

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
375-33 (COR)	T. C. Ada B. J. F. Cruz Judith T. Won Pat, Ed.D R. J. Respicio	AN ACT TO AUTHORIZE A LEASE BETWEEN THE CHAMORRO LAND TRUST COMMISSION AND INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC. ON LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, FOR USE AS A CULTURAL CENTER.	09/22/16 1:50 p.m.	09/26/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement	10/06/16 6:00 p.m.	11/21/16 10:51 a.m.	Fiscal Note Request 09/27/16 Fiscal Note 10/19/16



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

November 21, 2016

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina Trentai Tres Na Liheslaturan Guahan
155 Hesler Place
Hagåtña, Guam 96910

Rory J. Respicio

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 375-33 (COR) As Amended

2016 NOV 21 11:10:51
RS

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 375-33 (COR) As Amended **“AN ACT TO DESIGNATE LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, YPAO POINT AS A CHAMORRO CULTURAL CENTER.”**

Committee votes are as follows:

- 2 TO DO PASS
- _____ TO NOT PASS
- 4 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os ma'äse',

Thomas C. Ada

Thomas C. Ada



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE REPORT

ON

Bill No. 375-33 (COR)

As Amended

**“AN ACT TO DESIGNATE LOT 5173-1-
R2NEW-4, MUNICIPALITY OF
TAMUNING, YPAO POINT AS A
CHAMORRO CULTURAL CENTER.”**



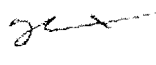
Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

November 21, 2016

MEMORANDUM

To: **All Members**
Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement

From: **Senator Thomas C. Ada**, Committee Chairperson 

Subject: **Committee Report on Bill No. 375-33 (COR) As Amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 375-33 (COR) As Amended **"AN ACT TO DESIGNATE LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, YPAO POINT AS A CHAMORRO CULTURAL CENTER."**

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 375-33 (COR), As Introduced
- Copy of Bill No. 375-33 (COR), As Amended
- Public Hearing Sign-in Sheet
- Written testimonies
- Copy of Fiscal Note Request
- Copy of Fiscal Note
- COR Referral of Bill No. 375-33 (COR)
- Notices of Public Hearing
- Public Hearing Agenda

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
 Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåban • 33rd Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 375-33 (COR) As Amended, "AN ACT TO DESIGNATE LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, YPAO POINT AS A CHAMORRO CULTURAL CENTER."

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		<i>ada</i>				
SENATOR RORY J. RESPICIO Vice Chairperson	<i>Rory Respicio</i>			<i>MR</i> 11-21-16		
VICE SPEAKER BENJAMIN J.F. CRUZ Member	<i>B. Cruz</i>			<i>BK</i> 11-21-16		
SENATOR FRANK B. AGUON, JR. Member	<i>11/21/16</i> <i>F. Agumon</i>					
SENATOR DENNIS RODRIGUEZ, JR. Member						
SENATOR NERISSA UNDERWOOD Member	<i>11-21-16</i> <i>N. Underwood</i>			<i>11-21-16</i> <i>N. Underwood</i>		
SENATOR FRANK BLAS, JR. Member						
SENATOR MARY TORRES Member	<i>11/21/16</i> <i>M. Torres</i>			✓		
SENATOR JAMES V. ESPALDON Member						



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåban • 33rd Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 375-33 (COR) was introduced on September 22, 2016 by Senators Thomas C. Ada, Benjamin J.F. Cruz, Judith T. Won Pat and Rory J. Respicio and was subsequently referred on September 26, 2016 by the Committee on Rules to the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement convened a public hearing on October 6, 2016 at 6:00pm in *I Liheslaturan's* Public Hearing Room to receive public testimony on Bill No. 375-33 (COR).

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on September 29, 2016 (5-Day Notice) and again on October 4, 2016 (48-Hour Notice).

Senators Present

Senator Thomas C. Ada	<i>Committee Chairperson</i>
Vice-Speaker Benjamin J.F. Cruz	<i>Committee Member</i>
Senator Mary C. Torres	<i>Committee Member</i>
Senator James V. Espaldon	<i>Committee Member</i>
Speaker Judith T. Won Pat, Ed.D.	<i>Ex-Officio Member</i>

The public hearing was Called-to-Order at 6:00pm.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada: For Bill 375, this here is the Bishop Flores Circle and the road that goes down to the Hilton. This location overlooks the Hilton Hotel. There currently are eight staff houses used by the *Inadahen I Lina'la' Kotturan Chamoru* that's occupying this area and uses it for their cultural work. The bill proposes to set aside this area for a cultural center.

Chairperson Ada calls those who have signed up to provide testimony.

Jose Garrido, Task Force on Free Association (oral testimony): I'm here to support this bill. I read through it and found it to be acceptable. However, I want to add on Page 3, Line 1 and 5. Just to make it clear, the term of the lease is 99 years and there's an option to extend that lease. On line 5, it says "no provisions to terminate". The Chamorro Land Trust cannot terminate this lease.

Chairperson Ada: The intent of the bill is to designate that eight acres of property for the next 99 years as a *Sagan Kotturan* for cultural activities.

Mr. Garrido: I know that there are leases that have been signed and after ten years, the Chamorro Land Trust would tell that person that he has to relocate. I would like a provision in this to say the lease is irrevocable and cannot be terminated until 99 years have gone by. In the rules and regulations, there is language that says that. I don't know if this can be exempt from that.

Chairperson Ada: We'll take note of that. The importance of this bill is that it starts the conversation and puts out the fundamental intent of a *Sagan Kotturan*.

Mr. Garrido: There's a connection to the *Inadahen I Lina'la' Kotturan Chamoru* being there and the shrine. As long as that shrine exists there, *Inadahen I Lina'la' Kotturan Chamoru* should also exist.

Chairperson Ada: I think there's some legal nuances that the Committee will need to seek counsel, but I understand what you're saying.

Michael Borja, Director, *Department of Land Management* (written testimony): He reads his testimony verbatim with several recommendations to the bill (see his attached testimony).

Pamela K. Duvall (oral testimony): The cultural center and shrine go hand in hand. I've been up there and seen what these guys have done at the cultural center. It's a place where people can go and see what the culture is like. I see these young children being taught by this group and the language is being lost, but when you go up here and see what happens, we need this place.

Mark Dell 'Isola, *Sagan Kotturan Chamoru* (oral testimony): I've been a practicing artist on Guam for over thirty years. I've been a part of this center for five years now and the benefits of this center are enormous both in perpetuating the culture and the people that come up can see us in our practice. It's not just something in a retail store or showcase for sale. To be a part of this depository will be even more special and become the spiritual heart of Guam. The tourists come in their surveys asking what they want to see. They're tired of the beaches, shopping, they want to see culture so this can be the main center for people and tourist to come and see us work and talk to us. This place is perfect; it's got the view, location next to the hotels and something that should be utilized. We artists all have different disciplines in each house and put together with the shrine could be a major resource for the island. I appreciate the bill and your support for this cultural center.

