



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

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 Ext. 400 Fax: 649-5383

Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Commission Members

G. Pika Fejeran
Chairwoman P. Fejeran

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Austin J. Duenas
Commissioner

Shawntel L. Techaira
Commissioner

Jack E. Hattig III
Administrative Administrative
Director

04/04/2019

COMMISSION REGULAR MEETING MINUTES

Department of Land Management Conference Room
3rd. Floor, ITC Building, Tamuning

Thursday, April 4, 2019 from 4:04pm – 5:19pm

Public Notice: The Guam Daily Post on March 28, 2019 and April 2, 2019

I. CALL TO ORDER

Chairwoman P. Fejeran called the Chamorro Land Trust Meeting to order at 4:04 p.m.

II. ROLL CALL

Notation of Attendance

Present were: Chairwoman P. Fejeran Fejeran, Commissioner Santos, Commissioner Duenas, Commissioner Techaira, Legal Counsel Nicolas Toft, Administrative Administrative Director Jack Hattig

Absent: Vice Chairman Joe Cruz

III. APPROVAL OF MINUTES

Chairwoman P. Fejeran: Thank you everyone for being here. We're just going to go straight down the agenda here. Approval of minutes, we have the Thursday March 7 meeting minutes. So, we are not that far behind. Has the commission had the time to review this. I have one minor comment on page 7, "The 2nd time that I spoke", I think there's a word "decide" missing. Says Chairwoman Pika Fejeran stated, "It is interesting CLTC can" and then insert "decide"; "Can decide what will be allowed in our properties but another bill can be proposed which completely changes the rules and regs." So, let's just make that clear that the CLTC decided.

Any other comments from the Commission? No? Ok. Can I get a motion to approve pending that one correction?

Commissioner A. Duenas: Motion to approve March 7, 2019 regular meeting minutes, pending that one correction.

Commissioner A. Santos: I second.

Chairwoman P. Fejeran: Motion's been made, seconded by Tan Amanda. Further discussion; all those in favor?

Commissioners: Aye.

Chairwoman P. Fejeran: Aye's have it. Thank you. Okay, moving on to next items on the agenda under Old Business. The first is the Director's Report.

Administrative Director: So, Commissioners, Madam Chair, Commissioners just replace the one that's in your packet with the one I handed the insert to you. There have been some changes between the time I drafted that report to the time; so, I'll just a lot of this is an overview from the previous report that was provide in March. This is the April one so with regards to the budget and finance; our budget is being provided today for your review. We received the ceiling and it's due on Monday to the governor. So, it's just really for your review to see what we're doing. We'll go over more as we get to that part of the agenda, so I reserved comment for that portion.

Staffing, I do have an issue with regards to the staffing. Two DLM employees are currently evaluating all of the Land Agent's for CLTC, and in accordance with the Governor's separation of the land agencies in her first executive order, I need the opportunity to create or recruit a Land Administrator and a Land Agent III position so that we can have adequate supervision of the Land Agents but that has effects on the budget process, so that's first and foremost that an emergent conflict right now because we will not be fulfilling the mandate of the Maga'haga if we don't have the supervision questions settled. So I have proposed a solution to BBMR; we had a meeting with BBMR yesterday proposing a solution temporarily that we utilize our reserves of which the board can by resolution from what I understand, thru talking with Attorney Toft is to utilize the funds in the Operations, right, for operation funding to utilize those for the creation of those positions and then we can also do thru the budget law itself, we can replenish those funds that we took from either our commercial leasing efforts because its set to; in the end of FY2020, the commercial leasing that goes into the survey and infrastructure fund is going to end and it's supposed to go into the Loan Fund, the Home Loan Fund, so we would need to make an adjustment in the public law to allow for that to continue so we can utilize the survey and infrastructure funds for operations and one of the first things I wanted to do is propose we pay the engineer techs and pay them out of the survey and infrastructure fund since that's what they're doing and that justifies in the law using that for operational purposes. So that frees up an opportunity for us to hire a Land Administrator to fulfill our; maybe not the Land Agent III but the Land Administrator to fulfill that supervisory component. So, once we get that person in place, we'll be completely separated from DLM in terms of them supervising our employees, but the engineer techs would still be under their supervision because of the nature of the technical work to be supervised by a licensed professional surveyor.

Chairwoman P. Fejeran: So that would be for 2019

Administrative Director: Well, no, that would be intact

Chairwoman P. Fejeran: So that's the proposal?

Administrative Director: Yeah

Chairwoman P. Fejeran: Okay we'll get through that and the finer details

Administrative Director: That's what I have emergent. I do have proposals for what we should do for staffing outside of that once we get into 2020; once we get our commercial leasing off the ground and we're able to tap out of operations more, so that's in the report so you have the opportunity to review

Chairwoman P. Fejeran: Ok

Administrative Director: There is a proposed staffing chart; organizational chart that is there. Those in red are indicated that they have not been created or they're currently vacant. We do have a private secretary position that will be filled. Adelup is going to give me a name but only for FY2019; it will not be in the FY2020 budget and then you do have a Land Agent III and Land Administrator proposals in the organizational chart, and then currently we do have one vacant Land Agent I position that will not be fulfilled, not being filled in the 2019 budget, but we'll see what happens in the 2020 budget. It's not anticipated to be filled in the 2020 budget either, but I consider it to be a critical component for what the trust wants to do with its priorities moving forward regards to transparency and accountability and compliance. And then you will see the proposed organizational chart for FY2020 and beyond, it's there; this is what the trust should look like when everything's settled, when everything's good to go. It should look like this; it will operate like this. Just to give you an indication of where we are at. It also provides for as sessions, so how do we maintain our employees going forward. For instance, our two engineers are currently retirement eligible; if they decide to retire then we will have difficult time filling the ranks of Engineering Tech II, so I provided for the Engineering Tech I so that we can transition plan up and a discussion plan and then of course you see the rest of the land agents. So, do you have any questions for staffing?

Chairwoman P. Fejeran: Yeah, so I guess we'll get to the 2020 budget but what I would like to see is that; I see a lot of new positions; there's a records management assistant, data control clerk, engineer tech I; if we could get justification for each of those positions and why they're organized this way; why we have three land agents that each have a land agent working with them

Administrative Director: Currently we have three (3) Land Agent II's and each of them are assigned a Land Agent I currently, so I kept that design; that organizational chart so that training and accessions can occur

Chairwoman P. Fejeran: So, I guess I'd be curious; Land Agent II's, are they working on specific parts of the process or what

Administrative Director: The we have it is Land Agent I's have relatively manageable cases, relatively simple caseloads with transfer beneficiary, a utility authorizations, and all the things that are relatively easy and then the Land Agent II's because of their knowledge, their institutional knowledge, they work complex cases; cases that involve multiple problems right and then the Land Agent Supervisor, who oversees the Land Agent II's and I's and that person reports to a Land Administrator and then and administrator is liaison between DLM for all the services that they would provide and then you have the engineer techs which are there to do the survey; assist with the surveying, then you have a planner because one of your priorities is Community Development, Community Planning, so a planner is intricate; is needed in that process of planning and then you have the administrative portion which is the program coordinator IV because they are overseeing four individuals; they are taking care of the budget, that Program Coordinator will be taking care of budget, will be managing the Records Office with a Records Management Officer. Gary has indicated that he needs a secondary person in the office because as it is by now if he's gone then the records nobody can get access to records so I'm getting a secondary person whose job is to manage records and has that institutional knowledge is important and then the data control clerk would handle the Database, while the Administrative Assistant serves as the secretary.

