



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

P.O. Box 2950 Hagåtña, Guåhan 96932 • Phone (671)300-3296 • Fax (671)300-3319 • Email cltc_admin@cltc.guam.gov

CHamoru Land Trust Commission Regular Board Meeting Thursday, July 17, 2025, from 1:20 PM to 6:43 PM

CHamoru Land Trust Conference Room, 590 S. Marine Corps Drive, ITC Building, Suite 223, 2nd Floor, Tamuning, Guam. Public Comments may be made at cltc_admin@cltc.guam.gov. To view the meeting virtually, log in to the GovGuam Live-YouTube or Google Meet and join into Video call link: <https://meet.google.com/Xgx-jkys-saf>

MEETING MINUTES

Public Notice: *The Guam Daily POST* on July 10, 2025, and July 15, 2025

PRESENT:

Commissioners

Arlene P. Bordallo, Chairperson
Earl J. Garrido, Commissioner
Fabrienne C. Respicio, Commissioner
Jeremy J. Rojas, Commissioner
Joseph F. Artero-Cameron, Commissioner (via Google Meet)

Management and Staff

Joseph B. Cruz Jr., Acting Administrative Director
Norman Lee Miller Jr., Deputy Attorney General
Glenn Eay, Acting Land Agent Supervisor
Eileen Chargualaf, Land Agent II
Jhoana Casem, Land Agent II
Jessica Dayday, Land Agent II
Lydia Taleu, Land Agent I
Pierce Castro, Planner II
Dexter Tan, Program Coordinator I

Guests

John Perez
Billy Cruz
Carlos Camacho
Yohei Koike
Jerry Tang
Doreen E. Borja
Mark Aquiningoc
Ray A. Cruz
Jessica Berisha (via Google Meet)
Author Paul Juanillo (via Google Meet)
Anthony Santos
John Iriarte
Doris Iriarte
Jonah Benavente
David Herrera

Lourdes A. Leon Guerrero
Governor of Guam
I Maga Haga Guåhan

Joshua F. Tenorio
Lt. Governor of Guam
I Segundo Na Maga Lahen
Guåhan

Commission Members

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Chairperson

Earl J. Garrido
Commissioner

Joseph F. Artero-Cameron
Commissioner

Fabrienne Cruz Respicio
Commissioner

Jeremy J. Rojas
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Joseph B. Cruz Jr.
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Summary

Commissioner Artero-Cameron raised concerns about restrictions on the CHamoru Land Trust Commission's property use and revenue, advocating for the Commission's autonomy in determining the highest and best use of property and suggesting a fee for topsoil removal. AAD Cruz outlined recommendations for monitoring and invoicing extracted materials, emphasizing professional ascertainment of aggregate removal and a comprehensive plan from bidders for land reclamation. The Commission supported Bill 7-38 by authorizing a competitive bidding process, with Commissioner Artero-Cameron appointed as the messenger to the legislature.

Commissioner Artero-Cameron moved to support Bill 32-38 in its current form to correct historical injustices related to land transfers, seconded by Commissioner Garrido. Commissioner Artero-Cameron also moved to support Bill 41-38, with an amendment accepted by Commissioner Respicio for landowners to satisfy non-payment of taxes. Commissioner Respicio highlighted the complexities of property taxes and unregistered properties, emphasizing that the Commission cannot legally guarantee loans on unregistered land and that previous instances were assumptions of existing guarantees.

The board discussed solutions for Mr. Billy Cruz's unregistered property, with Commissioner Respicio suggesting direct work with CLTC staff for expedited registration and Mr. Billy Cruz offering to pay for a survey. Discussions also included extending a lease to 55 years, requiring an independent MAI appraiser, and proposing amendments to Bill 135-38, which involved rent escalation and a performance bond for GICC. The Commission also voted to sell the Bull Cart Trail based on two independent appraisals and clarified conditions for a lease with GICC, including rent escalation and a performance bond.

The board also discussed the legal validity of Antonio Aquiningoc's two agricultural leases, ultimately accepting the February 11, 2005, lease as official and terminating the earlier one. Mark Allan Aquiningoc was named as the successor to his father's lease, conditional on compliance with specific actions like recording the survey and clearing fees. The board discussed land use regulations, clarifying that anything over a half-acre for agricultural land requires two-thirds to be farmed and legislative approval for commercial use.

The board also addressed Jessica Berisha's beneficiary application, with a motion made to disqualify her due to discrepancies in her affidavit's stated location of land taking, despite her verbal testimony. The board recommended approving Arthur Paul Juanillo as an eligible beneficiary and Arthur Paul Juanillo II as his successor. They also approved leases for surveyed and registered parcels and granted a survey request from MEC LLC for easement access.

