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CHamoru Land Trust Commission

(Kumision Inangokkon Tano' CHamoru)

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COMMISSION MEETING MINUTES
Department of Land Management Conference Room
3rd. Floor, ITC Building, Tamuning
Thursday, September 19, 2019,
1:0PM – 5:27PM

Public Notice: The Guam Daily Post on September 12, 2019 and September 17, 2019

I. CALL TO ORDER

Chairwoman Pike Fejeran: Okay, I would like to call this CHamoru Land Trust Commission meeting to order. The date is September 19. It is 1:04 p.m. Public notice for this meeting was provided in the Guam Daily Post on September 12, and September 17.

II. ROLL CALL

Chairwoman Pika Fejeran: I would like to call role. Amanda Santos?

Commissioner Amanda Santos: Here.

Chairwoman Pika Fejeran: Austin Duenas?

Commissioner Austin Duenas: Here.

Chairwoman Pika Fejeran: Commission. Legal Counsel, Nicolas Toft?

Legal Counsel Nicolas Toft: Here.

Chairwoman Pika Fejeran: Administrative Director, Jack Hattig the third?

Administrative Director Jack Hattig: Here

Chairwoman Pika Fejeran: Okay I'm also here Chairperson, Pika Fejeran. If I could ask us all to rise and incite the Inifresi.

All: Inifresi. Ginen I mas takhelo' gi Hinasso-ku, i mas takhalom gi Kurason-hu, yan i mas figo' na. Nina'sina-hu, Hu ufresen maisa yu'para bai hu Prutehi yan hu Difende, I Hinengge, i Kottura, i Lengguahi, i Aire, i Hanon yan I tano' CHamoru, ni'Irensia-ku Direchu ginen as Yu'as Tata, Este hu Afftma gi hilo' I bipblia yan I bandera-hu, i banderan Guahan! Biba!

Translation to English [Guam Pledge] From the highest of my thoughts, from the deepest of my heart, and with the utmost of my strength, I offer myself to protect and to defend the beliefs, the culture, the language, the air, the water and the land of the Chamorro, which are our inherent God-

given rights. This I will affirm by the holy words and banner, the flag of Guahan!

Administrative Director Jack Hattig: Biba!

All: Biba!

Unknown: Biba CHamoru!

Chairwoman Pika Fejeran: Thank you everybody. For those of us that this is your first time at our commission meeting. Thank you for coming. I know a lot of you are here and are on the agenda. We have a public comment sections sign-up sheet here on the table at the front. Our public comment section are those individuals who are not on our agenda. We also have agendas over there for you to take a look at. Public comments we will start at 4:30 p.m. Okay.

III. APPROVAL OF MINUTES

Chairwoman Pika Fejeran: Okay so the first item on the agenda after the role call is Approval of Minutes. The commission has been provided with the copies of the May 2nd, May 16th and June 6th regular meeting minutes. We do not have the July 18th regular meeting minutes so I would like to strike that from for table that until the next one. For the May 2nd and May 18th. Sorry. Its actually May 16th it's a typo on our agenda. So May 2nd Meeting Minutes and May 16th, I've a chance to go through and I just flagged a few really just typo typographical errors that I found that I want to just get corrected. In terms of the content, I didn't have. I didn't have any comments. Did the commission have any substantive comments on what was discussed. Was anything missing? None?

Commissioner: Austin J. Duenas: I wasn't present at those two meetings

Chairwoman Pika Fejeran: Oh you weren't. Okay. I would like to ask. And I and I can provided these notes to the staff so that they can make it make the corrections. I would to ask that. And I've seen it at other at previous meeting minutes that when we get to a new item on the agenda where's it's the start of the discussion for that agenda item. They they put that agenda item bold underlined. So that when someone like you know just looking thru it the meeting minutes like this. Meeting minutes that we received from 2011 for one of our cases. See how they have the agenda item.

Administrative Director Jack Hattig: Yes. Okay

Chairwoman Pika Fejeran: I would to ask that we add that just to make sure that we're covering everything on the agenda and that is an easy cross reference and it's easy to go thru. Go thru this.

Administrative Director Jack Hattig: I see what you're getting is the transcript of the discussion. But we will add the topic of the discussion the agenda item itself.

Chairwoman Pika Fejeran: Yeah I think for even for the transcript ones. We, let's see, like the 2016 ones that we for here before us. For our case, they do put they were putting if it was a new business and the agenda item number. Also a little like old summary of what the topic of the discussion was. I wanted to ask you Director have you do you read thru these before they get to us?

Administrative Director Jack Hattig: Yes! Yes I do. I have my own copies and they're given to me. So I'm able to scan thru. Well I do read them and make sure that we tried to get as much. But I'm not perfect and I'm sorry. Sometimes I'll missed certain things that others would be able to see. So I apology for that if I did missed anything. Especially formatting or things of that nature if they weren't put in.

Chairwoman Pika Fejeran: Okay. I just ask if you do read these because you look pretty, kind of funny er, typo errors right.

Administrative Director Jack Hattig: Well we had a transition between

Chairwoman Pika Fejeran: Well I bring it up because I hope that you are the eyes that get to see it and make those corrections before it gets to us.

Administrative Director Jack Hattig: Sure! Yes Madam. Of course. I'll do a better job Madam. I apologize.

Chairwoman Pika Fejeran: I appreciate it! I've only gotten thru May 2nd and May 16th. [Inaudible]. It's over hundred fifty pages of transcript. So I know there's a lot of work goes into this. So these typographical errors are to be expected. The extra set of eyes that you provide before it gets to the commissioners appreciated it. But as I was going thru this, I was making my notes. There's a multitude of things that we discussed back in May that have not been address. That we have directed you to take care of. Put together SOPs. In our May 16th In our May 2nd meeting we asked for a simple SOP for our new leases for our Land for the Landless. That was five months ago. We have not been presented with what we asked for. Then in the May 16th meeting, we really went into more detail for what the commission wanted. We said we need a SOP for site visits, we need a SOP for unpaid Applicants, we need a SOP for deceased applicants, a SOP for current lease holders, off-island if they're property owner, a SOP for Residential to Agri. And Director I hope hope you understand as as Commission Chairperson I I take many hours to prepare for these meetings. But I am not a paid employee of the CHamoru Land Commission . Our role here is basically our community service. For every meeting, regardless of how hours it takes to prepare and all the the pressure and everything on us.

We get paid fifty dollars a month. So really we look to you to take our directions here at these meetings and make sure there are follow and you follow thru. Because I'm like I said I'm basically I'm providing a service a community service and it's very frustrating.

Commissioner Amanda Santos: For very low pay.

Chairwoman Pika Fejeran: Yeah it's very frustrating for me to go back and read these meeting minutes and realize five months ago we were asking for things that we have not received.

Administrative Director Jack Hattig: Okay

Chairwoman Pika Fejeran: Okay. And I understand you're new. You were just new this year. But this is your job that you took on. And there's. There's definitely a learning curve and I'm hoping you reached that learning curve. And that you are ready to get down and really get this work done.

Administrative Director Jack Hattig: Yes.

Chairwoman Pika Fejeran: Okay. You're getting the big bucks we are not. Okay

Commissioner Amanda Santos: We are not.

Administrative Director Jack Hattig: Yes Madam. I will follow up on all those concerns. I'll follow up the two two meetings or so that I was unavailable. I was on leave for May and July. So I will follow up on the requests forthwith. And provide you with updated information. We are working on an comprehensive SOP that does include everything. To include somethings that were not mentioned in the request. And so we will provide you with that information. Again my deepest apologies for what seems to be a lengthy discussion on what can be put forward. What can be offered to you for your approval. So again I deeply apologize.

Chairwoman Pika Fejeran: I mean. I mean reading the meeting minutes it was pretty clear we were asking for a simple SOP. Simple. We don't. We didn't want to get into the weeds of exactly how each land agents is going to do this, this and this. But we wanted a simple SOP so that we know that the staff and the director are following the law. Okay. So thank you. So that's the May 2nd and May 16th meeting minutes. Wait a second. Hold on. Can we get clarification was it Thursday, May 18th or Thursday, May 16th. I have two dates on mine.

Commissioner Austin Duenas: Thursday the 16th.

Chairwoman Pika Fejeran: All right. Thank you. So aside from the clerical typographical errors. Did the commissioners have any other comments for

the minutes? Anything that would prevent us from approving a motion with incorporation of these changes

Administrative Director Jack Hattig: Subject to the corrections.

Chairwoman Pika Fejeran: Subject to the corrections

Commissioner Austin Duenas: Unless there's anything else. I don't have an issue with creating a motion to approve the minutes. Motion to approve the May 2nd, 2019 regular meeting minutes.

Chairwoman Pika Fejeran: Motion made.

Commissioner Amanda Santos: I second it.

Chairwoman Pika Fejeran: Seconded it by Tan Amanda. Further discussion?

Commissioner Austin Duenas: None.

Commssioner Amanda Santos: None.

Chairwoman Pika Fejeran: Approve the minutes subject to change.

Commissioner Austin Duenas: Subject to the changes.

Chairwoman Pika Fejeran: Subject to changes. That's amend motion? Approved subject to changes? Can I get a second for the amended.

Commissioner Amanda Santos: I second it.

Chairwoman Pika Fejeran: Seconded it by Tan Amanda. All those in favor.

Commissioner Austin Duenas: Aye!

Commissioner Amanda Santos: Aye!

Chairwoman Pika Fejeran: The ayes have it. Thank you. Motion passes. Okay.

Commissioner Austin Duenas: Motion to approve May 16, 2019 regular meeting minutes pending any corrections changes.

Chairwoman Pika Fejeran: Motion made and seconded it. Further discussion?

Commissioner Austin Duenas: None

Commissioner Amanda Santos: None

Chairwoman Pika Fejeran: All those in favor?

Commissioner Austin Duenas: Aye!

Commissioner Amanda Santos: Aye!

Chairwoman Pika Fejeran: Motion passes. Thank you. So June 6th we'll table. Thank you. And the July 18th was on our agenda we have not received. So that we will definitely table this off. Okay. Thank you.

IV. OLD BUSINESS

1. Commercial Leasing

a. Global Recycling

Chairwoman Pika Fejeran: Moving on to old business. Item one commercial leasing. A. Global Recycling. Okay. So I would to introduce this this topic. We talked about. Global Recycling was on agenda in August at our last meeting. And at that meeting, we plainly asked has any money been paid from Global Recycling to the trust for the use the property since it sounds like. Looks like 2004. And the answer the staff has provided us that no. There has been no payment to the trust. Okay and so with the information presented we went forth and made the decisions. Come to find out after the meeting that in fact Global Recycling had paid something like a hundred thousand to the trust. So I want to first apologize to the representatives of the Global Recycling that that information in the meeting . I believe it was included in a PDN news story. That included the wrong information that they hadn't paid anything when in fact they had. So I would like to give my sincere apology that the information that was presented to us and it was wrong. I I really apology that we didn't have all the information at the time. I do wanna say that the commission again we are community service. Most volunteers up here. The decisions we make are only as good as the information presented to us. So again I want to apology on behalf of the commission and the entire CHamoru Land Trust staff. Okay. I'm sorry that happened. Okay. Thank you. Thank you for understanding. So which is why the decisions that were made at that last meeting once that news. Once we found out that money has been paid. We said hey we have to just readjust this. We didn't move forward with what our decision was last time and we added Global Recycling back to our agenda so that we can have a full and complete story. Okay. So what we have before us in our packet. I wanna say its its very long. It is a long, pretty complex story that I had the opportunity to review, go thru and see what is least documented. We have excerts from meeting minutes. From. From as far back as March 30, 2000 leading up to our most recent meeting minutes where this was discussed. In 2014? [Inaudible] So that's fourteen years of meetings. We have a bunch of letters here. Like I said it is very complex right. Looking back at this, it

looks like at least from my read of it. The way that Global Recycling got involved was because of natural disaster. Guam went thru I believe it was Typhoon Paka. Was it typhoon a typhoon before 2000? We went thru the typhoon and because of the emergency and all the debris. It was decided and I don't know who decided it. But someone in GovGuam that the CHamoru Land Trust property was going to be basically the dumping ground for a lot of metal waste and things collected around the island. So it wasn't just CHamoru Land Trust waste and debris. It was collected from all over around the island and put on Land Trust property. That's my understanding. Because of that disaster time period sounds like things were kind of rushed and there handshake agreements. I guess verbal agreements. But nothing was ever resolved, fifteen years later from the time Global Recycling got involved. We still trying to figure it out. Okay. So director will you be speaking on this topic?

Administrative Director Jack Hattig: Myself and Joey Cruz will be speaking on the topic. Joey's complied the actual since he's in charge of commercial leases.

Chairwoman Pika Fejeran: Okay.

Administrative Director Jack Hattig: Okay so he has complied this report. I did get a chance to read it. I just wanna reiterate that I did meet with representatives of Global and I did offered them an apology from the agency from the commission. Yes the the information that was presented was up to a certain point in time. And that's the reason why we hadn't receive the information about payment to them. So therefore we went back and this is the subsequent report which takes us back to the beginning of the property itself. And it involves another company that brought Global Recycling because of that disaster that you mentioned. Here today up to today. So the revised details here are a better indication of exactly of all the things that you described right administrative decisions or discussions. So we taken the painstaking opportunity to us to provide you that today. That would give us a clear indication. And also to to to state that again to be following our rules and regulations for commercial leasing our recommendation still stand. But we are willing to work together with Global Recycling at this point. We always been willingly to work with them on how to make that happen. How to make that best happen. Because we do realize base on our assessment of their property too. In light of current situations that heavy metal recycleables are still brought to Global to this day. We need to understand the gravity of that situation. I'm also here to report back to you and state that any closure in Global, in that particular property would be a detriment to the Government of Guam to tell you the truth. The Mayors' Council of Guam has has open purchase orders for large recycling operations , junk cars, tires with rims in them. Things of that nature. White goods. So really that area is the only place. No other operation handles the volume that Global handles on that particular property. So my my only concern has been since the start of this, is that we do things according to the rules and regulations obviously. That's why

that's the antithesis for my recommendation that still be under taken by the commission as to do it right commercially. So we get everything under under the aspects of the law. As you see here in the research it's only administrative directors' authorization. The board the board has given in the past the board has given the previous administrative director the the latitude to negotiate the terms and to approve any such terms. So I'm just bringing that to you now as administrative director present. That's the situation.

Chairwoman Pika Fejeran: Okay thank you director. I see. I guess we're kind of jumping ahead. But if we wanted to look forward to the recommendation that was provided to us by by the director. And I hoping that Nick, Legal Counsel, you can kind of advise us on this. So the first recommendation is which what we considered and past last time was to issue a sixty or ninety day cease and decess letter to Global Recycling. But then again that decision that was made last time was not based on all the facts we have in front of us today. So there's that .That's is that still your recommendation Director?

Administrative Director Jack Hattig: Yes Madam. Currently right now we don't have a any kind of agreement or license otherwise with Global. So in order to make that make that happen we need to follow the rules that were stipulated for this particular purpose.

Chairwoman Pika Fejeran: Okay and then the second recommendation which we need to declare and designate Lot 10122-15 for Commercial leasing or licensing pursue to Section 75105D of Chapter 75 of Title 21 GCA. Those are the commercials regs and rights? Right.

Administrative Director Jack Hattig: Yes madam.

Chairwoman Pika Fejeran: Okay. I know that process for declaring and designating a lot is a very long drawn out process . I know we have to schedule public hearings and we have a seat at the board, then we pass a motion, then it goes to the legislature and starts another time clock. And then if that gets thru then now we have to work with GEDA to get requested proposals . All of that. I understand that we need follow the commercial rules and regs.

Administrative Director Jack Hattig: And I have since informed Global of that process as well. So they are informed. At least about the process that needs, that should happen.

Chairwoman Pika Fejeran: Okay. I would. Let's see. I have some questions. I guess based on the history. And wondering about the best way to go about this. Yeah. I think before we kind of jumped to asking the commission what do we decide. How do we move forward. I would like to

kind of address the whole the whole story first. If I may. So if we could have Mr. Cruz join us. Mr. Joey Cruz.

Administrative Director Jack Hattig: Yes . Yes.

Chairwoman Pika Fejeran: I would really like to afford the representatives from Global Recycling to also join us on this discussions. So we are all on the same page.

Administrative Jack Hattig: Can we have another chair for Mr. Chu

Chairwoman Pika Fejeran: Hafa adai! Thank you all for joining us. Once again I offer my sincere apologies. I offer my sincere apologies for what transpired at our August meeting and the news report. And so I'm just. I'm sorry and I hoped that we can make the record straight today.

Global Recycling Mr.Daniel Chu.: Thank you.

Chairwoman Pika Fejeran: And I was also reading thru our meeting minutes five years ago in 2014 at a commission meeting, we were reading the meeting minutes . Even back then the commission at the time didn't know about this hundred thousand dollar payment either. So I have to ask myself what is going on here. There's a lot of inconstancies for what I can see from the meeting minutes, from the documents that we should have. So if you could both state your name for the record please.

Global Recycling Daniel Chu: Daniel Chu from Global Recycling.

Global Recycling Alan Chu: Alan Chu

Chairwoman Pika Fejeran: Okay and we have Joey Cruz with us. He's a CHamoru Land Trust staff. So please tell me if my understanding is correct. This all began with like I said in 2000 with Ko' Ko' Recycling, who back then was HMS Recycling. I think it was. Was issued a lease for a property in Barrigada. That lease included authorization to continue to process recyclable material on the subject lot where Global Recycling currently is. That's Lot 1022-15, in Dededo. And then again this was because of the natural disaster and all of the debris that needed processing. So Ko'Ko'. Is that right Joey? Ko'Ko' was given the lease in 2000, They were really just. They were given the lease for Barrigada, but then they were given authorization to clean up.

CLTC Staffer Joey Cruz: Sir, 10122-15.

Chairwoman Pika Fejeran: To enter that one and clean up. Okay. Okay. As I understand it Ko'Ko' Recycling is I remember I remember reading last year or previous there was a proposed legislation for rent and credit due and all of that. I just wanna to ask legal counsel that if what we're doing

here today for Global Recycling and whatever decisions are made. Would have any bearing on Ko'Ko's claims one way or another?

Legal Counsel Nick Toft: I mean potentially but they would have to they to agree that. I mean it's a weird situation. Where Ko'Ko' had the original contract and at some point along the way it got passed on to Global. And so in order to have any sorta offset, I guess that would be the word. It would have to be as part of an agreement with Ko'Ko'. So we would need to hold them to an [Inaudible].

Chairwoman Pika Fejeran: Okay okay understood. Okay so as we mentioned Ko'Ko' who has the lease and then in 2004 they entered into what I've come to learn is a baling agreement. Scrap baling agreement. So that's August 31, 2004 for a two-year scrap baling agreement with Global Recycling. Is that right? That's you guys, right? Okay. Okay so that was in 2004. When that scrap baling agreement expired in 2006, this is my question for Global. It's my understanding that you continued to operate at that property. Did you. Was there a new baling scrap baling agreement signed or? After the original scrap baling was expired, you continued operating? How did that work?

Global Recycling Daniel Chu: It been long time. I cannot remember that clear. [Inaudible] I think later on Ko'Ko' Recycling they involved in something else. They stay private out of the way. They not dealing with CHamoru Land Trust and EPA. They have been shut down for awhile because they said they don't have a permit and it's under Ko'Ko' Recycling. EPA permit. They shut down for awhile. Then then we get permit directly from EPA. And cannot remember too much.

Chairwoman Pika Fejeran: Okay. Okay. It's okay. Okay and then. So from 2004 up onto today you'll continued operating as Global Recycling Center.

Global Recycling Daniel Chu: Yes

Chairwoman Pika Fejeran: Okay from from from the meetings that have happened since 2004, I was able to figure out that you put a substantial amount of infrastructure is that about three to five hundred thousand dollars into the property. Is that right?
[Inaudible]

Global Recycling Daniel Chu: Infrastructure?

Chairwoman Pika Fejeran: You'll invested

Global Recycling Daniel Chu: A million dollars. Infrastructure maybe not a million dollars but least equipment wise.

Global Recycling Alan Chu: Some of the equipment is located outside like the baling machine and we also have a shed. It's built almost a fixture of the property and the rest would be heavy equipment.

Chairwoman Pika Fejeran: Okay. I mean really reading reading thru how many meeting minutes we presented with. Where Global Recycling was an agenda item. From my read of it, Global Recycling has really made all good faith efforts to come to the commission and say hey we're operating. Give us a license so that we can operate like you know with that security. Right? And the only thing that that the trust has been able to do or has done was provide letters of authorization.

Global Recycling Alan Chu: That's right.

Chairwoman Pika Fejeran: And with those letters of Authorization you been able to continue operating. Okay. So my question is so you currently hold EPA permits and all permits necessary to operate?

Global Recycling Alan Chu: One of our permits is under being renewed right now. So there's a solid processing collection facility and also a processing facility. One of them is being renewed and the other one will be expires in 2020.

Chairwoman Pika Fejeran: Okay.

Global Recycling Alan Chu: I don't know why they offset it like that. They use to expire at the same time but when we renewed last time. One was a year earlier and I don't really understand why.

Chairwoman Pika Fejeran: Okay.

Global Recycling Alan Chu: Yeah.

Chairwoman Pika Fejeran: But with those with those permits that that you have and I guess the one that you're renewing now. It's safe to assume you are following all regulations, reporting requirements that are required by ET EPA.

Global Recycling Alan Chu: That's right.

Chairwoman Pika Fejeran: Is there another regulatory agency that you work directly with for this?

Global Recycling Alan Chu: For the use of the property?

Chairwoman Pika Fejeran: Right.

Global Recycling Alan Chu: Just Guam EPA and your standard business licenses.

Chairwoman Pika Fejeran: Okay.

Global Recycling Alan Chu: And CLTC obviously.

Administrative Director Jack Hattig: If I may, is there not a request from Department of Land Management for planning purposes with regards to?

Global Recycling Alan Chu: That was actually requested by Guam EPA to give a new zoning letter. And I had to requested that from the planning division. But they were hesitate to give me a new zone letter because of the situation involved right now.

Global Recycling Daniel Chu: I think so we have the letter.

Global Recycling Alan Chu: We do have a zoning letter but that was dated many years ago.

Global Recycling Daniel Chu: Yeah.

Global Recycling Alan Chu: Guam EPA just asked for an updated one. That was the request.

Administrative Director Jack Hattig: That's the only other permitting part is the planning division. The zone.

Chairwoman Pika Fejeran: Okay. Okay. In 2011, a commission meeting meeting, the commission asked that asked I think it was Global. The commission asked that asked if the clean up of the original disaster and everything was completed. And it was stated that no it wasn't completely done. That Global needed another three years. So that was 2011. Was the cleanup completed in 2014?

Global Recycling Alan Chu: Part of the thing is at that site was initially a dump site and we put materials onto that site as well for storage. So sometimes it gets co-mingled. I believe it has been, because we have already. I don't know if you have ever been there before, the piles of debris that was there from the previous disasters was very very high. And we have reduced that substantially. I think it used to be over twenty feet high before. And we have brought it down substantially. I believe all the material I believe most of it over ninety plus percent are gone. But then again the co-mingling of materials as the nature of this business. You can't say one hundred percent certainty of this piece of metal was taken out. Our original. Our estimate should be more than ninety plus percent should have been removed at that time.

Chairwoman Pika Fejeran: And then. Also in 2011 in the meeting minutes it says that Mr. Chu you provided a lease. You had a copy of a lease from the Land Trust?

Global Recycling Daniel Chu: No. We never get a lease.

Chairwoman Pika Fejeran: You never had a lease?

Global Recycling Daniel Chu: Because they say we not we don't have the real regulations settled down yet. So you cannot sign a contract. So we never get one. Only a temporary one.