Senator James Espaldon: I remember several years back, up near Two Lovers Point, I believe that the Department of Parks and Recreation has a good amount of acreage up there. There was an attempt by a private landowner to exchange a piece of property that he claimed the government took for property up there. I discovered that the property belonged to the government of Guam and I believe it was about 28-32 acres. Now that we're talking about

something significant and still have that view, would that be an acceptable point of discussion to put everything. Do you agree with that Mr. Borja?

Director Borja: A lot of the lands in that general area were federal excess lands that has since been returned to the ancestral owners. In that area, there used to be a Palau cultural center and they had to relocate.

Sen. Espaldon: I believe that property was right beside the Two Lovers Point area on the right hand side facing the sea. This is property that may be available and might be an alternative location for something like this. It's a significant piece of land. I remember the acreage over twenty acres

Mr. Garrido: You're right. Part of that property is government land and the land was used as private public partnership sort of way. You can find out who are the benefactors up there. I think Two Lovers Point is highly commercialized.

Director Borja: There are some ongoing ancestral land settlement cases up there now. What becomes of that are crown lands of the ancestral lands commission.

Joseph Borja: Those properties up there in that area were actually returned by an act of Congress. That was Public Law 103-339 by Congressman Underwood at that time. There are definitely crown lands in that area. Most of the properties there were privately owned before condemnation and was the Harmon Air Force Base housing.

Sen. Espaldon: That's not the area I'm talking about and I understand what you're saying. Are you aware of any property if you're facing the ocean, it would be to the left of Two Lovers Point, that may have been reserved by one of the government agencies as land that they would utilize in the future for their purposes?

Mr. Borja: I don't believe it became public law but Senator Ben had a bill to reserve a certain section over there. The titles in that area are convoluted; there have been attempts to open probate cases because land registration came under several different lot names when the land was being registered.

Speaker Judith Won Pat: We did something similar to this with the zoo and in that law, there was a reversionary clause. I know the intent is to designate it as a cultural center regardless whether the same group or next group will be taking over and continuing the culture. I think the idea was to always have it available for the Chamorro culture.

Director Borja: Our concern is that we have to have the checks and balances to ensure we control who's leasing and how they maintain the terms of their lease. So if it's this organization today and they evolve and become something else, that's language we can work on when it comes to that point. But we're not saying that this shouldn't be there; we're bringing the fact that it's an expensive land they've got now and we want whoever is there to succeed. If you look at the rules and regulations for cultural centers, there's a list of things they have to go through to include submitting a business plan. They've been at this for ten

years and they can continue for another ninety-nine years so as long as they stay a strong and viable organization and do the things necessary to be worthy of the use of land. The two parts of this bill are the cultural center designation and following the guidelines of the rules and regulations.

Speaker Won Pat: So even if this were to change hands, it should still always be a cultural center instead of making it stringent like you would have with your other leases.

Director Borja: We don't deal with many non-profits. They're different because they depend on resources coming from other means and having to earn their own money to help grow and provide materials and equipment in the facilities that will assist them in growing better and bigger. They're currently inhabiting old houses that have been abandoned and put back together in a very nice way. Our recent inspection showed that the facility was in very good shape. The problem that we have is to make sure there's controls in place under the established rules and regs. The rules and regs. even set the terms of payment and it's based on the size of the land by half acre. \$100 per half acre for the first ten years and then \$300 per half acre after that. They're responsible for the land taxes and \$4 Million of assessed value has a high tax assessment.

Chairperson Ada: The second part of the bill authorizes the Chamorro Land Trust to lease the lot to the non-profit organization known as *Inadahen I Lina'la' Kotturan Chamoru*, which is the group that was initially given a license back in 2006. And the terms of the license were that it had to be renewed every five years with a written notice. Did the notice ever come in?

Director Borja: No, we never received one.

Chairperson Ada: Who is the principal of this organization?

Director Borja: The President and Secretary is Anna Marie Arceo. The Vice-President is Raphael Unpingco and the Treasurer is Rosita Crisostomo Martin.

Chairperson Ada: I notice that the President is not here, but Mr. Ralph Unpingco is here. Are you aware of that requirement to state in writing the organization's desire to continue with the license?

Ralph Unpingco, Vice-President, *Inadahen I Lina'la' Kotturan Chamoru, Inc.* (oral testimony): No. I know it's been something that was said among our board. The last time we encountered this, we spoke about converting it from a license to a lease for ninety-nine years. We did file according to how the director explained. We are a humble non-profit organization that looks to the community to help us. Every chance we get, we try to be transparent as possible.

We are still on track to continue the mission to share the Chamorro culture, language and art. We have been a non-profit organization to incubate our local artists and educate the community together. The main beneficiaries are our children, community and visitors from all over the world. The property has eight houses, each housing different disciplines of the arts.

On August of 2014, we had a soft opening and we are in support of this bill because it would give a chance for potential investors to invest in a cultural center. Prior to that, they wouldn't entertain anything even over twenty years. We thank you for your consideration of our organization and to continue operating up there as a Sagan Kotturan Chamoru.

Ian Catling, *Sagan Kotturan Chamoru* (oral testimony): I've been a volunteer at SKC for the past eight years. I thank Mr. Borja for stating some of the issues we are having that the organization needs to take care of. We've only been in existence for ten years now. That's a hallmark for a non-profit organization. What's not being stated is the investment of people hours and of our own finances to get the facility to the current state it is now. We had assessments done and each building would cost us \$150,000 to renovate so we can conduct classes. This facility's main purpose is a school and we are not a business. We have had numerous festivals and were a contributor to FESTPAC in housing and caretaking of the different delegations. We spent ten years investing our time, money, energy, love and respect for our culture and to hear that possibility of dividing the land doesn't bode well with me. We try to make aware that the property belongs to the people and it's symbolic to our five-thousand-year history. We are in a time of mourning because our secretary is no longer with us this year and we are still trying to forge our path forward while finding ways to fill the gaps.

Celeste Perez, *Sagan Kotturan Chamoru* (oral testimony): I've been a member of the Sagan Kotturan Chamoru group since 2007. I'm in support of Bill No. 375-33. As a previous project manager for events held at SKC, I find it a very vital asset to the island. We've hosted different tourist groups including ambassadorial ships. I've become fully aware of the issues that we've struggled with, but I believe we should be given the chance to ameliorate the situation and move forward to continue to make this better for the government, island and our people. Every single member of the organization has given their time and support to help put SKC in the condition that it is in now. Alongside this being an educational center, it's also an auxiliary office for each art discipline to happen. I hope that all of you will give the center some serious and thoughtful consideration.