Lastly, Artero-Cameron, as the newly appointed Public Information Officer, requested parameters for their role, and the meeting concluded with a motion to table new business items concerning constituent matters for Roby Jean Quintanilla, Richard Blas Santiago, and Leah Rojas.

I. Meeting Called to Order

- Chairwoman Bordallo called the July 17, 2025, Board of Commissioners meeting to order at around 1:20PM

II. Approval of Minutes

- June 06, 2025 (Special Meeting)

ACTION: Motion to approve minutes with modification.

PASSED unanimously. 4-0.

- June 19, 2025 (Regular Board Meeting)

ACTION: Motion to approve minutes with modification; page 10, item 13, change "motion made by Charlene Mayo to motion made by Commissioner Respicio".

PASSED unanimously. 4-0.

III. Administrative Director's Report by AAD Cruz

- A. AAD Cruz disclosed that initially, the Guam Daily Post did not publish the approved print. AAD Cruz mentioned that to ensure the board complies with the open government law, as they discuss the bills, the board can include who could be the designated Public Information Officer (PIO) to represent the board at public hearings. AAD Cruz will ensure that at the August board meeting, all publication prints are correct.
- B. In discussing the housekeeping rules, board members, and public speakers, there is a time limit of three (3) minutes per individual.
- C. The procurement of the new CLTC official vehicles has been completed. A purchase order has been awarded, and CLTC may be receiving the new vehicles within ninety (90) days.
- D. The procurement of a mail meter machine has been sent out. A mail meter machine would be a more efficient and effective process in sending out certified mail.
- E. The office space lease procurement will commence in October of 2025. CLTC would have to issue a new IFB (Intent for Bid), depending on the successful bid.
- F. The FY2025 CLTC independent financial audit has commenced. There was a delay due to QuickBooks financial software.
- G. An MOU between the USDA Rural Development and CLTC – the new requirements of having an escrow account to receive loan funding from USDA, water and wastewater disposal program, and SUTA. AAD Cruz mentioned that there will be a meeting on August 11, 2025, at 10:00 AM with Tomas Lynch.
- H. On July 11, 2025, CLTC received a letter from Governor Lou Leon Guerrero requesting assistance in identifying potentially suitable lots for the designated staging site for junk vehicles before their disposal. For the August meeting, he will ensure that it is a line item for discussion, and we will present possible parcels for the board to consider in regards to the Governor's request.
- I. Report on residential and agricultural regarding the \$9 million appropriations. Item One: Weekly Tuesday meeting with the Department of Land Management (DLM). The 2nd MOA draft has been sent to DLM for some edits. CLTC anticipates that the cost will increase, but it may not be drastic. There is a timeline and expectation that the MOA will be finalized by the August 2025 meeting to be presented to the board for approval.
- J. A meeting with GPA, and it was said that to install main feeder lines in the various tracts that were presented, it will have to be triggered by an application. We are working through the first tract, focusing on tract 15344 in Mangilao. Any updates will be provided to the board by the August 2025 meeting.

- K. The implementation plan for GWA was shared with all the commissioners. A draft MOA is in progress. There is an increase in cost, which will be presented to the board in August, with the hope of completing the MOA.

IV. Old Business

A. Bill No. 7-38(COR)

- **Restrictions on CHamoru Land Trust Commission Property Use and Revenue:** Commissioner Artero-Cameron expressed concerns about restrictions placed on the CHamoru Land Trust Commission, specifically regarding the requirement for at least one large pad for a public service building in addition to homesteads, as well as the bill stating the Commission will not receive revenue from the removal of "unsuitable materials" like aggregate. He questioned whether the Commission should be restricted from determining the highest and best use of property and suggested a fee for topsoil removal, considering its equivalent value to aggregate. AAD Cruz discussed the potential use of topsoil for constituents and asked if there would be monitoring during excavations, mentioning a draft SOP that includes requirements for total surveys and professional ascertainment of aggregate removal.
- **Monitoring and Invoicing of Extracted Materials:** AAD Cruz outlined recommendations for monitoring and invoicing extracted materials, suggesting that professionals ascertain the amount of aggregate removed and that invoicing be based on reports stamped, sealed, and signed by a company's engineer. They also proposed that as part of the RFP process for mining the land, bidders include a plan detailing the starting conditions, the stopping point, and what will be left behind for the Commission's benefit and use. This approach aims to have a plan in place from the beginning, rather than developing one after extraction, to ensure the land is returned in a usable state.
- **Support for Bill 7-38 and Messenger Identification:** Commissioner Artero-Cameron moved to support the intention of Bill 7-38 by authorizing the CHamoru Land Trust Commission to engage in a competitive bidding process (RFP), with the Commission determining the RFP specifications and the terms and conditions of the commercial lease. Attorney Miller clarified that the agenda item sought the Commission's collective view on Bill 7-38 and the identification of a messenger to the legislature. Commissioner Respicio motioned to have Commissioner Artero-Cameron be the board's representative for the board's decision on this bill. **The motion was amended and seconded by Commissioner Respicio. Commissioner Artero-Cameron accepted an amendment to their motion to appoint themselves as the person to represent the board's direction on this bill. Chairwoman Bordallo called for a vote. Motion passes 4-0.**