Global Recycling Alan Chu: Yeah. We don't have any record of that. Again the letters of operations go back over a decade now. Even the last time we spoke was in 2014 2014 2015. Discussing about trying to get a lease. And again there was no rules and regulations in place. And that they would contact us when those rules and regulations were put in place. So that we could work on getting a lease . But that never occurred.

Chairwoman Pika Fejeran: That never happened.

Global Recycling Alan Chu: Yeah.

Chairwoman Pika Fejeran: Let's see. There's also talk about in 2014 a thirty-six thousand dollar receiveable. March collection. Do you. Can you.
CLTC Program Coordinator III Joseph Cruz: We verified that. We looked thru the financial system from internally and with the Government of Guam. We were unable to substantiate that amount as collected.

Chairwoman Pika Fejeran: Oh yeah. Weird. That's weird. No.

CLTC Program Coordinator III Joseph Cruz: In that meeting it was acting Administrative Director Camacho who had mentioned that amount. So we went back to our audit files, thru the financial system, and the Government of Guam, our own internally are there was no collection of that amount.

Chairwoman Pika Fejeran: No collection. No accounts receivables. So that just a weird. It like there was some very weird. Weird things. Yeah. Yeah. Yeah. Okay. But in 2000. Let me see. The one hundred thousand dollar check was paid in on September 15, 2011. It looks like. An one hundred thousand dollars. A check was received from Global Recycling to show good faith effort that you're here. You're using the property and you want to show you're really trying to.

Global Recycling Daniel Chu: Ready to sign a lease.

Chairwoman Pika Fejeran: Get to a lease. And again the commissioners and directors have always been like no we can't. But but you can still use it with this letter Right?

Global Recycling Alan Chu: Yeah

Chairwoman Pika Fejeran: My question for Mr. Cruz. That hundred thousand dollars. Where did that money go?

CLTC Program Coordinator III Joseph Cruz: It was deposited into the CHamoru Land Trust operations fund.

Chairwoman Pika Fejeran: Okay.

CLTC Program Coordinator III Joseph Cruz: We provided a great provided a printout from AS400 which is Government of Guam financial system. That's how we were able to track it.

Chairwoman Pika Fejeran: Okay I see. So. So. We did receive it and it came into operations fund.

CLTC Program Coordinator III Joseph Cruz: Yes madam.

Chairwoman Pika Fejeran: Okay thank you. I also saw that we entered into a memorandum of understanding with Global Recycling. A public-private relationship with regards to a use of a Caterpillar tractor, full tractor, dozer 1550. That's in 2012. And in 2017, Mr. Chu, you submitted an incident letter saying it got destroyed from a fire.

Global Recycling Daniel Chu: Yes.

Chairwoman Pika Fejeran: I didn't see any any follow-up on that one. Yes.

Global Recycling Alan Chu: At the time, I do remember. I did write a letter regarding the incident report to the administration. I'm not certain exactly. I would have to look thru my records. But I have a copy of that email.

Chairwoman Pika Fejeran: Okay. We have. We have.

Global Recycling Alan Chu: Oh yeah. Yeah. Sure. The only thing is that that dozer was actually we didn't really use it. I think it was more like the CLTC you know stored it kind of there. It was for random use. It was never used. We have our own equipment for our operations. There has been. There has been vandalism in the past at our compound before. Where people have.

Global Recycling Daniel Chu: People come to us and set up fires.

Global Recycling Alan Chu: Yes. They set fires.

Global Recycling Daniel Chu: The same guy we have reported for the police three times. And after we left at eleven twelve we went and pick up the alarms. Grass burning. They hiding. People they don't care. They just hide in the grass. I don't know. Maybe they get mad. They started set fires. They burn more than fifty cars.

Global Recycling Alan Chu: Yeah. I think. It was properly documented by Guam Fire Department. GPD actually has the incident reports. I don't know if that was the dozer was a direct result of that. And I'm not sure. I wasn't on island at that time.

Global Recycling Daniel Chu: Yeah it is. I believe.

Chairwoman Pika Fejeran: Joey do you have anything to add?

CLTC Program Coordinator III Joseph Cruz: No, it's just in regards to the letter.

Chairwoman Pika Fejeran: Yeah. Okay. That was really the first I have ever heard that the Land Trust owned any heavy equipment.

CLTC Program Coordinator III Joseph Cruz: It was. The trust received it from the department of corrections.

Chairwoman Pika Fejeran: Interesting.

CLTC Program Coordinator III Joseph Cruz: They were going to that to clear the easements.

Chairwoman Pika Fejeran: Yeah and never used it. Why? We need these types of capabilities.

Global Recycling Daniel Chu: This equipment is very old. If we don't repair it we can't use it.

Global Recycling Alan Chu: Yeah I don't think it was operable.

[Inaudible]

Global Recycling Daniel Chu: [Inaudible] It was not workable.

Chairwoman Pika Fejeran: Okay. And then was also some talk about Global Recycling agreeing to move to other location in Yigo. Is that. Am I remembering recollecting?

CLTC Program Coordinator III Joseph Cruz: That was in the board minutes that we obtained from file. Where exactly we're not aware of it.

Chairwoman Pika Fejeran: But your intent is to stay at where you are at.

Global Recycling Daniel Chu: We want to stay. Nobody want to move.

Chairwoman Pika Fejeran: You already put such much.

Global Recycling Alan Chu: Ideally we would like to stay on the property. We already do substantial amount of business there. And I'm not sure about the overall exports of the other recyclers but for ourselves. The last fiscal year we've did over ten thousand tons of materials roughly. That's roughly about four or five hundred container loads.

Chairwoman Pika Fejeran: Wow.

Global Recycling Alan Chu: So.

Commissioner Austin Duenas: Is Global Recycling offering any in-kind services right now to the Government of Guam?

Global Recycling Alan Chu: Not officially. But many times.

Global Recycling Daniel Chu: Yes. The Land Trust. The mayors.

Global Recycling Alan Chu: Yeah the mayors but its not official. Usually we do have P.O.s for that. But occasionally when they had exhausted all their P.O.s and the mayors asked if we could take some extra things. We usually do so. There's been several occasions where they want to clean up an area. For a fiesta or what not. Okay sure we'll just provide that service for them. You would. You can to talk to the individual mayors regarding that. I know of

[Inaudible]

Global Recycling Daniel Chu: Yeah but we charge them.

Global Recycling Alan Chu: Some of them. Some of them. I know for a fact that. There was.

Global Recycling Daniel Chu: Sometimes we want to help. Government call mayors because we have the same friend. So when they have money they pay us. If they don't have money we have to help because the problems they still there. [Inaudible] What they want. What they want is to fix the problem. How we can fix the problem. We just. [Inaudible] But when they really need time for services they don't have money. What can we do

say no to a friend. I cannot say no. Most of the time I cannot say "NO" for the past several years.

Administrative Director Jack Hattig: If I may. Do you have a current P.O.s that are open with any of the government agencies or mayors?

Global Recycling Alan Chu: Yeah the Mayors' Council. We have several. We do have.. We also take P.O.s from I believe GHURA for white goods. [Inaudible] Also I don't think we have any with Guam Housing Corporation. I know GHURA we do also the Mayors' Council.

Global Recycling Daniel Chu: They don't know us. They don't use us. Of course, we do lots of dealing with GPA and GWA. [Inaudible]

Global Recycling Alan Chu: For the scrap.

Global Recycling Daniel Chu: Yeah [Inaudible]

Chairwoman Pika Fejeran: Well. If you really looking at this long history and all the documented meeting minutes. It it really sounds to me that you made a good faith effort. And you absolutely provide our entire island with a very necessary service. Okay so I want to thank you for your service. Doing all that recycling and helping our villages get cleaned up. And what I would like to do moving forward is work with our legal counsel to see how we can address the fact that you don't have a lease. In order. Legal counsel in order for them to get a lease would we have to go thru the commercial rules and regs? Or is there another avenue that we can take because they provide a community service I would say? Is there another route we can take because I don't. I don't know if the recycling. I'm you know. Like our like our community centers. We have community centers on our properties and we don't treat they like commercial enterprise. Because they provide a community service. And I'm wondering if we can consider the same for for this property and the use of this property.

Legal Counsel Nick Toft: Yes, so I was asked to look into this a little bit. And under Title 21 Chapter 75, CHamoru Land Trust law is basically, 71, 75122 talks about the that was the new implementation of the commercial laws regarding. And there is a carved out. It's it's referred to under 75107C that talks about granting what are called commercial licenses. So it wouldn't be lease, it would be a license. And for that to apply it would have to be for. It would be an improvement or a public purpose. In order to make that kind of finding, we may want to get letters of support from some of the mayors who used this facility to substantial that this is a public purpose. And in that case, it won't need to be designated as a commercial lot and have to go thru the entire procurement process. It still would need two appraisals, one by us and one by the licensor, in order to move forward. But that but that could be one potential route.

Chairwoman Pika Fejeran: I. I. I think that's a very logical way to go. Like I said that this is not this is not an enterprise on the property that's doing. You know making a business for themselves. They are providing a service. And as we heard today, they provide the service for free often times for our island. Our entire island. So okay. What would we need to do for this. If if we were to pursue this. Like you mentioned we would need two appraisals. I know that appraisals were done by by the by Global Recycling and they have been submitted in the past. I saw that. Appraisals. Gosh when were those appraisals done? In 2011. There was one appraisal that you submitted.

Global Recycling Daniel Chu: Yes. Yes.

Chairwoman Pika Fejeran: So would we need an updated appraisal to be current?

Legal Counsel Nick Toft: I would. I would suggest that. And just that there's clarity. So there needs to be two appraisals done. One of the appraiser shall be chosen by the commission.

Chairwoman Pika Fejeran: Okay. So one chosen by us. The other chosen by you, by the Global Recycling.

Legal Counsel Nick Toft: Correct.

Chairwoman Pika Fejeran: And then Global Recycling is responsible for purchasing those.

Legal Counsel Nick Toft: Correct.

Administrative Director Jack Hattig: Would you be willing to accept that responsibility?

Global Recycling Daniel Chu: It better you pay.

[Inaudible]

Chairwoman Pika Fejeran: Okay and then. Then like you said Legal Counsel. We would need I guess letters of support basically further documenting the.

Legal Counsel Nick Toft: That it's an improvement for a public purpose.

Chairwoman Pika Fejeran: Improvement for a public purpose okay. I think if if Global Recycling would be able to provide the commission with maybe a breakdown over. I don't know even just the last few years of. Kind like how you stated over ten thousand tons.

Global Recycling Alan Chu: Yeah but we have. But it has to be specific to the mayors, not just our our records.

[Inaudible]

Chairwoman Pika Fejeran: Why do we. I think. Think what we would like to see is everything.

Global Recycling Alan Chu: Sure. Okay.

Global Recycling Daniel Chu: EPA holding our records. Our exporting. They have all the records.

Global Recycling Alan Chu: Yeah. We submit every year our exporting.

Administrative Director Jack Hattig: I can engage with EPA to get the records.

Chairwoman Pika Fejeran: Well I think that we will leave that up to Global Recycling. To do your part. Tell us the story of your operations. So that we know exactly how you're helping the island. Whether it's with the Mayors' Council or also just accepting people that drive in. That. That. Just so that. So we have an idea what the different items are that you take.

Global Recycling Daniel Chu: [Inaudible] People bringing in the material. We are paying the reasonable price for them. So make them more interesting to do their. To make their own money. Instead of if I don't pay they dump in the wood. It's going to triple triple times hard to collect it and to throw it. So we always do, doesn't matter how low the metal prices. We always provide minimum given. [Inaudible]

Global Recycling Alan Chu: Incentives. Yeah.

Global Recycling Daniel Chu: Of course the price once the price goes up, we paid them high.

Global Recycling Alan Chu: It's it's a commodity market so the prices fluctuate very heavily. I know that during the peak year. I think just prior to 2018 there was quite. I mean we have records going back far of our daily acceptance numbers and it was very very high during that time. I think. Like everyday I think we were buying like two three thousand dollars worth of metal

Chairwoman Pika Fejeran: Wow.

Global Recycling Alan Chu: At that time.

Chairwoman Pika Fejeran: Wow. Okay. All right just give us some documentation. Some letters of support.

Global Recycling Alan Chu: Sure.

Chairwoman Pika Fejeran: So that we can package that all together to substantiate and [Inaudible]

Legal Counsel Nick Toft: And permits as well.

Chairwoman Pika Fejeran: And copies of your permits.

[Inaudible]

Chairwoman Pika Fejeran: Has the last last letter issued to you Authorization to Occupy. Looks like it was from 2015?

Global Recycling Alan Chu: 14 or 15?

[Inaudible]

Chairwoman Pika Fejeran: Okay. Come 2015. its over four years later. Do do we need to provide another authorization letter?

Legal Counsel Nick Toft: I think at this point if we're going to go with the license idea just proceed forward with that. The authorization to occupy really didn't have any dates.

Chairwoman Pika Fejeran: Okay. Okay.

Legal Counsel Nick Toft: As far as the extensions. I don't think any of them did.

Chairwoman Piika Fejeran: Okay. Does the commission have any comments? About taking this route to basically keep Global Recycling on the property. Acknowledging all the work that they have done.

Commissioner Amanda Santos: How long are we going to give them?

Chairwoman Pika Fejeran: How long would would the license? What what are we allowed?

[Inaudible]

Chairwoman Pika Fejeran: Commercial license.

Unknown: Fifty years.

Chairwoman Pika Fejeran: Not to exceed twenty-one.

[Inaudible]

Legal Counsel Nick Toft: Twenty. Twenty-one years.

Chairwoman Pika Fejeran: Not to exceed twenty-one.

[Inaudible]

Global Recycling Daniel Chu: Twenty-one years. Maybe I still alive that time.

[Inaudible]

Legal Counsel Nick Toft: You may want to do. I suggest do a. With with the [Inaudible] not to exceed twenty-one years. Just do five year with three year potential extensions.

[Inaudible]

Chairwoman Pika Fejeran: Okay. Okay.

Legal Counsel Nick Toft: So that way, we can revised it if there are any changes to to the circumstances.

Commissioner Amanda Santos: Yeah.

Chairwoman Pika Fejeran: Right. Right. It would give us a chance to make sure all the permits are up to date.

Global Recycling Daniel Chu: We gonna check with the EPA if the license permit or whatever against our lease. [Inaudible] For longer lease, they can do that.

Legal Counsel Nick Toft: Okay if that is an issue, please bring it up and send it to the executive director.

[Inaudible]

Chairwoman Pika Fejeran: Okay. Do we need a motion to do this?

Legal Counsel Nick Toft: I would I would say a motion to move forward with the the commercial license process rather than commercial lease process.

Commissioner Amanda Santos: Commercial license.

Chairwoman Pika Fejeran: Okay. So.

Legal Counsel Nick Toft: Just take a vote on it.

Chairwoman Pika Fejeran: So it would be a property [Inaudible].

Legal Counsel Nick Toft: I would say a vote on whether to pursue the commercial license pursuant to Chapter 75 Title 21VCA Section 75107C.

Chairwoman Pika Fejeran: Okay. So so. Do you see one other improvements for public purposes. Right?

Legal Counsel Nick Toft: Right.

Chairwoman Pika Fejeran: Would it be? Would it be considered a commercial license? It doesn't really state. It says the commission is authorize to grant licenses.

Legal Counsel Nick Toft: Right. This is the. So it's the the most recent commercial statues that were passed are a little more further down in the section 75122 that refers back to 75107. So that exact citation is 75122 Subsection A2B1.

Chairwoman Pika Fejeran: I see. I see.

Legal Counsel Nick Toft: So. It it discusses.

Chairwoman Pika Fejeran: Other public purposes.

Legal Counsel Nick Toft: Right. It kind of carves out the exception as far as not subjected to the making it a commercial a an official commercial property of the CLTC. And requiring a hearing.

Chairwoman Pika Fejeran: Okay. Thank you. Okay. So we we. A motion. We would need a motion just to document that we would like to move forward in this.

Legal Counsel Nick Toft: Direction.

Chairwoman Pika Fejeran: Direction.

Commissioner Austin Duenas: Motion to provide a commercial sorry to follow the commercial licensing process as described in Title 21, Chapter 75, Section 75105C.

Legal Counsel Nick Toft: 107.

Commissioner Austin Duenas: Sorry 107C for Global Recycling.

Commissioner Amanda Santos: I seconded it.

Chairwoman Pika Fejeran: A motion made and seconded and just for clarification this is. This would be considered under 75107C1. Other other improvements for public purposes. Right. Further discussions? Then all those in favor.

Commissioner Austin Duenas: Aye.

Commissioner Amanda Santos: Aye.

Chairwoman Pika Fejeran: The ayes have it. The motion passes. So thank you for coming in and I know it's been a long journey. I I hoped that we can work together quickly to get thru this appraisal process. And then also you would be collecting. Collecting.

[Inaudible]

Global Recycling Daniel Chu: [Inaudible]

Chairwoman Pika Fejeran: Collecting letters of support and also providing us documentation.

Global Recycling Alan Chu: Regarding our receivables and whatnot.

Chairwoman Pika Fejeran: Yeah. Also if you could provide us with a site plan. So we know the property. Have you. Has the property been surveyed?

Global Recycling Alan Chu: Yes it has. Part of the EPA the licensing or permitting process is providing the site plan.

Chairwoman Pika Fejeran: Okay. Thank you. Perfect.

Global Recycling Alan Chu: So we take it from the EPA.

Chairwoman Pika Fejeran: Yeah. Okay great. Well thank you very much.

[Inaudible]

Global Recycling Daniel Chu: Thank you for having us. Thank you.

[Inaudible]

b. UOG Hatchery

Chairwoman Pika Fejeran: Thank you. Next item on the agenda is the UOG Hatchery. If we could all turn that to there. So. This has been on our agenda so many times. I believe we first looked at the UOG Hatchery. But just to kind of back up a little bit.

Administrative Director Jack Hattig: [Inaudible] requested it.

Chairwoman Pika Fejeran: Oh hi. Hafa adai! Welcome. Thank you for coming. Appreciate it.

Unknown: Thanks for the invitation.

Chairwoman Pika Fejeran: Yeah.

Administrative Director Jack Hattig: Can we provide. Can we can provided a another chair for. Oh thank you. [Inaudible]

Chairwoman Pika Fejeran: Can we pull this up on the map? Thank you.

Administrative Director Jack Hattig: [Inaudible]Everybody got a chair?

Chairwoman Pika Fejeran: Thank you. Before I get to you guys. Thank you guys for being here. I just wanna bring us all back up to speed on what the discussion is today. So the UOG Hatchery, that is with the University of Guam, right. And it a portion of one of the buildings has is encroaching into CHamoru Land Trust property. Okay. As you can see the yellow line there. And Senator San Agustin? No. There's there's a proposed bill from Senator Terlaje. Therese Terlaje?

Unknown: Yes.

[Inaudible]

Unknown: From Senator San Agustin through Senator Terlaje.

Chairwoman Pika Fejeran: Got it.

Administrative Director Jack Hattig: Bill 76-35.

Chairwoman Pika Fejeran: Is this the new one that you printed the one that you wanted?

Administrative Director Jack Hattig: Yes the one that you provided. Yes.

Chairwoman Pika Fejeran: Alright. So this is Lot 5412-R11. Okay. What we have before us is Bill number 76-35, introduced by Senator San Agustin.

Administrative Director Jack Hattig: As amended

Chairwoman Pika Fejeran: As amended. Okay

Administrative Director Jack Hattig: By the committee of Health [Inaudible] Services.

Chairwoman Pika Fejeran: So do you have a copy of the most recent resolution? That that the Commission signed in regards to the bill?

Administrative Director Jack Hattig: Supporting? [Inaudible] We can. We can provide that. Can you provide a copy of the resolution supporting the bill 76-35? It should be there. [Inaudible]

Unknown: 201906

Chairwoman Pika Fejeran: 201906. So the last time we looked at this, the the commission felt the resolution based on what, base on how the bill was originally drafted. But I believed since then, the bill has been amended. So I wanted to take a look at that again. So as stated in the bill, it says that CHamoru Land Trust owns Lot 5412-R11 and as stated in our resolution, we've agreed to transfer a portion of 5412-R11 to UOG, subjected to conditions. Right. I believe that as stated in our resolution. I'm sorry I wish I had it in front of me now. But the commission has always been in support of correcting this issue. And by correcting I don't mean telling you guys to demolish that building right. But lets just really fix the boundary. But I believe the first. It's looking at at approximately one and a half acre portion to be added to your property. The concern the commission had back at the original draft of the bill was. I don't think the original draft even named the Land Trust as a as the property owner for the property to be taken. Now it does. So I'm glad that's been amended. And you know as stewards of the commission of the trust. It is our. It is our exclusive duty to act interest of the beneficiaries. The beneficiaries of the trust are all of our applicants that are waiting. Thousands and thousands waiting in line for property to move in, and build a home for themselves or to farm. It makes me very warying and the commission very warying when we see property being taken out of our inventory. Okay. Right. So we have to look at these very carefully and make sure we're protecting the interest of the trust. But I believe that the trust, and the commission has stated in the resolution that we fully support the UOG Hatchery. You know we have great hopes that the hatchery can provide a great service to our island and the industry and we don't want to impede that. Right. We wanna whatever we can do to help. And make sure that the hatchery can. It's closed right now.

Unknown: Oh no it's open.

Chairwoman Pika Fejeran: Oh it's operating. We wanna. We wanna just go in and fix this. But if we're going to be taking land out of our inventory, we would like some compensation. So I think we talked about selling the land, but really the commission realized man UOG you got all these like great resources. It's not just people, but programs, and the expertise that our tiny staff here at the trust. We don't have that in-house. So we're

hoping that we can use this property transfer as a method for the trust to be able to get some of those resources to help us in our priorities and help us to really move the trust along to in the direction we want. So I'm glad you all are here. And I know that I've been speaking with Senator Therese Terlaje about this. And she's very eager for us to sit down together and really. I guess come to an agreement of what this transfer would look like in terms of in-kind services. Okay so thank you for being here. If you could introduce yourselves for the records.

University of Guam Cathleen Moore-Lin: Okay. My name is Cathleen Moore-Lin and I'm the executive director of the Research Corporation of the University of Guam and I'm joined by

University of Guam Mark Acosta: Hi. My name is Mark Acosta. I'm an Extension Agent from the College of Natural & Applied Sciences Cooperative Extension Out Outreach Program.

University of Guam Denise Mendiola Hafa adai. My name is Denise Mendiola. I'm the acting Network Director of Pacific Islands Small Business Development Center Network.

Chairwoman Pika Fejeran: Okay. Thank you.

University of Guam Cathleen Moore-Lin: And I I I want thank Director Hattig for inviting us here today and I think we are on the same page. We have always wanted and see this as a win-win. And that. I know that we have provided you with the workshop proposal for. It's comprehensive. It's for up to fifty or more of your lease holders. And to determine what type of farmer they they would want to be. Is it subsistence farming or farmer's coop or would it be something more commercial? So we have outlined that, I believe that we have distributed that to the commissioners and beyond that. We have been talking to Bob Barber and Mark Acosta who works directly with Dr. Bob Barber about other services that that we could provide in-kind. And also this is why Denise is here today. We got lot of ideas and and Dr. Barber has a lot of ideas. What I would say beyond this, maybe an ad hoc committee. Made up of some of the board members lead by the director and then we can pull in the UOG resources across the campus.