Chairwoman P. Fejeran: Thank you. I didn't mean for all of us to walk thru everything

Administrative Director: No, I'll get you a more detailed breakdown so that you don't have to...

Chairwoman P. Fejeran: And I guess were looking at that in the budget anyway.

Administrative Director: Right.

Chairwoman P. Fejeran: I really appreciate these Director's reports that you put together; they are very helpful and being that we just received it, neither of us have had the chance to read it

Administrative Director: Right

Chairwoman P. Fejeran: But I do see that you have some Old Business ideas dealing with the Premoratorium Lease List; the Voidables; the red mark X leases are in here and I prefer that we table that, I mean I appreciate that you have given us recommendations and maybe put that on our meeting agenda for April 18th, the next one, so it would give us

ample time to look at what the recommendations are and we can really look at it as a whole, rather than just in this Administrative Director's report. If there is anything else that you think we need to look at more closely as it's in your Administrative Director's report, do you think so or do you think we can take this and...

Administrative Director: Like I said, it's ever evolving; I report as much as I can to you when we meet because I take advantage of that opportunity. It's really not meant, Madam Chair for you to take any action right now, that's really not the intent, the intent is for me to actually present the report publicly, right, to know that I did my job in telling you what has transpired over the past month; and then for you to – those are follow-on actions that the board will take at its convenience like what you suggested to put it on the agenda for the 18th, so that's something that you would do, but I would be remiss if I didn't at least in the minutes reflect that I actually gave my report to you that way if you had any questions that came up you could have an opportunity to respond right away, but if you wanted to reserve comment and respond, you could do so at any time.

Chairwoman P. Fejeran: Ok. The next item on the agenda after the Administrative Director's Report is the Premoratorium Lease List. I wanted to see if the commission would like to table that until the April 18th meeting. Okay so we can on the agenda, the Premoratorium Lease List, the Null and Void Lease List, and the Red Mark X Lease List.

Tina Jocson: Madam Chair, the Premoratorium Lease List is the Red Mark X Lease List

Chairwoman P. Fejeran: Oh, it is.

Tina Jocson: Those were all the ones that were just about ready to finalize signatures and then previous Administrative Director Borja just put a red X, so we titled it Premoratorium rather than Red Mark X Lease List

Chairwoman P. Fejeran: Oh, there's not two sets?

Tina Jocson: Because it was right before the Moratorium (background mumbles)

Chairwoman P. Fejeran: My understanding of the red marks was it had Administrative Director Borja's Signature and Lessee's Signature, but it was just missing Governor's signature

Tina Jocson: Correct

Chairwoman P. Fejeran: Then it was exed

Tina Jocson: Correct, so that's the Premoratorium Lease List

Chairwoman P. Fejeran: That's the Premoratorium lease list...okay. Were there any other leases? I know the officer that joined us last time.

Administrative Director: Right, and I did respond to requests about that. So, we're still determining right now exactly whether there were any other leases prepared but not brought for the board's approval.

Chairwoman P. Fejeran: Or even got signatures or something. Right?

Margarita Borja: We're reviewing.

Administrative Director: We're reviewing it currently right now. We'll definitely have what we have as of April 18 we'll be available to report what we have, but it's an ongoing process. These individuals have been deployed or these individuals have not been contacted, so they're literally coming out because of the press reports that we're going to do something; that we're about to do something, so now they're checking in; what about mine? So, we're reacting to that check-in by saying oh wow, look at this, we opened up your case and we found a lease here, it was prepared, neither signed by Administrative Director.

Chairwoman P. Fejeran: It's just unexecuted leases?

Administrative Director: Correct, correct.

Chairwoman P. Fejeran: So, if we could put that on our agenda, Premoratorium (also known as the red marks), the unexecuted leases and then the null and void.

Administrative Director: On that list you don't want a number, right, you want the actual person. You want the name at least, is there is anything else from that list because we want to be as thorough if you're going to ask questions.

Chairwoman P. Fejeran: I probably wanna see not really this one but that big spread sheets, so it has the name, application date, application time, lot description

Administrative Director: Well if you look at the packet; the ones that were issued from switch applications are here all the way to the 102; so that's the void list.

Chairwoman P. Fejeran: Yeah, we wouldn't need any information on transferring unless there was a transfer. It would be helpful to know if they are already occupying, right?

Legal Counsel Toft: I think it is.

Chairwoman P. Fejeran: But for the Premoratorium

Legal Counsel Toft: Yeah, it's the next page

Administrative Director: The green

Legal Counsel Toft: Yeah, the brown and green

Administrative Director: Yeah, the brownish green one. So, this is the red mark x that the media is determining to be red mark but this thing 1 to 28, that's what we have.

Chairwoman P. Fejeran: Okay and if its

Administrative Director: Notice that Borja isn't on this list and it's because...

Chairwoman P. Fejeran: Hers was unexecuted

Administrative Director: Right!

Chairwoman P. Fejeran: Okay, I think the list you have is good. So, I'd like to ask the commission to review the Administrative Directors report and be prepared to discuss those three lists so we can make some movement out there. I think we really need to get decisions made. It might also be helpful if we can notice those individuals that are on these list that will be discussing the leases next time, so if we can get some mailings out to them.

Administrative Director: We'll let them know and make contact to each of the 28

Chairwoman P. Fejeran: And the null and voids; yah, everybody

Administrative Director: Okay

Chairwoman P. Fejeran: That we're discussing it

Administrative Director: Yes

Chairwoman P. Fejeran: Right.... Okay, so, I think we're done with Administrative Director's report

Administrative Director: Yes ma'am

Chairwoman P. Fejeran: Premoratorium lease list has been tabled. Moving on to New Business, Land Inventory. I think it was described in

our working session that we just completed. We do not have any information as to the vacant land, residential or agriculture.

Administrative Director: Right. Correct.

Chairwoman P. Fejeran: If we could pursue knowing what those numbers are that would help.

Administrative Director: Yes, were working with survey division, DLM survey division to determine exactly what is vacant as far as residential and agriculture, but then again, pending survey...

Chairwoman P. Fejeran: I guess my questions is who designated these? Who designated them residential versus agriculture?