B. Bill No. 32-38(COR)

Conflict of Interest Discussion (Bill 32-38) - Attorney Miller explained the criteria for a conflict of interest related to Bill 32-38, which involves the transfer of land to heirs, specifically mentioning a "three degrees of relationship" test and a subjective test regarding personal benefit. Commissioner Artero-Cameron confirmed they did not believe they had a subjective conflict of interest, and Attorney Miller confirmed Commissioner Garrido's eligibility to vote on the matter based on the outlined criteria.

Motion in Favor of Bill 32-38 – Commissioner Artero-Cameron **formally moved in favor of Bill 32-38 in its current form and intent, emphasizing that supporting this bill is a crucial step toward correcting past injustices and ensuring a better future for all parties involved. Commissioner Garrido seconded the motion. Chairwoman Bordallo called for a vote. Motion passes. 4-0.** Commissioner Respicio then commented on the bill, noting that the original transfer of the property involved a sum of money and a promise of equipment worth \$2 million, with the equipment portion never executed.

C. Bill No. 131-37(COR)

Commissioner Artero-Cameron made a motion to support Bill 131-38 in its current form and intention. Attorney Miller stated that the board has a copy of the bill to review its contents. He then states that this bill is to authorize the sale of property to the Kellys. We assume that fair market value is the product of a couple of appraisals, and then we will average and figure out a per-square-foot price. The bill itself doesn't say what the fair market value is. Commissioner Respicio seconded the motion, with an amendment to the motion to include the definition of a fair market value, inclusive of the responsibilities for the appraisals to determine what the fair market value shall be generated or obtained by the purchaser. To be obtained and paid by the buyer. Commissioner Artero-Cameron seconded the amendment. Chairwoman Bordallo called for a vote. Motion passes 4-0.

D. Bill No. 41-38(COR)

- Commissioner Artero-Cameron questioned the purpose of moving away from Bill 41-38. Commissioner Respicio clarified that the motion was to temporarily table the discussion until more documentation was received, as only one page was available. Commissioner Artero-Cameron then moved to support Bill 41-38 in its current form and intention, stating that the primary objective of the Guam Ancestral Lands Commission is to return land to ancestral owners or their families. Commissioner Garrido suggested waiting for more accurate information, noting that the land was taken due to non-payment of taxes, not eminent domain or condemnation.
- **Discussion on Land Conservation and Bill 41-38**
Commissioner Artero-Cameron expressed concern that Bill 41-38, dealing with land in the CHamoru Land Trust Commission's inventory, might pass the legislature without the commission's full input. Commissioner Respicio asked Commissioner Artero-Cameron to consider an amendment to their motion to support the bill, with the intention that the landowners satisfy the non-payment of taxes for which the land was originally taken. Commissioner Artero-Cameron accepted this amendment, and Commissioner Respicio seconded the amended motion.
- **Property Tax and Transfer Issues** Commissioner Respicio discussed the complexities of property taxes, penalties, and interest on lots before transfer, emphasizing that the commission might not be in a position to overturn decisions by other governmental bodies. She raised concerns about the "look back period" for taxes, suggesting a 10-year limit as an example, and questioned the commission's authority to dictate back taxes on a property taken 20 years ago. Commissioner Artero-Cameron agreed that a vote was needed to move forward, stating that the motion would either pass or fail.