University of Guam Mark Acosta: And just to give you some history, I was part of the team that with CLTC, UOG and as well as Department of Agricultural and Revenue & Tax. We did multi [Inaudible] compliance assessments back in 2008 and 2009. We observed a lot of those who had leases. We were looking for who were in compliance and who weren't based on the lease agreement. So the lease agreement says the lease the lease needs to have 2/3 for agricultural production within the first year of receiving their lease. As well as having at least fifty fruit trees per acre of land. So we found not a lot of people were in compliance. But my job or my role in this team was to do a lead assessment. Figure out what were the

education needs of the leasees. A lot of them said they were farming on little to no soil areas. There's no water. There's no power. It's really tough for them to farm. We looked at their agri leases and a lot of them didn't have farm plans in them. So what we offered is. We took all that information and brought it back to the university and created about fifty-two hours of curriculum. Everything from how to start creating your farm plan. Denise assisted us in business planning aspect and marketing planning. And then we had curriculum set for how to farm, how to start a nurse, if you're raising livestock. All based on Guam's laws to be in compliance. As well as soil and water conservation practices. We don't want people to get their leases. And the need to be in compliance the first year, so they hire a backhoe and completely scrap off all the top soil away. So what we have is promoting, this is more for the subsistence farmers. We we saw a lot of people out there with one acre leases more subsistence agricultural farmers. But our curriculum is not only for subsistence but for market gardeners and also go for commercial growers. We have a lot of history and your stakeholders are the same as our stakeholders. We are literally targeting the same people who want to learn about farming and agricultural.

[Inaudible]

Unknown: Any comments?

University of Guam Denise Mendiola: So as Mark was saying we. We joined efforts a few years ago and we created a program that included eight to ten weeks of training at University of Guam. And we had a big number, a good number of people participated and we still have folks who are continuing their efforts. So the idea behind the program at the small business development center is to be able to assist with our partners to give people the opportunity to be able to start work and reassess. Because we have been trained in area of agricultural and aquacultural we have a good handle on what it take to be able to start their farm business or to be able to market gardening if they just want to sell at the fleamarket or different locations. But we can also take it to another level where they can become distributors to the grocery stores or to the restaurants. And then to the next level distribute to hotels and opening restaurants and things like that. So there are a lot of opportunities available. It is just a matter of, I think getting them off the ground. If this is what they want to do. And because we are familiar with the different rules and regulations to be able to be in compliance. To be able to wrap those resources around them including funding opportunities, with USDA, [Inaudible], FSA and [Inaudible] people with disabilities, with DVR. We're able to assist them in all those areas. Our counselling our advice services are free and confidential. And again we work together with [Inaudible] departments.

University of Guam Cathleen Moore-Lin: And there maybe an opportunity for one of these items that was sent to me by the director which is the best use to development agricultural property mapping. Now that is really

comprehensive and probably beyond in-kind. But that doesn't mean we can't work together to perhaps submit a grant under the USEPA because agricultural is a high priority area within the Guam's comprehensive economic development plan. So perhaps, you know, in conjunction with [inaudible] Melanie Mendiola, GEDA director, [inaudible] director of agricultural we can support you in that effort. Because I'm going through two of those applications that are comprehensive. But how to pull people who help, you know, in getting that information so there is a funding opportunity in addition to the ones Denise mentioned.

Chairwoman Pika Fejeran: Wow. Thank you. That is all music to my ears. This you are what we need and what all our beneficiaries need. Thank you. So thank you director for sending that email. Those were actually came from me. [inaudible] Those were my what do we need. What don't we have. Like we need you guys. So thank you. You know, I I would love to form that ad hoc committee. I don't think we can make any of those kinds of decisions today just sitting around here. I would like to explore that more to see how, how we can use your in-kind services. I I think we would have to structure it in the form of a MOA. Is that right? So that's like really exciting stuff and you know. I brought this PDN news article. The September 2nd one that talked about that that project that you worked on Mr. Acosta. And I was reading this and you know not of this was news to me. Of course, sitting here three and half years but what really struck me was the comments from I guess Mr. Berger, and Jesse Bamba who worked for the Cooperative Extension. And I'm just sitting here saying like 'Hey you got these great ideas. Come to us. Work with us. Let's work together and put these into motion'. So so I'm really excited. This like you said Ms. Ms. Cathleen, this this can be a win-win for us. Just need to make sure we structure right. So that like like the report that was made in 2009, there was so much valuable information in there and even the follow-up plans for how to correct these deficiencies. But what happened? You guys wrote this great report and it went on the bookshelf somewhere. Nothing was done with it and we cannot let that this time. Okay so I I I asked that we we look forward to creating that ad hoc committee and drafting that MOA. But but what I really wanna make sure we get for today and in time for this bill to get to the floor so that they can vote on it. Is I wanna make sure in some way, shape or form, we kind of both agree on the level of the in-kind services, the value, the timeline. You know. Are we talking about ten years of services? Or are we talking about, you know, I I really wanna set that pretty much in stone so that we have something that we can refer to as we are developing exactly how we are going to do this. The finer details. Was there's. There's got to be an appraisal done for this property. Right? Do we have that appraisal?

Administrative Director Jack Hattig: The University conducted [inaudible].

University of Guam Cathleen Moore-Lin: We have the appraisals. So I know for that top quarter acre of land there is about twenty-eight thousand dollars.

Chairwoman Pika Fejeran: Okay.

University of Guam Cathleen Moore-Lin: And the bottom one third is unusable, eroded shoreline. So you know it will come out. We will have to come to some kind of agreement about what is, I think, that's the value. Number one is come to an agreement on the value. And then the in-kind services from there and the timeline. And so we probably should do that pretty quickly.

Chairwoman Pika Fejeran: Yes. Agreed. Agreed. I guess it sounds like we don't have a copy of the appraisal. If you could forward us a copy of the appraisal.

Administrative Director Jack Hattig: Did I. Did I make a request for the appraisal at the time that we met. I thought I made a request initially for [inaudible].

University of Guam Cathleen Moore-Lin: Yeah. I have only one copy [inaudible]. I'll make a copy.

Administrative Director Jack Hattig: I'd appreciated it.

Chairwoman Pika Fejeran: And I don't see that 2009 report, all the work that was done. I I don't know if that was a kind-in services as well or if that was. How did that.

University of Guam Mark Acosta: That was a MOA.

Chairwoman Pika Fejeran: That was a MOA.

University of Guam Mark Acosta: Yes, between Land Trust, Department of Agricultural and CLTC.

Administrative Director Jack Hattig: And can I have. I've never seen that report. So if you may.

University of Guam Mark Acosta: Yes.

Administrative Director Jack Hattig: Can you provide that report?

University of Guam Mark Acosta: Yes. I can provide [inaudible].

Administrative Director Jack Hattig: I appreciate that.

University of Guam Mark Acosta: [inaudible] with those reports. We actually had a first inspection report as well as a final report [inaudible] with those recommendations.

Chairwoman Pika Fejeran: Yes.

Administrative Director Jack Hattig: Is it possible if we could enter into that agreement to do a follow up report . It's been ten years. And and we that could be something that we could do with the. To to learn from that exactly what have we done and what hasn't been done from 2009 to 2019. So I look forward to commissioning another report. Another opportunity to go out there and do an assessment again. And after ten years I think it's warranted. We wanna do these things and move forward with. We need to have an assessment of what is currently going on. You know, in in with our partnership, you know that MOA.

Chairwoman Pika Fejeran: Well what I think we can do in our Ad Hoc committee is consider.

Administrative Director Jack Hattig: Sure.

Chairwoman Pika Fejeran: That kind of work.

Administrative Director Jack Hattig: Sure.

Chairwoman Pika Fejeran: What I really wanna do is, you know, get pass the paper pushing and great ideas on paper and let's just get to it. And like, you mentioned applying for a grant. That's something that we could really jump on and make some real progress so. Like like you said first we must first determine the value. Right. So if we could get a copy of that appraisal and then. I mean. I I don't know the rates that that we would be looking at. Would it be like hourly salaries? How how would this be structured? Or would it be almost like a lump sum?

University of Guam Cathleen Moore-Lin: Well it's it's a lump sum. In in to give you an example the proposal that we provided we just kind of did a breakdown of of the curriculum and what was involved and how much, how many Saturdays basically. And the time and who is is going to be working on this project. Mark is definitely involved, Doctor Bob Barber and some others. And then we have a dollar figure assigned to that and just given.

Chairwoman Pika Fejeran: Okay.

University of Guam Cathleen Moore-Lin: The curriculum, the amount of time and so forth. So that's how we figure it out. So we would develop a proposal to to give to you and for your review.

Chairwoman Pika Fejeran: Okay. So.

University of Guam Cathleen Moore-Lin: Hopefully soon. Maybe next week.

Unknown: Next Week. Yes.

Chairwoman Pika Fejeran: Okay.

University of Guam Mark Acosta: So Dr. Barber was the land trust advisor for several years. And I know he was talking to me before we came here. He would like to re-establish that relationship with you guys again.

Chairwoman Pika Fejeran: Wonderful.

University of Guam Mark Acosta: [inaudible] to act as liaison between the land trust and the university. So pretty much we go out there and [inaudible] see what your stakeholders needs are and how can the university provide them.

Chairwoman Pika Fejeran: Okay. I think I included this in my notes to the director who can forward it to you. I understand that you guys have a wealth of resources and knowledge of dealing with agricultural. But one area that I see very under utilized. And like really no real structure report for our beneficiaries, the development of small businesses on the properties. So it's Agricultural but also cottage industries. So cottage industries is talk a lot about in our enabling act but we don't see it much. So I'm I'm hoping that as we get into this committee that we kind of open us, open up broader so that we're not talking about our agricultural leasees but we're also talking about our residential leasees and how they can use their property. Or even use their property for cottage industries. So that they can create maybe a small family business out of there. Working out of their homes. Whether its crafting or, [inaudible] you know, bed and breakfast. You know, that we have ,they have large pieces of properties, they can constructure a bed and breakfast and really make use of the property. And they can make a good living for themselves. And and offer a, be part of a new industry of island. Right?

University of Guam Denise Mendiola: So with with those types of services in mind with [inaudible] that we've done in the past. We do touch on things like personal credit, and business credit, just getting them set up at the basic foundation level. And then we talk about opportunities that they have. Things that they are interested in. And then we do things like resource assessments. So if they doing agricultural, we go through with them on whole set of exercises things like sloping issues, water issues, infrastructure. So that at the very beginning, they have an idea of what they starting with and what the opportunities are there for them. And so as it, as it it extends out to cottage industries, you can take the facilities, or the structure they have on the property. And you can do things like on-line businesses. So if you were to take vegetables that you are growing on the land and you create pickled papaya out of something like that. And then part of the training is how how do you package that. How do you turn that into a

valued added product. And from there how do you market that, how do you sell that. And still from there [inaudible]. So just helping them to understand what are all the phases of all that they go through to grow the business. And then at the very beginning what are they starting with and what are the opportunities that they have.

Chairwoman Pika Fejeran: Wonderful. Okay. Great. Thank you. So director I would like you to get get with UOG again.

Administrative Director Jack Hattig: Yes madam.

Chairwoman Pika Fejeran: I think first would be get receiving the appraisal. And then coming to some agreed upon amount. Maybe if you can, if you can, I guess you mentioned that you can have a proposal for us next week on how, what services you can offer. I really loved your idea about the grant writing. Helping us write a grant because that multiplies our money. Right. It grows our money beyond what we're just talking about here, with the land transfers. So I think. I'm hoping this discussion and the Ad Hoc committee and the maybe your proposal. We can go back and forth on this on-line about that. [inaudible] With the director and the commission. I know that you guys have been wanting this for several years. And its about time, so lets lets get this done and move forward. Okay.

University of Guam Cathleen Moore-Lin: Okay.

Unknown: Alright.

University of Guam Mark Acosta: Thank you.

University of Guam Denise Mendiola: Thank you so much.
[inaudible]

Administrative Director Jack Hattig: Thank you. [inaudible] Great job.
[inaudible] Thank you. Thank you very much.

[inaudible]

c. GUAM RUGBY CLUB

Chairwoman Pika Fejeran: Okay. Okay. So we're running a little bit behind on timing. So the next item on the agenda under old business is the Guam Rugby Club. So we have. Okay, so this is another one that as I'm reading through all these minutes. Hi! Hafa adai! Welcome!

[inaudible]

Chairwoman Pika Fejeran: Thanks for coming.

Unknown: Good morning. Good Afternoon.

[inaudible]

Unknown: These are just copies.

[inaudible]

Unknown: Thank you

Chairwoman Pika Fejeran: So before before we get to you guys. I would like to just catch up on on the commission. So right now. Can I have a moment [inaudible] I don't even have. Right here I'm sorry. [inaudible] Where is their current lease? Can I see their current lease. [inaudible] This one? [inaudible] Is it this one? Is this the current lease? [inaudible] Alright. So lets see this have been another very complex and long history story. Right. With the Guam Rugby Club and their neighbors in the adjoining lot, Hal's Angels. Just to go back to to the very brief history. The most recent history is in in July of 2016 at a Land Trust Commission board meeting, the commission voted to delete the easement through the Lot 10057NEW-11 , that is, that is the Hal's Angels' lot with concurrence with the Department of Public Works. Okay. And that with the vote for that deleting of the easement had some obvious ramifications for the Guam Rugby. Because Guam Rugby had been using that easement and there's some utility, I guess, some connections under there. I guess some water pipe, going through Hal's property and back to Guam Rugby. That was in 2016 and we have, the commission has all those meeting minutes. It was. I was on the commission at that time but I was not the chairperson. I very much remember that meeting. At present was a Mr. Ivan Shiroma. He was there on behalf of Hal's Angels. And we then reviewed the case and arrived at a decision. A motion passed to delete that easement. We also instructed, let's see. I'm sorry. The deletion of the easement was also with the support of our legal counsel at the time, Ms. Kristen Finney. As I understand it, the easement that was deleted put into, through Hal's Angels field, property, was not a valid, what did she say. So with what what legal counsel found was that meeting was the piece of property that was leased to Hal's Angels had essentially been taken away and made the access road and parking for Guam Rugby without Hal's Angels' involvement. Right. It was a Guam Guam Rugby and the director at that time, had signed a, I guess, an amendment to the lease if I'm remembering correctly. I also in the minutes, the legal counsel stated that and Mr. Shiroma representing Hal's Angels also said that he's will to give up a piece of his property to address the issues. I think that it was a question of moving it, so that he could have better use of his property. The easement basically went down the middle of his property. Also at the meeting after the motion passed, we instructed the director to contact Guam Guam Rugby that the commission made

that decision. And I didn't see any follow up documentation that that contact was made. So, Matt, will you be kind of helping us.

CLTC Land Agent Supervisor Matthew Leon Guerrero: Madam chairperson, I contacted. Something was written in the agent's file by the previous director that on the contact sheet was April of 2018. Indicated here that contact of Rugby that notifying the user of the [inaudible].

Chairwoman Pika Fejeran: The easement? That was two years after the easement was deleted.

CLTC Land Agent Supervisor Matthew Leon Guerrero: This was done in February of 2018. That's what he noted. He. Just what he. It was on.

Chairwoman Pika Fejeran: Hal's Angels?

CLTC Land Agent Supervisor Matthew Leon Guerrero: Not the Rugby file.

Chairwoman Pika Fejeran: I'm sorry. Going back to the staff reports. So that was July 2000 2016 Land Trust decision. In April 2017, the map was recorded depicting the resolution of the right of way through Hal's Angels. Okay. And then on March 15, Administrative Director, Michael Borja, stated that Mr. Shiroma had agreed for the continued used of the deleted easement to the end of the calendar year, 2018. Director Borja, that is what you're referring to the 2018, also stated that he informed Guam Rugby Club and that they had understood and just needed to coordinate when the transition time was going to be. Okay. So then [inaudible] in April. [inaudible] So then in April, a letter was drafted and returned to us. And the the letter informed Guam Rugby that they would have to access their leased property through Lada Avenue. And my understanding, is that the Guam Rugby property, okay, Lot 10557NEW-5.

Unknown: Yes, that is correct.

Chairwoman Pika Fejeran: Okay. Their access is via Lada Avenue. Which is up there?

Unknown: Yes.

Chairwoman Pika Fejeran: Okay.

Chairwoman Pika Fejeran: Okay. And then in June, a letter was sent to the president of the Guam Rugby Club, Mr. Pete Peter Wallis informing him to cease and dease any and all access through the Hal's Angels' field. And remove and re-locate any and all utility connections that encroaches or travses the property leased by Hal's Angels'. And

and that letter was based off of the 2016 commission decision and the approved the 2017 map. So the 2000 2016 decision was based on the concurrence of the Department of Public Works. Okay, so I guess, it took another almost year to get Guam Waterworks and Guam Power Authority and the Department of Public Works to approve of that easement deletion. So that is the brief history. The most recent history. I know we had. When was this? There was a meeting. It was a May 2nd meeting I think it was. Right? May 2nd meeting, a representative, a Mr. Shiroma, from Hal's Angels came and that was the first we heard that the 2016 decision and all follow up actions have not been compiled to by the Guam Rugby Club. Which is what which is what basically caused us to issue that cease and dease letter in June. Right. Okay. So we representatives from the Guam Rugby Club here. Thank you for coming. And I see you have handed us some papers. Did you wanna wanna start or did you want us to look through the papers. How did you want to do this?

Guam Rugby Club Ross Morrison: [inaudible]. My name is Ross Morrison. I'm [inaudible] Guam Rugby Club. I've been involved in several meetings with CHamoru Land Trust.

Guam Rugby Club Mike Mateo: Hi Mike Mateo. I'm one of the board members of the Guam Rugby Clubhouse. I represents Guam in the Men's National Team.

Guam Rugby Club Joseph Mateo: My name is Joseph Mateo. I am his twin brother. [inaudible] I'm I'm also a member of the board with the Guam Rugby Club. I'm also a member of the Men's National Rugby Team. I'm a middle school volunteer for rugby. I'm also a high school coach. So you know, our lives have been pretty involved with the sport of rugby and it has help us to develop into, you know, the gentlemen and gentlewomen that represent the club through the many years we played. I've been caught a bit distraught because the public access way that we agreed upon in 2002 and our master plan that we had brought forth before the board at that time. We built our field, our utilizies and and and the actual the future of our club based off of that master plan. Then in 2016, it all changed after so many years of of developing the club. We spent over seven hundred fifty thousand dollars developing the land, the infrastructure, the piping, the the joint access car park. You know all of [inaudible] hard time. So when the news came to we were to cease and dease our current operations. It kinda struck a piece of my heart because all the stuff that we worked so hard to develop not only for the club but community as well had gone down the drain. All the money that we had spent all gone down the drain. It's a waste if we were to enter off of Lada instead of off of Santa Monica. So I mean we here before you to see if we can at least reopen negotiations or bring it back to the table to discuss to see if there are any ramifications that we

can do. Or anything that we can do to kinda of appeal the decision that was made by the CLTC in 2016 or 2017.

Chairwoman Pika Fejeran: Thank you Mr. Mateo. You know, I know that the Guam Rugby Club provides a fantastic service for our youth and also as adults. Getting our children to be part of a team, part of something bigger than them. Teaches them discipline. I really I really value your contribution, the Guam Rugby Club's contribution to our island. So Thank you. I I don't believe that it is the intent of the commission to take take any of that away. For what's been presented to us, its been, there were some happenings in the past that were not done appropriately at the determent of your neighbor. And when it came to the commission back then, it was the commission's decision back then to correct the wrong of the past. And unfortunately it put you all in this position. I'm wondering why. Why three years later, I mean, even two. Two years later? Why? Why are you coming forward now? And why, why haven't you come forward before when this first happened? I I'm really interested. I don't know whats.

Guam Rugby Club Ross Morrison: I think I can answer that best. Number one 2016, we, the Guam Rugby Club, didn't received any notice. Okay. Either verbally or in written form. So to the best of our knowledge we have been operating during that time under the license of amendment, which was past in 2010, which was made because of a resolution by the CLTC Board. That's 2010. I'm quite sure you you were aware of it that's in your files. So the first that we were made aware the fact the easement was an issue was when we presented our request as we have [inaudible] every five years to to renew the license. And if you check the minutes, check back. We had. We attended several meetings to review the five year license and were advised that the issue renew the license, but we had to delete the 2010 amendment. And we declined to do that because obviously we lose the access which had been drawn on the origin 2002.

Administrative Director Jack Hattig: Master plan.

Guam Rugby Club Ross Morrison: [inaudible] Master plan the CHamoru Land Trust Commission. So the Santa Monica access was a key in the development of the lot [inaudible] going back twenty years time. Lada Avenue is the legal access. However twenty years ago this was an one-lane goat track. It was a hundred yards of boonie between here and the exit. So all the [inaudible] with the professional master plan which was put together by T&G Engineers, as requested by the CLTC board, was submitted. The orientation for the water lines, emergency exits, the toilets, showers and future club rooms are all with the orientation of Santa Monica. So that's when it first came out was on the 20 on 2017. With our history in 2018 and my understanding is Peter Wallis, the president, the first real official knowledge we got, it may have been May 2018 [inaudible]. At a board meeting [inaudible] and he was

basically told oh no the easement's gone. It's done. Our thing our thing is in terms of presentation is we really had no opportunity to sit down and say hey here's our side of the story. What about this? What about that? I mean, there's obviously been a lot of politicking and movings going on behind the scenes. In 2015, 2016 we had no knowledge. So to answer your question we're coming forward as of August we would have provided a [inaudible] liason. Our field has not been access since that time. It has not been maintained. There have been no children playing on it. And the rugby season for the middle schools and high schools is about to start. And there is no access. So that's that's why we are here to say would you please help us? Because there's a lot to it. And from our point of view, we [inaudible]. We did agree in 2010 agreement in the discussions with the CLTC Legal Counsel, and [inaudible] counsel that access could be moved. I think [inaudible] there was a suggestion that we put a [inaudible] a bigger [inaudible] pipeline and use use the joint joint parking area. Subsequently being changed, and adjusted where there is no access. I think in the agreement in which we have operated under, this is a [inaudible]. We gotta we gotta wait until DPW, CLTC install new access. In the old days this is we were amenable.

Chairwoman Pika Fejeran: Yeah. That's way I was saying in the minutes as well. Mr. Shiroma was saying 'Hey, you know, they still have to access this' on the left hand side of Hal's angel this [inaudible]. Yeah I see it in the minutes. We also instructed the director. I think it was me. I said hey, you know, when Guam Rugby came in and got this amendment for the easement, Hal's Angels wasn't involved. Right? And that Hal's Angels [inaudible]. Hal's Angels was. I think, he was here in the meeting. It basically changed his lease without him agreeing to it. So anyways, I said that hey now we're gonna do the same thing? We have to involve Guam Rugby. What you're saying is that did not happen?

Guam Rugby Club Unknown: Correct.

Chairwoman Pika Fejeran: And until 2018.

Guam Rugby Club Unknown: Until we got a cease and dease letter.

Guam Rugby Club Ross Morrison: And we were advised.

Chairwoman Pika Fejeran: When you were trying to renew?

Guam Rugby Club Ross Morrison: Correct. And we were basically told by CLTC we'll renew it but you got to delete it. Why would we agree to that because we would have no access. We don't have the new access as was proposed in the 2010 agreement.

Chairwoman Pika Fejeran: Did you want to speak? If you can state your name for the record. Maybe bring the another mic closer.

Guam Rugby Club Legal Counsel Lennie Rapados: Good Afternoon commissioners and staff. Thank you for allowing us the opportunity to speak here and giving us a voice. My name is Jacky Rapados. I'm legal counsel for the Guam Rugby Club. My office was involved in the negotiations between the CLTC and Guam Rugby Club as well as Mr. Shiroma back in 2010. I understand this is. There's a lot here. There's a lot to process.

