



Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Commission Members

Arlene P. Bordallo
Chairperson

Earl J. Garrido
Commissioner

Joseph F. Artero-Cameron
Commissioner

Fabienne Cruz Respicio
Commissioner

Jeremy J. Rojas
Commissioner

Joseph B. Cruz Jr.
Acting Administrative Director

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

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CHamoru Land Trust Commission Regular Board Meeting **Thursday, May 22, 2025 at 1:00PM**

Meeting Minutes

I. Call to Order at 1:07 PM

Present: Chairperson A. Bordallo, Commissioner E. Garrido, Commissioner F.C. Respicio, Commissioner J.J.Rojas, Commissioner J.A.Cameron (zoom) Acting Administrative Director J. Cruz, Atty N. Miller (OAG), CLTC, Staff

II. Approval of Minutes:

Pending next board Meeting. June 19, 2025

III. Administrative Director's Report by AAD J.B. Cruz

AAD J.B. Cruz requested to rotate the items listed in the agenda and begin with the items under New Business A and B. Mr. Joe Borja, Director of the Department of Land Management (DLM), and staff attended the meeting to discuss items A. Public Law 33-204 and B. Public Law 37-145.

Commissioner J. Cameron: I motion to move all action items up for discussion and asked for a second to the motion.

Commissioner F. Respicio: I second to the motion to move action items to the front starting with Old Business 5B, 5F and all new business under item VI. (6) and address the Department of Land Management Director Joe and his staff and then continue with item 5F and then everything else accordingly.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

a. Board meeting schedule time

Due to work conflicting schedules it was requested that the board consider adjusting the CLTC regular scheduled board meeting time to either 12:00 PM to 1:00 PM, or after 5:00 PM. Further discussion on this item will be at the next board meeting.

b. Letter from DPW – Requesting to use 8 acres in the north to stage crust abandoned vehicles.

CLTC is expecting a formal letter from DPW (Department of Public Works).

c. **Residential / Agriculture**

A review of the next twenty-five (25) candidates in line for a lease award is now underway. CLTC staff will begin sending out certified letters in two weeks, according to AAD J.B. Cruz. Within three days, CLTC will publish the next 25 people in line in the newspaper.

d. **Commercial**

1. **Public Law 38-1 Extension of Government of Guam Leases from five (5) to fifteen (15) years**

AAD J.D. Cruz mentioned that after discussing matter with Attorney Miller, this law is not applicable to CLTC. CLTC will continue in its path in applying the commercial rules and regulations under §75A122 of Chapter 75A, Title 21.

2. **TATA Communication Commercial Submerged Lands License Agreement in the Municipality of Hagat**

Completed and recorded with the Department of Land Management. CLTC did not Invoice TATA Communication for the cable at this time because there was a concern. CLTC needs to confirm what actual cables were landed and has landed in Piti and Hagat. TATA Communication is be billed accordingly.

3. **Commercial Leases under Review**

The leases are being reviewed because either the companies have not complied with the option to renew the term, or the leases have expired while CLTC continues to invoice and the companies continue to pay. This will have to be addressed.

Docomo – Lot No. 17-1-1, Block F, Tract 9 Barrigada

Docomo – Lot No. 354-7, Inarajan

Docomo – Lot No. 10129-3, Dededo

Docomo – Lot No. 278-5, Umatac

Docomo – Lot No. 102-2, Yona

IT&E – Lot No. 10125-R12-1, Yigo

IT&E – Lot No. 7117-4-1, Yigo

Johnny Cool – Lot No. 5149-6, Dededo

KM Broadcasting – Lot No. 10-4, Block D, Tract 9, Barrigada

4. **Unauthorized Use of Submerged Lands**

Through CLTC's research, data gathering, and fact-finding, CLTC discovered that there are two cables that are traversing through submerged and terrestrial areas that do not have the proper authorization.

Piti:

Cable Name

Echo

TGN-P

Cable Owner

Google / Meta

TATA communications

IV. **Old Business:**

- A. **Job Description / Publication of Recruitment – Administrative Director**
Moved to next board meeting agenda.