Monaeka Flores, *Sagan Kotturan Chamoru* (oral testimony): It cannot be stressed enough how much hard work and dedication has been done for the center to be what it is today. I was associated with the group when they first got together and I've seen what that property was then and what it is now. It's because of the quality of programs and commitment of the members of the organizations that SKC was identified as a great location for the Festival of Pacific Arts. Sagan Kotturan Chamoru is the most accessible and regularly operated cultural center which is why many of these artists have left treasures within the care of SKC. The cultural center includes a wonderful collection of artifacts, housing dedicated to traditional fishing, another for body ornamentation and a great seafaring group that does carving. I ask that you consider the success and the contributions that SKC has made within the last ten years and that reflects the leadership of the board members. This issue with the license is a big question and the board is in a period of leadership transition right now. The members of the cultural center hope to become lessees. To my recollection, the Perez family decided that property in Tamuning for a cultural center, park or hospital. When it was first identified to be a hotel, the residents of Tamuning petitioned to not allow it to happen since that land was

deeded for public cultural or educational use. That is what the cultural center does and to take it away and make it available for commercial leasing goes against what the Trust is for and the wishes of the original landowners.

Chairperson Ada: Do you have water and power up there?

Mr. Unpingco: We do not have power. We have agricultural water to tend to our plants.

Speaker Won Pat: Ralph, you mentioned that there were investors who were interested in developing the culture center and they wouldn't want to do it with a short term lease. Is there any language in the agreement you have with the CLTC about subletting?

Mr. Unpingco: In our current license, it states no subleasing whatsoever. We are just a community center for artists.

Speaker Won Pat: How would it be possible if the lease is under SKC and you bring in somebody to develop the area?

Mr. Unpingco: In the past, we've had visits from neighboring investors. One such was Ken Corporation and negotiations would go on but once they find out that it was a five-year lease, they wouldn't invest because there was no long term guarantee. GTA came forth and helped us by donating money for a front gate and work on one of the buildings. After that, a contractor donated their time to help us re-wire the buildings.

Speaker Won Pat: The bill is stipulating a 99-year lease. So would it be the intention of the board to go out and get somebody to invest in the culture center?

Ms. Perez: More so on the lines as benefactors or donors and not investors.

Speaker Won Pat: I don't want somebody to come in to build and renovate and expect something in return or be the ones to run it for you and take over. I'm glad you made that clear.

Mr. Unpingco: We intend to make this a culture center that's built by the community.

Chairperson Ada adjourns the public hearing for Bill No. 375-33.

Written Testimonies Received:

1. **Catherine McCollum**, Member, *Tamuning Municipal Planning Council*
2. **Michael J.B. Borja**, Director, *Department of Land Management*
3. **Margarita Perez**, Board of Directors, *Perez Properties*
4. **Rudy M. Matanane**, Yigo Mayor

III. Findings and Recommendation

Based on the public hearing and further discussions, the Committee has amended Bill 375-33 to stipulate that Lot 5173-1-R2NEW-4, Municipality of Tamuning, be designated and reserved for a Chamorro Cultural Center. The administration of the existing license or future agreements will be at the discretion and authority of the Chamorro Land Trust Commission.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement, hereby reports out **Bill No. 375-33 (COR) as amended**, with the recommendation to report out only.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 375-33COR)

Introduced by:

T. C. Ada
B. J. F. Cruz
J. T. Won Pat, Ed.D.
R. J. Respicio

2016 SEP 02 PM 1:50 CORAM

**AN ACT TO AUTHORIZE A LEASE BETWEEN
THE CHAMORRO LAND TRUST COMMISSION
AND INADAHEN I LINA'LA' KOTTURAN
CHAMORU, INC. ON LOT 5173-1-R2NEW-4,
MUNICIPALITY OF TAMUNING, FOR USE AS A
CULTURAL CENTER.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that from time to time there is a need for legislative intervention to perpetuate the Chamorro culture.

I Liheslaturan Guåhan also finds that there are only two Chamorro cultural centers in the entire world. *Gef Pa'go* in the village of Inarajan serves as the cultural center in Southern Guam and *Sågan Kotturan Chamoru (SKC)* serves as the cultural center in Central and Northern Guam.

I Liheslaturan Guåhan further finds that SKC's use and occupancy of the land under which they operate is a temporary license issued by the Chamorro Land Trust Commission. The License is attached for reference as Exhibit A. The two Chamorro cultural centers in the world are at best, tenuous, in their occupancy and use of the lands upon which they are situated and operate.

1 *I Liheslaturan Guåhan* intends to create and authorize a legislative lease for
2 the cultural center at *Ypao Point*, now licensed by the Chamorro Land Trust
3 Commission, to the non-profit organization *Inadahen I Lina'la' Kotturan Chamoru,*
4 *Inc.*

5 **Section 2. Property Identified for a Cultural Center.** Lot No. 5173-1-
6 R2NEW-4, Municipality of *Tamuning, Ypao Point*, containing an area of 34,419±
7 square meters as shown on Department of Land Management Map No. 004FY2011
8 attached as Exhibit B shall be the location of the cultural center now known as
9 *Sågan Kotturan Chamoru*. The Chamorro Land Trust Commission is authorized to
10 lease Lot No. 5173-1-R2NEW-4, Municipality of *Tamuning, Ypao Point*
11 containing an area of 34,419± square meters to the non-profit organization known
12 as *Inadahen I Lina'la' Kotturan Chamoru, Inc.*

13 **Section 3. Terms of the Lease.**

14 Reference documents include:

15 A copy of the existing License is attached for reference as Exhibit A.

16 A copy of the organization's Corporate Charter Paper is attached for
17 reference as Exhibit B.

18 A copy of the Department of Land Management recorded Map, Document
19 No. 814430 is attached for reference as Exhibit C.

20 A copy of a digital aerial view of Lot 5173-1-R2NEW-4 is attached for
21 reference as Exhibit D.

22 The terms and conditions of the Lease shall be identical to the existing
23 License except for; which shall be:

24 (a) Description of Property: Lot 5173-1-R2NEW-4, Municipality
25 of *Tamuning, Ypao Point* containing an area of 34,419 square meters or 8.5
26 acres as shown on Map No. 004FY2011 recorded at the Department of Land
27 Management as Document No. 814430.

- 1 (b) Term: 99 years
- 2 (c) Option to Extend: At the discretion of the Chamorro Land Trust
- 3 Commission
- 4 (d) Compensation: \$1 per year
- 5 (e) Termination: No provisions to terminate.

6 **Section 4. Signatories to Lease.**

7 The Chairperson and the Administrative Director of the Chamorro Land
8 Trust Commission, authorized by board resolution, shall be signatories to this
9 lease.

10 **Section 5. Effective Date.** This Act *shall* take effect upon enactment. The
11 Department of Land Management and the Chamorro Land Trust Commission are
12 hereby directed to complete signatures in this lease within 15 calendar days of the
13 enactment of this Act.

14 **Section 6. Severability.** If any provision of this law or its application to any
15 person or circumstance is found to be invalid or contrary to law, such invalidity *shall not*
16 affect other provisions or applications of this law, which can be given effect without the
17 invalid provisions or applications and to this end the provisions of this act are severable.



Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guam 96932

Phone: 475-4251 Fax: 477-8082

Exhibit A of Bill No. 375-33 (COR) **Chamorro Land Trust Commission** **License Agreement**

Felix P. Camacho
Governor of Guam

Kaleo S. Moylan
Lieutenant Governor of Guam

Commission Members

Delfin R. Damian, Jr.
Chairman

Annie R. Perez
Commissioner

David J. Matanane
Commissioner

Oscar A. Calvo
Commissioner

(Vacant)
Commissioner

Joseph M. Borja
Acting Administrative Director

THIS LICENSE AGREEMENT is made effective as of December 1, 2006 by and between the Chamorro Land Trust Commission whose mailing address is P.O. Box 2950, Agana, Guam 96910 ("Licensor") and Inadahen I Lina'la' Kotturan Chamoru, Inc. whose mailing address is P.O. Box 4157 Hagatna, Guam 96932 ("Licensee").

RECITALS

WHEREAS, Licensor has jurisdiction over Lot No. 5173-1-R2NEW-4NEW-1, Municipality of Tamuning Guam, by virtue of the "Administrative Transfer of Jurisdiction of Certain Government of Guam Lands" dated January 19, 1994, recorded under Document No. 503740 at the Department of Land Management; and

WHEREAS, Licensee had demonstrated interest to the government of Guam in a license within Lot No. 5173-1-R2NEW-4NEW-1, Municipality of Tamuning, Guam, containing an area of 8 acres, more accurately described and delineated in Exhibit "A" of this Agreement, hereinafter referred to as the "PROPERTY" for the purpose of a locally owned and managed Chamoru Cultural Center with related retail and instructional facilities; and

WHEREAS, Licensor received testimony from Licensee, outlining its intentions, proposed activities and physical layout within the PROPERTY; and

WHEREAS, Licensee, is particularly interested in the PROPERTY; and

WHEREAS, Licensor has determined that highest and best use of the PROPERTY is not realized in residential or agricultural activities; and

WHEREAS, the PROPERTY can be used most effectively by Licensee; and

Initials: _____
JMB AMA
Page 1 of 8

WHEREAS, Licensor has the authority to grant a five (5) year base term license with options to renew for three (3) additional five (5) year periods to Licensee, for such purposes pursuant to §75107(c) of Title 21, Guam Code Annotated; and

WHEREAS, on November 22, 2006, Licensor voted to approve the grant to such license;

NOW THEREFORE, in consideration of the mutual promises contained in this Agreement, the parties agree as follows:

I

GRANT OF LICENSE; DESCRIPTION OF PROPERTY

Licensor hereby grants to Licensee a license to occupy and use, subject to all of the terms and conditions of this Agreement, the following described real PROPERTY within:

Lot No. 5173-1-R2NEW-4NEW-1, Municipality of Tamuning, Guam, containing 8 buildings within an area of 8 acres, as delineated in Exhibit "A" attached and made a part hereof.

The Licensor shall have the right to itself and to the agents and representatives of the government in which said licensed PROPERTY is situated, to enter and cross any portion of said licensed PROPERTY for the purpose of performing any public or official duties; provided, further, in the exercise of such rights, the Licensor shall not unreasonably interfere with the Licensee's use and enjoyment of the PROPERTY.

II

TERM

Except as otherwise provided herein, the term of this Agreement shall be for a period not to exceed five (5) years, commencing December 1, 2006 (the "Commencement Date") and ending at midnight on December 1, 2011 (the "Termination Date").

III

OPTION TO EXTEND

Licensee shall have the right to extend the term of this Agreement upon the same terms, covenants and conditions as herein contained, except as otherwise provided herein, for three (3) successive additional periods of five (5) years each from and after the Termination Date hereof. In order to exercise said option to extend; Licensee shall deliver to Licensors written notice of the intent to extend the term, no later than sixty (60) days before the end of the then-current term of the Agreement.

IV

LIMITATION TO DESCRIBED PURPOSE

The PROPERTY may be occupied and used by licensee solely for the activities proposed by Licensee and for incidental purposes related to the operation and maintenance of a Chamoru Cultural Center from the Commencement Date, and continuing until this agreement is terminated as provided herein. Licensee shall procure all requisite authorization and permits from the appropriate government of Guam agency or authority for any licensed activity.

V

COMPENSATION

Licensors and Licensee expressly acknowledge that a deferment of compensation for this license shall be allowed for the construction period of eighteen (18) months commencing on the date of this agreement. Licensors and Licensee expressly acknowledge that upon completion of the deferment period previously described herein compensation for this license shall be equal to five percent (5%) of each (US) dollar collected as entrance fee(s) assessed from visitors into the Chamoru Cultural Center and/or its related facilities located within the property.

The license fees shall be payable quarterly and supported by certified financial statements of the licensee's activities on the property and provided to the licensors upon payment of license fees as stated herein and quarterly thereafter.

1. If Licensee shall exercise its option to extend the term of this agreement, the quarterly fee during the extended term shall be based on the present use value of the

licensed land, exclusive of the improvements on the PROPERTY. The increase of the quarterly fees shall be reviewed by both parties and mutually agreed upon but in no event shall said increase exceed ten percent (10%) of each (US) dollar collected as entrance fee(s) described herein.

2. Notwithstanding Article IX of this agreement, Licensee, may, at the Licensor's discretion, and may not without Licensor's prior written consent, provide space and/or accommodations to others than the Licensee, for related activities and/or within the property and their facilities, provided, further Licensee shall:

- i. Provide written notification to Licensor
- ii. Pay to Licensor forty percent (40%) of any rental payments, fees or assessments of any sort received by Licensee for said space and/or accommodations.

VI

TERMINATION

This Agreement may be terminated by either party on one hundred eighty (180) days prior written notice to the other party without cause, or on ninety (90) days written notice for cause. For purposes of this Agreement, cause shall mean the non-compliance of any provisions of this Agreement, the Chamorro Land Trust Act, or any adjudicated regulations of the Licensor. Pursuant to 21 Guam Code Annotated Section 75107(c), the term of this Agreement shall be for a period not to exceed twenty-one (21) years. Upon termination by notice for cause for non-compliance of any provisions of this Agreement, the Chamorro Land Trust Act, any adjudicated regulations of the Licensor, or expiration of twenty-one (21) years, this Agreement shall become null and void, except that either party may enforce any and all obligations of Licensee arising out of acts or failure to act, occurring prior to such termination.

VII

NO INTEREST IN REAL PROPERTY

Licensee expressly acknowledges and agrees that it does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in the above described real property of Licensor, by virtue of the rights granted under this Agreement or its occupancy or use granted herein.

VIII

ASSIGNMENT OF RIGHTS

The rights of Licensee under this Agreement are personal to Licensee and may not be transferred or assigned to any other person, firm, corporation or other entity without the expressed written consent of the Licensor.

IX

INDEMNIFICATION OF LICENSOR

In consideration of the privilege granted by this Agreement, Licensee shall not claim any costs, claims or damages from Licensor in connection with or on account of any injuries or damages arising in or on the real property described above regardless of the fault or negligence of Licensor while being used by Licensee and Licensee's Officers, employees, members, guests or invitees and Licensee shall indemnify Licensor from any and all costs, losses, claims or damages of any kind or nature arising in connection with the use of the real property described above by Licensee and Licensee's officers, employees, members, guests or invitees.

X

NO WARRANTY

Licensor does not warrant or represent that the real property described above is suitable for the purposes for which it is permitted to be used.