- **Commissioner's Stance on Property Return**
Commissioner Respicio clarified her understanding of the motion, stating that the commission supports returning ancestral property with the expectation that any legally due taxes, even if zero, are collected. She also raised concerns about the implications if ancestral landowners are unable to meet the burden of back taxes and penalties, potentially leading to the loss of the property. Commissioner Artero-Cameron questioned the existence of a statute of limitations for back taxes, and Attorney Miller explained that while mainland laws typically limit back taxes to three years, he was unsure how Guam handles unpaid property taxes.
- **Support and Motion**
Commissioner Artero-Cameron moved to support Bill 41-38 in its current form and intention, stating that the primary objective of the Guam Ancestral Lands Commission is to return land to ancestral owners or their families. Commissioner Respicio suggested waiting for more accurate information, noting that the land was taken due to non-payment of taxes, rather than through eminent domain or condemnation. Commissioner Artero-Cameron amended his motion to state that when property transfers that, the families must satisfy the tax bill before. Commissioner Respicio added to the motion to nominate Commissioner Artero-Cameron, the unofficial PIO on this matter. Chairwoman Bordallo called for a vote. Motion passes. 3-0. Commissioner Garrido did not vote.

E. Bill No. 135-38(COR) **Motion made by Commissioner Rojas to move to item "G", Number one, constituent matters, Mr. Billy Cruz, before discussing item "E", Bill Number 135-38. Seconded by Commissioner Respicio. Chairwoman Bordallo called for a vote. Motion passes. 3-0. Commissioner Garrido did not vote.**

F. Constituent Matters

(1) Billy Cruz

- **Addressing Unregistered Property Issues** AAD Cruz detailed the challenges posed by unregistered properties, highlighting that CLTC has issued many leases on such properties, which is contrary to the law. He noted that Public Law 37-131 provides an avenue to address issues one and two, but items related to leases on unregistered property can only be corrected by getting the properties registered. He stressed that legally, without a law amending or providing an avenue to reach unregistered property, the commission cannot resolve or entertain requests like Mr. Cruz's loan guarantee.
- **Legal Risks and Commission's Responsibility** Commissioner Respicio, referencing Attorney Miller, discussed the legal risks associated with allowing Mr. Cruz to proceed with developing his unregistered property, particularly the possibility of another party claiming ownership during the registration process. She emphasized that the issue of unregistered property was largely created by the commission, not Mr. Cruz, and reiterated that deciding to take the risk is a "business choice" for the commissioners, not a legal one. Commissioner Artero-Cameron expressed offense at the characterization of the commission as a business and stated that they are not in the business.

- **Proposed Solutions for Billy Cruz** Commissioner Respicio acknowledged Mr. Cruz's diligence in developing his property but noted the commission's "legal crunch" due to the unregistered status. She suggested a letter to the Attorney General's office to request the administration of the property, but noted the timeline would be beyond the commission's control. Commissioner Artero-Cameron cited Guam code, confirming that the commission is prohibited from leasing unregistered land and suggested tabling the matter until official guidance from the Attorney General's office is received.
- **Expediting Property Registration** Commissioner Garrido highlighted that obtaining surveys and maps is the most crucial step for land registration and noted that the Attorney General's office can take the matter to court, but the court system's pace dictates the timeline. He commended Mr. Cruz's stewardship of the land and expressed support for a motion to expedite the survey and registration of his property. Mr. Cruz expressed frustration at the lack of progress over the past year and offered to pay for the survey and registration of his property with his attorney to move the process forward.
- **Debate on Individual vs. Whole Lot Survey** Commissioner Artero-Cameron proposed a motion to accept Mr. Cruz's offer to individually survey and sever his property to obtain a deed, arguing it would set a precedent. Commissioner Garrido, referencing Attorney Miller, explained that typically, all nine lots believed to be owned by the commission would be surveyed simultaneously to include necessary easements and development parameters. He raised concerns about the practicality and potential issues of surveying only a portion of a larger lot, suggesting it would be more sensible to survey the entire lot and divide it accordingly, even if it meant additional cost for CLTC.
- **Legal Implications of Loan Guarantee on Unregistered Property** Commissioner Respicio questioned whether the commission could legally guarantee Mr. Cruz's loan for an unregistered property. Attorney Miller affirmed that the commission has previously guaranteed loans on unregistered properties, though she noted this was before Typhoon Mawar. She also highlighted that to guarantee a new loan on an unregistered property would place significant risk on the current board, leading Commissioner Artero-Cameron to state he would not vote on it due to potential personal liability.
- **Past Precedents and Future Planning** Commissioner Respicio clarified that previous loan guarantees on unregistered land were assumptions of existing guarantees, not new approvals, and stressed the legal challenge of guaranteeing a new loan for an unregistered property. She suggested that Mr. Cruz's case should be prioritized and proposed that he work directly with the CLTC team to develop a concrete plan to address his situation and that of his neighbor's, as the current discussions lacked a clear path forward. Commissioner Artero-Cameron withdrew his motion to table the matter, acknowledging the urgency of Mr. Cruz's loan deadline.
- **Land Lease and Property Ownership Issues** ALS Eay discussed the complexities surrounding Mr. Cruz's agricultural lease, noting that the fault originated with CLTC for awarding a lease on unregistered property. The board acknowledged Mr. Cruz

as an "ideal tenant" who has invested significantly in the property, despite building without proper consent and not fulfilling the two-thirds farming requirement before construction. The discussion aimed to find the fastest way to legalize Mr. Cruz's property, with Mr. Cruz offering to pay for the necessary legal processes, which might be quicker if focused solely on their lot rather than an entire area survey.