Administrative Director: What we did, we just identified Agriculture leases and we just; whatever the commission issued as an Agriculture lease, we identified the properties

Chairwoman P. Fejeran: So, is there at any time when the commission was looking at the inventory, did the commission every say, you know what this is fertile farmland, this is going to be for Agriculture?

Administrative Director: No, no.

Chairwoman P. Fejeran: No? So, we've just been putting people on land saying okay that's Agriculture, okay, that's Residential?

Administrative Director: Right, right.

Chairwoman P. Fejeran: Okay.

Administrative Director: That's why I need to work with Dept of Ag because that's; I've made contact with them and I have a meeting with them actually with her, the Administrative Director, so we have to come up with a way for them to actually to do a review; of an assessment right of what's best for Agriculture and what's best for Residential

Chairwoman P. Fejeran: Wow, so that's never been done?

Administrative Director: Right.

Chairwoman P. Fejeran: Okay, so then how did the; when we did the commission did the subdivisions, right; I know that there's the Agricultural subdivision, the Master Plans, and then the Residential Master Plans, that was just based on existing? (someone in the background responds) Ahhhh, got it. Okay. Thank you for this. Commercial properties; so that was Residential and Agricultural.

Administrative Director: Right

Chairwoman P. Fejeran: Commercial properties - The Administrative Director and I met with GEDA and as the commission knows, there's five (5) properties in our Commercial inventory that are ready to be RFP'd out for Commercial leasing. I wanted to see if the commission was ready to, I guess engage with GEDA to get that process started. What did they say? They just needed a letter from the commission asking GEDA.

Administrative Director: Actually, the words that they used what a motion to engage with GEDA. So, a copy of that part of the minutes would suffice, but I'll work that out with Executive Administrative Director Melanie Mendiola.

Chairwoman P. Fejeran: Okay.

Administrative Director: I'll work it out as to what paperwork they need but I know we discussed it.

Chairwoman P. Fejeran: Okay but the commission want to make a motion to engage with GEDA for these five (5) properties. It would be the first step in a long path to commercial leasing but what it would do is it would get the ball rolling because right now without it they can't do nothing so it would just be a motion to, what did you say? Motion to engage...

Administrative Director: Motion to engage with GEDA with regards to the five (5) properties listed

Chairwoman P. Fejeran: And to engage with our MOU right; to execute and work thru our MOU

Administrative Director: Right, right. The MOU was signed in 2017, so its relatively new and we've reaffirmed it. Our intention is to reaffirm it, pending the commission's guidance. She did indicate, Ms. Mendiola did indicate that she would like to see or she made a recommendation for the RFP to go all out for all five (5) at the same time so that way we can get the best possible, I guess reaction or proposal and then we can meet in a preproposal conference to decide exactly what we would like from those properties.

Chairwoman P. Fejeran: Right, right. A committee has been formed for commercial leases right, so, I would just need a motion from the commission to engage with GEDA.

Margarita Borja: I just have a question.

Chairwoman P. Fejeran: Oh, one question.

Margarita Borja: Just one question. I'm not sure if the 5075, the one that was a right of entry that was given to GWA is going to be included in this because it's up until December 30, 2019, so I don't know if its...

Chairwoman P. Fejeran: Yeah, I think it is. It's part of our list. I think we can pursue, yeah, I think we can pursue it and maybe have something ready right away. Okay, thank you for that. That's the property behind East West Rental. That's one of the five. (mumbles in the background) Yes, that's one of the five.

Administrative Director: Oka Point is one.

Chairwoman P. Fejeran: Oka Point.

Administrative Director: The property right across GVB you know where they put the Christmas lights, that vacant property. That's another one.

Commission A. Duenas: Okay. And then...

Chairwoman P. Fejeran: There's the two in Yigo.

Administrative Director: Yes. In previous packets.

Chairwoman P. Fejeran: Yeah, I just saw it.

Administrative Director: Let me look at the previous packets. Forgive me, it might be (inaudible conversation in background)

Chairwoman P. Fejeran: Okay, here we go, so behind East West Rental, near the Yigo gym, across the Yigo gym, Oka Point, and across from GVB.

Commissioner A. Duenas: Okay.

Chairwoman P. Fejeran: So these are the only five commercial properties that the commission has pushed to the Legislature that have gone through that whole process, that have gone through the Commercial Rules and Regs as far as possible and so now were ready to work with GEDA, so we would need a motion from this board to engage with GEDA and a formal letter that will list the properties. And there would be, like he said, a preproposal

Administrative Director: Premeeting

Chairwoman P. Fejeran: Premeeting, where like the subcommittee or commission would sit down with GEDA and develop the RFP criteria, the judging criteria. Okay?

Commissioner A. Duenas: **Motion to engage GEDA regarding the five properties. One behind East West Rental, near Yigo gym, across Yigo gym, Oka Point and across GVB and to provide a formal letter to list the properties.**

Commissioner S. Techaira: We could list the properties?

Chairwoman P. Fejeran: It would be just this list telling them exactly the properties; not like real estate listing. Okay a motion's been made.

Commissioner S. Techaira: I second that motion.

Chairwoman P. Fejeran: Seconded by Commissioner Shawntel Techaira. Further discussion.

Commissioner S. Techaira: None.

Chairwoman P. Fejeran: Okay all those in favor

All Commissioners: Aye.

Chairwoman P. Fejeran: Ayes have it. Motions made let's get that ball rolling. Thank you. And then going on down after commercial, we have submerged lands. And thank you for pulling this information, you know for us to understand what submerged lands mean. I see an exert from 21GCA Real Property under chapter 63, Territorial Seashore Protection Act. How does this help us?

Administrative Director: Yes, well, what it does is that it gives us a framework for what submerged lands are and if you look at 63MO3C, Seashore Reserve, it means that land and water area of Guam extending seaward to the 10th fathom contour including all islands within the governments jurisdiction except Cabras and those villages wherein residences have been constructed along the shoreline prior to the effective date of the Seashore Act. It means from the main high waterline for a distance on a horizontal plane of 10 meters and from the main high waterline to the inland edge of the nearest public right of way so it gives you kind of a framework for what Seashore Reserve means and it helps us to better define what submerged land means because from time to time land becomes submerged, right, under water depending on the tide, depending on so many environmental concerns so I just included that as a guide, maybe, I know we were trying to determine the definition of submerged lands and then pending anything from the legal counsel, what any other definitions do we have, legal definitions of it and then identifying whether we have indeed submerged lands in our property and I believe we do. Its currently under Commercial Lease.

Chairwoman P. Fejeran: On one of the other meetings I was handed this. This one. Is that from you?

Legal Counsel Toft: Yeah, I think so.

Chairwoman P. Fejeran: Okay so whatever is done there has to be considered by the Territorial Seashore Protection Commission

Legal Counsel Toft: Uh huh.

