frederiko Santiago.

**Chairwoman Pika Fejeran:** stated, she is on that property and the lease but she is also the benefactor for that property. Asked Jermain Guerrero if both Francisco Cruz Feja and his mother Doris Santiago passed away?

**Jermain Guerrero:** in response, yes.

**Chairwoman Pika Fejeran:** asked Jermain if he is asking what is the status of that property? (Referring to the property Doris Santiago had a lease on)

**Jermain Guerrero:** in response, basically yes and asked if it would be okay to place Valerie on that property?

**Chairwoman Pika Fejeran:** stated she thinks that is what CLTC can probably do to that property. Terminated the lease for Francisco Cruz and reissue the lease to Valerie.

**[Multiple Discussion ensues]**

**Jermain Guerrero:** asked what can they referring to his family do to get those other lots (Lots shown on TV screen)

**Chairwoman Pika Fejeran:** asked which lots, Calica?

**Jermain Guerrero:** in response, yes Calica's lots

**Chairwoman Pika Fejeran:** in response, she referring to Linda Calica already has a lease.

**Land Agent I John Gumataotao:** chimed in and informed the Commission there was a half acre lot that was parceled out for her, Linda Calica and the remaining half acre was given to a Concepcion.

Also informed the Commission these two lots (Lots shown on TV screen) were issued to people on the waiting list.

**Chairwoman Pika Fejeran:** asked why are the names not shown on the lots and when were the lease issued?

**Land Agent I John Gumataotao:** in response to Chairwoman Fejeran, it is a shape file that doesn't have the update and also checking when the leases were issued. Also stated he was the initial Land Agent for Linda Calica and there were some issues.

**Engineering Technician II Melvin Javier:** chimed in and informed the Commission the shape file is not updated because the person who use to update but he no longer works for DLM.

**Jermain Guerrero:** asked if the lot (referring to the original lot size shown on TV screen) was surveyed out to give to somebody else?

**Chairwoman Pika Fejeran:** in response, yes they were parceled out and explained the front portion (lot shown on TV screen) is assigned to Linda Calica who has a lease. Also expressed she understood Jermain Guerrero's frustration.

**Jermain Guerrero:** in response, stated Lot 5402 is big and doesn't want the Commission or those other families to say everyone else has to go because he feels they have a right to do that.

**Land Agent I John Gumataotao:** (going back to Chairwoman Fejeran's question in regards to when the lease was issued) the lease was issued in February 2017.

**Chairwoman Pika Fejeran:** asked what is the application number?

**[Multiple Discussion ensues]**

**Land Agent I John Gumataotao:** in response to Chairwoman Fejeran's question application no. 802

**Chairwoman Pika Fejeran:** stated the other person who received the subdivided portion of what is showing as Linda Calica is from 1995 No. 802 so someone right in the front of the line was issued a lease.

**[Multiple Discussion ensues]**

**Jermain Guerrero:** asked when was the lease issued?

**Chairwoman Pika Fejeran:** the lease was issued in February of 2017

**Land Agent I John Gumataotao:** stated that is the reason why when they were confirming Linda Calica's lease, it was made known to her there was a surveyor going in to conduct survey work and for Linda to claim a boundary outside of her half acre portion, CLTC just didn't want any hindrance while the surveyor is going to the property to do survey work.

**Jermain Guerrero:** in response stated the hindrance on the property and CLTC is forgetting at the moment belonged to Francisco Feja and without giving regard to the family that was there...

**Land Agent I John Gumataotao:** in response, Mr. Feja was on the portion where the red is (lot shown on TV screen)

**Jermain Guerrero:** in response, no it is lot 5402 is what he is trying to say.

**Land Agent I John Gumataotao:** in response getting clarification, asked Francisco Feja...Tun Kiko Feja/

**Jermain Guerrero:** in response, yes Tun Kiko Feja the lot to the right of it (lot shown on TV screen) and that was squared out because per the Law that is what he (Tun Kiko Feja) was entitled to. He owned that whole land already.