- **Challenges with Agricultural Leases and Construction AAD** Cruz highlighted an ongoing issue where agriculture leaseholders construct homes or utility buildings, making it impossible to comply with the two-thirds farming requirement. They mentioned that similar cases would be brought before the board, indicating that CLTC had previously given authorization for construction on agricultural leases, leading to situations where farming requirements cannot be met. Commissioner Garrido supported the idea of prioritizing land registration, stating that once a property is transferred to residential status, farming is no longer a requirement.
- **Proposed Solutions for Land Registration** Commissioner Respicio proposed that Mr. Cruz work directly with CLTC staff to find an expeditious resolution for their land registration, as the commission could not directly guarantee it. They also suggested considering a legislative process to bypass registration and automatically register the land in the name of CLTC, provided it is the most efficient method.
- **Motion to Table - Commissioner Respicio made a motion to table the agenda item so that Mr. Billy Cruz can work directly with the CLTC staff to develop a resolution and a suggestion on how to move forward expeditiously to address his concerns, as it doesn't appear to address what he wants legally. Seconded by Commissioner Garrido. Chairwoman Bordallo called for a vote. Motion passes 4.0.** AAD Cruz mentioned to the board that, for one thing, the board may think about possibly seeking legislative assistance; if the land has been in CLTC's inventory for the last 20-30 years, consideration might be given to bypassing the land registration proceedings and creating a bill and automatically registering it in the name of CLTC. Still, AAD Cruz will speak to the DLM Director.

G. Public Law 37-146 (*Representative from Eclavea Family – Doreen E. Blas*)

- (1) **Sale of Bull Cart Trail** Commissioner Respicio inquired about the sale of the Bull Cart Trail to a specific family, noting that property owners typically dedicate land for easements when subdividing large parcels. Commissioner Rojas confirmed this was one option and explained that the process for selling the trail would involve two independent appraisals, with the average value establishing a fair price, ensuring transparency and responsibility.
- (2) **Bull Cart Trail Map and Impact** Commissioner Respicio raised concerns about the lack of a map for the Bull Cart Trail, which is essential to understand the land being sold or exchanged and its impact on other residents or properties. She suggested tabling the discussion until a map could be obtained, highlighting that the entire trail is only 1500 square meters, while 13,000 square meters are being given up. A representative of the family, Doreen Borja, explained that

the family is subdividing their property, through which the Bull Cart Trail runs, and the law allows for either selling or exchanging the trail.

- (3) **Preference for Selling the Bull Cart Trail** Ms. Doreen Borja sought clarification on why selling the Bull Cart Trail was preferred over exchanging the property, especially since an easement would be required anyway for subdivision. Commissioner Rojas stated that the commission intended to sell the trail because it had not been used in over 80 years, and selling it would be in the best interest of the trust's beneficiaries. The proposed sale would follow a process where the buyer would obtain two appraisals, and the average would determine the sale price.
- (4) **Motion to Sell: Motion made by Commissioner Rojas to sell the 1,580 square meters in compliance with the law and seconded by Commissioner Respicio. Chairwoman Bordallo called for a vote. Motion passes. 4-0**