Administrative Director: And then I think that bides for it in 63104

Legal Counsel Toft: Yeah, I mean GovGuam does have, CLTC does not have but GovGuam does have submerged landings with the observatory... (inaudible) And I think the opinion I gave you does this question having been considered before as to whether CLTC does have jurisdiction on certain parts of; yes we do

Chairwoman P. Fejeran: Okay

Legal Counsel Toft: But yeah, there's a couple

Chairwoman P. Fejeran: Nice, okay. Thank you.

Legal Counsel Toft: Yeah, I can forward that to the board also.

Chairwoman P. Fejeran: Thanks, I think it's trying to help me and the commission to try and get an understanding of what all this property means; what it looks like; but yeah, if you can forward that to the commission. Okay, next under New Business – CLTC and Guam Housing Corporation MOU

Legal Counsel Toft: Okay, so what I did Madam Chair is I just redrafted the existing MOU between Guam Housing and CHamoru Land Trust for the ten lots. They are described in the MOU within its inventory and then I did provide a map as well as to where those ten lots in Sagan Linahyan are located. There's a lease agreement that GHC has with a previous construction company for a construction of a home and then the requirements are all there and then there is an attached addendum for the home that they built on Tract 1113, Block 12, Lot 1 and then there's a reference to the acting president; or now the current president. She would like to reaffirm our MOU so that was her letter asking that Memorandum of Agreement or Memorandum of Understanding. She also said they're going to issue an invitation for design for the next phase, or for the next home. And then here's the old MOU which was signed by David Camacho and Michael Borja.

Chairwoman P. Fejeran: I didn't see that this old MOU had an expiration date

Administrative Director: Right

Chairwoman P. Fejeran: so is it just reaffirming

Administrative Director: Right

Chairwoman P. Fejeran: and just signing a new MOU

Administrative Director: Right, it's just this board, this commission versus the previous commission. As you can see the signature blocks are not the administrators, it's actually you as well signing with me, affirming the commissions acceptance of the MOU

Chairwoman P. Fejeran: Okay, thank you

Administrative Director: On a related note, Linda Hernandez that we just passed, we just approved hers

Chairwoman P. Fejeran: Yes

Administrative Director: This is what it comes out of, this Memorandum of Understanding

Legal Counsel Toft: While the MOU doesn't have an expiration because it says the plan was reached and that the license...(inaudible) and it's at the expiration of that license that those lots go back to CLTC

Chairwoman P. Fejeran: Okay. And with this; have you gone thru this and everything checks out

Legal Counsel Toft: I haven't seen individual licenses...(inaudible)

Administrative Director: We just took the existing MOU that was made, and we just literally changed the signature blocks because as far as we were concerned, I was concerned, everything was in place from the previous board; in 2014

Chairwoman P. Fejeran: My question is, for granting sublicenses, does that follow under our Commercial Rules and Regs, how does that pan out? (long pause) Unless the original MOU was signed in 2014; after the Rules and regs came out or before? I don't know; I mean does this MOU really something I think the commission can absolutely stand behind, I just want to make sure that were following our rule and regs and not doing something could get us into trouble again.

Administrative Director: I think we can work out the license for the first lot, right; we can draw up the license for the first lot because it was the commissions determination to execute (unable to fully hear Administrative Director's conversation with LC)

Legal Counsel Toft: For Lot 1

Administrative Director: Right, for Lot 1; the first one so we just have to draft the license for it but in response to the chair, is there anything that might preclude the drafting of sublicenses

Legal Counsel Toft: Not that I've seen but I'll double check that and get back to you before the next meeting

Chairwoman P. Fejerman: Okay, thank you. So, we can table this until April 18th.

Administrative Director: But my only concern is the granting of the license, does it occur after? Or does it occur beforehand so that GHC can sublicense it to the developer, see what I'm saying. See what I'm saying, so right now because the previous MOU, they already executed the design and the building of it, I don't whether CLTC because I wasn't here, I don't know whether the CLTC granted the license, that's why I was asking, that's what I'm saying.

Legal Counsel Toft: (inaudible conversation) ...because I never saw that

Administrative Director: That's what I'm saying if the commission did so without granting a license, as long as there was nothing on GHC side; and I certainly didn't see anything granting; I don't know if you looked thru the Use Agreement though and the Use Agreement is not a license

Chairwoman P. Fejerman: Right. It's just with the contractor.

Administrative Director: Right. Exactly. So that was my concern when I brought it up. But I didn't see anything; but because they didn't sublease it to them or sublicense it to them.

Chairwoman P. Fejerman: Right.

Administrative Director: They just said, please build it; please build it and we'll find somebody to take over the mortgage inclusive of the construction

Chairwoman P. Fejerman: Okay. Thank you, Legal Counsel for further looking into that. Okay next items on the agenda, number six, Commercial Lease. First is the Guam Racing Federation Lease Agreement.

Administrative Director: So, we have there the draft and then there were inserts passed around. I'm sorry that these inserts didn't make it into the packet but the draft that was provided or that is referenced here in your packet, is the draft that was provided by the Guam Racing

Federation, so I apologize; there was no cover letter. When we had a negotiation meeting, the first meeting almost 2 weeks ago, this was the only document they had in addition to the memorandum to Administrative Director Borja that they were exercising their right to first refusal. And then of course the public laws behind it just to give you a framework. And then the attachments were added were Legal Counsel Toft's comments

Chairwoman P. Fejeran: Oh, thank you

Administrative Director: And then our commercial guru which is Joey Cruz looked thru the existing PL and the terms, the original terms of the contract and he provided his assessment and our counter proposal.

Chairwoman P. Fejeran: Okay, so this one that you're looking at, that was Guam Racing Federation saying, here this is what we want our terms we want of this lease agreement

Commissioner S. Techaira: But we didn't agree with the terms

(audience mumbling in the background)

Chairwoman P. Fejeran: No, no.

Commissioner S. Techaira: Okay

Chairwoman P. Fejeran: No, I know it scared me too.

Administrative Director: It says "draft" first of all, that's number one. Number 2, we just started the talking, were not there yet but we'll get there.

Chairwoman P. Fejeran: So, I think we discussed it, I think we kind of discussed it last time, the starting points for the lease, right? There's three starting points, one is the bill that the lease will be based off; two, there the bill, there's the old lease.

Administrative Director: Right, the previous lease.

Chairwoman P. Fejeran: The month to month, right but then the third is the Commercial Rules and Regs for leasing and I see that our LC went thru the lease; was this based on their draft lease?

Legal Counsel Toft: This is based on their draft, so the numbers correspond with the numbers that ...*(inaudible)*...well some, some of them are; but I'll clarify

Chairwoman P. Fejeran: Okay, and then the next, this one, not on the CLTC email letter head. This one's from Joey.