XI

ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

XII

MODIFICATION OF AGREEMENT

Any modification of this Agreement or additional obligation shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

failure on the part of the Licensee to maintain the PROPERTY in a safe condition and will reimburse Chamorro Land Trust Commission for all costs and attorneys' fees in connection with the defense of any such claim.

XVIII

PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE

Licensee will procure, at its own cost and expense and keep in force during said term for the mutual benefit of Chamorro Land Trust Commission and Licensee, a policy of comprehensive liability insurance in such form and with such insurance company as Chamorro Land Trust Commission shall approve, with minimum limits of not less than \$300,000.00 for injury or death to one person and not less than \$100,000.00 for any one occurrence, and a policy in the sum of \$100,000.00 insuring against claims of third persons for property damage. Said policy or policies or copies thereof must be deposited with the Chamorro Land Trust Commission and must cover the PROPERTY, including entrances to the PROPERTY, and sidewalks and parking areas adjacent to the PROPERTY. Chamorro Land Trust Commission may review the foregoing limits of coverage and require increases therein but shall not require increases more frequently than annually. Said policy or policies shall also contain a clause stating that the insurer will not cancel or change insurance coverage without first giving the Chamorro Land Trust Commission and Licensee thirty (30) days prior written notice of such change or cancellation.

XIX

PRE-EXISTING CONDITIONS AND RELEASE OF LIABILITY

Parties recognize there may be known or unknown pre-existing conditions on subject property, and agree to hold each other harmless from any liability arising out of such conditions.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed at Agana, Guam, on the due date and year first above written.

By: _____

Joseph M. Borja,
Acting Administrative Director
Chamorro Land Trust Commission

By: _____

Anna Marie B. Arceo,
President
Inadahen I Lina'la' Kotturan
Chamoru, Inc.

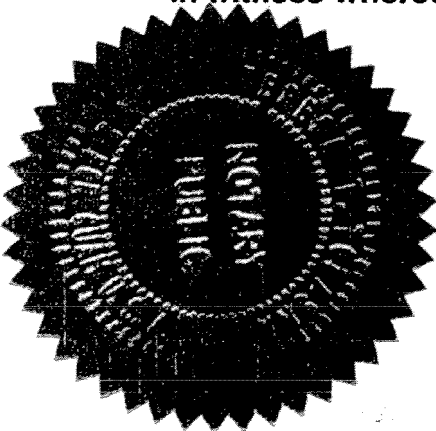
Date: _____

Date: _____

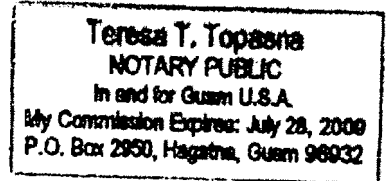
ACKNOWLEDGEMENT

On this _____ day of _____, 2006, before me the undersigned notary personally appeared Joseph M. Borja, Acting Administrative Director, known to me to be the person whose name is subscribed to the within instrument and for it's stated purpose.

In witness whereof I have hereunto affixed my name and official seal.



Notary Public _____
My Commission Expires _____

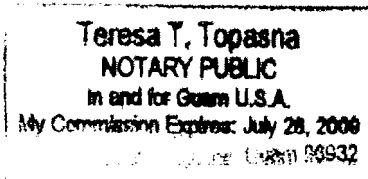


ACKNOWLEDGEMENT

On this _____ day of _____, 2006, before me the undersigned notary personally appeared Anna Marie B. Arceo, known to me to be the person whose name is subscribed to the within instrument and for it's stated purpose.

In witness whereof I have hereunto affixed my name and official seal.

Notary Public _____
My Commission Expires _____



Initials: JMB AMA

Exhibit B of Bill No. 375-33 (COR)

GOVERNMENT OF GUAM
Department of Revenue and Taxation

INCORPORATION CERTIFICATE

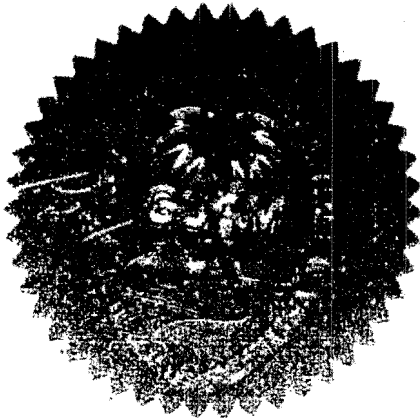
This is to certify that the Articles of Incorporation of

INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC.

have been duly filed and entered in accordance with Law under Charter No: D-15191 in the Records of Articles of Incorporation in the Department of Revenue and Taxation Government of Guam.

Effective 3:50 PM, Guam Pacific Time on January 25, 2006,

the persons signing said Articles of Incorporation and their associates and successors shall constitute in body politic and corporate under the name INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC. for the term specified in said Articles of Incorporation, not exceeding fifty years, unless sooner legally dissolved.



In Witness Whereof, I have hereunto subscribed my name officially, and have hereon impressed my Seal of Office at the City of Hagatña, Guam U.S.A., on this 25th day of January A.D. 2006

Artemio B. Ilagan
ARTEMIO B. ILAGAN
Director of Revenue and Taxation

Exhibit D of Bill No. 375-33 (COR)



I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 375-33 (COR)

As amended by the Committee on Transportation,
Infrastructure, Lands, Border Protection,
Veterans' Affairs and Procurement.

Introduced by:

T. C. Ada
B. J.F. Cruz
Judith T. Won Pat, Ed.D.
R. J. Respicio

**AN ACT TO DESIGNATE LOT 5173-1-R2NEW-4,
MUNICIPALITY OF TAMUNING, AS A CHAMORRO
CULTURAL CENTER.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that from time to time there is a need for legislative intervention to perpetuate the Chamorro culture. *I Liheslaturan Guåhan* also finds that there are only two Chamorro cultural centers in the entire world. *Gef Pa'go* in the village of Inarajan serves as the cultural center in Southern Guam and *Sågan Kotturan Chamoru (SKC)* serves as the cultural center in Central Guam.

I Liheslaturan Guåhan intends to respect the authority of the existing *Chamorro Land Trust Commission License Agreement* dated December 1, 2006 to the *Inadahen I Lina'la' Kotturan Chamoru, Inc.* and leaves the administration of said License to the Chamorro Land Trust Commission.

Section 2. Property Identified, Designated and Reserved for a Chamorro Cultural Center. Lot No. 5173-1-R2NEW-4, Municipality of

14 *Tamuning*, containing an area of 34,419± square meters (8.5 acres) as shown on
15 Department of Land Management Map No. 004FY2011 attached as Exhibit C is
16 hereby designated as the site for a Chamorro Cultural Center.

17 **Section 3. Severability.** If any provision of this law or its application to
18 any person or circumstance is found to be invalid or contrary to law, such
19 invalidity *shall not* affect other provisions or applications of this law, which can be
20 given effect without the invalid provisions or applications and to this end the
21 provisions of this act are severable.