There's a lot to take in. I understand none of you were there at the time in 2010, when negotiations were happening. I, myself, am still trying to get up to speed about the history. You know, I was asked by my the Guam Rugby Club to take a look at this. Obviously the consequences of the commission's actions are far reaching not just to the club members but the entire Rugby community, their families, and all of those not only Guam but from off-island as well. I understand there are events that take place here on island with foreign nations and what not. So we have been. My understanding is that Guam Rugby Club has been trying to get a seat at the table since 20. Well since being first provide with official notice about these issues and consequences, sorry, the decisions of the commission. This is the first time we've been able to speak at length and to, I guess, to provide our side of the story. I, these these boys, they know better than I do. I'm just a lawyer. I don't play rugby, but obviously I understand what's going on here. And just from a legal prospective, I understand that your legal counsel, at the time, had complained at that meeting about the legality of the 2010, 2011 amendment. I'm certain not here to debate your the position, which is our position. But just legally speaking, there are serious issues with what the commission has done, had done in 2016. The amendment is part of the license. They go hand-in-hand. The commission cannot simply, from our prospective, accept the license without accepting the amendment. I understand that Mr. Shiroma had. He had issues with it. He was there at the time. My understanding is that he also had legal counsel present and involved. My office was working with his legal counsel. So he's fully aware of what happened at that 2010 meeting when the easement was created. He's fully aware of the amendment. And my clients have been Guam Rugby Club and the community has been relying upon that amendment in these last eight to nine years. And as these boys have spoke, we've spent hundreds of thousands of dollars. There are many people who use, kids and adults, who use that field. So basically, you have an amendment that the commission has decided to just forget. Not forget wrong term but to just simply delete. From a legal prospective, we don't think that is not allowable. You opted to renew the license. We gave timely notice. So we were entitled to do that. The amendment is part of the license. So you simply cannot separate the license from the amendment, which is what the commission did. The commission cannot also, from our prospective, just plain reading of the amendment and the license. The commission cannot, could not move unilaterally amended the amendment, or the license without getting our input, without getting

our our consent which is exactly what the commission did in 2016. I understand from reading those minutes that your legal counsel had cautioned the commission before it acted because Guam Rugby Club wasn't involved. And yet the commission moved forward. And so here we are three years later, the Guam Rugby Club, and the kids, and you know, the adults are denied access and use of that field. It's a huge problem for them and the community. So we would ask. We're hopeful that the commission would reconsider its position. That it would honor the amendment. We're happy to sit down and try to resolve this. You know, we do not want to engage in a protractive litigation. But but it's important to them. It's important. I think. It should be important to the entire community. And so again we would ask you reconsider your position. We would love to have access to the field again. And you know, I don't know if that's on the table for today. If it is not, we understand. But certainly we ask that be something that you considered again. Please if we could come back to the table. I think there are serious issues that both on the facts and the law after what the commission did. I understand that the packets in front of you all have letters of support from various organizations, individuals from the community. I'm not sure how the commission handles it. But we certain we want all of that to be made part of the public record. Just to demonstrative to you guys that this is an important issue. Thank you.

Chairwoman Pika Fejeran: Thank you. Thank you for that your presentation. You know it's my understanding that in 2016 the decision was made. My question to you all is, I guess, legal counsel, the director. The amendment you keep referring to, that was an amendment to Rugby's license?

Guam Rugby Club Legal Counsel Lennie Rapados: Thank's correct.

Chairwoman Pika Fejeran: And the amendment stated that we're going to create this easement for access.

Unknown: [inaudible]

Chairwoman Pika Fejeran: The amendment in 2010.

Unknown: Yes. [inaudible]

Chairwoman Pika Fejeran: Not this one that was

Unknown: [inaudible]

Guam Rugby Club Joseph Mateo: That access was was already existing. So the 2010 amendment said that we would close that access point off when DPW built an access point off of the pipeline.

Administrative Director Jack Hattig: Pipeline.

Guam Rugby Club Joseph Mateo: Off the left which still gives us access to joint parking lot and the sheds where we have our tiolets. Are where the the the epicenter of our master plan is based off of. So the easement would be would remain open until the new easement was formed and then we would close it. So that is what we had agreed on in 2010 amendment, but in 2016 they closed the easement. Denying us access to the field even through it is technicality another easement off of Lada. It's not develop. So either way, we're gonna have to be stomping through boonies or trespassing to pass to get to the field. Just to even do routine weekly maintance.

Guam Rugby Club Mike Mateo: So just to touch on that, since 1997, ten thousand people have played on that field. And when we talk about community driven organizations, I feel that we are at the heart of that. Right? We open up a doors not only to the rugby community but also to FSM community, where they actually utilized the field to train for their annual Olympics islandwide. With that being said, I mean, we we seen children grow up on these fields and eventually pursue athletic scholarships. Where some of the letters of support will come from off-island individuals who are actually representing the island in rugby in collegiate sports. Some of them have even gone professional and semi-pro. And with that being said, we we we realized that the field acts as a safe haven for the at-risk children and without this field where are they going to turn to. You know. And us being community driven leaders, we want to keep the field open and by any means necessary. And I mean, whatever decision that happens today will not only effect us tomorrow but effect us in our future generations and our children's children. And just want to end with that.

Chairwoman Pika Fejeran: Thank you Mr. Mateo. You know the commission in my time being here, it's really, I wanna say eighty percent of the work is looking into the past and trying to put these pieces of the puzzle together the best way we can. A nd often times things weren't done right the first time. And when things aren't done right the first time, when you fast forward to today and when the issue comes up again. Who who gets hurt by this? The people that benefited from what was done not the right way and the people that were hurt back then. And now we have two people sitting right here. Right. Two parties, Guam Hal's Angels, you know, they they come here too and stated their case. And they, I believe, they provided a great service for our community as does Guam Rugby. And you know, it's always. It's painful to see two neighbors on our property that were given the land that there's conflict. Okay. You know, we are, like you said, we are a community and we need to come to a resolution that is beneficial for both. I know that in 2016, we were looking at what was presented to us and I would ask you sitting here at the table. If the tables were flipped, how would you be

feeling? Mr. Shiroma's land was basically severed into two without his expressed approval. And that was his lease. And so the commission was trying to correct that. And I I I thought that everything discussed at that 2016 meeting was being taken care of at the administrative level. And you know, it was very clear that we gave the director at that time, directions to make sure that he engages with Guam Rugby. And make sure all these follow up actions are done. Because even in those 2016 minutes we talk about and even Mr. Shiroma agreed okay let's move it to the left. Right. At least he would have the contiguous property that he can develop. He hasn't been able to develop his master plan because of that easement. And I I I want to get to a resolution that satisfies both both parties. I think that we can. I know. I know that the director has made efforts. I know the previous director has made efforts but it's it's kinda come to a head now. You know, like I said, the commission was under the assumption that 2018 that Guam Rugby Club at their renewal said okay, okay we get it. We understand what had to been done had to be done. Now let's move forward and that's not what happened. Right? You continued to access it through through the deleted easement.

Guam Rugby Club Mike Mateo: Had had we known. Had we been given notice that you were going to cut off the easement. We would. You know we would have conformed but we weren't duly notified. We didn't get any a formal written notice. We didn't get a verbal notice that the easement was going to be cut off. Even when it was cut off based off of the 2010 amendment, DPW was responsible for putting another access point to allow us to get into into a joint car park. But that didn't happen. So based off of the 2010 amendment they could close the easement off of Santa Monica. The current easement that is there, if and when they created new easement off the pipeline. But that hasn't happen. So base off of the 2010 amendment you we we still legally had access to our field. Right. And we weren't treapassing we weren't treapassing at that point and it hasn't happen yet. And now now there's a gate there that's cutting us off. And and now we can't go to the field and provide proper maintenance. You know, we're we're in the process of constructing the second field. We just laid the grass seedings and at this point I can't treapass the field. None of us here on the board can treapass through Mr. Shiroma's property to even cut the grass. To sure the new seedings that we just spent over ten fifthteen thousand dollars on just to seed the field. And now we have no access to. And now and now we can't properly maintain it. So all the money we used to develop the second field went to waste. All the money we put to develop the first field is going to waste because we don't have access to it. So I mean, we're not here to ask for an answer to say just use the access and let bygones be bygones. That's not what we asking. We're asking if we can just come back to the table. Lets renegotiate. Follow the 2010 amendment that was initially put forth with the new license or the renewal and let's let's follow it. Until the new easement is done we would still need access to the field to properly maintain it. Because if

not, what I fear is that if we don't properly maintain the field, someone gonna make a case that we we didn't maintain it and it's it's going to waste and someone is going to claim it. All the money that we put and all the hard work and all the sweat, blood and tears we shed on that field to create it and make it what it is today will be gone to waste. And and that's exactly what we don't want to happen. So we here asking if we could still have access to the field off through Santa Monica easement until the new easement off the pipeline is created. And once that is created we can then we'll start entering in through the new way. It is not an issue whether or not it has to be that easement. It's just that easement. We just need access to our property and with the gate there's no way we can go through. There was even discussions amongst the club members hey they'll park along the road, then they'll jump the gate and then they'll walk across the property but still that's illegal. It's treapassing. And you know we we want to conform. We want to abide by the laws and all the laws that are put before us but we can't do that when we're kind of being suffocated in the corner with no way no way to to legally access our our field. And what we're afraid too that at one point in time it's going to be so overgrown that we'll have to spend twice as much money just to bring it back to current standards. And then more money to improve it and make it up to international test field standards which is what it was in 2002. Which is what it was in 2010. You know.

Guam Rugby Club Joseph Mateo: If I may add, the Guam Rugby Club is a non-profit organization. So we do not have any means of gaining revenue or not many means of gaining revenue. So the amount of revenue money that we do get is through donations, sponsorships and go through, go to the community itself. Right and like my brother said earlier if we don't maintain it all that money, all that money that the four top organizations donated to us to gonna go to waste. Right. And that's hard money earned and we're at no position to say 'oh give us more money because we need more money to do this and that, right. It's all from the goodness of their hearts that they give us these moneys, the money. And the financial resources that we have are slim to none. We go off of our blood, sweat and tears like my brother said. We do this for the love of the community and not for us. Because in fifteen, twenty or maybe forty fifty years we're going to be dead. Right and people that are will be utilizing this field will be our children and our children's children. Right. So the amount of work that we do now are going to seen in the future. Going to be the future generation.

Chairwoman Pika Fejeran: Thank you Mr. Mateos. You know, as I stated earlier the Guam Rugby Club provides a very necessary service and outlet for the children. And and you know it's it's not the commission's interest to take that away. And put you all through this hardship. What the commission is here to do is to act, act as the exclusively for the benefit of the

beneficiaries of the trust. Right. The beneficiaries of the trust are the applicants who are agricultural and are residential applicants. Right. I know that these licenses are very. They come from a long way back but I have to trust in the wisdom of these licenses to provide this recreation area for the children. Right. And so we, I believe the commission wants to continue continue the use of this and also just for the record the Guam Rugby Club does not pay anything for the property. Is that right?

Unknown: Correct.

Chairwoman Pika Fejeran: So the commission like you, you know, you are non-profit. The commission receives nothing for for your occupancy of the property. Okay so we we, I mean that's a large property that I'm sure many of our beneficiaries waiting in line for property to build a home that have access to utilities like these two properties. They're probably scratching their heads and asking why. You know, so you gotta understand our position here. We we don't want to kick you guys out. Right. We understand and we value your contribution to the community. But we have to really move forward and I appreciate that you're coming in today and saying 'hey let's sit down together and re-negotiate. I remember with the previous director. He reported to us many times that he was unable to get anybody to sit down at the table. I don't know if there's been a change in leadership. I think there's was only one representative or maybe two that came on board.

Guam Rugby Club member Ross Morrison: [inaudible] multiple times with Director Borja. I'm not sure where that question is coming from.

Chairwoman Pika Fejeran: Yeah.

Guam Rugby Club Unknown: [inaudible]

Chairwoman Pika Fejeran: Yeah.

Guam Rugby Club Board Member Ross Morrison: And that was after our twenty twenty-seventeen renewal request. And if I could I would point out for the record we attended three meetings, I think on the request to have the license renewed five years anniversary. Of those three meetings, the first two we were told the license would be renewed as I said if you'd strike out your 2010 amendment. The third meeting we attended, I think February, March at that stage the board members' decision okay we've mucked around to long. The amendment deletion is not required and your license is renewed. [inaudible] Thanks very much. We going to can carry on. We received notice I think, about a month later that said the board's quorum was non-compliant.

Chairwoman Pika Fejeran: [inaudible]

Guam Rugby Club Board Member Ross Morrison: And all decisions and I think your minutes will reflect that and all decisions at that meeting were null and voided. So to this day we're not even sure if our [inaudible] take place or our license renewal has been address.

Chairwoman Pika Fejeran: The plot thickens. Okay well you know the.

Administrative Director Jack Hattig III: I didn't know about that. I met with Guam Rugby at length several times. At least a couple of times.

Guam Rugby Club Unknown: Twice

Administrative Director Jack Hattig III: Twice and I reiterated in my report to to to the commission that they aware of their their request for that amendment. But I could not substantial that. I couldn't find the the minutes where they had approved the amendment or that the agreement that Monty the late Monty Mesa signed. So that's way I couldn't I couldn't you know I couldn't substantial that. But given that they're here to you know present their case. It would be brought to light. So that's what I did. I didn't know about that that there was a question about on quorum and that's why it is not in the report. If you're looking for it then we didn't disclose that. Because he is just bringing this it to our attention now.

Chairwoman Pika Fejeran: Who is Mr. Peter Wallis? Is he still the president? Are you?

Guam Rugby Club Board Member Ross Morrison: [inaudible] Peter is at another engagement. A legal one. He couldn't make here today, otherwise he would be sitting here today as part of the board.

Chairwoman Pika Fejeran: Okay. I know that it's been a very. You been put through a very difficult time. And I apologize for that. I'm sorry that you're going through this but you have to remember that the commission has to look at everything before us. And remember it is two of our lease holders that we're talking about not just the one. Okay. So again I appreciate that you came and you're open and willing to re-negotiate. I think I think that we all have a lot of work to do to really go back and really figure out what happen. Especially the amendment that you're talking about in two thousand ten eleven (2010) and the follow up actions from the two thousand sixteen (2016) decision. It's it's been many years since that was done and and we're we're just now addressing it. I appreciate this that you provided. I will definitely take a look through this. And director if you could enter it as part of the minutes.

Administrative Director Jack Hattig III: Yes.

Chairwoman Pika Fejeran: As they requested. So I.

Administrative Director Jack Hattig III: Madam.

Chairwoman Pika Fejeran: Yes.

Administrative Director Jack Hattig III: I'm sorry just to address the the oncoming concern about the season. You provided a schedule. Would it be reasonable to engage it with Hal's Angels to see if we could. In the meantime allow so kind of agreement, you know, that they may have access the for the impending season that's coming up. I mean that's my greatest concern as a former educator. Also so I with the trust's with the commission's concurrence I I like to try to see if we can contact him. And his word is here he would be willing to allow for another access. I also be willing to engage the services of the Department of Public Works to see if what we could do if Mr. Shiroma is still amenable to putting the access of the left-hand side of the pipeline. What what. Let's found out. There's no harm in founding out what. What would be done? How would it be done? So that I can provide that to you. I can write that report that I give to you weekly. [inaudible] So I would like to offer that up just because they've come and and the kids are obviously going to be effected. There's there's a letter here from [inaudible] from UOG stating that the Rugby season is coming up. It's it's really imperative that they continue to have access. Let me work with Mr. Shiroma to to you know together with Guam Rugby. To to at least bring a temporary relief of access for now. Because I'm I'm not sure if Mr. Shiroma's plans to develop. I'm not sure if he's ready to pull the trigger or not. So let me found out what his position is too. And then I'll report back to the trust and I would keep Guam Rugby informed as well. [inaudible].

Guam Rugby Club Unknown: Thank you.

Administrative Director Jack Hattig III: That's what I hoping too.

Chairwoman Pika Fejeran: I think it's like past due time to get both parties to sit down and negotiate. I think. I know on both sides hearing from you and then hearing from Hal's Angels' side there a lot, there's a lot of hurt feelings involved. You know. Let's sit down at the table. I know Mr. Shiroma has had issues with vandalism and trashing because of that easement. That he didn't have control over until I guess just recently until he put in the gate. I also ask that legal counsel please you got to be part of those those discussions as well. We have to look back. Like the director mentioned that's the first we heard about the license renewal. Again the commission's work is only as good as what's before us. You know and so much of our work is looking back in the past and trying to put pieces together. Try to make the right decision with what's in front of us. So I I appreciate you guys coming here and that you are

doing this just like we're doing this. Out of with the passion in your heart for the community.

Guam Rugby Club Unknown: [inaudible]

Chairwoman Pika Fejeran: Thank you. So the director will be contacting you.
[inaudible]

Unknown: So until a decision is made? [inaudible]. That's what it is?
[inaudible]

Chairwoman Pika Fejeran: Director can we get that going tomorrow?

Administrative Director Jack Hattig III: Yes.

Chairwoman Pika Fejeran: I don't want to wait until next week.

[inaudible]

Chairwoman Pika Fejeran: Okay we're gonna have a ten minute recess.

[inaudible]

Chairwoman Pika Fejeran: Okay. I'll like this CHamoru Land Trust Commission Board Meeting back to order. After we recessed I saw that Mr. Shiroma who is the representative from Hal's Angels, who subject property, was in the audience. And Mr. Shiroma has agreed to come and sit down. We have Rugby representatives at the table with him. And I'm hoping that you know I think that we decided that okay we'll call a meeting with Guam Rugby and Hal's Angels to meet with the director tomorrow. But after seeing Mr. Shiroma in the room I said why kick that can and let's all sit down here. So it all out and on record. The commission is here with both parties and the director. I'm hoping that we can come to some mutual agreement. Okay. You know I know that Rugby presented a lot about about the amendment and the subsequent 2016 decision which the commission has not revoke in any way. Right. I think that. What I wanna talk I want us both. Now that we're all at the table, can we come to an agreement for Rugby to get access back to their field? Because they do not currently have access. I know that the original the easement the current access right now cuts through that easement has since been deleted. Right. In 2016, Mr. Shiroma you were agreeing to allow access through the left hand side. Is that right?

Hal's Angels Mr. Shiroma: No madam.

Chairwoman Pika Fejeran: [inaudible] Can. Mr. Shiroma please I'll give you the floor.

Hal's Angels Ivan Shiroma I just wanted to point out to the statements that were made earlier. I was trying to hold my tongue back and hoping you would recognize me back there with. As far as them not being informed about the 2016 meeting where they deleted the easement. They had a representative here, I think it was a Mr. Wallis. I'm not sure who it was. He did. He checked the minutes. He tried to protest it after the board voted to delete the easement. So if he didn't go back and tell his people, 'hey, this is what was decided on that the easement was deleted.' That's their problem and now they're saying they didn't hear anything until today or until whatever date they said recently. This has nothing to do with the board. Their representative didn't get the message back to them. They didn't say anything and now they're claiming they didn't know anything about it. Which I don't believe and I don't agree with. The other thing is them saying I was aware of the other easement that was established back in 2010 or whenever that was. I don't know why they saying that. There is nothing there in black and white that I signed saying it was okay to put an easement right down my property. Who would do that? There's no one in this room right now Chairwoman that would allow anybody to cross their property to get to their property. Unless they're going to charge somebody. Right. Hey you want a path through my property, I'm going to charge you. No one in this room that would allow that. I don't know why they're saying I was aware that easement was established back then and that it was okay with me. There's nothing in black and white, so that statement was wrong. The third thing that I want to make clear to everybody in this room. This is not a land lock issue. We are not blocking these people from accessing their property like they claiming again. And all that money they invested is gonna go down the drain. If you can build a field, you can clear access to your property, the Lada Avenue way. And that was what Public Works, GPA and Waterworks said was the easement for these guys. So we're not blocking these guys. We're not hindering their progress in their development of their field. Clear your part. There is enough room for parking and access. And you can drive through and reach your bathrooms or whatever. Change your septic tank whatever. There's no issue there. They just don't want to do it, they want to park on my side and take more property on my side. Which I'm saying once again, no one in this room is going to allow. I've lose so many opportunities since 2008 or earlier 1983. [inaudible] Trying to develop my property but I couldn't because there was always some amendment, some protest from these guys that the board always stopped me from developing anything. Now that you guys made that decision you guys want me to come back to the table and try to negotiate. Make me look like the bad guy like I'm not the one reaching out to them and give them the opportunity to use the easement. Mind you, this is not a land lock issue.

Clear the backside that you are allowed by law that was decided by the board and access from the other side. It a difference of five minutes to drive from Santa Monica to Lada. So all this crap about you know there's an emergency [inaudible]. Five minutes just drive around the ambulance and go into the field. I don't need to leave my side open. Everybody comes in there at night, dump their trash. He blames me. I blame him. I don't want that anymore. There is so many times that I've been picking up trash, having to get rid of it because I leave that gate open to be nice to everybody. I reached out to Mr. Morrison. I gave him a padlock that we can share so he can lock that thing up so no body can dump trash. What happens? Maybe a month or so later, the padlock is gone. Everybody is going in there. I'm the only one. I get pissed off to him. Even though we had our differences, lets share the key, lock it when you're done. But they dumping trash in the back. We don't know who is doing it. I can't blame you, don't blame me. This is what pisses me off. The padlock is gone. Will I throw that padlock away because its only me and him that has a key. But for what I heard, he gave a key to everyone because he doesn't want to come in. And every time somebody needs to use it, they can open the gate and it doesn't bother him. So what happened? They got rid of the padlock. Everybody starts dumping trash. Does he clear it up? No I clear it up. Because they go through my side and dump trash. So I just want to make it clear because I feel like I'm being looked as the bad guy. Don't want to negotiate, not allowing blocking their progress. Hey clear your back access like the law says and access your place. You're going to be happy on your side. I'm going to be happy on my side. There's no fighting here. You guys are doing a good thing. These are all my players from FD. I coached these guys. There's no animosity here.

Unknown: Yeah.

Hal's Angels Ivan Shiroma: Go through your side and put a fence right down the line. We won't bother each other. So we don't blame on each other. I've reached out to them. They've never reached out to me. Ask Mr. Morrison right now way back in the eighties when my father was still alive. Did you promise to build us a practice field? And this is where the whole thing started. To this day he hasn't done crap to satisfy the agreement he had with my dad. That's another sore point that I have in my heart. You lied.

Chairwoman Pika Fejeran: Okay. Well.

Hal's Angels Ivan Shiroma: You're a man tell the truth right now.

Hal's Angels Blu Shiroma: Can can I add something?

Hal's Angels Ivan Shiroma: This is my brother, Blu, by the way.

Hal's Angels Blu Shiroma: I've been to several meetings. I guess the latest meetings. I haven't seen any of these guys here. And now when there's going to be a decision made everybody shows up. And they start at the eleventh hour, start asking to delay everything. It's pushing. You guys are pushing the can down the road. If you come here every year, and I know, I know you guys have a season coming up. But you come here every year when the rugby season is coming up. How come the board made a decision that you said oh the season's coming up. Let me have access to to get somebody to clear something over there. You know that's going to take forever. Every year you're gonna keeping pushing it down the road. And they're never going to make a decision. I think it's the board's job. They been were given ample time. We've been coming here. We don't want to confront anybody but the trash, or moving the back field. We don't want to do that. You come to the board and we've been coming here, addressing the situation. You guys knew about it. It's been going on. You can't wait until the eleventh hour then come here and try to keep extending it. Pushing it down the road. I see that the board has had ample information to make a decision. And once it is done, we don't ever have to come back here anymore. You'd have access to your field. We have access. [inaudible] No body is going to bother each other. You know what I mean. [inaudible]. Right. If we keep pushing it down the road, the access never happens. We're gonna keep coming back here trying to negotiate something. Once everybody has their access, we're not going to have to come here anymore and everything is settle. So I think the board has all the basic information you guys have. It's been going on since. It is not a new situation. You have enough information to make a decision.

Chairwoman Pika Fejeran: Well in 2016, the commission believed that and that's what we did.