Administrative Director: Yeah

Chairwoman P. Fejeran: And he's also looking at their proposed lease

Administrative Director: He summarized their lease

Chairwoman P. Fejeran: Talking about what's allowed or not

Administrative Director: He summarized their lease so that you have a summary, the bullet points, summary of their lease

Chairwoman P. Fejeran: Okay

Administrative Director: So, if you needed a better indication of what they say or do, and then on the bottom it says proposed CLTC terms, everything that follows is what he proposes we should do; and he did review the Commercial Rules and Regs, that's what this is based off on

Chairwoman P. Fejeran: Okay. So, I'd really, of course like the draft of the lease, maybe drawn up, like a real draft lease drawn up based on these comments and the Commercial Rules and Regs and the bill

Administrative Director: Well, if you could review them so that by the time the draft lease is presented, we would have the option to move as swiftly as you wanted to or make corrections, right. So we'll have it ready for you by the 18th if so desired and then you would have the opportunity at the next two weeks and look out, make notes, and then you could communicate the notes to me within the two weeks, we can have the draft lease included in the amendments or any thoughts we might have or your thoughts

Chairwoman P. Fejeran: Okay. Thank you. Okay, so the commission will review LC and the program coordinator's assessment. Okay so the Guam Raceway Federation lease agreement. Sorry remind me when again this has to be tied up. Completed?

Administrative Director: June 6 approximately; I would say 21 June because they initiated their first write-up as refusal on 21 December so that gives us six months from that time.

Chairwoman P. Fejeran: Okay so if we have a draft to look at April 18th

Administrative Director: And they requested some time because of Smokin' Wheels. Okay so that gives us a little bit of a cushion.

Chairwoman P. Fejeran: Yeah, do they charge entrance into Smokin' Wheels?

Administrative Director: I'm sure they do

Chairwoman P. Fejeran: Can we just follow up with them because as the current law is written they have to pay us

Administrative Director: They haven't been very good to tell you the truth at the Participation Fee, they haven't been good at reiterating that to trust

Chairwoman P. Fejeran: Yeah. Well let's hold their feet to the fire and hold them accountable

Administrative Director: I think part of the issue too is that there's no requirement for them to let us know when they're having an event, so we don't know when the events occurring; that's self-reporting in my opinion; I had a previous lease and it was self-reporting; they don't report activities and then we don't have the watch dog. I live right next to the racetrack, I drive by it every day

Chairwoman P. Fejeran: You know when there's activity

Administrative Director: I know if there's activity

(inaudible mumbling in background)

Administrative Director: If you look closely, both of them, both Joey and Nick have really looked at that and said, that's a sore spot for us. So, we wanted to include that in the tenants of the lease, specifically the tenants of the lease

Legal Counsel Toft: The last one is kind of bare bones.

Chairwoman P. Fejeran: Yeah

Legal Counsel Toft: We definitely want that one to be accounted for.

Chairwoman P. Fejeran: Yeah, strengthen that. Plus, you know we heard from our beneficiaries that are on the residential waiting list, what are we doing giving away all this property for raceway, when we know that there's so many people that need residential properties. Okay. Thank you.

Moving on under Commercial Lease, Hawaiian Rock products. Esteemed gentlemen, thank you for patience. If you could state your name for the record.

Jerry Johnson: Hafa Adai Chairperson Fejeran and CHamoru Land Trust Commission and Administrative Administrative Director Hattig. I'm Jerry Johnson, President of Hawaiian Rock products and I have with me, Mr. Dan Swaveley who's a consultant for Hawaiian Rock products. I surely appreciate the short time to orientate you about an opportunity

that could bring additional revenues to the Trust as well as additional homestead lots.

Lot 5412 in Mangilao is in the Trust inventory. This is the property better known as the basic lot which the new GPA, and GWA property is located on which is right here. This is the entire lot; it's about 100 acres. On this lot, we have proposed several years ago which I'll talk to do a mass grading of this entire lot to the trust. I tell you a lot of work in it, in the meantime this was given to GPA/GWA and also some homestead lots were given over on this boundary over here. This is a former quarry that from the 1960's that has been quarried down. This is basically a hillside, hills, ridges, and everything. Our company lease property is immediately next door, Hawaiian Rock Products; and Marianas Stone had done some work on the property next to the GPA/GWA building. Our original proposal is to graze the property up to the cliff line and preserve all the property down by the ocean as a preserve. We didn't feel; first of all, the quarry drops off quite a bit and we did not want to get into a situation where there's any erosion, any ocean erosion. So that was our proposal, like I said a portion of the property was previously quarried in the sixties and the eastern portion; the property is a good candidate for grading both for extract from it that we can use immediately next door and grade it in such a form that it can develop new residential lots and it would be some of the most beautiful lots on the island because if we take this cliff down, I mean it have an ocean view and very nice residential lots.

Hawaiian rock has been foreseeing this project with the Commission officially since February 2006. You know I did talk to the Administrative Director long before that, before we officially submitted a proposal but; at that time, we signed an agreement with the Trust to mass grade the upper and middle portions of the lot. We undertook topographical surveys, environmental, and archeological base line studies, engineering plans for the mass grading of those two areas and two lots for homesteads but actually we had two grading plans that the trust could choose which one of those grading plans they wanted to have. Only eight months later however in October of 2006 we learned thru KUAM broadcast that 16 acres of the upper and middle portion had been given to GPA/GWA for their new headquarters. Undeterred by this unilateral revision to our agreement, we revised the plan to severe by focusing on the remaining lot of 5412. We finished all those studies and plans by December of 2008 and negotiated a royal team for the limestone augur generated from the mass grading operations. In addition, during the surveying, environmental, archeological studies and engineering plans, Hawaiian Rock was paying a due diligence fee of five hundred dollars (\$500.00) a month to the trust and I think we paid that for about a year and a half, almost two years and until of course, things changed. During the first few months of 2009, the Commission was reviewing our full package of studies, plans, royalties, so that we could at last begin the project. Unfortunately for both the trust and for us, June 2009 the Legislature placed a moratorium on Commercial Leases by the Trust. We spent the next two years testifying on various bills dealing with the rules and regulations as well as general commercial leasing terms and