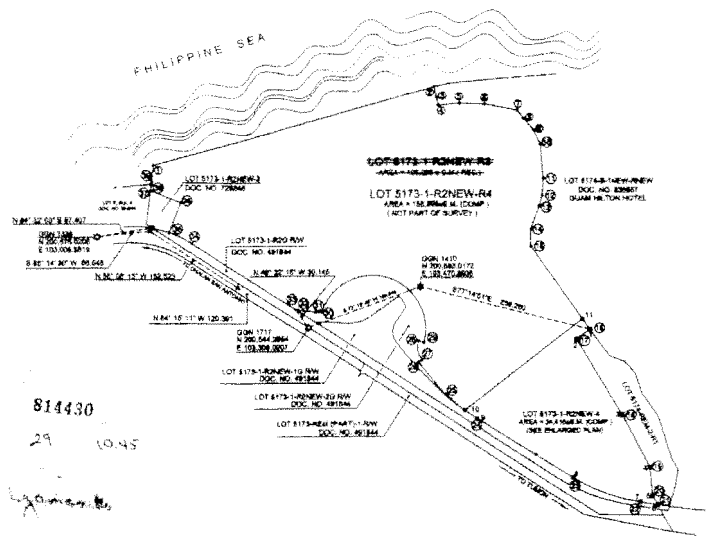
Exhibit C of Bill No.375-33 (COR)

- LEGEND:**
- GGN STATION
 - FOUND 4"x4" CONCRETE MONUMENT, SET BY UNKNOWN, DOC NO. 49184
 - SET NO. 4 REBAR MARKED "DM"
 - BORDER NOT RETRADED
 - CORNER NOT RETRADED
 - TRAVERSE STATION (INAIL OR REBAR SET)
 - FOUND 4"x4" CONCRETE MONUMENT SET BY R.L.S. & CO. DOC NO. 48184

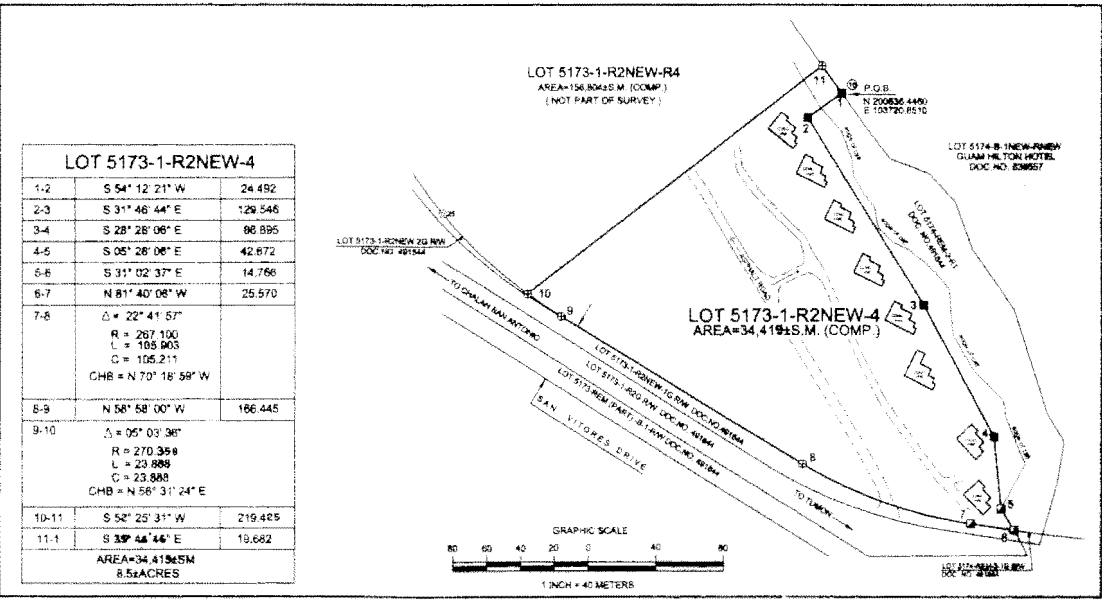
SPECIAL NOTE:

- DATA FOR LOT 5173-1-R2NEW-R4 AS SHOWN ON THIS MAP ARE RECORD DATA AND NOT FOR FIELD CONDITION.
- PER PUBLIC LAW 28-126, SECTION 1 (9), THIS IS A "LOT PARCELLING" SURVEY AND THEREFORE EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF P.L. 28-126 SEC. 1 (4).

LOT 5173-1-R2NEW-R3		
COURSE	BEARING	DIST.(M)
1-2	N 74° 09' 14" E	120.778
2-3	S 15° 42' 21" E	10.548
3-4	S 83° 37' 09" E	12.309
4-5	N 83° 27' 09" E	31.231
5-6	S 82° 23' 09" E	37.156
6-7	S 70° 40' 27" E	48.006
7-8	S 67° 02' 03" E	15.086
8-9	S 42° 24' 18" E	22.577
9-10	S 26° 24" 09" E	22.663
10-11	S 24° 09' 09" E	80.721
11-12	S 02° 22' 20" W	26.582
12-13	S 17° 06' 01" W	16.987
13-14	S 19° 54' 09" W	30.787
14-15	S 01° 22' 34" E	36.207
15-16	S 35° 46' 09" E	160.373
16-17	S 54° 11' 50" W	14.094
17-18	S 31° 47' 24" E	108.842
18-19	S 28° 28' 19" E	36.808
19-20	S 09° 27' 27" E	42.672
20-21	S 31° 02' 42" E	14.766
21-22	S 81° 42' 10" E	25.570
22-23	(L = 207.4199 R = 287.310 C = 106.903 C = 106.211 CHB = N 70° 19' 13" W)	168.448
23-24	(L = 581.5812 R = 770.858 C = 36.453 C = 24.636 CHB = S 46° 51' 28" E)	24.478
24-25	(L = 387.5847 R = 493.115 C = 29.566 C = 29.396 C = 28.191 CHB = N 10° 18' 21" W)	8.289
25-26	(L = 674.4758 R = 104.0939 C = 73.248 C = 28.733 C = 138.263 CHB = N 73° 52' 38" W)	1.230
26-27	(L = 17.4014 R = 40.536 C = 8.071 C = 8.083 CHB = N 59° 30' 22" W)	28.747
27-28	(L = 605.8140 R = 40.536 C = 4.148 C = 4.148 CHB = N 80° 09' 53" W)	181.081
28-29	(L = 119.1997 R = 176.289 C = 31.043 C = 31.968 CHB = N 83° 28' 29" W)	143.827
29-30	(L = 10.7442 R = 10.623 C = 1.853 C = 1.853 N 08° 23' 01" E	23.291
30-31	(L = 10.2222 R = 10.2222 C = 50.000	



"SCHEME SHOWING LOTS 5173-1-R2NEW-R3 AND GGN TIE-IN" (NOT TO SCALE)



"ENLARGED PLAN"

CHECKED BY:

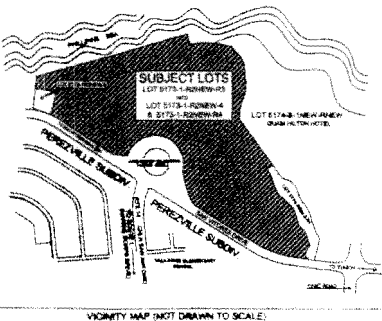
MARKUS S. AQUILAN, PLANNER, D.L.M. DATE 10-25-10

JULY T. PANTON, SURV. TECH. D.L.M. DATE 11-16-10

I, PAUL L. SANTOR, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON A FIELD SURVEY MADE ON JANUARY 2008 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, AND THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE DATA AND INFORMATION SHOWN HEREON. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND LOCATION INDICATED ON THIS MAP.