**Land Agent I John Gumataotao:** in response stated the lease was given to him was a residential which the maximum...

**Jermain Guerrero:** in response completed the sentence 100 by 200 and stated he understood that but also stated now... because we are following the Law the family is not aware that CLTC is taking the land and issuing it somebody else. So now that you referring to CLTC is following the law for residential CLTC took his (Francisco Feja's) agricultural away and now CLTC is going to subdivide the lots again and feels if anyone else is going to get those lots it should be one of them (Guerrero / Feja family).

**Land Agent I John Gumataotao:** in response, expressed he understood what Jermain Guerrero said and also indicated that if you are talking hierarchy of how things should be passed down, but at the time when everything was going into play with Ms. Calica; there were some other issues that involved Ms. Calica that he tried to resolve with her and ultimately CLTC ended up giving Ms. Calica a lease for a residential portion of the said property. Because Mr. Feja was already issued this particular lot (lot shown on TV screen) under a residential lease. Whether or not Mr. Feja had an agricultural or he was using the property for agriculture under the Arreundo program is irrelevant.

**Jermain Guerrero:** stated he understood twice.

**Land Agent I John Gumataotao:** continued to explain, when CLTC issued the lease to Ms. Calica at the same time CLTC was issuing the northern side of the said property to somebody. Everything came into play and Ms. Calica understood she knew she could only have one residential structure on the property.

**Jermain Guerrero:** referred to his Uncle Howard and explained to him basically on the top lot of his Auntie Linda was issued out to somebody and CLTC didn't inform them referring to the Feja family.

**Chairwoman Pika Fejeran:** Chimed in and asked why would CLTC tell you (referring to the Feja Family) Ms. Calica was made aware of it.

**Land Agent I John Gumataotao:** tried to continue to explain that CLTC was only trying to help Ms. Calica and initially there was a problem with her living there and another family member...

**[Multiple Discussion ensues]**

**Land Agent I John Gumataotao:** stated initially he went out to the property because there was a situation where there was squabble and to try to settle things and seek affidavits from Laura (a girl that was living there) and her mother but for some reason they couldn't get that document. What he did then was help Ms. Calica to secure her property a residential lease which is the reason why it is only a half acre in this area. Also stated because Mr. Francisco Cruz Feja was actually the one that was living there who passed away and there was no designation of her being the beneficiary, we CLTC assumed that portion is now hers because he already had his residential lease.

**[Multiple Discussion ensues]**

**Chairwoman Pika Fejeran:** stated she had to point out she understands the frustration of the other half acre portion that used to be within your (Feja family) is being leased out to

somebody who is not family but that somebody is also a Chamorro Land Trust Applicant who is standing early in line.

**[Multiple Discussion ensues]**

**Emanuel Guerrero:** after shown what lot on the TV screen which was issued to someone else asked why are they issuing to someone else when his kids also applied and is waiting in line.

**Land Agent I John Gumataotao:** informed Emanuel Guerrero that he could only ensure him at the time this lot was being issued to someone else he was following the law and issued it to the next person waiting in line.

**[Multiple Discussion ensues]**

**Chairwoman Pika Fejeran:** stated she is glad the family attended the meeting and appeared before the Commission because now it is all making sense and the Commission sees what is happening but now the Commission will work with the CLTC staff and with the Legal Counsel to see what our referring to CLTC choices are.

**Jermain Guerrero:** asked if it is possible to place Valerie on the lot shown which his mom is the beneficiary too.

**Chairwoman Pika Fejeran:** asked Jermain Guerrero, if CLTC does that is there going to be somebody else in his family coming forward to claim that property.

**Jermain Guerrero:** in response, yes the whole family is going to do that but following the law and that lot now becomes free. Unless his mom has a beneficiary for that lot but if she doesn't have a beneficiary or she did not designate a beneficiary, that lot becomes fair game right?