- B. **Resolution No. 2019-5, Declaration of support for the sale of portions of Lot 5174-REM-1 to Nicole Camacho Reyes Kelly**

Present: Nicole C.R. Kelly and Stuart Kelly.

Mr. Kelly shared with the board that for the last seven or eight years, they've been working on a lot line adjustment on the property. The Kellys already have a resolution from CLTC, Resolution No. 2019-5, to sell a fractional lot to alleviate some issue the Kellys have. A bill has currently been drafted by Vice Speaker Tony Ada, Bill 131-38 – An act to authorize the Chamorro Land Trust to sell a portion of Lot 5174-REM-1 Municipality of Tamuning consisting of an area of 1485± sq ft. (138 ±sq.m.) and to deposit the proceeds of the sale into the Chamorro Land Trust Infrastructure and Survey Fund. The Kellys are present today to ask for continued support with the specific resolution.

Commissioner J. Cameron: I motion to support the legislative intent of Bill No.131-38.

Commissioner J. Rojas: I second the motion to support the legislative intent of Bill No.131-38.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

- C. **Lot 7161-R1, Yigo**
John Burch Jr. and Hanz Ada

According to AAD J.B. Cruz, CLTC was required to lease, or shall lease, all or a portion of Lot 7161-R1, formerly known as the Guam Racing Parkway. When this issue was brought up at CLTC's most recent meeting, the board was awaiting the completion of the plan that would have been based on the GPS locations that CLTC employees had photographed in order to identify the area that the Guam Motor Association (GMA) was asking the Chamoru Land Trust Commission to lease. A subcommittee was formed and the subcommittee was former Commissioner Ibanez.

AAD J.B. Cruz asked the commissioners to 1. consider appointing another commission member to represent the board in the negotiations. 2. accept the one hundred four (104) that was determined and reviewed by the Chief of Cadastre, Mr. Paul Santos, and 3) if possible, the commissioners would consider what the rate would be. What the board wants to charge or what the board is comfortable charging.

The Guam Motor Association Hanz Ada mentioned that GMA was established to open and run the Guam Raceway Park, which is situated on Yigo's Lot 7161-R1. In August or September of last year, the bill was passed. Since then, GMA has been attending CLTC's public meetings in a formal capacity. Last meeting of CLTC was on December 10, 2024.

AAD J.B. Cruz suggested that GMA resubmit the area desired and a rate proposal so CLTC can present it to the board for their acceptance.

Commissioner F. Respicio: I motion to appoint Commissioner J. Rojas to the subcommittee to resume the non-commercial lease negotiation with the Guam Motorsports Association.

Commissioner E. Garrido: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

D. MedPharm -Lot 5, Tract 217 and Block 3REM, Tract 100C, Municipality of Dededo.

Representative from MedPharm, Rene Ramos present.

During CLTC's site inspection on June 10, 2024, it was determined that MedPharm was the occupant who was utilizing CLTC property without authorization. Also, MedPharm was responsible for the construction of the Warehouses and other structures.

On April 21, 2025, MedPharm received the CLTC letter detailing the total amount of one hundred seventy-three thousand, fifty-two dollars (\$173,052.00) owed to CLTC for the unauthorized use of CLTC property. The letter requested payment to be remitted to CLTC no later than April 30, 2025.

If the CLTC Commissioners decide to accept and approve the payment arrangement proposed by MedPharm, CLTC requests that the commissioners consider adding a condition: if MedPharm fails to comply with the payment arrangement, the approval will be automatically terminated.

Commissioner J. Cameron: I motion to accept the payment based on what the staff has provided to our Chair and its members payment date May up to December. If that exceeds then we just come back to the table to reaffirm an additional payment plan.

Commissioner F. Respicio I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

Commissioner F. Respicio: I want to make it clear, Mr. Ramos, that it doesn't mean that should your occupancy extend through 2026 or any subsequent years without a lease that the current monthly rate will be approved for the subsequent years from 2026 moving forward.

Commissioner J. Rojas: So, after December 2025, it's subject to adjustment.

Mr. Ramos: Whatever you decide. I'm here to coordinate with you guys, and you guys have been more than fair. You all have been gracious, and I'm really thankful.