PAUL L. SANTOR
PROFESSIONAL LAND SURVEYOR NO. 60

DATE 10-25-10



VICINITY MAP (NOT DRAWN TO SCALE)

- NOTES:**
- SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
 - ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
 - REBAR AND DISTANCES WITHIN PARENTHESES ARE RECORD, IN BRACKET ARE THE RECORD DATA, ALL OTHERS ARE 1988 VALUES.
 - SUBJECT LOT IS IN ARE ZONED "R2" ZONING-RESIDENTIAL AS PER 1987 OFFICIAL ZONING MAP F387CS.
 - SUBJECT LOT (20) IS WITHIN THE NORTHERN ADJUTER.
 - AS-BUILTS EXIST ON THE PROPERTY AS OF APPROVAL OF THIS MAP.
 - CONCRETE HOUSES AS PER AS-BUILTS ARE ONE STORY, SINGLE FAMILY UNITS.

- REFERENCES:**
- RETRACEMENT SURVEY MAP OF LOTS 5173-1-R2NEW-R2, 5174-NEW-R1, 5174-NEW-1, 5174-REAR-1G RW, 5173-1-R2NEW-1G RW, 5173-1-R2NEW-2G RW, 5173-1-R2G RW, PARCELLING PLAN REFERENCE) OF LOT 5173-REAR-1G RW, BY P.L. NO. 68, L.M. NO. 470 FISC. DOC. NO. 89184.
 - RETRACEMENT SURVEY MAP OF LOTS 5173-1-R2NEW-R2, BY P.L. NO. 68 (D.W. NO. 14-02787, L.M. NO. 104 F.Y. 2008, D.O. NO. 72828)

CERTIFICATION AND APPROVALS:

SATISFACTORY TO AND APPROVED BY:

LEASE REPRESENTATIVE/AGENCY: *[Signature]* DATE 11/10

PROPERTY: *[Signature]* DATE 11/10

MANAGER (MUNICIPALITY): KUTTURBAN CHAMORU, INC. DATE 11/4/2010

DIRECTOR: *[Signature]* DATE 11/4/2010

CHIEF PLANNER: *[Signature]* DATE 11/05/2010

CERTIFICATION OF GUAM CHIEF PLANNER: APPROVAL, PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 42, SUBDIVISION LAW, PARAGRAPH 2 (KUTTURBAN CHAMORU, INC. AUTHORITY PUBLIC LAW NO. 28-176)

CARELS R. UNTALAN, GUAM CHIEF PLANNER, DATE 11/05/2010

CERTIFICATION OF GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE: THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 42, ARTICLE 13 (SURVEY TRANSLATION SYSTEM AND REGULATIONS THEREUNDER, THIS MAP IS IN CONFORMANCE)

PAUL L. SANTOR, P.L.S. # 60, GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE, DATE 10-25-10

REVISIONS	DESCRIPTION	BY	APPROVED BY	DATE

LOT PARCELLING SURVEY MAP OF LOT 5173-1-R2NEW-R3 MUNICIPALITY OF TAMUNING

LAND SQUARE NO. 13		SECTION NO. 1
SURVEY DATA		
BOOK NO.	DATE	BASIC LOT DATA
COMPUTED BY: RC	OCT 2010	LOT 5173
DRAWN BY: RC	OCT 2010	CENTIGRATES OF TITLE NO. 3887
RETRACEMENT: RC	OCT 2010	REGISTERED ON: NOV 20 1982
FIELD BY: ALBERTO	NOV 2010	IN THE NAME OF
CHECKED BY: PLS	OCT 2010	
SCALE IN METRIC SYSTEM AS SHOWN		
SHEET 1 OF 1		
ENGINE NO. 14270		
L.M. CHECK NO. 004 F.Y. 2011		

GOVERNMENT OF GUAM
DEPARTMENT OF LAND MANAGEMENT
DIVISION AGRARIANISMO TĀŊO

October 19, 2016

To: Pacific Daily News – Editor

Re: GMH Point land use paradox

Dear Editor:

As a happy Haole guest of 45 years in Guam, I've always been impressed by the local resident's desire of sustaining its cultural imperative. Recent discussion related to Senators Ada, Won Pat, Cruz and Respcio of bills 374-33 & 375-33 supporting the setting aside of land at the old GMH point for a burial shrine and cultural center was enlightening. But, not that the bill was introduced, but the objection by the likes of DLM director and the TaTuHa MPC. What is wrong with this picture? The declaration by both Mr. Borja and Mayor Rivera that the "valuable land" should only be utilized for the "highest and best use," (read \$\$\$\$) I find a blatant slap in the face to the residents of Guam and all those who visit for its culture. What could be more fitting than to utilize a portion of the property as the bills propose to honor ancestral Chamoru remains and further the culture by helping the Sagan Kutturán Chamoru by giving it a lifeline in which to exist. Culture is priceless. We are but stewards of the land and with the limited land that exists here, being a good steward is paramount.

As a recent visitor to the SKC at the invite of Ray Leon Guerrero right after the passing of Ed Benavente, Ray was asking for a white man's perspective on the cultural center. He related the burdening issues with the short term lease, the difficulty of operating without power, no budget to speak of and the loss untimely loss of Mr. Benavente. What I was notably impressed with was the organized efforts by all those at the site that early Saturday afternoon. Lots of locals hard at work bushcutting, cleaning, planting and planning. All sweat equity. No pay for the privilege of what they were doing as a labor of love. Even more impressive, everyone spoke the vernacular except when addressing me, respectfully in English. After discussing the immediate plight of the SKC with Ray, I stated that I could not see a more perfect place to honor the Chamoru culture, the memory of Ed and present the culture of Guam to the world from that great location overlooking Tumon Bay. I could easily envision Guam's ancestors standing in the same spot smiling at their paradise. My suggestion to Ray was contact Senators Ada and Cruz and the Governor's office. Good move Ray.

To any detractors of bills 374-33 & 375-33, shame on you. There is no amount of money that can buy the true, heartfelt experience of the local culture as I have witnessed. There's plenty of land at the old GMH site to develop "responsibly" and provide Guam with the ancestral shrine and cultural center it deserves. Yes, the government through the DLM & TaTuHa MPC should commission a master land use study, paid for by private funds as we all know how well government master plans seem to end up. A "properly managed" private development is an enormous win-win for the local culture, the CTLC, and the TaTuHa MPC. It's commonly called sharing! Support the culture, there is nothing more vital.