**Chairwoman Pika Fejeran:** in response, if there is no designated beneficiary, the Commission can designate somebody.

**Vice Chairman Joe Cruz:** chimed in and advised Jermain to write a letter to the Commission and indicate who is interested in the said lot that has been vacated by your deceased dad and mom. If you write a letter, the Commission can consider based on the research.

**[Multiple Discussion ensues]**

**Chairwoman Pika Fejeran:** stated what the Commission is going to do is get more information as to what lots are available, what lot is taken, who has a lease, who applied, who doesn't have a lease.

**Jermain Guerrero:** stated since the lots move from Arruendo to CLTC and whatever is left open and has not been issued to anyone else asked the Commission if they (Feja Family) can be addressed before issuing out to others.

**Chairwoman Pika Fejeran:** in response, yes as records show, you are the descendants of your grandfather. CLTC will figure out a way to work with you (Feja family)

**Jermain Guerrero:** stated and asked with that in mind, the other lot doesn't have any beneficiary it is up for grabs?

**Chairwoman Pika Fejeran:** in response, yes and that would be a direct descendant and affidavits.

**[Multiple Discussions]**

**Chairwoman Pika Fejeran:** expressed thanks to the Guerrero / Feja families and stated there is still more information the CLTC would like to get prior to making any decisions. Requested for the CLTC staff to gather a list of all the Feja Families application, leases and maps to identify who is placed on the properties and who is pending to be placed.

**Land Agent I John Gumataotao:** referring to a map, asked the Commission if the map will be attached as an exhibit pending issuance of a lease for Jermain Guerrero or will it be tabled for more discussion.

**Chairwoman Pika Fejeran:** in response, stated it would need to be worked into the bigger conversation with all the other people in the same situation who had their surveys done were issued their maps but pending the issuance of a lease.

**Jermain Guerrero:** asked if the Commission is going to have another meeting or a separate session just for approving leases?

**Chairwoman Pika Fejeran and Vice Chairman Joe Curz:** in response, yes.

**Jermain Guerrero:** in response, thanked the Commission.

**Chairwoman Pika Fejeran:** stated to recap the Arciga, Guerrero, Feja Family who was just heard, didn't really get anywhere but the information the Commission could use would be to find out what properties are vacant, the next step to issuing a lease for Jermain Guerrero considering he is already at that point; and to go as far back to the original families who had the Land Use Permits and provide the documents for those families. Also to see how it the properties were divided then the Commission can move forward from that point.

In addition Vice Chairman Joe Cruz requested for a list of applicants who are interested in claiming a piece of the said property.

**Chairwoman Pika Fejeran:** moving on to the next item;

**ii. Juan Guerrero Benavente leased lot.**

**Chairwoman Pika Fejeran:** there was an agriculture lease that was not recorded. Juan Guerrero Benavente passed away, designated his daughter Frances Benavente who is giving up her rights as the designated beneficiary to her son Shawn Franquez.

*Summary:*

*September 20, 2018 CLTC Meeting:*

*Juan Benavente transfer of lease to beneficiary due to death and PL 23-38, Section 9.2*



*Motion Approved and Passed to designate Shawn Franquez as beneficiary and to transfer lease to him subject to the following:*

- 1. Consultation with GWA and GEPA on any land use restrictions due to proximity to active water wells.*

**Chairwoman Pika Fejeran:** stated the lease issued indicated a portion of as lot description so the Commission doesn't know exactly where they were.

Addressed Land Agent Supervisor Matt Leon Guerrero and stated she remembers there were some document issues for the qualifying beneficiary and asked if that was settled.

**Land Agent Supervisor Matt Leon Guerrero:** in response, yes, we have those documents but the main issue was the lease being subject to survey and when the assessments were done in 2015, they found that one piece of property and a Resolution was done, the Resolution to transfer to the Barrigada Mayor to use for a park...

**Chairwoman Pika Fejeran:** in response, because CLTC's records showed vacant property.

**Land Agent Supervisor Matt Leon Guerrero:** stated for the three acres that he (referring to Juan Benavente / Shawn Franquez) had the subject to survey lease on, CLTC placed him (Lot shown on TV screen) is what CLTC is trying to issue and (lot shown on TV screen) is what they (Shawn Franquez) is trying to go back to; where they originally at.