E. Constituent – Jose Castro Munoz

Beneficiary Ms. Carmen Meno was not present.

The Guam Housing Corporation informed CLTC that although Ms. Meno visited their office yesterday, nothing was finished. CLTC has called Ms. Meno multiple times; voicemails have been left, but no one has returned them. CLTC will keep corresponding with Ms. Meno. At the next board meeting, CLTC will submit a staff report and a proposal for consideration of whether to go to the next eligible constituent who can secure a loan if Ms. Meno is unable to obtain a personal loan or a loan through Guam Housing.

Commissioner J. Rojas: I motion to give Ms. Carmen Meno until on or before the next board meeting (June 19, 2025) to show proof of pre-qualification.

Commissioner F. Respicio: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

F. Grievance Settlement

Attorney Miller provided the newly appointed CLTC board commissioners with an overview of the grievance settlement. The previous Administrative Director of the commission announced his retirement in May 2024 after taking a few months of medical leave. The commission had to formally establish the position of Acting Administrative Director because Mr. J.B. Cruz had been serving as the Administrative Director until his retirement. When Mr. Cruz took over in May 2024, it was agreed that the role would be grade EP22, paying \$114,016.00. It wasn't until August 2024 that the commission formally approved that particular element. The summertime, assembling a quorum, and individuals joining and leaving the commission were the only factors contributing to the delay. However, the commission didn't pass a resolution until August 2024, by the commission designating Mr. Cruz as the Acting Administrative Director at a grade EP22 and a salary of \$114,016.00.

Upon receiving the personnel documents, the Department of Administration asserted that the detail started the day the commission passed the resolution. Both Mr. Cruz and the commission have maintained that the detail started on May 13, 2024, the day the former Administrative Director retired, and that Mr. Cruz took over as Acting Administrative Director in both a functional and operational capacity. However, Department of

Administration used the commission's resolution date as the beginning of the detail. Due to the Department of Administration's and the previous commission's opinions, the Personnel Rules and Regulations of the Government of Guam place CLTC in a position where the commission can only implement the agreement reached with Mr. Cruz that you serve as Acting Executive Director in May 2024, and that Mr. Cruz receives payment at the EP22 rate in May 2024, by going through a grievance procedure. A direction from the Civil Service Commission stating that they also concur that the post and compensation began in May 2024, is the only option to persuade the Department of Administration to resolve this issue.

Commissioner J. Cameron: I agree we should settle this grievance settlement.

Commissioner F. Respicio: I think we should add in the dates of August 15, 2024, and September 19, 2024, concurring with the board during those meetings that had concurred with this settlement, so that way it actually gives you more weight in this settlement agreement.

Commissioner J. Cameron: I motion to amend the recital section to include a sentence whereby both parties reaffirm that the commission on August 15, 2024, and September 19, 2024, agreed and restated that their intention that Mr. J.B. Cruz's role as Acting Administrative Director began on May 13, 2024, at an annual salary of one hundred fourteen thousand and sixteen dollars (\$114,016.00) and to authorize the chair to sign the agreement.

Commissioner E. Garrido: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

Commissioner J. Cameron exited the remainder of the board meeting at 2:55 pm. (video conference)

Chair A. Bordallo motioned for a ten-minute recess at 2:56 pm.

Commissioner J. Rojas seconded the motion.

The meeting recommenced at 3:13 pm.

G. FY25 Appropriation of Nine Million Dollars (\$9,000,000)

1. Parcels

- | | |
|--|---------------------------------|
| a. Tract 10316, Blk 3 and Blk 16, Dededo | g. Tract 1722, Mangilao |
| b. Tract 10124, Dededo | h. Tract 18113, Mangilao |
| c. Tract 1113, Dededo | i. Tract 15344, Blk 1, Mangilao |
| d. Lot 10090 -1-1 & R-2 Dededo | j. Tract 10123, Yigo |
| e. Tract 319, Hågat | k. Lot 7160, Yigo |
| f. Tract 1722, Blk 2, Mangilao | |

Commissioner F. Respicio: I motion that the monies appropriated of Nine Million Dollars (\$9,000,000) be reserved for any of the lots indicated from A

through K for the purpose of survey, infrastructure, not limited to power and

water to also include roadways, land registration, any civil works and permitting needed to open the lots and provide access to the lots listed from A through K.