[inaudible]

Hal's Angels Ivan Shiroma: Basically, madam Chairwoman, [inaudible] this is strictly convenience, parking and access. No body wants to drive around five minutes to come in from the backside. That's all it is. If you guys make a decision right now, they would have to comply? Right. [inaudible] They're not going to get hurt. They not going to lose any games or whatever. Nothing is going to happen. They will make do with it. They just don't want because of the convenience. That's all it is.

Chairwoman Pika Fejeran: Like I said earlier on both sides. There's a lot a lot of history. Right. And

Unknown: Misunderstandings.

Chairwoman Pika Fejeran: Maybe misunderstanding. What I wanna. What I really want to get to is how are we going to resolved this? Okay.

Rugby is claiming there is no access. That you don't have access. Right? Can't go back and maintain your field. Right. You're your players can't come in. [inaudible] What are we looking at here John?

CLTC Land Agent 1 John Gumataotao: Pierce.

CLTC Engineering Technician II Pierce Castro: It's it's a proposal.

Chairwoman Pika Fejeran: A proposal?

CLTC Engineering Technician II Pierce Castro: One of the issues that was brought up was the emergency vehicle access. So we're proposing to open up the road or grant that part which is also on CLTC property.

Chairwoman Pika Fejeran: Okay.

CLTC Land Agent Supervisor Matthew Leon Guerrero: Which makes it's just a hundred feet difference from that road that they're talking about running right down the center. It is just a hundred feet more if they were come from [inaudible] the pipeline.

Chairwoman Pika Fejeran: So that's currently not an easement.

CLTC Land Agent Supervisor Matthew Leon Guerrero: No. It was just something that I reached out to survey to see if we could do. And I confirmed with Paul Santos, the Chief of Cadastre, could we and he you know was saying if we could just [inaudible]. A lot of those emergency vehicle access. So the proposal was if they could just agreed. That would be just an emergency vehicle access. To access the Rugby's property, onto the pipeline and straight down into Santa Monica.

Chairwoman Pika Fejeran: So is that an existing road? You said pipeline.

CLTC Land Agent Supervisor Matthew Leon Guerrero: It's it's a POL line. The Federal [inaudible]. We can't use it as an easement. We can't use paved over it. You could drive over it. But we just can't put water lines in there and what-not. And that's why it is not going to be dedicated as a right of ways, just an emergency vehicle access. Because they do have access to the north side of the property. The entire Lada Avenue is paved. And I was just told today. I didn't go out there recently, but I was told that Santa Monica now connects to Route three. I mean, Lada Avenue goes straight out to Route three now.

Chairwoman Pika Fejeran: [inaudible] Oh that goes out that way.

Administrative Director Jack Hattig III: It supposedly extends.

CLTC Land Agent Supervisor Matthew Leon Guerrero: It supposedly extends out by I didn't go out there today to see what. But that's entire Lada Avenue is paved to the north side of the entire rugby field. Where Rugby's property [inaudible].

Chairwoman Pika Fejeran: Okay. That forty feet wide easement on the other Land Trust property. That's not Hal's Angels' property.

Hal's Angels Ivan Shiroma: That used to be. That was included in our map. And that's the one I gave up in 2016 when we were going for the deletion because there are squatters there. The squatters where in my map you know what we don't want to uproot these guys. Probably hard up for houses or what. So I gave that up just so we could do the new map, delete the easement and shrink my total acreage again. I'm conceding again to satisfy these guys to have a little access to their place again.

Chairwoman Pika Fejeran: So what was.

Hal's Angels Ivan Shiroma: So I gave up.

Chairwoman Pika Fejeran: You gave up that portion.

Hal's Angels Ivan Shiroma: Yes I did.

Chairwoman Pika Fejeran: In 2016, we talked about installing an easement or putting a new easement and deleting that one and putting a new one on the left side. Was that the one along the pipeline?

[inaudible]

Chairwoman Pika Fejeran: It wasn't?

CLTC Land Agent Supervisor Matthew Leon Guerrero: Madam Chair, it went outside of the Rugby property, inside Angels' property to the west of their lot straight along the pipeline. So they would have taken that easement that they were talking about. It would have ran from here. I was looking for that sketch. Just a sketch. It would have ran from here along the Angels' property and down into Lada.

Chairwoman Pika Fejeran: Okay.

CLTC Land Agent Supervisor Matthew Leon Guerrero: That's was the proposal.

Guam Rugby Club Unknown: It's in the packet.

[inaudible]

CLTC Land Agent Supervisor Matthew Leon Guerrero: The sketch.

[inaudible]

Chairwoman Pika Fejeran: [inaudible] Is it the "A"?

[inaudible]

Chairwoman Pika Fejeran: 2010?

[inaudible]

Chairwoman Pika Fejeran: Okay.

[inaudible]

Chairwoman Pika Fejeran: So what I'm looking at here shows on the left side within Hal's Angels' property line? Am I seeing the sketch correctly?

Guam Rugby Club Board Member Ross Morrison: Yes and it stands correctly. Just remember the documentations are important. In terms of the [inaudible]. Previous recordings. That's was the [inaudible] in the 2010 amendment. To install a new easement on CLTC land down the left hand to the right hand side [inaudible]. And DPW can use that as a legal access way. [inaudible] coming in from cross the [inaudible]. Wasn't drawn [inaudible] during the discussions. [inaudible] to the joint parking area, accessing sewers, toilets, bathrooms [inaudible]. And in doing so we agreed to delete the straight through access. And that's what we still amenable today. As you see we are under the understanding that at some stage DPW would [inaudible].

Chairwoman Pika Fejeran: Okay.

Legal Counsel Nicolas Toft: Has anyone been in contact with DPW?
[inaudible]

Administrative Director Jack Hattig III: Not recently. Not until the commission made a decision we didn't engage with Public Works.

Legal Counsel Nicolas Toft: [inaudible] In 2010 was DPW in the discussions [inaudible]?

Guam Rugby Club Board Member Ross Morrison: It's long time ago. I don't know. I think [inaudible] meetings. It was discussed [inaudible]. I remember Jessie Garcia was involved. [inaudible] either on the CLTC side or DPW side. I'm sorry I can't remember.

[inaudible]

Chairwoman Pika Fejeran: John, [inaudible] another easement connecting to that road?

CLTC Land Agent 1 John Gumataotao: Mr. Miller?

Chairwoman Pika Fejeran: Morrison.

CLTC Land Agent 1 John Gumataotao: [inaudible] how on the original [inaudible]?

CLTC Land Agent Supervisor Matthew Leon Guerrero: What he's talking about into Angels' property not the Rugby property. What he drew is what that amendment was [inaudible]. But the line is actually within Angels' property. The Angels' property not that it didn't go into the Rugby's [inaudible].

Chairwoman Pika Fejeran: Okay. And for Rugby all of your buildings and everything is along the Hal's Angels property line? Is that right? Which is why you're against accessing through Lada?

[inaudible]

CLTC Land Agent Supervisor Matthew Leon Guerrero: It's within their area, the shower. [inaudible] that building that they talking about.

Chairwoman Pika Fejeran: Okay.

CLTC Land Agent Supervisor Matthew Leon Guerrero: It's It's still within their boundary.

Chairwoman Pika Fejeran: Okay.

Hal's Angels Ivan Shiroma: There's no issue with accessing. It's within their boundary.

Chairwoman Pika Fejeran: You know I wanna get to a solution today. You know I wanna get us all to say okay. We agreed. I'll give a little bit here. I'll give a little bit. You give a little bit there. It sounds like Guam Rugby wants to keep access from Santa Monica. Right. And Mr. Shiroma wants to get use of his entire field back, his entire property which had been severed in the middle there. The staff has ingeniously has suggested this forty feet wide easement in the third property. It's not taking from anyone. Right? That forty foot up there, but the issue would be for Guam Rugby correct me if I'm wrong. You still wanna be able to access through Santa Monica.

Guam Rugby Club Ross Morrison: I think you'll found that we can use the field pipeline [inaudible].

Chairwoman Pika Fejeran: Right. In order to actually use that for your access you would need an easement connecting through Hal's Angels on the left side of their property?

Guam Rugby Club Board Member Ross Morrison: Yeah. [inaudible] It was specifically revised.

Guam Rugby Club Board Member Mike Mateo: I thought that. [inaudible] I thought that in 2016.

[inaudible]

Guam Rugby Club Board Member Ross Morrison: In 2016 revised

Chairwoman Pika Fejeran: 2016?

Guam Rugby Club Board Member Ross Morrison: The plans was drawn in 2016 2017. [inaudible] That's what I'm saying. [inaudible] It's important to look at the plans and documents [inaudible]

Guam Rugby Club Board Member Mike Mateo: I have a proposal. If we can. If we can take a some a small portion of the left side of Hal's Angels property we can also with the boonies that is there. On the bottom side of our property we can clear that out and make a joint parking for both parties. So that way we understand that both sports are growing and in the event that there needs to be overflow parking we can both utilize each other's parking to overflow, to have parking spaces where people aren't parking along the main road. Which has been done historically in the past few years. If we can come to an agreement and we clear some of our land out make a parking lot for both both our organizations. That would be the best. So that way we still have access to our septic tank.

Chairwoman Pika Fejeran: Where's your septic tank? I'm sorry where?

Guam Rugby Club Board Member Mike Mateo: The septic tank is on the right side of the field where there is a big tree in the shadow. [inaudible] Yeah. Right there. It's in that general area.

Chairwoman Pika Fejeran: Okay

Guam Rugby Club Board Member Mike Mateo: If we can. I'm sorry for the person directing the mouse. Can you move it more to left. The bottom of the left side of the field. That area right there. If we can create

an easement, we can create a parking lot there. That way Hal's Angels can use that as overflow parking. We used it as our main parking and in the event we need overflow parking creep into Hal Shiroma's property and use that as our overflow parking. Is that something that we can agree upon?

Hal's Angels Blu Shiroma: I don't think so because we have we also have a master plan for that portion down down here. That whole area that we presented as well. So we start doing that and you guys clear out any overflow parking area. Anything that we start to develop will become an issue. You know what I mean.

Guam Rugby Club Board Member Mike Mateo: I'm sorry. [inaudible]

Hal's Angels Blu Shiroma: I'm not sure how.

Guam Rugby Club Board Member Mike Mateo: The overflow parking on our side. So that would be your overflow parking would be on our property.

Hal's Angels Blu Shiroma: And where would be your main parking be?

Guam Rugby Club Board Member Mike Mateo: That would be our main parking. So because we're not going to have a game on the same day. More likely that's not going to happening that way. [inaudible] Yes. [inaudible] Yes! So lets. So going back to my point, if we can clear out some of that area that can be used as your overflow parking. And it would be used as our main parking lot and that's on our property line. And in the event that we need overflowing parking we can use the joint parking lot that is currently being used with the easement where the current easement is right now. [inaudible] If that makes sense.

Hal's Angels Blu Shiroma: I don't understand.

Guam Rugby Club Board Member Mike Mateo: Do you mind if I walk up. So what I'm suggesting is if we can use this area as an easement to come up on this side. We're willing to give up this area to have a parking lot for you guys in the event you need overflow parking. And that would be considered our main parking. And in the event we need overflow parking we can have our cars channel into this property right here. Is that something we can agree on? We're both giving up a piece of our property to satisfy both of each other. Does that make sense? [inaudible]

Hal's Angels Blu Shiroma: Once you have access to that bottom part you should have enough parking. There shouldn't have to be an overflow parking in our side. You know what I'm saying.

Guam Rugby Club Board Member Mike Mateo: What. What. I understand. [inaudible] So what we're trying to do we're basically because we're taking a piece of your property we're willing to give you a piece of ours for parking. Does that make sense? Lets say you're losing acreage, we're more along the lines of sharing acreage. So that way in the event because there's going to be times this won't even hold sixty cars give or take maybe less. Right. And for each family member having multiple people this will easily get filled up from one game. Right. So is this and we do understand that. When when you guys have games and we've entered theres cars parked all over the place. Same with our games. And we been utilizing this parking lot since we've been involved. Right. So now we're coming back to the table. Suggesting if we can create an easement here on a little bit of your property we're willing to give you a little bit of property here. For overflow parking for you guys and in exchange when we need overflow parking we can park over here in this small area. And at the end of the day we're looking at the safety of our our prized possessions like our cars. Right. If we have cars parked along here, along here and even over here, right, the public sees it and the public can easily break in. We just got a message of of someone stealing from a locksmith, getting lock-out kits. Kits that can open your cars. So the idea of safety if we can have it here the overflow parking for you here and our overflowing parking here. We share this entire area, as a parking lot.

Hal's Angels Blu Shiroma: [inaudible] there's a narrow portion used as as driveway because there is a back gate.

Guam Rugby Club Board Member Mike Mateo: Yes.

Hal's Angels Blu Shiroma: It's the only way to get out of the football field. So I. To me, I have to talk to him. I don't mind. I mean having an easement so that you can have access there but at some point we want want to have clear lines and separate properties. We don't want to keep overflowing and having the issues. I mean security, safety or people coming in and dumping stuff. We don't want that. At some point because just like you we run on donations. You guys took. That's our old practice field. That's the flattest land they had over there. When you guys took that over we we had to develop that whole side at the bottom enough to have a practice field. We are practicing on on our main field which you're not suppose to be doing. And now we borrow. Now we borrow from the school. So at some point we want to just. That that place is already narrow that area you're talking about for the spillover parking in case you guys claimed it full. But it's already narrow. We don't need [inaudible]. At some point we're going to cut off the whole. We have our clear lines. We've been given our lines. You can maybe get an access through that little area to get to your property but at some point it's going to be cut off completely. Because you have your property we

have ours. There's no issue with security and safety when it comes to managing the properties. Now now you can say that because there is no gate there. So yeah you can go in and out. It's hard to really manage that place. There's no real real fence line to cut everybody off. So people are going back and forth. We're trying to control that as much as possible but even with [inaudible]. How long? I mean a year waiting for the notices. Waiting for something to happen. Nobody's moving. Nobody's moving. Nobody's moving and boom. We come here and today it looks like we're going to push back. Yeah maybe the easement on the bottom you can have that little access because you can't use the pipeline. But the spillover I don't know. If you just have an access for your parking. Because at some point we're gonna have to have to have our own fence. Separate properties. [inaudible] You know what I mean?

Guam Rugby Club Board Member Mike Mateo: Understood. You're not opposed to us having a forty foot easement along this side.

Hal's Angels Ivan Shiroma: No I am. I don't want to shrink our total acreage anymore than we have to. Twice I gave up property like where the proposed easement. I gave that up all the way to the squatters where staying. That's a lot of property where we would do our parking lot. I gave it up just so we could get rid of the easement and we could take full advantage of the total acreage on our side. Which by the way Mr. Mateo, I think before you were born that part that you guys have was all Hal's Angels' property before.

Guam Rugby Club Board Member Mike Mateo: I wasn't aware of that.

Hal's Angels Ivan Shiroma: Just to let you know.

Hal's Angels Blu Shiroma: That's our practice field you guys are on

Hal's Angels Ivan Shiroma: We practice there a long time ago. You guys were even born yet. [inaudible] It happened. You guys got a license and then you got an additional piece. The practice field that you guys are building. That is in addition to one our practice field. So now you're asking us. This is why I am passionate about this thing. We do not want to shrink anymore acreage from our property because of how much we lost so far. And then that little piece on the left hand side that we gave up again. Just to get some kind of agreement with these guys again and end this thing. [inaudible] And now you're asking us again.

Guam Rugby Club Board Member Mike Mateo: Is there a reason why you can't access from from the backside road.

Hal's Angels Ivan Shiroma: Why not?

Guam Rugby Club Board Member Mike Mateo: Why? What is the back road?

Unknown: Lada

Guam Rugby Club Board Member Mike Mateo: Is there a reason why.

Hal's Angels Ivan Shiroma: What is the issue?

Guam Rugby Club Board Member Mike Mateo: Is there a reason? You guys keep navigating the [inaudible] to the front when there is access from the back. And and

Hal's Angels Ivan Shiroma: What is gas? [inaudible]

Guam Rugby Club Board Member Joseph Mateo: It could be the water lines. That's the biggest thing that I see. [inaudible] There is a bunch of houses that have water over there. So there has to be a water line there.

Guam Rugby Club Board Member Mike Mateo: I understand but the water line are connected from Santa Monica. Right. And if we were to re. If we were to have to put in new water lines it gonna cost us upwards of ten thousand dollars and that's something we don't have.

Hal's Angels Ivan Shiroma: No body. No body in this world would allow anybody to put their power line because I work at GPA or water line in their property to get to their house.

Unknown: Without.

Hal's Angels Ivan Shiroma: Because if I hit your line and its on my property you gonna sue me. Some no body allows that. No body in the world. So what is that? That's why I saying move your water line, delete the easement. That way I don't get into trouble if I hit your water line. All this water. You guys would pay a big water bill. That doesn't make any sense.

Guam Rugby Club Board Member Mike Mateo: No no no. Absolutely not. But what I think. Spend

Hal's Angels Ivan Shiroma: Bottom Line.

Guam Rugby Club Board Member Mike Mateo: Back in 2010, when we came up with the original. I'm sorry back in 2002, correct me if I'm wrong Ross, the original plan was as directed by GWA and DPW was to build our water line through there. So unbeknownst to us, in reliance to what was given to us that's what we did.

Hal's Angels Ivan Shiroma: If you ask all these caseworkers here that was a dotted line meaning it's temporary.

Guam Rugby Club Board Member Mike Mateo: [inaudible]

Hal's Angels Ivan Shiroma: You don't know how long the parade is going to be. The game [inaudible]. What Mr. Morrison did is. I don't know. I guess anybody would do the same thing. Let me just put my water line in there. Maybe I could put my power line. And you know what. Something like this happens, [inaudible] you just wasted a lot of money. I can't move it now. Reinvest another large sum of money to put it in another area. [inaudible] That's the [inaudible] attitude. Do it and now I get stuck with water line and power line in my property. [inaudible] and make a drainage over there. What happens if I hit this water line over here. [inaudible]. That's not the issue.

Unknown: That is the issue.

Hal's Angels Ivan Shiroma: [inaudible] I got a permit then what.

Chairwoman Pika Fejeran: If I can. If I may. The 2016 decision that was made by the commission included the requirement for the water the utility lines owned by Guam Rugby to be removed.

Hal's Angels Ivan Shiroma: That's not the attachment point that's the service line. Big difference. So that's why Waterworks sign off on that the agreement of the map. They get their access, their water line, attachment point, at the Lada side. Same with power, GPA and same with Public Works. They all signed up on the agreement and on the map. And now we trying to go back and revisit this. After they all agreed that's the attachment point.

Guam Rugby Club Tony Unknown: For the record my name is Tony [inaudible]. I'm one of the founding members of the Guam Rugby Club. I helped build that field. My both of my kids also play football for the Broncos. But anyways [inaudible]. I just want for the record and I can present it with [inaudible] as an exhibit. We have documentation where we donated eight hundred cubic yards of trucked in landfill to Mr. Shiroma with his signature acknowledging it. So the Guam Rugby Club has helped Mr. Shiroma in trying to build his practice field. I just want to clarify that.

Hal's Angels Ivan Shiroma: The agreement was to build it not just dump loads of dirt. Correct Mr. Morrison.

Guam Rugby Club Board Member Mike Mateo: Well you got to fill first. Right. So [inaudible]

Hal's Angels Ivan Shiroma: Just so everybody is aware of the situation [inaudible]

Chairwoman Pika Fejeran: I wanna do today. Like I like I explained to both parties before I brought this commission meeting back to session I don't wanna talk. I don't wanna be pointing fingers and making accusations okay. What I wanna do is get to a solution. Right now the only solution we have is the 2016 decision.

Guam Rugby Club Board Member Mike Mateo: Which is?

Chairwoman Pika Fejeran: Which was what happened to transpired to bring everybody to the table here today. The deleting of that easement and I I remember there was a Guam Rugby representative here. And they said 'okay that's the decision that's the decision'. So again that's neither here nor there. Mr. Mr. Shiroma the. Are you? Is there a way. I mean I know you're concerned about having to shrink your property again with that proposal with the forty foot above your property. But having them take part of your property there. Is there a way that we can adjust the boundary line to account for the acreage square meters taken away from the left hand side access? So that if you take a forty foot forty foot wide Santa Monica up to that emergency access. Then we kinda of shift the Hal's Angels up into Guam Rugby to account for that taking. So that it's a net zero? Would Guam Rugby be amenable to that? Would Mr. Shiroma be amenable to that? I'll ask Guam Rugby.

Hal's Angels Ivan Shiroma: I hadn't heard anything from there side. What is the problem with accessing from Lada? What is it? Convenience?

Chairwoman Pika Fejeran: Okay.

Hal's Angels Ivan Shiroma: I don't know what it is. Like I said it's not a land lock issue. We're not blocking them from accessing. If it was, it would have a different tone. And a different I think I would be more amenable to something else. We're not blocking them from accessing their property. From accessing their cesspool or whatever they have there. They still come from your side and empty out your whatever.

Chairwoman Pika Fejeran: Okay. Lets give them a chance.

Guam Rugby Club Board Member Mike Mateo: Okay. So from. So there's plenty of reasons here. From a financial standpoint we did not have the funds to redevelop reroute [inaudible] and create an access road for the emergency vehicles [inaudible]. And also at the same question why why is it such a problem to have have access there? You know I could ask that same question there. [inaudible] just on the other end. [inaudible] keep the access there?

Hal's Angels Ivan Shiroma: Keeps it away from me developing my property and you're not touching anything from your side. So for every meeting that I've come for the past I don't know how many years you're always about me defending my property. We're not talking about taking anything away from Rugby besides what they got which is a lot bigger now than mine. I know that sounds childish but that's the bottom line. They got a bigger acreage than Hal's Angels and we're there twenty years before them. But you know I let it go, it happened already. The other administrative signed and approved it. Now you start taking more from Hal's Angels. [inaudible] What's the problem? [inaudible]

Administrative Director Jack Hattig III: If that proposal Madam Chairwoman is acceptable to Rugby would you listen to the proposal?

Hal's Angels Ivan Shiroma: I can listen. I don't have to agree.

Administrative Director Jack Hattig III: The proposal was the net zero. Pretty much it would be if we designated an easement through your property and we gave you the exact acreage of the easement from their property Rugby if they were amenable to that.

Hal's Angels Ivan Shiroma: I got to see what the proposal is. Look at it then I sleep on it and make a decision. I think the question more is what is the problem with accessing Lada. Seriously what is it? What is it?

Guam Rugby Club Board Member Ross Morrison: To address the board, we've provided a sketch. It has all the points [inaudible]. The reasons why the access through Santa Monica has always been a factor in the master plan development. It is in the original master plan redrawn. The utilities has been orientated that way. The parking has been orientated that way. The installation of bathroom, showers, and future clubrooms has also been orientated that way as well as the [inaudible] the main access, sewer and emergency exits.

Chairwoman Pika Fejeran: Is this sketch you're talking about?

Guam Rugby Club Board Member Ross Morrison: No [inaudible] it's on the original original plans is 2002.

Chairwoman Pika Fejeran: This is a 2010 that I am looking at. Is this the amendment that you guys were talking about. Exhibit A.

Guam Rugby Club Board Member Ross Morrison: Yes madam. That was the preliminary plans that were discuss between CLTC and.

Chairwoman Pika Fejeran: See it doesn't even show your property. This is Hal's Angels.

Guam Rugby Club Board Member Ross Morrison: Correct. Because that's what I'm saying here. You need to look back at the original documents and plans.

Chairwoman Pika Fejeran: In 2002.

Guam Rugby Club Board Member Ross Morrison: Yes madam.

Chairwoman Pika Fejeran: Is that this one?

Hal's Angels Ivan Shiroma: Let's go back and see what was lost. [inaudible] And you want to [inaudible] on my side.