Informed the Commission, in the packet there is the Resolution and information that GWA submitted regarding their water well, in the report there are two active water wells.

**Chairwoman Pika Fejeran:** stated the Resolution was in 2017, the property that is now being claimed by Mr. Juan Guerrero Benavente's family; in CLTC's record it was showing vacant unleased property, in 2017 the Barrigada Mayor presented a plan and requested to put a recreation field on the said property and the Commission approved the plan, actually it was a Right of Entry to the Barrigada Mayor.

*Summary: the Family of Juan Guerrero Benavente who is deceased has come forward and claimed the property is not the one down there but it is the lot up there. (lots shown on TV screen)*

*The issue found which is why the Commission felt it was good to use as recreation field on there was because of the two active water wells.*

In the CLTC's packet, there is a memo from Guam Waterworks to the Director last year and are documents that identify the water wells, M20A and M17B. There is one water well right in the middle and there is another on top. (shown on TV screen) Some of the concerns CLTC was looking at are how the wells need to be protected from pollution etc...to include GWA will always need access to those wells.

**Land Agent Supervisor Matt Leon Guerrero:** explained and showed on the TV screen how GWA was getting access to check the water wells. Also indicated, there is a dirt road used to gain access to the water wells was cutting across some private properties.

**Chairwoman Pika Fejeran:** asked if there are any restrictions on development? The description and assessment doesn't show if there are any but sees a well head protection.

**Land Agent Supervisor Matt Leon Guerrero:** in response, according to the meeting CLTC had with GWA the well head protection doesn't prohibit development although, it is very restrictive on the requirements of what GWA would have to put in place to protect the well heads in conformance with the Ground Water Protection Act. There are a lot of requirements that GWA and GEPA would put in place to protect the Ground Water.

**Chairwoman Pika Fejeran:** stated the primary Ground Water protection zone is 300 ft. radius.

**Land Agent Supervisor Matt Leon Guerrero:** stated 300 ft. is zero development, 500 ft. is limited out to 1000 ft.

**Chairwoman Pika Fejeran:** asked to see on the TV screen what the radius would like?

**Vice Chairman Joe Cruz:** asked what is the width of the lot? What is the length of the lot?

(300 ft., 500 ft., and 1000 ft. radius description shown on TV screen)

**Chairwoman Pika Fejera:** called the beneficiary for Juan Guerrero Benavente to join them as the Commission discuss the concerns

**Shawn Franquez:** stated his name and his relation to Juan Guerrero Benavente. Also stated he has a lease, and original lease showing a portion of 4 acres not 3 acres of Lot 5382 which is located at the top left hand corner. At the time of the lease, his grandfather nor his family was notified about restrictions being that close to a well. Asked the Commission to look at the first well shown on TV screen, Well No. M17A, his private residence is right there. Understands the restrictions of private property and government property having different restrictions. Would like to schedule a meeting with GWA to find out what their restrictions are as far as private property is concerned because there are a lot of private residences in the area. If it is for sewage plans, the lot is for agriculture and doesn't need a leaching field or a septic tank; for agricultural use, his grandfather didn't use any pesticides and non-organic fertilizers so there wouldn't be any contamination. For CLTC to approve the Barrigada Mayor's Office the use of the said property for a recreational field, feels that would be more contaminate for the water wells. If it is really a GWA issue would like to be given a chance to gather more information. As of to date has not received any information from any agency; again CLTC relocating his grandfather's property to the opposite side of Barrigada Heights hill all happened accidentally at the same time when he (Shawn Franquez) was communicating with the Barrigada Mayor's Office about the said lot, it was a surprise for both of them (Shawn Franquez and Barrigada Mayor's Office).