Commissioner J. Rojas: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

V. New Business:

A. Public Law 33-204 Lot 5173-1-R2-NEW-R6, An act to reserve a portion of Lot No. 5173-1-R2-NEW-R6, Tamuning, Naftan Manaina ta

Mr. Borja, the director of the Department of Land Management (DLM), informed the commissioners that Public Law 33-104, which excluded a section of the Ipao Point property known as the former hospital, Tamuning, was the cause of the Naftan Manaina-ta. The legislature and the attorney general's office concurred that the additional map that DLM created went beyond what was permitted by law. That public law led to the creation of a map by Land Management. The State Historic Preservation Office and the Department of Parks and Recreation collaborated to create the map. As mandated by law, the Department of Parks and Recreation will ask the legislature to approve the map. Public Law 33-204 specifies certain requirements that the map must meet and passes the approval process. One is five (5) acres, while the other is to incorporate the GGN monument, or "rock." In order for DLM to transfer the map to the Department of Parks and Recreation, DLM is here today to ask the commission to accept the signatures and approvals of the administrative director and the CLTC planner.

Commissioner J. Cameron: I motion to authorize the director of the CHamoru Land Trust and the Planner of the CHamoru Land Trust Commission to sign themap.

Commissioner F. Respicio: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

B. Public Law 37-145 Realign Bull Cart Trail from Northern Portion of Lot 2019 REM through the North Portion of Lot 2121-2-R/1

Selena Cruz, Chief Planner of the Department of Land Management (DLM), presently appeared before the commissioners regarding Public Law 37-145. Map No. 069FY2019 was presented to the CLTC board on March 24, 2024, for concurrence of Condition Number 2 on the recorded Notice of Action under Instrument No. 955550, issued by the Guam Land Use Commission, which reads number 2. That the CHamoru Land Trust Commission acknowledges on the proposed survey map the relocation of the bull cart trail, location in Tamuning.

Selena Cruz informed the commissioners that in order for the owner of the property to comply with the Guam Land Use Commission condition of approval, under Public Law 37-145, the map needs to be acknowledged by the CHamoru Land Trust Commission.

Commissioner J. Cameron: I motion to make the acknowledgement on Public Law 37-145.

Commissioner F. Respicio: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

C. Lot 10122-15 Dededo – Designation for Commercial Use

A staff report was provided to the commissioners providing a history of everything that transpired on Lot 10122-15 Dededo. **Letter “A”** from Guam EPA regarding the validity of the authorization to occupy. AAD J.B. Cruz asked the commissioners to determine the status of the authorization to occupy issued to Global Recycling Center in whether it’s still valid or not because Global Recycling Center is coming up for their license renewal or their permit renewal. **Letter “B”** the commissioners to consider designating Lot 10122-15 for commercial use. Although there is currently no lease, AAD J.B. Cruz is presenting to the commission today so that the commission could consider designating the property for commercial use. AAD J.B. Cruz added that it does not necessarily mean that Global Recycling will be the successful bidder.

Commissioner F. Respicio: So Global Recycling still operating business there?

AAD J.B. Cruz: Yes.

Commissioner F. Respicio: They are with no lease and paying anything.

AAD J.B. Cruz: They paid one payment of \$100,000.00, but it was unclear whether it retro or going forward.

Commissioner F. Respicio: What periods has that been applied to the \$100,000.00? What was it applied to?

AAD J.B. Cruz stated it was collected as one lump. During the discussions and when they did make payment, it wasn't clear whether it was retro or carry forward. Although in 2019, Global was presented to the board and was approved for a commercial license through the issuance of a public purpose authorization. Unfortunately, CLTC interpretation and discussions with Attorney Miller and previous attorneys were because CLTC had their commercial rules and regulations in place already, which should have avoided any approvals by the board. CLTC cited and referenced the Superior Court Case Number CV 1101-18, which is Guam Rocks versus the CHamoru Land Trust Commission. Public Law 33-95 revoked the Global license application because there were still discussions after our commercial rules and regulations were passed, the court had determined absence, and the parties had signed a commercial leasing license or other conveyance.