Guam Rugby Club Board Member Ross Morrison: [inaudible]2002 Lot 10057NEW

Chairwoman Pika Fejeran: Yes. 2002. Got it

Guam Rugby Club Board Member Ross Morrison: I think [inaudible]. I think this was drawn by hand when the lot was originally issued. It defines the boundaries and it also defines the access. And this was issued by CLTC and Land Management. So the orientation and the develop of the Rugby Club for the last twenty-two years is has been orientated with Santa Monica in mind. The emergency access has been ongoing. [inaudible] and the master plan as I said before we submitted to [inaudible]. by CLTC and provided to CLTC for approval. Once again all the orientation was off of Santa Monica.

Administrative Director Jack Hattig III: [inaudible] the property north of Wettengel can you hand write. That property right there. What is that? [inaudible]
The school. But that was ours? At what point? [inaudible]

CLTC Land Agent Supervisor Matthew Leon Guerrero: There is a minimum acreage provided by Department of Education for the type of schools.

Administrative Director Jack Hattig III: Right.

CLTC Land Agent Supervisor Matthew Leon Guerrero: I believe what happen there was the bare minimum. You can't take anything away from that boundary or the school loses federal funds.

Administrative Director Jack Hattig III: Got it. Okay. Just wanted to know what that was.

CLTC Land Agent Supervisor Matthew Leon Guerrero: It was actually a part of the 2000-57.

Chairwoman Pika Fejeran: So I see on this 2002 Resubdivision Survey Map of Lot 10057NEW. I see that there was a forty foot wide public access and utilities right of ways with the dotted line. What does that mean, Survey? I need survey.

CLTC Engineering Technician II Pierce Castro: I'm sorry. Sorry.

Administrative Director Jack Hattig III: The straight through the dotted line. Straight through the property.

CLTC Engineering Technician II Pierce Castro: That was an issue with [inaudible].

Chairwoman Pika Fejeran: Yeah what is that easement?

CLTC Engineering Technician II Pierce Castro: That was a gas line that was proposed. [inaudible] As of this map. [inaudible]

Chairwoman Pika Fejeran: Rugby gave us this one.

Administrative Director Jack Hattig: [inaudible]

Chairwoman Pika Fejeran: Okay. So that was since 2002. That was there and it wasn't. I guess created in 2010 when the amendment was added.

[inaudible]

Guam Rugby Club Board Member Ross Morrison: We were in an agreement that we would delete that and long as the easement [inaudible] came in around the side. As we just discussed.

Chairwoman Pika Fejeran: Yeah.

Guam Rugby Club Board Member Ross Morrison: And came up into the joint parking area in the middle.

Chairwoman Pika Fejeran: I see.

Guam Rugby Club Board Member Ross Morrison: We are amenable to that.
And that's when the 2002.

Chairwoman Pika Fejeran: And was when this was created in 2010.

Unknown: Right.

[inaudible]

Chairwoman Pika Fejeran: See my question is how. Thank you for including this the amendment in this packet because it wasn't included in the packet that we received for today. So thank you. I'm sure this is what we looked at back in 2016. My question is for legal counsel, how an amendment to a license was created when the subject property does not include any of the parties involved or signed this amendment. So if you look at their package right.

Legal Counsel Nicolas Toft: Well there is a couple of issues here. One is it says it passed by a newly resolution on 12/16/2010. I don't see any minutes that show that the board actually address it and authorized Mr. Mafnas to sign it. It's undated but ultimately what we're dealing here with are licenses on both sides. Licenses do not convey the same rights as least. Ultimately at the end of the day if we just wanna provoke this thing. We just tell both side cancel the licenses, re-issue them in a hundred and twenty days out with how we want it set up. So I think there is a lotta. It's a mess upon a mess upon a mess. You know one side said we can amend it with the other side consent. And it's been done back and forth four times over the history of this piece of property. One side comes in catches the ear of the whoever the director happens to be at the time, get them to signs something. The other side comes in and sees the other side's not there and gets their stuff pass through. It's beyond at this point. Unless you can get some sort of agreement between the parties here I would suggest going with what I consider the nuclear option. Telling them we're not going to renew the licenses. Then after the expiration then do it the way the board wants.

Guam Rugby Club Legal Counsel Lennie Rapados: Madam chair if I may just interject. I actually reviewed the 2010 minutes. There was a full discussion between legal counsel at the time for Guam Rugby Club who was Arthur Clark. Mr. Shiroma was there and the CLTC. There was a resolution that was passed at that meeting. But there were questions what the boundary line were in respect to Mr. Shiroma's license. And I would asked that the board vote after those meeting minutes because I think it it's a substance discussion that led to the signing of that amendment by the administrator. So you know our position is that the commission Director at the time, had have the authority by the commission through a resolution to do what it did and sign that amendment. And just to circle back to to the issue because of that amendment the primary issue one of the major issue was because of that amendment Guam Rugby Club has relied upon it and has put the money in based on that amendment. And now we're here sitting here in 2019 after all these years having spent putting the money in and the

time, effort and etc. Now what you're saying is if we move forward on the 2016 we appreciated that the commission is revisiting it. If you now change the plan all of the money that the airport, the Guam Rugby Club has spent reliance on the commission's decision in that 2010 meeting on the amendment is now you know what goes down the drain. That's a lot of money, a lot of time. And again we did that with the agreement of the commission. So we understand that the commission's position is that there may have been issues at that time. We would like like you to recognize that if you start creating this other plan this time that is not on you know in line with what the Rugby Club has done. There are huge consequences financial and worldwide with the game.

Chairwoman Pika Fejeran: Thank you. Okay. Well. It doesn't sound like either

Guam Rugby and Football is able to come to an agreement to the easement this way or that way. You know. Am I right?

Unknown: Yup. So.

Unknown: Would you ask Mr. Shiroma?

Chairwoman Pika Fejeran: Yeah. Mr. Shiroma would you. I know it's asking a lot again. Right. Take the left hand side but as I'm looking at their the document that was actually [inaudible] that was I think in 2016 you also mentioned that you look that's fine just. I think it was. Move it to the right. Move the access to the left.

Hal's Angels Ivan Shiroma: [inaudible] At that time.

Unknown: [inaudible] give something for the portion that they taking. [inaudible]

Hal's Angels Ivan Shiroma: I'm not hearing any of that. I'm not hearing anybody look at this.

Unknown: [inaudible]. It's just a net zero. That's what it was. [inaudible]

Unknown: You can see a little bit more clearly. [inaudible] Yes.

Chairwoman Pika Fejeran: So if if you thinking more create a forty foot easement here within Hal's Angels property. All the way up to here

Unknown: Yup.

Chairwoman Pika Fejeran: Right. And then the easement goes into here

Unknown: Right

Chairwoman Pika Fejeran: We would shift the Rugby property line up to account up to account for the portion taken.

Administrative Director Jack Hattig III: All the way over.

Chairwoman Pika Fejeran: Up.

Administrative Director Jack Hattig III: Yeah. For whatever acreage would be.

Chairwoman Pika Fejeran: And then their boundary line is higher.

Unknown: That's fine.

[inaudible]

Chairwoman Pika Fejeran: Shared parking is off the table however. [inaudible] So it would be [inaudible]. It would be a clear. This is Rugby. This is football. We don't share.

Guam Rugby Club Board Member Ross Morrison: Madam Chairwoman. The only issue is it negates any access, we have is club rooms, toilets, showers.

Chairwoman Pika Fejeran: What clubrooms? Are these your club rooms? Okay so it wouldn't it wouldn't cut you guys off here. It would be configure in a way to make sure that all your infrastructure here remains in your property.

Guam Rugby Club Board Member Ross Morrison: Good. We need. We need access to that. That's the issue. If you look at the [inaudible] right there. Currently it is all open. [inaudible] is used as joint parking at this stage that provides access through [inaudible], down the field, use the club rooms, toilets and showers.

Chairwoman Pika Fejeran: Yeah. So [inaudible] Okay. So we're just estimating up here. It would be a forty foot easement. Like right here. And then the easement comes here.

Unknown: Above.

Chairwoman Pika Fejeran: Above it? I'm sorry. [inaudible]

Administrative Director Jack Hattig III: It ends right there.

[inaudible]

CLTC Land Agent 1 John Gumataotao: So there would be a forty foot [inaudible] then the easement would end right here.

Unknown: So try and square the property off as much as possible.
[inaudible]

CLTC Land Agent 1 John Gumataotao: So this line right here would be deleted. [inaudible] and the new line would be.

Chairwoman Pika Fejeran: Yeah. So then Mr. Shiroma this property this sliver would be taken and then this sliver you would gain to make up for that loss. It would be over this topside. And so this.

Hal's Angels Ivan Shiroma: Up to what point?

Chairwoman Pika Fejeran: This line here. [inaudible] Or something similar to this in a way that kinda makes sense for property boundaries right.

Administrative Director Jack Hattig III: It would be the same way [inaudible] same length.

[inaudible]

Guam Rugby Club Ross Morrison: The principle is sound. And we agree with the principle however there are drainage issues and there is a large sinkage hole.

Chairwoman Pika Fejeran: A sink hole?

Guam Rugby Club Board Member Ross Morrison: A large natural sinkage hole approximately [inaudible] boundary [inaudible]

Chairwoman Pika Fejeran: Like here?

Guam Rugby Club Board Member Ross Morrison: Left. To the left, left. Going to your left. [inaudible] Yeah. Approximately in there is a large natural sinkage hole. So pretty much [inaudible] done field development we had to [inaudible] fence the thing off as instructed by EPA. So the actual logistics doing this might not be visualizable. The other point I would like to make is once again we still lose access to all the building facilities.

Chairwoman Pika Fejeran: I I don't consider that as losing access cuz you're going to get access up here, here and then it's up to you to connect it up here.

Guam Rugby Club Board Member Ross Morrison: Sure but if you want to move the property line up there's there's is no it goes onto the field.

Chairwoman Pika Fejeran: The prop I think that it looks like here and the field starts here.

Guam Rugby Club Board Member Ross Morrison: This top field. I'm talking about the buildings to your right. Correct. Correct.

Unknown: [inaudible] moving that line. Yeah but you can't [inaudible]

Guam Rugby Club Board Member Ross Morrison: We can't get access to those buildings. So your future development of the Social Club is basically negated. You can't do it. Can't get catering trucks in. There's no access.

Unknown: Can we see that towards Lada? Toward Lada a little bit. Bring that down a little bit. Show Lada road.

Chairwoman Pika Ferejan: I don't understand. I don't understand what you're saying Mr. Morrison. This looks like its flat. Right. This is your parking right now. [inaudible] Oh this is sloped. So you're saying that if you had access coming and you opened up this jungle area you won't be able to access this.

Guam Rugby Club Board Member Ross Morrison: It's at this moment it's got all the engineered drainage swells in it which CLTC requested us to do in 2002.

Unknown: I think [inaudible] to back up that field to push it back.

Chairwoman Pika Fejeran: If if you were to use Lada here then you are talking about you don't have access to this. I was looking at your master plan. You have a road here to access this. And then you have another field that you were looking at developing up here right.

Guam Rugby Club Board Member Ross Morrison: Multi use practice field that's correct.

Chairwoman Pika Fejeran: That would be a road connecting these four [inaudible] these from that.

Guam Rugby Club Board Member Ross Morrison: It's not road madam. It's the engineered drainage swells.

Unknown: It's goes. It's a ditch.

[inaudible]

Guam Rugby Club Board Member Ross Morrison: We had to get it engineered by

CLTC request. It make sure that the drainage all went down that area into the drainage.

Hal's Angels Ivan Shiroma: You cleared the jungle where the tall grass in the backside topside in Lada. You just never didn't it. If you clear it you have all the access in the world to get in. If you check you'll see yourself. Is it really hindering them or can they do it?

Chairwoman Pika Fejeran: Well I mean I. Looking at these documents I can see how all of that those buildings they built at the bottom side were because of that forty foot easement through your property. I mean it's a terrible position both parties are in. The commission is struck in the middle right. Legal Counsel do have some recommendations for if we cannot come to an agreement. I maybe I I urge both parties to go home and sleep on it. And we will look at what's out there and see if there is some

Unknown: Solution.

Chairwoman Pika Fejeran: Solution. I think there one solution on the table. I think the bottom line for Mr. Shiroma is he does not wanna reduce his acreage again right. How can. I think the proposal that they showing.

Hal's Angels Ivan Shiroma: Well consider the proposal you mentioned.

Chairwoman Pika Fejeran: Okay.

Hal's Angels Ivan Shiroma: Do a site visit and see just if he is telling the truth that he cannot access from the top of Lada side.

[inaudible]

Chairwoman Pika Fejeran: Yeah

[inaudible]

Hal's Angels Ivan Shiroma: No. It's an access issue that he is worried about. Just go over there and see yourself.

Chairwoman Pika Fejeran: Okay.

Hal's Angels Ivan Shiroma: Bushcut the darn thing and you can get in.

Unknown: Esta. Call Public Works.

Chairwoman Pika Fejeran: Shall we have another meeting after everybody's gone home to think about it. As planned you can meet with the director.

[inaudible]

Administrative Director Jack Hattig III: As soon as possible. As soon as you guys are ready to come back.

Chairwoman Pika Fejeran: Maybe next week.

Administrative Director Jack Hattig III: I'll have a couple more solutions to sprinkle in the meantime.

Chairwoman Pika Fejeran: Maybe we can have some real maps to show you. If. [inaudible] Yeah. Okay.

Administrative Director Jack Hattig III: The one thing I wanted to get done before we meet here is temporary access to their field for their season. Can we come to some sort of agreement?

Hal's Angels Ivan Shiroma: Doing work starting this week already.

Administrative Director Jack Hattig III: [inaudible]

Hal's Angels Ivan Shiroma: I remember when Mike Borja was here. He gave Rugby one year until the end of 2018 December to access his field. To make arrangements, and now they claiming they never got the word. I'm keep putting people on hold to start developing my side. My whole twenty year license has been on hold. (Thump)

Chairwoman Pika Fejeran: Okay.

Administrative Director Jack Hattig III: Lets meet.

Chairwoman Pika Fejeran: Lets set up the meeting.

Administrative Director Jack Hattig III: Lets meet and you can provide all the information. You can talk about it.

[inaudible]

Chairwoman Pika Fejeran: Thank you everybody.

Unknown: Thank you.

Administrative Director Jack Hattig III: Sorry I wasn't able to provide. [inaudible] directly to both parties.

V. NEW BUSINESS
1. CONSTITUENT MATTERS

a. Joileen R.S. Benavente

Chairwoman Pika Fejeran: All right. Thank you everybody. I know we are running [inaudible] very behind. Can we jump to our constituent matters? [inaudible] The first constituent matter we going to look at is. They're shaking hands out there right. [inaudible] I don't see they come to blows out there. [inaudible]. So Joileen R.S. Benavente we have our staff report. Okay. Lets see. Okay this is the one Miss Joileen R.S. Benavente. She was supposedly paid for CLTC application in 1995. But then in 1997 looks like her mother, Mrs. Janice Benavente, complained like where. It sounds like Miss Joileen Benavente's application was missing and not on on our application list. Okay. And that was 97 you you. Okay that's 97. In 2013, oh I see. In 2013, we intook her application and [inaudible] backdated to December 29th at 11:58 a.m. Okay. So how why is this coming up now?

CLTC Staff Member Jhoana Casem: So Ms. Joileen is actually part of the pre-moratorium. However it has been brought up before in the past there was an application that was paid however there is no application in file. So in

Chairwoman Pika Fejeran: But the the payment was accepted a receipt was issued.

CLTC Staff Member Jhoana Casem: Payment was accepted. A receipt was issued. However through the finding even the past CLTC staff. They looked through everything and there's no application of such under Ms. Joileen.

Chairwoman Pika Fejeran: Okay.

CLTC Staff Member Jhoana Casem: So she came in 2013 and was intake by Ms. Lorraine and approved by Mr. Camacho to go ahead process the application at that time but backdated to the said date of December 29, 1995. Now with this finding it actually scuffles the CLTC applicants who are ready in line.

Chairwoman Pika Fejeran: Everybody after.

CLTC Land Agent 2 Jhoana Casem: Yes. So Ms. Joileen is actually coming before the commission requesting for a lease. However because of this matter there is no application at the time of the 95, it was brought to legal counsel. However per the Legal Counsel's advice to bring it before the board for the board's decision.

Chairwoman Pika Fejeran: So you said she is on the pre-moratorium list.

CLTC Land Agent 2 Jhoana Casem: Yes.

Chairwoman Pika Fejeran: She had a lease prepared that was red-marked.

CLTC Land Agent 2 Jhoana Casem: Yes.

Chairwoman Pika Fejeran: Okay and that was based on this December 29, 1995 application that was processed in 2013.

CLTC Land Agent 2 Jhoana Casem: So you know.

Chairwoman Pika Fejeran: So you're asking to recognized the application at this date and time. What are you asking?

CLTC Land Agent 2 Jhoana Casem: Well she coming before you for the go ahead to process for a lease. However based on the findings the application date was intake is actually not in place. So it was actually kind of like during the time she applied for it. They put in her application based on this date. So as mentioned it would actually shifted people down and out of place. So we asking the commission to approve her application so that she can pursue the lease. And if the commission does not approve based on this application date and time. Then we would have to hold off on this lease issuance until her date and time does come up.

Chairwoman Pika Fejeran: My gosh. Okay. So it sounds like a. It's a lost application right but it was paid for. Right.

CLTC Land Agent 2 Jhoana Casem: Well based on their findings there was no application submitted during the time of payment. So usually what we would do is sign for the application, make payment and then you would get a stamp date and time. However there was a payment made just no application at the time of you know this this submission. What the CLTC staff did was they took the payment date and made it part of the application.

Chairwoman Pika Fejeran: Time and date.

CLTC Land Agent 2 Jhoana Casem: Yes.

Chairwoman Pika Fejeran: Oh I see. That's why December twenty. Okay

CLTC Land Agent 2 Jhoana Casem: Yes.

Commission Member Austin Duenas: Why 11:50? Was that the time she paid? [inaudible]

CLTC Land Agent 2 Jhoana Casem: Yeah. That was the time the intake was here. So she applied in 2013 and so basically its 11:50 they took it in 2013. So with the approval of Mr. Camacho they kind of just typed it in

Chairwoman Pika Fejeran: No!

CLTC Land Agent 2 Jhoana Casem: To indicate that was her date and time.

Commission Member Austin Duenas: How was application determined?

CLTC Land Agent 2 Jhoana Casem: Determined on when you received it.

Chairwoman Pika Fejeran: Oh.

CLTC Land Agent 2 Jhoana Casem: 2013.

Commissioner Austin Duenas: In 2013. So the only thing that stands here really is the date. December 29, 1995.

CLTC Land Agent 2 Jhoana Casem: December 29 is the date when the mother paid.

Commissioner Austin Duenas: Right.

CLTC Land Agent 2 Jhoana Casem: So you can see it in her file at the towards the end that it was typed in and approved by the director at that time.

Chairwoman Pika Fejeran: Okay. I see this. These right here. [inaudible] Yeah. Legal Counsel what is our what is our authority in this situation?

Legal Counsel Nicolas Toft: So in looking at it. I kind of looking at rule 5.3 application processing, the it it kind of struck me as extremely similar to these cases where we had a large number of our leasees who had submitted an application but who had not pay the processing fee. And under the rule they suppose to they shall pay the one time processing fee of fifty dollars within thirty days of application. But that wasn't done for a large number of our leases so here we have the essentially reverse of situation.

Unknown: Opposite.

Commissioner Amanda Santos: Opposite.

Legal Counsel Nicolas Toft: Paid the application fee but didn't submit the application.

Commissioner Amanda Santos: No application.

Legal Counsel Nicolas Toft: So I figured just let the board vote on it whether or not to have Ms. Benavente to have, have that application number as suggested by Deputy Director Camacho based on the same logic essentially as other application process [inaudible].

Commissioner Amanda Santos: Yeah.

Chairwoman Pika Fejeran: Okay.

Commissioner Austin Duenas: Sorry but is this date supposed to be twenty-nine or twenty-eight. The receipt shows it was paid for December 20th.

Chairwoman Pika Fejeran: Yeah. I think it was a typo.

Commissioner Austin Duenas: I mean we lost her application but. It's our fault we lost your application. I think it just makes sense for us to [inaudible] submission. The timing is just because that is time on December 13 it's kinda of strange. The application number is the same but otherwise I think that this is an error on our end. I think we should accept this that's my sense.

Chairwoman Pika Fejeran: Let me look at this [inaudible]. Yeah so the the receipt does show December 28th [inaudible] 1995. [inaudible] And it does have the date 12 5 95 on here on the receipt. It's referencing when you actually applied.

Unknown: Yeah.

Chairwoman Pika Fejeran: 12-6-95. So you didn't have a copy of the application when you went to pay this?

Unknown: No.

Commissioner Austin Duenas: Won't the day of the application be considered

Chairwoman Pika Fejeran: 12 5?

Commissioner Austin Duenas: 12 5. Not 12 28.

Chairwoman Pika Fejeran: Yeah.

Commissioner Austin Duenas: Or is that not considered the application date until

Chairwoman Pika Fejeran: Its paid?

Commissioner Austin Duenas: Its paid.

Chairwoman Pika Fejeran: No I think it's the date that the application went in.

Commissioner Austin Duenas: Submitted. Right?

Chairwoman Pika Fejeran: Yeah. Right?

Legal Counsel Nicolas Toft: Well that would be decided by the board.

Chairwoman Pika Fejeran: Okay. I mean its all kinda wonky just because the the application number wouldn't match anyone else [inaudible].

CLTC Land Agent 2 Jhoana Casem: It might. Just the number.

Chairwoman Pika Fejeran: Seven Seven
[Inaudible]

CLTC Land Agent 2 Jhoana Casem: I mean. Well actually we would have to verify. Only because on the first day we have 3 or 4 that would have the same number because we had different satellite stations. So we would just need to research if there is someone with this particular application number. Yeah.

Chairwoman Pika Fejeran: So this application number 7708 wasn't given in 2013.

CLTC Land Agent 2 Jhoana Casem: I believe what what was typed in

Chairwoman Pika Fejeran: Yeah.

CLTC Land Agent 2 Jhoana Casem: is the one that was intake in 2013.

Chairwoman Pika Fejeran: I see. Okay. I just want for the record the director has submitted an affidavit of disclosure stating there are no conflicts within the third degree of consanguinity to any of the following

CLTC applicants including Ms. Benavente. Thank you for providing us. Okay. And then.

CLTC Land Agent 2 Jhoana Casem: I also do want note that Ms. Benavente did paid for her survey in one of the CLTC lots. However there is an issue regarding the surveyor, so we did find her a different lot. It's just pending the completion of the complete survey from our end.

Chairwoman Pika Fejeran: Oh. Okay so just to recap Legal Counsel doesn't find any issue with us recognizing that that Ms. Joileen Benavente that her application all thou the land trust received current 2013 the evidence shows that she did apply back in 1995.

Legal Counsel Nicolas Toft: If that's the board's findings. Correct.

Chairwoman Pika Fejeran: Okay.

Commissioner Austin Duenas: And Ms. Benavente you're okay with the December 29th date for your application. Also December 28th venus the December 5th. You're okay with that.

Commissioner Austina Duenas: Motion to accept Ms. Joileen R.S. Benavente CLTC Application submission dated December 28th 1995, Application number 00778.

Chairwoman Pika Fejeran: There is a correction 007708.

Commissioner Amanda Santos: I seconded it.

Chairwoman Pika Fejeran: Motion made and seconded. Further discussions?

Commissioner Amanda Santos: No.

Commissioner Austin Duenas: No.

Chairwoman Pika Fejeran: All those in favor?

Commissioner Amanda Santos: Aye.

Commissioner Austin Duenas: Aye.