H. **Bill No. 135-38** (*Representatives from GICC - C. Camacho, J. Tang, and Y. Koike*)

- (1) AAD Cruz presented four (4) different analyses to the CLTC Board at 40%, 30%, 20% and 12% projection
- (2) **Motion made by Commissioner Artero-Cameron to accept that a minimum of \$9.5million and seconded by Commissioner Respicio. Chairwoman Bordallo called for a vote. Motion passes. 4-0.**
- (3) **Commissioner Respicio motioned that Bill 135-38 offers significant potential but also raises some very important concerns, and after thorough review of documentation and previous performance audits, those submitted by GICC as well, and all the insights provided by both the staff and the commission. It's crucial to ensure that the CLTC receives fair compensation while maintaining reasonable expectations of this property. The bill does concern, contain numerous conditions and big suggestions that could introduce some uncertainty and prioritize our interests as CLTC, and also eliminate any ambiguity. I propose a motion to support the amendment of the existing commercial lease between CLTC and GICC that will facilitate the development of a solar farm and extend the lease term until January 31, 2055, and include the following clear essential conditions. One, the lease framework. All amendments and extensions will be structured around the current lease, initiating rent escalation on February 1, 2026, to 12%. Increase the escalation from 10 to 12% starting the next five-year increment, which is 2029 or 2028. February 2028. February 1, 2028. GICC has agreed to settle any outstanding rent and property taxes in full by January 31, 2026. I wanted to clarify that for the record. If the Bill passes, then there's a shorter trigger, the thirty-day trigger. So, we will keep the current agreement. Whichever comes first, either October or the trigger date of this bill. The lease frameworks, all amendments, and then the upfront commitment. Though upon executing the amendments, GICC would pay half of the total value, or the full demonstrating its commitment to partnership. Further, GICC must secure a performance bond naming CLTC as a beneficiary and the amount yet to be determined on the net present value. If GICC cannot meet those conditions as proposed, then this will void the lease**

and any extensions which is included in the Bill. The motion was seconded by Commissioner Artero-Cameron. Chairwoman Bordallo called for a vote. Motion passes. 4-0.

- (4) Commissioner Respicio motioned that Bill 135-38 offers significant potential but also raises some very important concerns, and after thorough review of documentation and previous performance audits, those submitted by GICC as well, and all the insights provided by both the staff and the commission. It's crucial to ensure that the CLTC receives fair compensation while maintaining reasonable expectations of this property. The bill does concern, contain numerous conditions and big suggestions that could introduce some uncertainty and prioritize our interests as CLTC, and also eliminate any ambiguity. I propose a motion to support the amendment of the existing commercial lease between CLTC and GICC that will facilitate the development of a solar farm and extend the lease term until January 31, 2055, and include the following clear essential conditions. One, the lease framework. All amendments and extensions will be structured around the current lease, initiating rent escalation on February 1, 2026, to 12%. Increase the escalation from 10 to 12% starting the next five-year increment, which is 2029 or 2028. February 2028. February 1, 2028. GICC has agreed to settle any outstanding rent and property taxes in full by January 31, 2026. I wanted to clarify that for the record. If the bill passes, then there's a shorter trigger, the thirty-day trigger. So, we will keep the current agreement. Whichever comes first, either October or the trigger date of this bill. The lease frameworks, all amendments, and then the upfront commitment. Though upon executing the amendments, GICC would pay half of the total value, or the full demonstrating its commitment to partnership. Further, GICC must secure a performance bond naming CLTC as a beneficiary and the amount yet to be determined on the net present value. If GICC cannot meet those conditions as proposed, then this will void the lease and any extensions which is included in the Bill. The motion was seconded by Commissioner Artero-Cameron. Chairwoman Bordallo called for a vote. Motion passes. 4-0.

I. Commercial lease option to extend with United States Postal Service (USPS)

- (1) A portion of Lot 163, Hagat - AAD Cruz requested to remove this item from the agenda and for the board not to discuss. Through a property certification issued by the Department of Land Management, this property is under the administrative jurisdiction of the Hagat Mayor's Office. The CLTC does not have any authority.
- (2) Tract 3621, Lot 18, Inalahan – AAD Cruz requested to remove this item from the agenda and for the board not to discuss. AAD Cruz mentioned that initially, the USPS contractor did inquire about the exercising option to extend, recent emails, they're withdrawing the request. Remove from the agenda or further discussions until they come back and request to extend their options, if it's legally allowable.

V. New Business

A. Constituent Matters

Commissioner Rojas made a motion to entertain the folks that are here now before we move on to people who are not here. Second by Commissioner Respicio. Chairwoman Bordallo called for a vote. Motion passes 4-0.