Commissioner F. Respicio: I'm reading here that in 2015, Director Borja gave Global Recycling an authorization to occupy, and an authorization to occupy also does not obligate them to pay any kind of lease or real property taxes. So, since 2015, that authorization to occupy has not been revoked?

AAD J.B. Cruz: Correct.

Commissioner F. Respicio: And there has been no action thereafter to get them to pay anything.

AAD J.B. Cruz: Correct. Because there are no strings attached to it. There's no requirement. It's open-ended. It doesn't even have an expiration date.

Commissioner E. Garrido: Was Director Borja empowered to initiate such an agreement?

AAD J.B. Cruz: I don't believe so.

Commissioner E. Garrido: Was the board part of the consent for that agreement?

AAD J.B. Cruz: I would need to go back to the minutes and review to see if there was any discussions or authorization given to him to issue an authorization to offer.....

Commissioner E. Garrido: Through the board.

AAD J.B. Cruz: Correct.

Commissioner J. Rojas: I motion to table Letter "A" to determine the status of the authorization to occupy issued to Global Recycling Center discussion to next board meeting.

Commissioner F. Respicio: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

Commissioner F. Respicio: I motion to move forward (Letter B) to designate for commercial use Lot 10122-15, Dededo.

Commissioner J. Rojas: I second.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

D. Lih Pao Investment LLC – Request for Re-Alignment of Bull Cart Trail Lot 5143, Lot 5144-3NEW, Tamuning.

No representative from Lih Pao Investment attended the meeting. The board committee examined the maps and Lih Pao Investment LLC's proposal to realign Bull Cart Trail; however, no further discussion was held because no one was available to verify if the maps had been examined and approved by the Department of Management and Guam Land Use Commission.

Commissioner F. Respicio: I make a motion to have Lot 5143 and Lot 5144-3NEW, Tamuning to refer to Guam Land Use Commission and the Department of Land Management for further review and consideration.

Commissioner E. Garrido: I second the motion.

Chair A. Bordallo: All in Favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

AAD J.B. Cruz will send a letter to Lih Pao Investment LLC, regarding the decision made by the board commission.

E. Bill 79-38 (COR) An act to authorize / Maga'Hagan Guahan to sell a portion of Block 8 in new Agat.

Because no one showed up, the public hearing for Bill 79-38 was rescheduled. The bill mentions selling a piece of Block 8 in New Hagat to the buyer, Kevin Susuico. CLTC is only involved in this bill because it will receive the proceeds of the sale money. The land up for sale is situated within one of the subdivision's parks. The property is not CLTC property, according AAD J.B. Cruz mentioned that generally the selling of government land that is not in the inventory of any other agency will come to CLTC.

Commissioner E. Garrido: Madam Chair, I would like to place for our consideration Bill 79-38 (COR), an act to authorize Maga'Hagan Guahan to

Land Trust infrastructure survey fund. I recommend we list this as a "No Action" on the part of the CLTC and the bill moves forward with the legislature for further proceeding.

Commissioner J. Rojas: I second the motion.

Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

Commissioner F. Respicio: I make a motion that we now entertain item 5(c), Lot 7161-R1, Yigo, and all other business matters.

Commissioner E. Garrido: I second.

VI. Public Comment(s) - None

VII. Adjournment: 5:44 PM

Commissioner F. Respicio motioned to adjourned.

Commissioner J. Rojas second the motion.


Chair A. Bordallo: All in favor, say aye.

All: Aye.

Chair A. Bordallo: Motion carried.

Next Regular Board meeting – Thursday, June 19, 2025, at 1:00PM, CLTC Conference Room.

(**** MEETING ENDED – NOTHING FOLLOWS****)

Madam Chair A. P. Bordallo:  Date: 6-24-25

Concurred by:  Date: 6/24/2025
Acting Administrative Director
Joseph B. Cruz