Chairwoman Pika Fejeran: Thank you. Thank you. So Jhoana I liked you to be able to present at a future date for the pre-moratorium list.

b. Gabriel Guerrero

CLTC Land Agent 2 Jhoana Casem: Yes madam. We have Mr. Gabriel Guerrero who is represented by his father, Mr. Kenneth Guerrero.

Kenneth Guerrero father of Gabriel Guerrero: Hafa adai board. Thank you so much for.

Chairwoman Pika Fejeran: Okay I remember you. You are the Feja family. Let's see. So this is your son, Gabriel Santos Guerrero. He is an August 23, 2017 applicant however he is a pre-occupier as per his application and mayor's verification and going under Land Use Permit from his great grandparent Feja. Let's see. The subject property that Mr.

Gabriel Santos Guerrero is requesting is Tract 15213, Block 9, Lot 5-R2.

CLTC Land Agent 2 Jhoana Casem: Yes.

Chairwoman Pika Fejeran: Has that property been leased out to anyone yet?

CLTC Land Agent 2 Jhoana Casem: No. That's the. That is currently where the subject's house is on. You guys said last time that the lot five area had three different lots. And you already motioned out to issue the other two. And the one where there is currently a house is where we are requesting for a lease under Mr. Gabriel. So you would do the recommendation, actually do the survey prior to the lease issuance. Yes sir.

Unknown: Thank you.

[inaudible]

Chairwoman Pika Fejeran: Sorry [inaudible].

CLTC Land Agent 1 John Gumataotao: [inaudible]. Do you remember the last meeting we gave the brother, the uncle August Guerrero this portion of the property.

Chairwoman Pika Fejeran: Yeah.

CLTC Land Agent 1 John Gumataotao: So it's this portion that that remains.

Chairwoman Pika Fejeran: Is that where your son currently resides?

Kenneth Guerrero: Yes madam.

Chairwoman Pika Fejeran: [inaudible] Would this be the first great grandchild given a lease?

CLTC Land Agent 2 Jhoana Casem: I am not to sure if he is the first great grandson but [inaudible].

Kenneth Guerrero father of Gabriel Guerrero: I am the grandson. [inaudible]

Chairwoman Pika Fejeran: So back when we were trying to work this out for your family. We I said you know there are going to be more people in the family coming forward looking for leases and there is nobody else we promised this property to. Is that right?

CLTC Land Agent 2 Jhoana Casem: Not that we aware of. [inaudible] No one has come forward.

Chairwoman Pika Fejeran: It hasn't been parceled out. Because right now it looks like [inaudible].

CLTC Land Agent 1 John Gumataotao: Yeah there's.

CLTC Engineering Technician II Pierce Castro: [inaudible] Yeah. There is one we just don't have the layer.

Chairwoman Pika Fejeran: Oh okay okay.

CLTC Engineering Technician II Pierce Castro: We did create the scheme, scheme with three lots on it. One was given to August Guerrero last meeting.

Chairwoman Pika Fejeran: Okay.

CLTC Engineering Technician II Pierce Castro: August Guerrero.

Chairwoman Pika Fejeran: And one was given to [inaudible].

CLTC Land Agent 2 Jhoana Casem: Michael Micheal Arriola. The topside and the remainder is what Mr. Kenneth is requesting for Gabriel Gabriel. Which is where the majority of the structure is on.

CLTC Land Agent 1 John Gumataotao: It something like this. That's one lot and the other one [inaudible] there. [inaudible]

Chairwoman Pika Fejeran: Okay. [inaudible] Okay. No problem. Okay so this one would be. Whats being presented today is for Mr. Gabriel Santos Guerrero to be issued to the lease based on his pre-occupancy

and I guess his pre-occupancy status and the land use permit under his grandparent Feja of which there Mr. Feja had a lot that whole property which we've been parceling out giving to various family members. Okay.

Kenneth Guerrero father of Gabriel Guerrero: I do apologize madam for not being here last time. I just didn't know about it last time.

Chairwoman Pika Fejeran: No problem.

Kenneth Guerrero father of Gabriel Guerrero: I got a lot [inaudible] last time. [inaudible].

Chairwoman Pika Fejeran: I'm glad you here today. Thank you for sitting through this whole meeting

Kenneth Guerrero father of Gabriel Guerrero: You're very welcome.

Chairwoman Pika Fejeran: Until we get to you. [inaudible] Interesting stuff we did today.

Unknown: You guys are awesome.

Kenneth Guerrero father of Gabriel Guerrero: You guys can be psychologist. I would have blown up a long time ago. [inaudible]

Chairwoman Pika Fejeran: Okay. Alright. I I don't have [inaudible]. How old is your son?

Kenneth Guerrero father of Gabriel Guerrero: My son will be twenty six? Twenty this November.

Chairwoman Pika Fejeran: And do you have a property over here? I I don't remember.

Kenneth Guerrero father of Gabriel Guerrero: That. We we built that house me and my boy [inaudible]. He went to school in [inaudible] and he has been pursuing his master's degree [inaudible] teaching. He is a teacher right now but [inaudible]. He'll be coming home soon. My major objective madam is to get something for my son. [inaudible] That's all I'm trying to do. [inaudible] I don't want him to go through anymore problems that I can take care of for him. I got the power of attorney.

Chairwoman Pika Fejeran: So you're residing on that property as well.

Kenneth Guerrero father of Gabriel Guerrero: Yes madam.

Chairwoman Pika Fejeran: Is there a reason why you don't want to take the lease yourself?

CLTC Land Agent 2 Jhoana Casem: He currently has a residential lease under his name.

Kenneth Guerrero father of Gabriel Guerrero: I've explained that. Truthfully that is correct. My issues up in Yigo right now. It's I've been through twelve governors three governors two of them were eight. They always tell me the same thing. I don't have enough financial stability to put in the water. That's eight poles. When the place was divided up and I was awarded the property the telephone came up. But I'm still waiting for water. [inaudible] Water madam is life.

Chairwoman Pika Fejeran: So you don't have infrastructure in that property?

Kenneth Guerrero father of Gabriel Guerrero: No madam. None at all.

Chairwoman Pika Fejeran: And if you were to have, you would make that your primary residence? And is this an agricultural? His application was agricultural. Wasn't it?

[inaudible]

CLTC Land Agent 2 Jhoana Casem: Yes.

Kenneth Guerrero father of Gabriel Guerrero: I like to plant [inaudible]. I like to get fresh eggs.

Chairwoman Pika Fejeran: So this would be an agricultural lease that you would be requesting for. So do you understand. Does your son understand the requirements of an agricultural lease?

Kenneth Guerrero father of Gabriel Guerrero: I we've planted over at one time I had fifty pugua trees but gaga mata. I'm trying to plant again. I understand where it comes from. [inaudible] As long as God gives me land and my hands are still good and my back is not broken. That's [inaudible].

Chairwoman Pika Fejeran: Okay.

Kenneth Guerrero father of Gabriel Guerrero: I love to see the fruits of my labor and I know whats in it. There are no preservatives or nothing at all.

Chairwoman Pika Fejeran: Okay. Since its agricultural it doesn't have to be the lease holder's primary residence right. Unless they following the lease terms of the contract.

CLTC Land Agent 2 Jhoana Casem: Yes.

[inaudible]

Commissioner Austin Duenas: I make a motion to provide lease issuance to Mr. Gabriel Santos Guerrero as a pre-occupier for Tract 15213, Block 9, Lot 5-R2 Mangilao.

Commissioner Amanda Santos: I seconded it.

Chairwoman Pika Fejeran: Motion made and seconded it. Further discussion?

Commissioner Amanda Santos: No.

Chairwoman Pika Fejeran: All those in favor.

Commissioner Amanda Santos: Aye.

Commissioner Austin Duenas: Aye.

Chairwoman Pika Fejeran: Ayes have it. Motion passes. Okay. So. Kenneth Guerrero father of Gabriel Guerrero: Bless you all. [inaudible]

c. Genevieve Ericsson Manglona

CLTC Land Agent 2 Jhoana Casem: We have next is Ms. Genevieve Manglona.

Chairwoman Pika Fejeran: Alright so next is Ms. Genevieve Manglona. Request for lease issuance.

CLTC Land Agent 2 Jhoana Casem: Yes.

Chairwoman Pika Fejeran: Ms. Manglona is a February 1, 2005 applicant however she is a pre-occupier for one. There is a mayor's verification since 1997. Utilities was installed. She does not currently have a lease and we are asking to approve of a lease for her. Okay. Madam please state your name for the record.

CLTC applicant Genevieve Ericsson Manglona: Genevieve Manglona.

Chairwoman Pika Fejeran: And you've been residing on this property since 1995. There's a mayor's verification. So what prompted you to come in and get a lease. You resided on the property.

CLTC applicant Genevieve Ericsson Manglona: Yes.

Chairwoman Pika Fejeran: So what brought you in?

CLTC applicant Genevieve Ericsson Manglona: Living on the property for so long. Everyone else has been awarded leases around me. I'm the only one that has been waiting.

Chairwoman Pika Fejeran: Okay. Okay. The the the property that we looking at leasing is the same that she's been occupying for 386 Batulo Street.

CLTC Land Agent 2 Jhoana Casem: Yes.

Chairwoman Pika Fejeran: And you you have utilities in there. Do you installed those utilities?

CLTC applicant Genevieve Ericsson Manglona: We got permission through the Land Trust. So GPA came in and water.

CLTC Land Agent 2 Jhoana Casem: The area does have [inaudible] access. It's on the main road. Those are the two constituents that are on the main road. There are power lines along and also water lines. So its just the constituents having to come in and get their utilities from the utility companies.

Chairwoman Pika Fejeran: Okay. Can you point it out to us?

CLTC applicant Geneviene Ericsson Manglona: I live right across the Fanihi street. It's that little gray dot.

[inaudible]

CLTC applicant Geneviene Ericsson Manglona: Where the warehouse is the Fanihi street is right next to the warehouse.
[inaudible]

CLTC Land Agent 2 Jhoana Casem: So most. Well some of the constituents on Bartolu either it's a steep slope going down or a slope going up. So with her access there is an access as you can see that easement there that's why in the front side its more unlevelled. So we have some constituents that are building towards the back because of the unleveling of the front.

Chairwoman Pika Fejeran: Oh I see. [inaudible] Okay. I see everything in here looks [inaudible]. Okay. [inaudible] Nice. Okay. I think. [inaudible] Although she is a 2005 applicant I believe we can issue her a lease based on her pre-occupier status. [inaudible].

Commissioner Austin Duenas: Motion to provide a lease issuance to Geneviene Ericsson Manglona for Lot 10122-64 in Dededo.

Commissioner Amanda Santos: I seconded.

Chairwoman Pika Fejeran: Motion made and seconded. Further discussion?

Commissioner Austin Duenas: None.

Commissioner Amanda Santos: None.

Chairwoman Pika Fejeran: All those in favor?

Commissioner Amanda Santos: Aye.

Commissioner Austin Duenas: Aye.

Chairwoman Pika Fejeran: The ayes have it. Thank you. Ms. Manglona congratulations you were issued a lease. Thank you for your patience. Thank you for coming.
[inaudible]

d. Christianna Ramez aka Christianna Nededog

CLTC Land Agent 2 Jhoana Casem: And then we have Ms. Cristy Ramez. [inaudible]

Chairwoman Pika Fejeran: Okay. Hafa adai. Welcome. Hello. This is a request for issuance of a lease as a pre-occupier.

CLTC Land Agent 2 Jhoana Casem: Yes madam.

Chairwoman Pika Fejeran: Is also a 2005 applicant priority one residential?

CLTC Land Agent 2 Jhoana Casem: Yes.

Chairwoman Pika Fejeran: The property which she is a pre-occupier. Lot 14, Block 8, Tract 178. You've been residing there since your birth in 1979. Your your grandparents were awarded the lot in 1975 under the Land Use Permit. You have a permit number. You provided mayor's verification that indicated you were the caretaker for your grandparents until their death.

CLTC applicant Christianna Ramez: Yes.

Chairwoman Pika Fejeran: Let's see. We conducted a site inspection in 2019. You've been paying property taxes. Okay. Okay. So Ms. Christianna can you state your name for the record.

CLTC applicant Christianna Ramez aka Christianna Nededog:
Christianna Ramez.

Chairwoman Pika Fejeran: Do we have her folder there? Ms. Ramez are you currently residing on the property?

CLTC applicant Christianna Ramez aka Christianna Nededog: No. Actually. They disconnected the water and power. So I can't. That's what brought me back to the land trust. When I tried to re-activate it they told me I needed a lease or authorization. So I the property has been without power for over two years now.

Chairwoman Pika Fejeran: And what is your intention with the property? Build a home on it.

CLTC applicant Christianna Ramez aka Christianna Nededog: Yes.

Chairwoman Pika Fejeran: Make a home.

Commissioner Amanda Santos: Residential.

Chairwoman Pika Fejeran: Okay.

CLTC Land Agent 2 Jhoana Casem: There is an existing structure there. And from our understanding it was their house that they were residing in for a long time. So you know because these utility companies do need a lease. You know we we are requesting for a lease so that she can go ahead and pursue with the utilities. Do you have it? The file room downstairs is closed. They secure at 4 o'clock. [inaudible]. Okay. I have copies. Do you have copies? Of. Yeah. I would like to see the. Do you have a copy of the Land Use Permit? [inaudible] Okay. [inaudible] Okay. This is the land trust. Inspection Report. Since 1983. Land Use Application. Land Use Permit. Alright. And and I have some questions. So again the we seen the records that Jhoana and the director can speak to to the record. Right. That these are accurate. And these are accurate right? [inaudible] Okay.

Commissioner Austin Duenas: Motion to provide Ms. Christianna Ramez a residential lease as a pre-occupier for Lot 14, Block 8, Tract 178 Dededo

Chairwoman Pika Fejeran: [inaudible]

Commissioner Amanda Santos: I seconded.

Chairwoman Pika Fejeran: Further discussion?

Commissioner Austin Duenas: None.

Commissioner Amanda Santos: None.

Chairwoman Pika Fejeran: All those in favor?

Commissioner Austin Duenas: Aye.

Commissioner Amanda Santos: Aye.

Chairwoman Pika Fejeran: The ayes have it. Motion passes.
CLTC applicant Christianna Ramez aka Christianna Nededog: Thank you.

Chairwoman Pika Fejeran: Alright. Thank you for coming. [inaudible].
Thank you and congratulations.

e. CONSTITUENT MATTERS

Chairwoman Pika Fejeran: Is there anyone else was on the agenda today? We have [inaudible]

Unknown: David Nauta.

Chairwoman Pika Fejeran: David Nauta? [inaudible] Gill Mendiola?
[inaudible] Patrick Tuncap?

Commissioner Amanda Santos: Patrick Tuncap.

Chairwoman Pika Fejeran: Okay. So we can.

2. COMMERCIAL LEASING

Chairwoman Pika Fejeran: I'm sorry we're running late but we can get to our public comments.

Administrative Director Jack Hattig III: GEDA are here for the Determination of Need [inaudible].

Chairwoman Pika Fejeran: Yeah. Okay.

Administrative Director Jack Hattig III: We tabled it twice. So.

Chairwoman Pika Fejeran: Yeah. I have a couple of things. I'm sorry we'll get to public comments as soon as we finish these things. I'm sorry [inaudible]

a. GEDA – Determination of Need (DON)

Chairwoman Pika Fejeran: The Determination of Need I saw there are only three in here. I thought we gave you guys five properties No?

GEDA Real Property Manager Larry Thomas: Yes. Thank you madam chair, and commissioners. And so yes there three determination of need for three separate lots. You did by resolution pass for five lots. However we wanted to get the commission's approval for the first three lots because they are much smaller lots, easier to put out for commercial leasing. And the remaining two lots as you know are that's Oka point and there is another lot. [inaudible]

Administrative Director Jack Hattig III: Yigo.

GEDA Real Property Manager Larry Thomas: So by local statute we are required anything over five years [inaudible] determination of need for

Chairwoman Pika Fejeran: Okay.

GEDA Real Property Manager Larry Thomas: Long term lease. So before you have those three DONs for each property. So we're basically asking the commission approve for us to proceed with the determination of need. How this works is by law we have to publish in the local newspaper the DONs. There is a 15 day period for public comments. If we don't get any comments within that 15 day period then what we do is we go ahead and issue a ROP, Request for Proposal, for commercial leasing development properties. We usually carried that procurement process throughout 30 days in a local circulation. Once we receive proposals there the evaluation ranking so that depends on the proposal. And once we do that start to negotiating a lease. And during that evaluation process we always involve, if for example Ancestral Land Commission we take a couple of member from the board, the commission, staff, whoever you designate to make up the evaluation team. Because I know your concern earlier on was to be consistent with the rules and regulations of the commission. Making sure that the highest and best use of the properties as I understand it.

Chairwoman Pika Fejeran: And for benefitting the trust and the beneficiaries.

GEDA Real Property Manager Larry Thomas: Right. Right. So with that said when it comes down to that period of time when we're actually

doing the evaluation. We will reach out to Mr. Hattig to to give us any designates he wants to be on the evaluation team. Go through the process. Once the negotiated lease is done we then submit it to the legislature. Under the current statute the legislature has 60 days or up to a period of once the committee report is released. It could take anywhere from 60 days to 90 days or whenever the committee report is issued. And so once that done and the lease has been approved and we move on from there.

Chairwoman Pika Fejeran: Okay. Thanks for that breakdown. I'm sorry can we get your name for the record.

GEDA Real Property Manager Larry Thomas: Yes. I'm sorry. My name is Larry Thomas. I am the manager for the Real Property division at the Department of Economic Developmental Agency.

Chairwoman Pika Fejeran: Geat. Thank you for that rundown. I would ask that you involve the commission and the director in the development of that ROP.

GEDA Real Property Manager Larry Thomas: Yes madam.

Chairwoman Pika Fejeran: Not just on the backend. Bring us in on the front end please.

GEDA Real Property Manager Larry Thomas: What we normally do is actually send a draft ROP to the agencies for review. And and sometimes you guys go through your respective legal counsel.

Chairwoman Pika Fejeran: Yeah. I I would ask that you would involve us on the front end.

GEDA Real Property Manager Larry Thomas: Yes madam.

Chairwoman Pika Fejeran: Also I I understand you wanna kinda of leave the larger properties out. I'm okay with leaving Oka point out but I would like to see since we're going through this. Let's get that Yigo property in as well. So we're looking at four properties.

GEDA Real Property Manager Larry Thomas: Yes madam.

Chairwoman Pika Fejeran: I mean you guys are the experts. So what I'm thinking. even if we don't get to it right away. If we focus first on the first three. We've done the Determination of Need for that larger Yigo property. And we don't have to go through this again. Would you be okay with that?

GEDA Real Property Manager Larry Thomas: [inaudible] as long as the commission is okay with that.

Chairwoman Pika Fejeran: Thank you. Appreciate that. So I had a chance to review it. It seems pretty straight forward. The first one was the lower Tumon tract. [inaudible] The one that was.

GEDA Real Property Manager Larry Thomas: The parking right across from Proa.

Chairwoman Pika Fejeran: Yeah. Across from Proa. I'm glad you pointed out GVB used to use that. The property behind East-West Rental. And then we have the one behind the Yigo gym. [inaudible] I believe you need to re-look at that one because you are talking. You said it's a resort hotel zone. I think that is a typo error. I can't imagine that as a resort hotel. I think that was just not edited based on this new property. You know what I mean. [inaudible]

GEDA Real Property Manager Larry Thomas: [inaudible] So basically when we drafted this we were using a template.

Chairwoman Pika Fejeran: Yeah. I get it.

GEDA Real Property Manager Larry Thomas: Thanking for pointing that out.

Chairwoman Pika Fejeran: I would just updated that. And then prepare the one for the other Yigo property.

GEDA Real Property Manager Larry Thomas: Yes madam.

Chairwoman Pika Fejeran: And did. Did I hear correctly you need approval from the commission for these Determination of Needs. Okay. Can we. Can we provide our approval for the fourth the second Yigo property even though we don't have it before us?

GEDA Real Property Manager Larry Thomas: Sure.

Chairwoman Pika Fejeran: Legal Counsel.

Legal Counsel Nicolas Toft: Yup.

Chairwoman Pika Fejeran: We can. Okay. It's basically just saying yes we do need this. Right.

Commissioner Austin Duenas: Did we do a resolution passed by this commission.

Chairwoman Pika Fejeran: Yeah.

Commissioner Austin Duenas: So we can actually do that. Just add on to the three properties.

Chairwoman Pika Fejeran: The what?

Commissioner Austin Duenas: We want to add on to these three parcels. We do a Determination of Need for the fourth parcel.

Chairwoman Pika Fejeran: Okay. Okay. Great. Okay. Legal Counsel do we need to do this by property or just one full swoop.

Legal Counsel Nicolas Toft: For approval?

Chairwoman Pika Fejeran: For approval.

Legal Counsel Nicolas Toft: Yeah. We can do it in full swoop.

Chairwoman Pika Fejeran: Okay. Okay. So can I just get. [inaudible]. What was that? That other Yigo one. [inaudible] Across from the church. Get the [inaudible]. Okay. So. So the fourth property that we considering is Tract 10123, Lot 7128REM. That's the fourth. [inaudible]

Commissioner Austin Duenas: 10123 [inaudible].

Chairwoman Pika Fejeran: Yigo.

Commissioner Austin Duenas: This is a motion of approval. Right.

Chairwoman Pika Fejeran: [inaudible]

Commissioner Austin Duenas: Motion to approve the Determination of Need (DON) for Tract 111, Lot 12 in the municipality of Tamuning, Lot 5075-REM-A-NEW-R1 Yigo.

Chairwoman Pika Fejeran: In Tamuning

Commissioner Austin Duenas: I'm sorry Tamuning, Tract 10123, Lot 7128REM in Yigo, and then Lot 7051-R5 also in Yigo.

Chairwoman Pika Fejeran: Sorry clarification I think that's 7054

Administrative Director Jack Hattig III: Four

Commissioner Austin Duenas: What did I say? I'm sorry. [inaudible]
54.

Chairwoman Pika Fejeran: Wrong numbers. Okay. Thank you. Motion made for four properties Determination of Need.

Commissioner Amanda Santos: I seconded.

Chairwoman Pika Fejeran: Seconded by Tan Amanda. All those in favor?

Commissioner Amanda Santos: Aye.

Commissioner Austin Duenas: Aye.

Chairwoman Pika Fejeran: The ayes have it. Thank you. We are good to go. Alright. Thank you and I look forward to seeing those publishings and. [inaudible]

GEDA Real Property Manager Larry Thomas: Yes madam.

Chairwoman Pika Fejeran: Thank you Mr. Thomas. Okay. Alright now we can move to our public comments. Thank you everybody for your patience. [inaudible]

Administrative Director Jack Hattig III: As a matter of the agenda did you want to table the report on current commercial leases.

Chairwoman Pika Fejeran: Yes thank you. We're tabling new business number two "B" and "C" and our financial report on commercial leases.

VI. PUBLIC COMMENTS

Chairwoman Pika Fejeran: Okay I have a Ms. Lisa Marie Tajalle. Hafa adai and welcome. If you could come forward and state your name for the commission.

Lisa Marie Tajalle: Lisa Marie Tajalle.

Chairwoman Pika Fejeran: Hi.

Lisa Marie Tajalle: Hello.

Chairwoman Pika Fejeran: How can we help you today?

Lisa Marie Tajalle: I'm here to ask if you can grant me utility authorization.

Chairwoman Pika Fejeran: Okay. [inaudible] That's okay. I'm sorry. Thank you for being here. I know you guys have been sitting out there for a long time.

Lisa Marie Tajalle: We do have a structure. And just I I just been sickly for a long time. You know to have water and power because. [inaudible] I just can't get help no more.

Commissioner Amanda Santos: Does the water close to your place.