**Chairwoman Pika Fejeran:** stated Shawn Franquez mentioned his house is adjacent to the said property.

**Shawn Franquez:** in response, yes and explained where his house and the said property is as it is shown on the TV screen. Also stated he has researched with GWA and GEPA about leaching fields, septic tanks and tertiary treatments but if it too big of a deal, he would not construct a septic tank and doesn't feel the need too because it will be used for agriculture purposes.

**Chairwoman Pika Fejeran:** stated, the lease that Shawn Franquez will be assuming not more than 4 acres.

**Shawn Franquez:** asked said he has a copy of his grandfather's lease and asked if the Commission had one.

**Chairwoman Pika Fejeran:** stated the lease she has in file is dated 2002.

**Shawn Franquez:** Referred to his (Juan Guerrero Benavente) lease and informed the Commission the lease date shown on his lease was in 2001 and has the property tax paid up to 2016.

**Chairwoman Pika Fejeran:** asked Shawn Franquez if he was paying property taxes for 4 acres?

**Shawn Franquez:** in response, yes that's correct.

**Chairwoman Pika Fejeran:** in response, stated she is very surprised he is paying property tax because Revenue and Tax told CLTC there is no actual description on the lease and it is an unrecorded lease and asked how is he paying for property taxes?

**Shawn Franquez:** in response, somehow it went through and he has a scheme of the map.

**Vice Chairman Joe Cruz:** referred to Land Supervisor Matt Leon Guerrero and asked about the lease that is being entertained, the lot size Shawn Franquez is claiming he is paying tax for, is there a sketch recorded or filed.

**Land Agent Supervisor Matt Leon Guerrero:** in response, Land Agent I John Gumataotao is researching if it is on the tax roll.

**Chairwoman Pika Fejeran:** asked what is the land area of the entire property?

**Vice Chairman Joe Cruz:** in response, it is 32000

**Chairwoman Pika Fejeran:** asked what is it in acreage?

**Vice Chairman Joe Cruz:** in response, about 3 hectars

**Assistant Attorney General Nicolas Toft:** in response, about 3 hectars 7 and half acres.

**Chairwoman Pika Fejeran:** addressed Shawn Franquez and stated, she would be interested to see a farm plan and to talk to GWA with regards to the development of the farm plan.

Shawn Franquez: asked how does he obtain a farm plan and if he needed to go to Department of Agriculture.

**Land Agent Supervisor Matt Leon Guerrero:** in response, the farm plan is basically what you say you are going to do with the farm so in the event the enforcement team inspects, it is what you said you are going to do to your property. There is a generic farm plan that the Dept. of Agriculture has available.

**Chairwoman Pika Fejeran:** stated the main concern she had and requested for input from the Commissioners is CLTC never intended to do a switch for him but the documents CLTC has is

saying he is somewhere in a huge area subject to survey but a survey was never done since the lease was signed and issued in 2002 to indicate exactly where your grandfather is located. So when it came time to figure out where these people are located at and what is vacant property; there was nothing to tell them. CLTC wants to make it right. Stated she is pleased that Shawn Franquez really wants to get the property of his grandfather and he actually wants to do farming on it, so just to make sure the water wells are really protected. Informed Shawn Franquez in the development of his farm plan to get with GWA to sign off and concur with his farm plan.

**Land Agent Supervisor Matt Leon Guerrero:** chimed in and stated the Barrigada Mayor's Office had started to work with certain developers who invested in certain plans and assessments of the piece of property and had also worked with GWA in regards to what they needed to do with the ground water protection.

**Vice Chairman Joe Cruz:** requested for Land Agent Supervisor to request from the Barrigada Mayor's Office of their plans to the property to compare the impact of the plans Shawn Franquez will be submitting.

**Land Agent Supervisor Matt Leon Guerrero:** acknowledged.

**Chairwoman Pika Fejeran:** looked through the Right of Entry Agreement and stated there is no expiration date but the Resolution was basically a Resolution for the Legislature to see if they would agree with the transfer to the Barrigada Mayor.

**Land Agent Supervisor Matt Leon Guerrero:** stated, when the whole issue was brought up, the Barrigada Mayor's Office refrained from moving forward until CLTC can resolve the issue with Juan Guerrero Benavente.