conditions for the CHamoru Land Trust properties hoping to salvage our work in investment of over two hundred thousand dollars (\$200k) already incurred by AHRP as a result of our agreement with the Trust in nearly three years of good faith negotiations. As you know we were denied. More than six (6) years later on November ninth two-thousand fifteen (2015), Governor Calvo signed Public Law 33-95 which is to establish the definitive process for Commercial Leasing of CHamoru Land Trust Properties during those intermediate years, however, and even recently as 2017, the trust has awarded new homestead properties on the upper and middle portions of Lot 5412 for the eroding opportunities for maximizing the number of homestead lots we could eventually provide after mass grading. And that's, I think it's right over in this area over here and you've given lots and I think GPA built like three houses for the people in those lots because they originally have been living right here and I think they've moved over to this location and then there's a couple; I don't know how many total, maybe ten (10) lots that have been given out on this property. Today Public Law 33-95 is allowed the land in these matters and Hawaiian RP is fully prepared to participate in that competitive bidding process for mass grading for Lot 5412. As we understand the law of commercial for a mineral extraction or in the case of 5412, mass grading linked to homestead subdivision is an allowable activity within Public Law 33-95 under the following conditions. Lot 5412 must be specifically designated by the CLTC as part of the not to exceed 9% of the CLTC land inventory but is not required for leases to Native Chamorros for residential, subsistence agriculture therefore is available for commercial leasing. We ask that you make such a designation as soon as possible. In fact, however it is much that 5412 will be returned to the Trust in a landform that accommodates homestead residential lots. You may find that this provisional in the law is mute, of course such determination as the commission needs to make. CLTC must seeks specific approval for mineral extraction on a portion of Lot 5412 from the Guam Legislature. We ask that you proceed with this request for Legislature approval as soon as possible. After that, AHRP will submit an unsolicited proposal as authorized under PL 33-95 to mass grade a portion of Lot 5412 after which CLTC can proceed with issuing an RFP for a competitive bid solicitation as a competitive instillation with other qualified contractors invited to participate. As conclusion of bidding process and subsequent mass grading, the commission will earn significate revenue from the limestone mines from 5412 and in a few years reclaim that property in a landform that is already mass graded for homestead lots. We look forward to working with the Commission and Administrative Administrative Director Hattig on these responses. You have any questions? I'd be happy to answer them.

(pause in room)

I do have a history of all that we did make a copy for you because we can't; there's no senses in proceeding unless, you know, we have these four items considered.

Chairwoman P. Fejeran: I appreciate you coming before us, you know. I, this is really; I've sat on the Commission for three years already and this is the first time I heard there was this history for this property. I'm glad you're here today to offer us this; I guess just give us the history, because if this is the route we take, it does have to go thru the unsolicited proposal phase.

Jerry Johnson: We're not concerned about that because there's really limited access to the property. And so we can access it from the work we're doing over here and for us it's an advantage because we can tie it in to the final grading plan of our existing property and the it doesn't show on the contours here, but, but we do have a contour map. And this is an old quarry so it's got steep sides to it and so it wouldn't be good for residential lots. This is actually a hilly portion that we need to be graded down to make commercial lots, so our plan, we'd have to develop a new plan because we have to work around these existing lots here, would incorporate all of that not to destroy existing lots that you've already given away or maybe even help those, you know so, we had a young lady come to us that just was; and she couldn't even get to her lot. She actually asked to come thru here in order to get to the lot.

Administrative Director: Tammy Vawter?

Jerry Johnson – Yeah. Which we said no problem, just let us know so we aren't doing any blasting or anything that we do in our quarry. You know another thing I wanted to mention, there is a new piece of equipment that we're starting to use that could eliminate the drilling and blasting on the property. We're using that in our Saipan quarry over there. We bought one for Guam and they're using it on the Finegayan Marine Base to do the excavation there, so they don't drill and blast. And our intention is in the near future when we're working closer to where people live, we would limit the amount of blasting that we'd have to do. We probably have to do some to try and level some of the property here, but the major portion of it we would use that type of equipment to line, so it doesn't disturb the GPA/GWA building and it doesn't disturb the neighbors that are surrounding. So that's going to be the future of Guam. Pieces of property that people want to have graded and use this type of equipment so there's no, not as much dust, not as much noise, not as much cracks in your houses when drilling and blasting which we try and limit that, but stuff happens. And that's going to be the future on the island. The demand for aggregate (*type of mineral*) on this island over the next fifteen years is tremendous. This will not; this, this amount of aggregate on this land along with what we're taking off our property; I mean, we're only talking about three or four years and we can use that much aggregate in our business and we have other areas we have to look at to continue but when we first started this the economy was down and there weren't that many construction projects so we went to other properties which were smaller and managed some private properties,

some are old property, you know to get at it for our business, but the future, not only us but other companies have a need for aggregate, to not only a military construction but all the development they want to do on Tumon Bay and the cliff line by two lovers leap and all of that commercial buildings. There's going to be a lot of construction and this is an advantage for the trust to get revenue

Chairwoman P. Fejeran: Right.

Jerry Johnson: And get some homestead lots. You know we worked along with the race way, I think over the last ten years, we did about 4 million tons of grading on that property and which the Trust, we pay the Trust a portion and racing association vendors and I think you had fairly good revenue from Hawaiian Rock back in those days

Chairwoman P. Fejeran: Right

Jerry Johnson: And is something we're; we can get back that revenue again. There's still more work to be done on the raceway, you know, to gain revenue from when you approve, you know, the meets there but this is one that you would get all the revenue. You wouldn't have to share it with the racing association.

Chairwoman P. Fejeran: We get all of it or you get a portion of it?

Jerry Johnson: Well, we would mine it and use it in our business. We're not going to sell, we're really not really in the business. We sell aggregate on the outside, but we need good quality rock to pave the roads on the island, supply concrete, and that's our core business. Selling rock is more what Smithbridge does, I heard, their core (inaudible); but we do, I mean we do sell some aggregate on the outside, but our main business is paving road and supplying concrete

Chairwoman P. Fejeran: Okay

Administrative Director: I just had a couple of concerns and when we spoke, I mentioned these concerns so they're not new. Number one on your list there on the 2nd page specifically designating CLTC as part of not to exceed 9%. This is a relatively large property. To designate it as part of our 9% will reduce our commercial opportunities and while I saw this an opportunity not for commercial leasing, this particular property, I saw it as services to be provided. So, I don't know why we would have to designate something to be commercial leasing if we're not going to lease it to them and that was never our intention during our discussion, it was an RFP for services. So that's one; I would ask Legal Counsel Toft to kind of provide some input here as to whether we were required as the assertion here is in order for them to comply with 33-95, whether we were required to do such a designation because like I said, any time we designate a large property to be a part of the 9%, we are reducing the

commercial viability of all that property because 9% is 9% of whatever we got in our inventory. So that was my concern because the largeness of the property. And secondly, are we barred from mineral extraction at all on our property. I know that we're barred from it from it on the raceway lease on that property, so are we barred from mineral extraction on any property. You know that was my second consideration. Notwithstanding any other provisions of any other legislation that would come before us, right, so those are the two concerns that I have before the trust and I did discuss these concerns when we had our initial meeting with Mr. Johnson.

Legal Counsel Toft: So, to respond to that, first it would need to be designated however you could possibly subdivide it such that you're not putting the entire lot in there and that would affect the percentages way less.

Jerry Johnson: We would to include most of this down here and of course this. I think the balance is 40 acres, something like that.