(1) Roby Jean Quintanilla – TABLED

(2) Richard Blas Santiago – TABLED

(3) Antonio Aguon and Ana Ignacio Aquiningoc

- Acting Land Agent Supervisor G. Eay presented the case as requested by Mark Aquiningoc, who requested to succeed his deceased father, Antonio Aquiningoc, in two agricultural leases with different effective dates on the same lot. He noted that the first lease from 1998 was issued administratively and not recorded, while the second lease from 2005 was ratified by the board and recorded. The board discussed the legal validity of the leases and ultimately voted to accept the February 11, 2005, agricultural lease as the official legal lease and to terminate the September 29, 1998, lease. **Commissioner Respicio made a motion to keep the February 11, 2005, agriculture lease. Commissioner Rojas seconded the motion. Chairwoman Bordallo called for a vote. Motion passes 4-0.**
- **Successor Approval and Lease Conditions** - Commissioner Respicio made a motion to name Mark Allan Aquiningoc as the successor to his father's lease, conditional upon his compliance with specific actions, including recording the survey, clearing non-lease fees and property taxes, and participating in a site inspection to confirm agricultural lease compliance. The board noted that if he did not come into full compliance within a year, the lease would be terminated. They also discussed the acreage, confirming that Mark Aquiningoc wished to retain the full one acre, which would require farming two-thirds of the land. **Commissioner Respicio made a motion to name Mark Allan Aquiningoc successor to his father's lease on the conditional approval of items listed on items 6E, one to six. Seconded by Commissioner Rojas. Chairwoman Bordallo called for a vote. Motion passes 4-0.**
- **Commercial vs. Residential Land Use** - AAD Cruz discussed land use regulations, clarifying that anything over a half-acre is considered commercial and requires legislative approval. They explained that for agricultural land, two-thirds of an acre must be farmed. AAD Cruz noted that a half-acre can still accommodate a three to four-bedroom home with a lease of one dollar, and it is possible to do both residential and agriculture on a half-acre.
- **Compliance and Farming Plan**- AAD Cruz stated that a year would be given for compliance with farming two-thirds of a one-acre property, and guidance could be provided for other requirements beyond farming. They also mentioned that a farming plan is required for one acre, outlining the types of trees to be planted. ALS Eay indicated that the staff would need to check existing structures for compliance with setbacks if the land is reduced to a half-acre, as some buildings might be affected.

- **Decision on Land Reduction** Commissioner Rojas advised the applicant to consider their options before making a drastic decision on reducing land size, suggesting they wait for updated information on payment rates after site visits. They confirmed that a request to reduce land size would require the applicant to return to the board.

(4) Arthur Paul Juanillo

- Beneficiary Application Acting Land Agent Supervisor G. Eay presented Mr. Juanillo's request to be an eligible beneficiary alongside his son, Arthur Paul Juanillo II. Juanillo's affidavit stated his maternal grandfather utilized property in Malia until 1948, and research confirmed that the property in Malia was acquired by the US naval government nine days after his grandfather left. ALS Eay noted that the property was acquired at the location claimed, which was a correct aspect of this application compared to the previous one.
- Acting Land Agent Supervisor G. Eay recommended that Arthur Paul Juanillo be deemed eligible because the property in question was acquired by the government shortly after his maternal grandparents occupied it. They also recommended approving his son as a successor, which would follow the lineage and automatically transfer eligibility if something happened to Mr. Juanillo. The discussion clarified that while the father had a lease in Yigo, the eligibility process for the son concerned property in Anigua, which was a different location.
- **Eligibility and Lease Reissuance** - Acting Land Agent Supervisor G. Eay questioned the eligibility determination for Mr. Juanillo, noting that their eligibility was previously established when the lease was first issued. Mr. Eay raised concerns about reissuing new leases for "cloud" leases and whether the eligibility criteria would need to be reassessed for all 2,800 existing leases, as only 19 applications from 1998 met current standards. AAD Cruz clarified that reissuing a new lease would require applying current eligibility criteria, and this process is a preliminary step towards compliance.
- **Approval of Beneficiary and Successor** - Acting Land Agent Supervisor G. Eay recommended approving Arthur Paul Juanillo as an eligible beneficiary and Arthur Paul Juanillo the second as a successor to Arthur Paul Juanillo's residential lease. **Commissioner Rojas made a motion to approve Arthur Paul Juanillo as an eligible beneficiary for the program, as well as Arthur Paul Juanillo, the second, as successor to Arthur Paul Juanillo's residential lease. Seconded by Commissioner Respicio. Chairwoman Bordallo called for a vote. Motion passes 4-0.**

(5) Jessica Cabrera Berisha (appeared via Google Meeting)

- Acting Land Agent Supervisor G. Eay presented the request of Ms. Berisha to be deemed an eligible beneficiary, based on her affidavit stating her parents occupied a lot in Palantak, Yona from 1958 to 1971. Research indicated that while land was taken from the owner, Jose Cepeda Cruz, it was in "Agana," not Palantak, as claimed in the affidavit. ALS Eay clarified that eligibility for the program requires occupying property at the location where land was taken by the US government.