**Chairwoman Pika Fejeran:** stated, she really appreciates the Barrigada Mayor for doing that referring to what was said above.

**Shawn Franquez:** asked; why was an offer made to the Barrigada Mayor's Office when there was a lease issued for the property.

**Chairwoman Pika Fejeran:** in response, said there was no lease on the property.

**Vice Chairman Joe Cruz:** chimed in and stated like Chairwoman Fejeran mentioned the lease was within the basic lot.

**Shawn Franquez:** in response, stated there was a scheme.

**Vice Chairman Joe Cruz and Land Agent Supervisor Matt Leon Guerrero:** both in response, stated the scheme was provided after the Resolution was made.

**Shawn Franquez:** asked when was the date of the Resolution?

**Vice Chairman Joe Cruz:** in response, the date of the Resolution is on April 7, 2017.

**Shawn Franquez:** stated the scheme was done before that date.

**Vice Chairman Joe Cruz:** also stated when CLTC received the copy, it was after the Resolution.

**Shawn Franquez:** stated CLTC never asked for it and how could it provided if they referring to he and his family were not informed.

**Chairwoman Pika Fejeran:** chimed in and stated, we referring to all parties involved (Shawn Franquez, Barrigada Mayor's Office and CLTC) wouldn't be in the situation today, if the lease was signed in 2002 containing an area of no more than 4 acres subject to survey and if your grandfather would have had the survey done then he would have come back and CLTC would have fixed his lease to show the actual area that is identified based on the survey.

**Vice Chairman Joe Cruz:** chimed in and stated, the Commission is not saying NO to you (Shawn Franquez) but the Commission takes any action on his request the Commission needs to consider the impact that is already done, the Resolution that is already done and compare what was already designed by the Barrigada Mayor and his farm plan would tell the Commission.

**Chairwoman Pika Fejeran:** stated the Commission does want to come to a conclusion for his family and for the land itself.

**Shawn Franquez:** stated he'll work on his farm plan and everything else that was mentioned and thanked the Commission.

### iii. **Emily G. Sablan – Tabled for February 21, 2019**

**Chairwoman Pika Fejeran:** moved onto Emily G. Sablan, the next item on the agenda. Asked for a staff report and asked if there was representative.

Land Agent I John Gumataotao: in response, no Emily G. Sablan is not present

**Chairwoman Pika Fejeran:** asked to move on to parties who are present and to table Emily G. Sablan for February 21, 2019.

### iv. **Antonio Aguon Quinata c/o: Crissy Quinata**

**Chairwoman Pika Fejeran:** moved onto Antonio Aguon Quinata curtesy of Crissy Quinata and asked if there is anyone present.

Crissy Quinata is present.

**Chairwoman Pika Fejeran:** stated the original applicant is deceased, the beneficiary is the spouse but does not want to take over the application and is requesting to it over relinquish it to her granddaughter Crissy. The Quinata's are occupying an unregistered lot and would like to relocate to a registered lot to obtain a lease. Referred to Assistant Attorney General Nicolas Toft and asked if transferring the application to the granddaughter is possible.

**Assistant Attorney General Nicolas Toft:** in response, yes.

**Land Agent I John Gumataotao:** stated there are several things he is doing to try to get Crissy Quinata a lease. One is to get board approval to transfer the beneficiary rights from the spouse to Crissy, the granddaughter. Second is to try to change the application type from Agriculture to Residential so she could get a lot near her family's residence. Shown on the TV screen are the areas that are occupied by most of her family members including her grandmother and her parents. It is property near the Umatac Bridge and property that was designated as a Land for the Landless; there was some property that was recently returned to the Trust and was going to try to accommodate her if she is willing to change the application type because she is ready to build.

**Chairwoman Pika Fejeran:** stated the first step is to transfer the application rights from Grace Quinata, the original beneficiary to Crissy Quinata the granddaughter and that can be done per legal counsel. So moved by Commissioner Duenas and second by Vice Chairman Cruz. – PASSED Unanimously.