Legal Counsel Toft: Oh, and then 2ndly with the race way that was specific as to the legislation passes with the raceway as far as their (inaudible). It would require both passage by CLTC and the Legislature for them to do any mineral extractions on that commercial lease. It would require extra (inaudible)

Chairwoman P. Fejeran: Is that part of the rules and regs

Legal Counsel Toft: That's part of the commercial rules and regs

Chairwoman P. Fejeran: Okay. I mean, you point out one that we're sitting on such valuable rock that can be used, be extracted for the greater good of Guam and then also it's a win, win, we're also going to get the land into a condition that home lots, homes that can be built, but

Jerry Johnson: To a grading plan you can approve.

Chairwoman P. Fejeran: Right, and then we would also earn revenue on the mineral

Jerry Johnson: Yes, and that would have to be negotiated the royalties too based upon, I guess market rates

Chairwoman P. Fejeran: Right, right. So, I know; you know it would; I think this is a good first discussion and that the commission can take it to advisement, you know we just went thru a three-hour long working session and looking at our Public Law and how we do residential leasing and if nothing was clear, it's just that we have so many people are waiting; we need to get people on to properties that they can build homes on. So, I think this can be a win, win, but we have to be careful

and deliver it and make sure that the commission is making the right decision every time (cough in background-inaudible).

Jerry Johnson: Okay. You brought something I wasn't aware of, I knew originally in the Guam Raceway, they had no quarry or removing of aggregate. I don't know how they're going to build their race way unless that's allowed

Chairwoman P. Fejeran: I know, I know

Jerry Johnson: Because that's the way we got it so far as it has is, we did the work for them with the understanding that, that we pay for the

Legal Counsel Toft: I think it's the fact that they were not allowed to remove it from the premises, so no sale that they were; I don't think it was necessarily that they weren't allowed to grade it

Administrative Director: Extract it

Legal Counsel Toft: No extraction. I mean, no extraction

Administrative Director: No extraction

Jerry Johnson: No one is going to do that for them unless you know, we can use it

Chairwoman P. Fejeran: I mean yeah, that was built into the law, that was legislature's doing. So, I was actually very surprised that the raceway is still going forward in trying to do this

Jerry Johnson: Right

Chairwoman P. Fejeran: This was built into the law

Jerry Johnson: That's unfortunate

Chairwoman P. Fejeran: So, our hands are tied; I'd be curious you know when we go back to the race way what their plans are

Administrative Director: Right. Right.

Chairwoman P. Fejeran: In light of that

Administrative Director: I want to thank Hawaiian Rock for their continued negotiations in good faith. This has been a long journey but certainly they were very, very cooperative when they came forward in providing information and the history of it, but just from my staff and myself, thank you so much for engaging with us.

Jerry Johnson: Thank you.

Chairwoman P. Fejeran: Thank you, thank you. I feel the sentiments. Thank you.

Hawaiian Rock Representatives: Thank you

Chairwoman P. Fejeran: Okay, the next item on the agenda is DISID. Did we have; I don't think we; Oh my gosh it's after five.

Administrative Director: Well, those were just oral, those were all oral reports because they have requested some information regarding the property across from JFK. So that's just about, about

Chairwoman P. Fejeran: Uh huh, uh huh, can we table this?

Administrative Director: So, that one I can provide you. And then Global Recycling, Madam Chair is something, they're not currently doing anything, they're not; they only have a lease agreement, they're not paying anything

Chairwoman P. Fejeran: Okay

Administrative Director: So, you, at the very beginning you asked me to take a look into these properties, and so

Chairwoman P. Fejeran: Yes

Administrative Director: So, I'll provide notes on those. And the last one is the Yigo mayor, if you could take a look at his proposal and decide what you'd like to ask questions on, but he wants to take some of that property that's out by the Yigo gym because the bus people

Chairwoman P. Fejeran: And this is one that we've identified as our commercial leasing

Administrative Director: Right. And I would like to let you know officially that the Governor is also looking at identifying lands for a transitional homeless center in Yigo and its on that same property in Yigo that the Mayor is asking for

Chairwoman P. Fejeran: Okay. Well, I want to remind the Commission that we already transferred property outside of our inventory to the Yigo mayor's office and that was the Block 7, Lot 9 at Tun Enrique Rosario St. and what is it, this one; is that this one in the; this is their master plan for that. Well I'm glad he's showing us that they're making progress there. It's my opinion that we've identified this property that he's asking for now, Lot 7055, Tract 154; we've already identified this as for commercial properties, it's already gone thru the whole process, I'm not prepared to

pull it back and transfer it to the Yigo mayor. Does the commission feel the same? I think he needs an answer. Its been several months since he's reached us. Oh, just a minute.

Administrative Director: The first request was in February when I first came on board about the same time.

Commissioner S. Tehcaira: Is this what he wanted

Chairwoman P. Fejeran: This is an additional; he wants this huge property for his farmer's market and then reserve for future use. Like is said, we identified this tract as for commercial properties. We just made a motion today to engage with GEDA for that same property. So, no.

Administrative Director: I think by virtue of the package already with GEDA who did it, GEDA will automatically send it

Chairwoman P. Fejeran: So, we're not entertaining that, based on that. Okay. Thank you. The financial FY2020 budget.

Administrative Director: This is going to go in. I'm still trying to find room for that Land Administrator position, but this is what's going to go in, the bare bones budget. If you take a look at the very first budget page, which is, the one with the blue highlight, the very first budgets spreadsheet, is \$1,047,832.00 for FY20, that's what is being proposed. And then some of the budget breakdowns can be located two pages before, sorry, a few pages before that so that you can review it for yourself.

Chairwoman P. Fejeran: When you; you said you're submitting this on Monday. But it's just the start of putting it together right; there's still going to be time for; will the commission still have time to review this and make a revision that would be sent to the front office

Administrative Director: Well, you can make revisions but the Governor's budget ceiling stays at the Governor's budget ceiling on that one. That's what BBMR will allow because that's staying within our revenue generation capability. It's more of informing you with of our intention because we're not going to be able to move necessarily up or down; I've already engaged them to move up for our Supervision responsibility

Chairwoman P. Fejeran: Right, I guess not so much moving the number up and down but allocating it. We can allocate differently.

Administrative Director: Correct, correlating in between.

Chairwoman P. Fejeran: We can move those; allocate differently if we needed to

Administrative Director: Sure, sure. If you look at Schedule B, that's really the one you probably want to take a look at because it has contractual obligations. So that's the one you really want to take a look at. It has the stipends for you guys, it has the office supplies and fuel; it has legal services, audit services, advertisements, property tax, QuickBooks renewal, copier services, even the additional telephone services because we're separating. Joey really took a lot of time and effort and unfortunately he's taking his mom on medical trip off island, so he's leaving tonight that's why he's not here but please review it and see within that but it's going in on Monday as proposed unless we can find some room for that Land Administrator and that's the only thing that I'm asking for and it's not here but borrowing anything; if BBMR comes back and tells us, "no" we cant then no we can't and we're still going to be under the supervision of DLM which I don't know if that jives with what the Maga'haga wants and what the commission is looking for. Okay?