- **Discrepancy in Affidavit Location** - Acting Land Agent Supervisor G. Eay explained that Jessica Berisha's affidavit stated the property was in Palantak, but research showed the land taking was in "a gang yard". They highlighted that while Berisha could be eligible as a descendant of an occupier, the error in the municipality on her affidavit was a key issue. ALS Eay noted that the affidavit was signed under penalty of perjury, making corrections challenging without legal guidance.
- Jessica Berisha clarified that Roman Cabrera is her father, not her grandfather, and Jose Cepeda Cruz is her father's brother-in-law, who sponsored her father in 1958. She stated that she never claimed a land taking in Palantak and was unsure where the information about land in "Agana" came from. Berisha further explained that her family rented next to a Quinine Farm in Palantak, within walking distance from her uncle's land.
- **Discussion on Eligibility Criteria** - AAD Cruz affirmed that eligibility criteria include individuals who occupied, farmed, ranched, or resided on land taken by the federal government between 1890 and 1968. They confirmed that Jessica Berisha's father resided on the property and that the entire island was once under US government control, technically qualifying occupants. Despite the location discrepancy in the affidavit, Berisha's verbal testimony supported her qualification as an occupier. Commissioner Rojas questioned whether this discussion should be tabled and discussed with Attorney Miller.
- **Motion to Disqualify** - A motion was made to disqualify Jessica Berisha from being an eligible beneficiary due to discrepancies between her affidavit's stated location of land taking and the research findings. The motion was based on the belief that the sworn statement in the affidavit regarding land acquisition was incorrect. **Commissioner Respicio made a motion based on the discussion and the recommendation of our staff member, Mr. Eay, to disqualify Ms. Jessica Barisha from being an eligible beneficiary for the CLTC program based on her affidavit of eligibility item number three and the research that is presented to us. Seconded by Commissioner Rojas. Chairwoman Bordallo called for a vote. Motion passes 3-0. Commissioner Garrido did not vote.**

(6) Leah Rojas - TABLED

B. Survey Completion without Board Ratification

- **Lease for Surveyed and Registered Parcels** - Acting LAS, G. Eay addressed the issue of applicants who completed surveys for their properties but were never issued leases, particularly for unregistered land. Casem clarified that leases can only be issued for parcels that are both surveyed and registered
- **Motion to Approve Surveyed Properties** - **Commissioner Respicio made a motion to approve leases for parcels that have already been surveyed on parcels that are registered. Seconded by Commissioner Rojas. Chairwoman Bordallo called for a vote. Motion passes 4-0.**

C. Lot 153-1, Yona – Request to Survey Easement – MEC, LLC

- AAD Cruz presented a request from MEC, LLC, represented by Ray Cruz (licensed surveyor), to survey the easement within the CLTC property to provide access to Lot 153-1 Yona for Melissa V. Torres and other landowners. AAD Cruz clarified that the survey would only be for the existing access easement; not the properties along it.
- **Commissioner Respicio made a motion to approve Ms. Melissa V. Torres' request. Second by Commissioner Rojas and Commissioner Artero-Cameron. Chairwoman Bordallo called for a vote. Motion passes 4-0.**

D. Lot 7161-R1, Yigo

- Commissioner Artero-Cameron corrected AAD Cruz in regards to the individual who is seeking to remove the junk. He stated the name of the individual is Sherwin Mobida.
- AAD Cruz brought up the request from Ms. Shakira Francisco, represented by Sherwin Mobida in regards to the abandoned junk vehicles from Lot 7161-R1, Yigo, noting that only the board could decide on the request. AAD Cruz suggested that Sherwin Mobida, known for refurbishing junk, could be the person to remove them and emphasized the need for a waiver of liability. **Commissioner Artero-Cameron made a motion to approve the removal, subject to legal counsel, Attorney Miller, drafting a waiver of liability to protect the board from any liabilities. Seconded by Commissioner Rojas. Chairwoman Bordallo called for a vote. Motion passes 4-0.**

E. Designation of Public Information Officer (PIO)

- As per AAD Cruz, due to Guam Daily Post not posting this segment, the board is unable to move forward with a vote to designate a PIO at this meeting but assured that this will be brought up at the next CLTC meeting.

VI. Public Comment(s) - Chairwoman Bordallo asked if there were any public comments. None responded.

VII. Adjournment – **Commissioner Rojas made a motion to adjourn the meeting. Second by Commissioner Garrido. Chairwoman Bordallo called for a vote. Motion passed 4-0.**

****Meeting adjourned at approximately 6:43PM.****

Transcribed by: Jessica Dayday, Land Agent II

SEPTEMBER 18, 2025

Approved by motion in the meeting of _____

Acting Chairperson Earl J. Garrido



Date 9-29-25