Lisa Marie Tajalle: It's on the outside of the road.

Chairwoman Pika Fejeran: Okay. So its within distance so that you to tap into the. Okay. Do we have Ms. Tajalle's file here?

Commissioner Amanda Santos: Is this the first time you've come here?

Lisa Marie Tajalle: Yes. I'm coming here on behalf of my dad. [inaudible] He's at work right now.

Chairwoman Pika Fejeran: Okay. Does he have a current lease with us.

Lisa Marie Tajalle: I'm not sure.

Chairwoman Pika Fejeran: Okay. [inaudible] What?

Lisa Marie Tajalle: Joseph C. Tajalle

[inaudible]

Chairwoman Pika Fejeran: Can we type out her. [inaudible] We gonna see the status of your father's. Joseph C. Tajalle?

Lisa Marie Tajalle: Yes.

Chairwoman Pika Fejeran: T-A-J. [inaudible] A-B-C-D-E-F-G-H-I-J. J. Search. Joseph Crisostomo Tajalle? [inaudible]

Unknown: 2003 pre-occupier. [inaudible]

Chairwoman Pika Fejeran: But you're currently residing on a property you have a home. Okay.

Commissioner Amanda Santos: No water.

Chairwoman Pika Fejeran: No water. No power. You ready to get that hooked up okay. Right now we don't have any any lease under your father's name. I think the next step for you if you wanted to come in and speak on your father's behalf first you have to get a power of attorney.

He has to grant you that right with the power of attorney and then you can come in and look into his application. Otherwise he is welcome to join to come in and then you can sit down with the staff. We would locate. We would figure out first where you are, and then figure out how you got there and we would take it from there.

Lisa Marie Tajalle: Okay so there is no such thing like a temporary authorization.

Commissioner Amanda Santos: There's no.

Chairwoman Pika Fejeran: An utility authorization for current occupier.

Administrative Director Jack Hattig III: Well we have public law 22-157 that allows the commission to the director to specifically to issue an UT authorization based on.

Chairwoman Pika Fejeran: In the absence of a lease.

Administrative Director Jack Hattig III: Right. To to anyone occupying even though if they are not a leasee.

Chairwoman Pika Fejeran: This is public law what?

Administrative Director Jack Hattig III: 22-157

Chairwoman Pika Fejeran: Okay.

Commissioner Amanda Santos: Did your father list you down as beneficiary?

Lisa Marie Tajalle: Yes.

Commissioner Amanda Santos: So bring that document in.

Lisa Marie Tajalle: Okay.

Administrative Director Jack Hattig III: [inaudible] When she comes to meet with us as a POA or if Mr. Terlaje does come with her.

Chairwoman Pika Fejeran: Tajalle.

Administrative Director Jack Hattig III: [inaudible] Then we can definitely.

Chairwoman Pika Fejeran: Okay. Will we need board approval at this point to follow that public law? [inaudible] Utility authorization. No. Okay.

CLTC Land Agent 2 Jhoana Casem: She just needs to come in.

Chairwoman Pika Fejeran: Okay.

CLTC Land Agent 2 Jhoana Casem: Then present her utility bills. So we just have something for file.

Chairwoman Pika Fejeran: She doesn't have utilities. [inaudible]

CLTC Land Agent 2 Jhoana Casem: In the past. You don't have anything? Okay. So its brand new.

Lisa Marie Tajalle: We just been using generator.

Administrative Director Jack Hattig III: [inaudible] right.

Chairwoman Pika Fejeran: Okay.

Administrative Director Jack Hattig III: Yeah.

Commissioner Amanda Santos: Your father died recently?

Lisa Marie Tajalle: No. He's still alive but he's he's really. He's he works at the port and he is always sick.

Chairwoman Pika Fejeran: Okay. So it sounds like what the director can do is provide you an utility authorization. At the same time we wanna work on using your father's application to see if we can get you a lease so that utility authorization turns into.

Administrative Director Jack Hattig III: That's temporary.

Chairwoman Pika Fejeran: It's temporary.

Administrative Director Jack Hattig III: That's temporary utilities so that it turns into permanent eventually. Right.

Lisa Marie Tajalle: Thank you.

Chairwoman Pika Fejeran: Okay. So director will she make a meeting with you or the staff?

Administrative Director Jack Hattig: Absolutely! She can work with any staff member to come in tomorrow if necessary. Because we're open 8am to 5pm. I'll be willing to meet at like 10 if you want to meet. We can pull the file. If he's with you and if he's not then we can make arrangements for a POA to happen that she could.

Chairwoman Pika Fejeran: Would we need the POA though if we're going through Public Law 22-157 for this temporary.

Administrative Director Jack Hattig III: No but to make sure this to seek for the lease which is what we eventually going to do.

Chairwoman Pika Fejeran: Okay. Okay.

Administrative Director Jack Hattig III: Just work with Lorraine. Lorraine can can you work with them [inaudible].

Lisa Marie Tajalle: Thank you.

Chairwoman Pika Fejeran: Thanks for coming. Alright. Our next is a Maryann Borja Cabrera. Do we have Maryann Cabrera here? [inaudible]

Administrative Director Jack Hattig III: She left already. She left.

Chairwoman Pika Fejeran: Okay. I have a Tony Acosta. Thank you. [inaudible]

Administrative Director Jack Hattig III: He was part of the Rugby.

Chairwoman Pika Fejeran: Pedro Taitano. Hafa adai sir. Come on up. Please join us. Thank you for your patience all of you sticking around today.

Unknown: Thank you.

Chairwoman Pika Fejeran: Thank you sir. Please state your name for the record and how we can help you.

Pedro Taitano: Madam with all respect believe it or not. I applied for the trust since 95. I got up at 3 o'clock in the morning. I stand in line at Ysengsong for maybe about 5 miles.

Chairwoman Pika Fejeran: Wow.

Pedro Taitano: Until now there is no land even dirt or shovel.

Commissioner Amanda Santos: Did you sign in?

Pedro Taitano: I'm here for your patiently. I need need an agricultural.

Chairwoman Pika Fejeran: Okay.

Pedro Taitano: I'm a bona fide farmer. I support the hotel even the restaurant [inaudible] from my back yard.

Chairwoman Pika Fejeran: Wow.

Commissioner Amanda Santos: Backyard.

Pedro Taitano: Yes. I just planted about two hundred banana trees.

Commissioner Amanda Santos: Wow.

Pedro Taitano: And hopefully the wind won't knock it down. I need an agricultural madam.

Chairwoman Pika Fejeran: Okay.

Pedro Taitano: Please.

Chairwoman Pika Fejeran: I hear you.

Pedro Taitano: Give me as much acres as you can.

Commissioner Amanda Santos: Where does him live now?

Chairwoman Pika Fejeran: Yeah. Where's your property now?

Pedro Taitano: In Yigo.

Commissioner Amanda Santos: Yigo.

Chairwoman Pika Fejeran: Yigo. Okay.

Administrative Director Jack Hattig III: He is on our on our. He is an applicant list. We just had it up there a second ago. Pull up what you asked for was where is the property at. Pull it up.

Chairwoman Pika Fejeran: He does not currently have a lease.

Commissioner Amanda Santos: [inaudible]

Administrative Director Jack Hattig III: I didn't get a chance to see the database.

Chairwoman Pika Fejeran: So what property are you [inaudible].

CLTC Land Agent 1 John Gumataotao: [inaudible] He has actually two applications, one residential, one agricultural. The residential application is 1995 1304. Agricultural application is 7830.

Chairwoman Pika Fejeran: Okay. I see. So his residential application does it have a lease there? [inaudible]

CLTC Land Agent 1 John Gumataotao: It was issued a Notice of Intent to Award [inaudible] Lot 7160 which is.

Unknown: Yigo.

Unknown: Yigo.

[inaudible]

CLTC Land Agent 1 John Gumataotao: [inaudible] Not that lot but. It's this area 7160.

Chairwoman Pika Fejeran: Is this where you're currently living sir?

Pedro Taitano: Madam.

Chairwoman Pika Fejeran: Is this where you're currently living up here in Yigo?

Pedro Taitano: No I live in Mt Santa Rosa.

Chairwoman Pika Fejeran: Oh I see.

Commissioner Amanda Santos: Yigo.

Chairwoman Pika Fejeran: Okay. [inaudible] that's private. Okay. But he has.

CLTC Land Agent 1 John Gumataotao: That's his primary residence and his priority status is [inaudible] two.

Chairwoman Pika Fejeran: For his residential application but the agricultural has no priority status. [inaudible]

CLTC Land Agent 1 John Gumataotao: But but it's agricultural application is 2014.

Chairwoman Pika Fejeran: Oh.

Administrative Director Jack Hattig III: Yeah.

Chairwoman Pika Fejeran: So okay. I see. So sir you have two applications for the trust.

Pedro Taitano: Yes madam.

Chairwoman Pika Fejeran: Okay. And the agricultural was showing the application date was the agricultural application date was 2014.

Pedro Taitano: Something like that. To long already I can't remember. But your residential application was 1995.

Commissioner Amanda Santos: [inaudible]

Chairwoman Pika Fejeran: But you don't want the residential application.

Pedro Taitano: No. No. No. What it is when I went to apply for agricultural they told me there is no available. So they told me they going to give me residential. I said I don't know maybe. But they said you could come back and re-apply for agricultural. So every time I come by to apply there is none available. There is nothing I can do. I can't you know. Just wait wait. So I've been waiting for 24 years. I'm still here. All my workers have already passed away. [inaudible] Just give me an agricultural.

Chairwoman Pika Fejeran: So I think in order to process your application for agricultural we would have to.

Pedro Taitano: Yes madam.

Chairwoman Pika Fejeran: Take your 1995 application and switch it to agricultural.

Pedro Taitano: Yes madam.

Chairwoman Pika Fejeran: We done that before. [inaudible] and you would have to withdrawal 2014 application.

Pedro Taitano: Yes madam.

Chairwoman Pika Fejeran: Legal Counsel can we approve that switch today?

Legal Counsel Nicolas Toft: Yup.

Chairwoman Pika Fejeran: Okay. So Mr. Taitano has an application in 1995 residential. He would like to switch it to agricultural.

Pedro Taitano: Yes madam.

Chairwoman Pika Fejeran: Okay.

Pedro Taitano: Yes madam.

Chairwoman Pika Fejeran: Okay.

Commissioner Austin Duenas: Tell us the number for the residential one.

CLTC Land Agent John Gumataotao: Application number 1304

Commissioner Austin Duenas: 1304. [inaudible] So [inaudible] first I would have to terminate the agricultural lease. Is that correct? [inaudible] Okay. Okay. Motion to change Pedro Taitano's residential application from 1995 number 1304 from residential to agricultural.

Chairwoman Pika Fejeran: Motion made.

Commissioner Amanda Santos: I seconded it.

Chairwoman Pika Fejeran: Seconded by Tan Amanda. Further discussion?

Commissioner Austin Duenas: None.

Chairwoman Pika Fejeran: All those is favor.

Commissioner Amanda Santos: Aye.

Commissioner Austin Duenas: Aye.

Chairwoman Pika Fejeran: The ayes have it. Okay sir.

Commissioner Austin Duenas: Motion to terminate the 2014 agricultural application under Pedro Taitano. What is the agricultural?

CLTC Land Agent 1 John Gumataotao: 7830

Commissioner Austin Duenas: 7130?

CLTC Land Agent 1 John Gumataotao: 7830

Commissioner Austin Duenas: 7830.

Commissioner Amanda Santos: I seconded it.

Chairwoman Pika Fejeran: Motion made and seconded. Further discussion?

Commissioner Amanda Santos: None

Chairwoman Pika Fejeran: All those in favor?

Commissioner Amanda Santos: Aye.

Commissioner Austin Duenas: Aye.

Chairwoman Pika Fejeran: The ayes have it. Okay. Alright sir. What we did was we put your agricultural application up to 1995. You waited all that time from 3 in the morning. So now we can.

Commissioner Amanda Santos: [inaudible].

Chairwoman Pika Fejeran: We can look to the process

Commissioner Amanda Santos: [inaudible].

Administrative Director Jack Hattig III: [inaudible] Jessica [inaudible]. Yeah we gonna call you to come in and ask you to put down your information right. Okay? Just tell Mrs. Jessica and she'll help you out.

Pedro Taitano: What the office.

Administrative Director Jack Hattig III: Right now. [inaudible] Fill in the information out and [inaudible]. Could you take in the. Yeah just take him to [inaudible].

Pedro Taitano: Thank you.

Chairwoman Pika Fejeran: Thank you Mr. Taitano. This is no a promise you're going to get property tomorrow. But this is closer to what you were before you came in. [inaudible]

Pedro Taitano: Thank you.
[inaudible]

Chairwoman Pika Fejeran: Thank you Mr. Taitano.

Pedro Taitano: Thank you madam.

Chairwoman Pika Fejeran: I like your hat. [inaudible] I agree with your hat. Your hat says old guys rule. [inaudible] I love that. [inaudible] I love it. Okay. Awesome. Okay Mr. Leonard Calvo?

Administrative Director Jack Hattig: No I think he was a representative of [inaudible].

Chairwoman Pika Fejeran: Genevieve Manglona? Ms. Genevieve Manglona?

Administrative Director Jack Hattig: We already saw her.

Chairwoman Pika Fejeran: Ms. Mae Quenga.

Unknown: Hafa adai.

Chairwoman Pika Fejeran: Thank you all for waiting. [inaudible]

Mary Ann Quenga: Hi. My name is Mary Ann Quenga.

Chairwoman Pika Fejeran: Hi. Welcome.

Mary Ann Quenga: I'm here to relinquish my my aunty's. [inaudible] my son's

Chairwoman Pika Fejeran: Oh. Okay. So you have a lease with us?

Mary Ann Quenga: Yes.

Chairwoman Pika Fejeran: Okay.

Commissioner Amanda Santos: Residential or agricultural?

Mary Ann Quenga: Residential. It used to be agricultural but they changed it so. Always it's in 9210.

Chairwoman Pika Fejeran: 9210?

Mary Ann Quenga: Yes.

Administrative Director Jack Hattig III: Jhoana.

Chairwoman Pika Fejeran: Are we looking at Ms. Quenga.

Administrative Director Jack Hattig III: Yes.

Chairwoman Pika Fejeran: Oh good.

CLTC Land Agent 2 Glenn Eay: This is the property right here that she wants to.

Chairwoman Pika Fejeran: Are you currently residing on here.

Mary Ann Quenga: Yes madam.

Chairwoman Pika Fejeran: Okay. When was the lease signed?

CLTC Land Agent 2 Jhoana Casem: 97.

Chairwoman Pika Fejeran: In 97? Okay.

Administrative Director Jack Hattig III: It's way passed the seven years.

Chairwoman Pika Fejeran: So we can definitely. We can definitely have you pass that lease onto your son.

Mary Ann Quenga: Actually we don't have a lease. That's why.

Chairwoman Pika Fejeran: Oh. You don't have a lease.

Mary Ann Quenga: For that property there.

Chairwoman Pika Fejeran: So it's a residential application but no lease.

Mary Ann Quenga: Yes.

Commissioner Amanda Santos: Wow.

Chairwoman Pika Fejeran: Can you check. Can you check on that.

Administrative Director Jack Hattig III: Because you have a lease.

[inaudible]

Chairwoman Pika Fejeran: Because we have your name on the property. [inaudible]. Oh. Maybe you just were never issued a lease. [inaudible].

CLTC Land Agent 2 Glenn Eay: The mom. This is where the mom used to stay but she is deceased. And this is where the Ms. Quenga's son is back there actually occupying. But this is where Ms. Quenga is right here right now. This is her where her lease is at with her husband.

Administrative Director Jack Hattig: Okay.

CLTC Land Agent 2 Glenn Eay: Right here.

Chairwoman Pika Fejeran: Oh so this would be a new lease for your son at your mother's property.

CLTC Land Agent 2 Glenn Eay: Land use permit.

Chairwoman Pika Fejeran: [inaudible] Oh I see.

Administrative Director Jack Hattig III: It's a land use premittee.

Chairwoman Pika Fejeran: Okay. I knew there was a little more complexity [inaudible]. This is too easy. [inaudible] Okay. So Mr. Eay sounds like you're very familiar with her case.

CLTC Land Agent 2 Glenn Eay: I was talking to her in the back.

Chairwoman Pika Fejeran: Oh.

CLTC Land Agent 2 Glenn Eay: I was asking her questions. I took pictures of your [inaudible] last week. So I have a [inaudible].

Administrative Director Jack Hattig III: Good job.

Chairwoman Pika Fejeran: Oh okay.

CLTC Land Agent 1 John Gumataotao: We need to revisit that because that was actually given to one of the Palomos. A heir not heir but.

Chairwoman Pika Fejeran: A descendant.

CLTC Land Agent 1 John Gumataotao: Yes.

CLTC Land Agent 2 Glenn Eay: Which area?

CLTC Land Agent 1 John Gumataotao: This lot.
[inaudible]

Chairwoman Pika Fejeran: So you let [inaudible].

Mary Ann Quenga: Because I believe under my mom, I'm the beneficiary for that lot.

CLTC Land Agent 1 John Gumataotao: Margarita knows.

Chairwoman Pika Fejeran: Okay.

CLTC Land Agent 1 John Gumataotao: I mean.

Chairwoman Pika Fejeran: Okay. I'm glad you came in. The next step would be for you to come in and sit down with one of the staff and they'll go ahead and research for you. See what the case.

Administrative Director Jack Hattig III: Madam we'll work with you because he was asking you questions. She needs to go ahead and continue that that discussion with Glenn and so we can work it out.

Chairwoman Pika Fejeran: Alright. Okay and if it needs. If you need to come back or the subject needs to come back to the board we would be ready and willing to hear it. I'm glad you came in today. It gets. It gets it on our radar and then the staff knows that that they need to work with you.

Mary Ann Quenga: So I've been coming around so.

Chairwoman Pika Fejeran: Okay.

Mary Ann Quenga: You know. This time.

Chairwoman Pika Fejeran: Okay. Okay. Thank you.

Administrative Director Jack Hattig III: [inaudible]

Commissioner Amanda Santos: She can come in tomorrow no. [inaudible]

Chairwoman Pika Fejeran: Okay Mr. Joseph M. Salas.

Joseph M. Salas: Here.

Chairwoman Pika Fejeran: Hi sir. Thank you for waiting. How can we. Please state your name [inaudible].

Joseph N. Salas: Joseph N. Salas. Thank you madam. Thank you board. Okay I have an intent to initiate a lease and it happened in the south. A property was identified and I was given a survey authorization. However it expired this is back in 2017. [inaudible] I'm retired military with disability. The reason why I wasn't surveyed was I was back and forth going to Tripler for the last couple of years. I'm back now and I'm ready to see if I can get this authorization. I'm financially capable to move forward.

Chairwoman Pika Fejeran: Okay.

Commissioner Amanda Santos: Survey.

Chairwoman Pika Fejeran: For your survey authorization. So you were. Were you shown the property that you were to survey.

Joseph N. Salas: Yes madam.

Chairwoman Pika Fejeran: Okay. That's pretty straight forward. Can we just double-check in the database.

Joseph N. Salas: Tract 319

Commissioner Amanda Santos: [inaudible]

Chairwoman Pika Fejeran: Is this in Agat? [inaudible]

Unknown: Yes.

Administrative Director Jack Hattig III: 319

Chairwoman Pika Fejeran: Okay. It still has his name on it. We haven't given it out to anyone else right?

CLTC Land Agent 2 Jhoana Casem: We need to verify it.

Chairwoman Pika Fejeran: Okay. We'll. What we do is the staff will just check to make sure that that property hasn't been given to anyone else. So that when we issue the survey authorization and you go through with it. It has your name on it.

Joseph N. Salas: Thank you very much.

[inaudible]

Chairwoman Pika Fejeran: Thank you for your patience. Thanks for coming in. [inaudible] Okay. [inaudible] No he said he's ready. [inaudible]

Administrative Director Jack Hattig: That's why I said John [inaudible].

Chairwoman Pika Fejeran: You need to tell him. [inaudible] Really? [inaudible] Okay. [inaudible] Anyone else for public comments today? [inaudible]

VII. COMMISSIONERS' COMMENTS

Chairwoman Pika Fejeran: Commissioners' comments. I this will be my final six months on the commission. And so I'm starting that clock now.

Commissioner Amanda Santos: Six months.

Chairwoman Pika Fejeran: I think so. When is my thing up? March?

Administrative Director Jack Hattig III: March. [inaudible] March or April.

[inaudible]

Commissioner Amanda Santos: What are they saying?

Chairwoman Pika Fejeran: There are things. I've requested a meeting with the director and the staff so we can talk about priorities. I I really wanna get our priorities straight here. We need to get things documented, policies, SOPs in place. Alright. That is really what I. What.

Commissioner Amanda Santos: We need to speed up the process of awarding
[inaudible].

Chairwoman Pika Fejeran: Yes. We need to speed up the process but we need to make sure that process is correct.

Commissioner Amanda Santos: [inaudible]

Chairwoman Pika Fejeran: Okay. Our next meeting will be Thursday, October 17 1 pm. Please make note. I did receive an email from former vice-chair Joseph Cruz. He he has been renominated.

Administrative Jack Hattig III: Yes.

Chairwoman Pika Fejeran: So he's. I'm glad about that coming back on. I'm I'm relieved actually because I. You know he's got all this institutional knowledge. He was on the commission before I was so. And then we also have a Ms. Arlene Bordallo. That was. She went through a confirmation hearing. So we just waiting for the legislature to confirm. Okay. And then we'll have a full sitting board. There's a lot of follow-up actions that need to come out of this meeting Director. I be looking to you to make sure you got that list going. Okay. And I I appreciate everyone's work. I know this job is not hard. I mean not easy. [inaudible]
Hold on.

Commissioner Amanda Santos: Oh my.

[inaudible]

Chairwoman Pika Fejeran: You guys know what I mean. I'm so exhausted and my brain is discombobulated. But really thank you guys for your hard work. I I really appreciate it and. I really enjoyed my time working here and being part of this team. Thank you everybody for sitting here. I have six months left so I would. You know. Let's like really make it happen.

Administrative Director Jack Hattig III: Yes.

Chairwoman: Okay. Alright. Thank you everybody.

Administrative Director Jack Hattig III: Special shout out to PBS for staying late.

Chairwoman Pika Fejeran: Yeah PBS.

Administrative Director Jack Hattig III: Thanks so much.

Chairwoman Pika Fejeran: 30 minutes later. Appreciated it. Thank you. Any other comments today? Final Commissioners comments.

Commissioner Austin Duenas: No but I just want to make a comment that as much as I love to get as many people [inaudible]. Can we limit the amount of constituents that we invite to our meetings. Several hours move pretty quickly. [inaudible] But if we can kinda of put a cap of maybe four or five applicants per meeting. So we can may sure we get to every person and spend as much time with each person as needed. And then anyone who comes in for public comment can wait until we get to them. Or I'll make a motion a to figure out how to move forward. I just don't wanna have ten people waiting to be heard but all the people coming to give public comment.

Chairwoman Pika Fejeran: Thank you.

Commissioner Amanda Santos: They've been waiting since 1 o'clock.

Commissioner Austin Duenas: Yeah.

Chairwoman Pika Fejeran: I look forward to getting an update on [inaudible].

Administrative Director Jack Hattig III: Yes.

Chairwoman Pika Fejeran: [inaudible] Legal Counsel I look for your sage advice there. [inaudible] They got some big lawyers behind them. [inaudible] I just wanna make sure we've got. We've got ourselves covered. Okay. Alright. [inaudible] Thank you. [inaudible]

VIII. ADJOURNMENT – 0:00PM

Chairwoman Pika Fejeran: Motion to adjourn?

Commissioner Austin Duenas: Motion to adjourn.

Chairwoman Pika Fejeran: We are adjourned.