- v. **Frances Faria – Not present, Tabled for February 21, 2019**
- vi. **Benny Rosalin**

**Chairwoman Pika Fejeran:** moved onto Benny Rosalin. Viewed the staff report and stated Benny Rosalin's property is located in Piti for agricultural. The original applicant is a Tomas Camacho who passed away and Benny Rosalin took over Mr. Camacho's application rights; the property is unregistered. Benny Rosalin applied and has been approved for an SBA Disaster loan and needs to submit a recorded copy of the lease.

**Land Agent Supervisor Matt Leon Guerrero:** chimed in and informed the Commission the lease is one of those that state a portion of and one of the requirements from SBA based on the letter received in file states full legal description of the property is required.

**Chairwoman Pika Fejeran:** stated, CLTC can't get there until the property is registered. **Benny Rosalin:** stated he is just waiting for the survey and has a survey authorization since 2007.

**Chairwoman Pika Fejeran:** stated you can't survey the property if it is unregistered.

**Land Agent Supervisor Matt Leon Guerrero:** explained the Survey Authorization was issued in 2007 but the survey was never completed or submitted. The lease is for a half acre, the Authorization to Survey is for two acres because in between the time frame, he received the lease for a half acre and it increased to two acres.

**Vice Chairman Joe Cruz:** asked if the current lease is for two acres.

**Land Supervisor Matt Leon Guerrero:** in response, the current lease is for a half acre but CLTC prepared another lease for two acres.

**Chairwoman Pika Fejeran:** asked Benny Rosalin if he is still farming on the property.

**Benny Rosalin:** in response, yes and he has all his documents and he lives on the property.

**Vice Chairman Joe Cruz:** asked if there was an abstract done?

**Land Agent Matt Leon Guerrero:** in response, it is unregistered and is a part of the other unregistered lands that need to get done.

**Chairwoman Pika Ferejan:** referred to Assistant Attorney General Nicolas Toft and asked what would the remedy be? He is placed on an unregistered lot, doesn't see the lot can get registered on time meet the dead line for SBA. Can the Trust reach out to SBA and let them know CLTC is in the process of registering these lots?

**Assistant Attorney General Nicolas Toft:** in response, you can try to reach out to SBA and let them know that we are in the process of registering these unregistered lots.

**Commissioner Techaira:** suggested for Administrative Director Hattig to contact with SBA and explain the situation and inform SBA the subject lot is in the process of getting registered.

**Chairwoman Pika Fejeran:** informed Benny Rosalin CLTC is unable to meet the requirement to give a recorded lease with a recorded map but the Director will reach out to SBA and explain that CLTC is working to registering the property and to see if there is some other way to satisfy SBA's requirement.

**Benny Rosalin:** Thanked the Commission

**2. Bill No. 8-35; Relative to Leasing of Public Real Property and Related Facilities – Tabled for February 21, 2019.**

Due to lack of time the following items under Administrative Matters on the agenda were tabled for the next meeting scheduled for February 21, 2019.

**VII. ADMINISTRATIVE MATTERS**

- 1. Administrative Director**
- 2. Processing of Maps**
- 3. Pre-Moratorium List**
- 4. Beneficiary Approval List**
- 5. Utility Authorization Issued List**

**VIII. COMMISSIONERS COMMENTS**

Commissioners agreed to hold two meetings a month the first Thursday of the month will be for Administrative Matters, Financial Updates, Status report on requested constituents by Commission. The third Thursday of the month will be to discuss more constituent concerns and requests; discussed the list of items to be placed on the agenda for the next CLTC meeting scheduled for February 21, 2019.

The Commission also agreed to draft a Resolution to request from the Governor to get back the money that was transferred out of the Loan Guaranty Fund and transferred into the General Fund and the CLTC Survey and Infrastructure Fund.

**So Moved by Commissioner Duenas Second by Commissioner Techaira. PASSED  
Unanimously.**

**IX. ADJOURNMENT: 5:20PM**