Chairwoman P. Fejeran: Alright, thank you, so I think we should revisit this too, next time. Should we, April 18th? Or no?

Administrative Director: The budget's going to be; the Governor is going to make her state of the island on the 11th

Chairwoman P. Fejeran: Okay

Administrative Director: And she's going to submit the budget right after

Commissioner A. Dueans: Okay

Chairwoman P. Fejeran: Alright

Administrative Director: So, that's the timeline we have with you if you want to take a look at; I tried to bring it forward in the previous meeting and obviously we were, it just didn't happen so I've been trying in every turn to push it in front of the commission but you know

Chairwoman P. Fejeran: Okay. Thank you for that. Looks like a lot of work was taken, as with every time we meet; there's a lot of work that's been done

Tina Jocson: Ma'am, I just have a question.

Chairwoman P. Fejeran: Yes, Tina

Tina Jocson: Old Business, Administrative Director's Report, that is tabled for April 18th, correct?

Commissioner S. Techaira: No, it's just a report of our leases

Chairwoman P. Fejeran: No, I don't think; just a premonitorium leases

Tina Jocson: So not the Administrative Director's Report, that's not tabled?

Commissioner A. Duenas: *(Inaudible response)*

Chairwoman P. Fejeran: I think it's just a summary report

Tina Jocson: An FYI information?

Chairwoman P. Fejeran: I don't know, it's kind of weird when it's in Old Business. I think that should be under Administrative Matters or something or even just a Administrative Director's report

Commissioner A. Duenas: Yeah

Administrative Director: Only, because I continually give one every month that's the reason why it's under Old Business, it's not something new, its something the reoccurs over time.

Tina Jocson: So, we'll have just like your own, subject line, like this right, agenda *(inaudible due to talking over one another)*

Chairwoman P. Fejeran: Administrative Director's report; I mean

Administrative Director: Sure

Chairwoman P. Fejeran: Yeah, let's do that. That way it's clear; it's a new Administrative Director's report, right. Okay. Commissioner's Comments?

Commissioner S. Techaira: *(inaudible conversation)*

Chairwoman P. Fejeran: No, it's going in as is.

Commissioner A. Duenas: Do any changes to this need a motion?

Chairwoman P. Fejeran: We never really actually approved this anyway, so no?

Administrative Director: The budget has always been handled administratively, because this is a commission that does not deal with the...*(inaudible)*

Chairwoman P. Fejeran: But I think that the act does say that the commission manages the budget

Commissioner A. Duenas: If the motion hasn't been made, then maybe we can provide comments; in the coming days

Administrative Director: Of course

Chairwoman P. Fejeran: Okay

Administrative Director: That's fine

Tina Jocson: How about for the Yigo lots, there's no motion?

Chairwoman P. Fejeran: No, we did not decide this

Tina Jocson: You just decided not to move on with it?

Commissioner A. Duenas: Do we need a motion to deny it?

Chairwoman P. Fejeran: No, I don't think we do need a motion

Commissioner A. Duenas: Okay

Administrative Director: I can just inform the mayor that the Commission has taken it under request has denied your request. And no motion then it's going to be...

Chairwoman P. Fejeran: Okay, Commissioner comments. So, Shawntel Techaira, Miss Commissioner, when is your, when do you expire?

Commissioner S. Techaira: On the 9th of this month

Chairwoman P. Fejeran: Oh, so that's next week. So, does that mean that you're; will you be...

Commissioner S. Techaira: Doesn't that mean that I can't attend?

Administrative Director: No. Actually no, you actually ninety days. Correct me if I'm wrong.

Legal Counsel Toft: There's some weird thing in there that constitutes Legislative

Commissioner S. Techaira: That will great then we'll just me over before the ninety

Chairwoman P. Fejeran: Would you be interested in renewing your term?

Commissioner S. Techaira: My only thing is that I may be potentially leaving off island

Chairwoman P. Fejeran: So, you haven't decided on that yet

Commissioner S. Techaira: It will be as soon as June. June or July.

Chairwoman P. Fejeran: Oh, so we'll go for the ninety days. Should we; I guess I'm asking do we look for your replacement

Commissioner S. Techaira: Let me try to finalize some things

Chairwoman P. Fejeran: Okay

Commissioner S. Techaira: There's some stuff I'm working on timelines

Chairwoman P. Fejeran: Okay, good

Commissioner S. Techaira: It's a little too early for me to answer

Chairwoman P. Fejeran: Decision coming then

Commissioner S. Techaira: Just initially we were looking at September right, but it's probably going to be pushed up, but I don't know for sure yet. Perhaps because I'm leaving; I'll physically be off island before the fiscal year's up, so...

Administrative Director: I'll need to inform the Governor of your decision or you know, what's currently going on at least

Commissioner S. Techaira: I mean, I just don't want to renew and take up space that you could be using for someone that's going to be a full three and then put me out and replace me again and go thru that, so what's the best course of action

Chairwoman P. Fejeran: Maybe we allow you the ninety days to decide if you're moving or not and then based on that decision, we'll decide.

Commissioner S. Techaira: Is it ninety days after the date? After April 9 that's when the ninety days start?

Administrative Director: You said by June, because that's falls way within the ninety days, so that's fine

Commissioner S. Techaira: The latter part of this month of June; I'm sorry, I mean May

Administrative Director: Okay, that's fine.

Commissioner S. Techaira: We're just working on some things, so I can't really...(inaudible)

Chairwoman P. Fejeran: Okay. Commissioner Comments, I still didn't get the Administrative Director's Abstract or action items from the last

Administrative Director: From the 7th is it or what is it the 21st

Chairwoman P. Fejeran: Yeah

Administrative Director: Yeah, she just started, you just started today, so it will be sent to you

Chairwoman P. Fejeran: I'm sorry Tina, I'm sorry Tina

Administrative Director: The Legal Counsel said you're allowed to vote by email, it will be sent to you today, and I did stress that we will go over the procedure for it because it's relatively new. The minute that the board meeting ends, we go back to our workstations and we email that to the board before we leave for the day. That's actually a part of the process.

Chairwoman P. Fejeran: That's it? Okay.

Administrative Director: Yeah, so that way it gets to you the day of.

Chairwoman P. Fejeran: Okay, today also?

Administrative Director: So, you should be receiving one for today's actions as well.

Chairwoman P. Fejeran: Okay, I appreciate that.

Administrative Director: Thank you. Let's go back to the office Tina.

Chairwoman P. Fejeran: Next meeting is; so, we'll try and adjourn at 5pm every time. Next meeting is Thursday, April 18th everybody. I need a motion to adjourn.

Commissioner A. Duenas: Motion to adjourn.

Chairwoman P. Fejeran: We are adjourned.

Commissioner A. Santos: I second it.

Chairwoman P. Fejeran: Thank you everybody