Thank you,
Clayton Duvall
Tamuning, Guam
888-2842
claytonduvall@hotmail.com

cc: Ray Leon Guerrero
Senators Tom Ada, Judith Won Pat, BJ Cruz and Rory Respcio
Mayor Rivera
Director Borja
Office of the Governor



6 October 2016

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentia Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Håfa Adai Madame Speaker,

Perez Properties, Inc. would like to express our opposition to both Bill No. 374-33 and Bill No. 375-33. Both Bills involve portions of Oka Point, formerly the old Guam Memorial Hospital, property. It is unfortunate that the Legislature did not seek advise from the Department of Land Management and Chamorro Land Trust prior to presenting these Bills. Chamorro Land Trust is in need of dire funds and this piece should be able to provide a good sum provided it also is used for the people of Guam.

Oka Point was sold by the late Frank D Perez in 1951 as Lot 5173-1 to the Government of Guam for cash & equipment. The intent of the Government of Guam was to build a hospital for the people of Guam, specifically non-military people. Our father received the cash payment but not the equipment promised, therefore he filed a Claim of Interest in 1996 on this lot. Since then, a Claim of Interest was filed by our late brother, Frank D Perez, Jr. The late Frank D. Perez hoped the Government on Guam would do good on their promise, per Affidavit of Governor Carlton Skinner. We do not understand how the Legislature can give away land at Oka Point before addressing the Claim filed and payment due to our father.

We believe this Oka land is extremely valuable and should continue to be used by the people of Guam. We oppose the Legislature for giving away 8 acres of this gem of a property for a Chamorro Shrine and the reinterment of ancestral remains (Bill 374-33). Eight (8) acres is far too large of a piece! Mr. Borja of Sen Tom Ada's Office stated there is no alternative site! In addition, he shared there are NO PLANS for this Chamorro Shrine. The Legislature should not be giving land away unless it is understood what will be put in place such as Shrine in Rock, parking, etc.

Perez Properties, Inc. also opposes Bill No. 375-33 because the Chamorro Land Trust will make **ZERO** money from the valuable 34,419 square meters currently being used by Sagan Kotturan Chamoru. In the previous License Agreement of 2006, Sagan Kotturan Chamoru, had: a 20 year License (3 options to renew at 5 years each) that would end in 2011; would pay the CLT five percent (5%) of entrance fees collected (no more than 10%); and pay CLT "forty percent (40%) of any rental payments, fees or assessments of any sort received". Agan Kotturan Chamoru is asking for a 99 year LEASE (as opposed to a License Agreement) at a cost of one dollar (\$1) per year. We ask that the **Legislature be responsible to the CLT** and the people of Guam by allowing the terms of the previous License to stay in effect. We only agree to the Legislature allowing more Options under the License Agreement. We greatly oppose long term leases.

A handwritten signature in black ink, appearing to read "Margarita D. Perez", with a large circular flourish underneath.

Margarita D. Perez, Board of Director



YIGO MAYOR'S OFFICE

"OFFICINAN I TAOTAO"

Rudy M. Matanane, Mayor
Anthony P. Sanchez, Vice Mayor

October 6, 2016

THE 32nd GUAM LEGISLATURE
155 Hessler Place
Hagatna, Guam 96910

Buenas yan Hafa Adai Senators!

As the Mayor of Yigo, I support the efforts being made by the Inadahen I Lina'La'Kotturan Chamoru, Inc., pursuant to Lot Number 5173-1-R2NEW-4, Municipality of Tamuning, for the use as a cultural center under PL 375-33, which is a Licensed Agreement for up to twenty years but would like to change this to read as a Lease Agreement for the term of ninety-nine years.

In addition, PL 374-33 pursuant to a portion of Lot Number 5173-1-R2-NEW-R6, Municipality of Tamuning, as a Chamorro Shrine and the Reinterment of Ancestral Remains, which is to secure additional property.

I humbly ask for your support as this goes into legislation and let's also work together to get this bill passed so we may move forward to implement these requests to preserve our heritage and culture.

Si Yu'os Ma'ase'

A handwritten signature in black ink, appearing to read "Rudy M. Matanane".

Rudy M. Matanane
Yigo Mayor



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guahan)



EDDIE BAZA CALVO
 Governor of Guahan

MICHAEL JB BORJA
 Director

RAY TENORIO
 Lieutenant Governor of Guahan

DAVID V. CAMACHO
 Deputy Director

Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

Mailing Address:
 P.O. Box 2950
 Hagåtña, GU 96932

Website:
<http://land.guam.gov>

E-mail Address:
dmdir@land.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

October 6, 2016

Senator Thomas C. Ada
 33rd Guam Legislature
 Chairman, Committee on Transportation,
 Infrastructure, Lands, Border Protection,
 Veteran's Affairs and Procurement
 173 Aspinall Ave, Ste 207
 Hagatna, Guam 96910

SUBJECT: Bill No. 375-33- AN ACT TO AUTHORIZE A LEASE BETWEEN THE CHOMORRO LAND TRUST COMMISSION AND INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC. ON LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, FOR USE AS A CULTURAL CENTER.

Buenas Yan Hafa Adai!

Bill No. 375-33 proposes the almost perpetual granting of the most valuable eight and a half acres of Chamorro Land Trust Commission (CLTC) land from its inventory for the purpose of issuing a lease to an organization for use as a cultural center. Strikingly, it also dictates that there be no termination provisions to the lease. Additionally, this bill was introduced after the last scheduled CLTC board meeting and this public hearing is being held before its next scheduled board meeting. Lacking, however, was the necessary time to digest decade old reports especially when there was no prior coordination with the CLTC on this bill prior to its introduction.

Nevertheless, based on the bill and its exhibits, the following was determined:

1. Department of Land Management has determined the area depicted in the bill's exhibit is approximately 8.5 acres with an estimated value of \$4,349,775.
2. The lease is for 99 years at \$1 per year and specifically dictates there be no termination provisions to the lease.
3. The bill is very general in defining the use of the land as a cultural center.



4. The bill does not provide a reversionary clause in the event the designated lessee fails to use the property in accordance with the intended use or is no longer a valid organization.
5. This portion of land was originally designated for commercial use by Public Law 25-179.
6. Inadahen I Lina'la' Kotturan Chamoru, Inc., a nonprofit corporation, is the designated lessee and is currently engaged in a license agreement with the Chamorro Land Trust Commission for the lot identified in this bill under the following terms:
 - a. Not to exceed 5 years from December 1, 2006 to December 1, 2011 with 3 successive 5 year options to extend.
 - b. Written notice is required to exercise the option to extend the lease.
 - c. Payment terms of the license is 5% of each dollar collected as an entrance fee.

As Public Law 25-179 had codified, it declared the highest and best use of the CLTC's most valuable property was for commercial development for the purpose of generating revenues to conduct infrastructure improvements on CLTC lands. Since the enactment of this law, the CLTC has been moving in the direction to engage a commercial lease for this property commonly known as both Oka Point and Ypao point.

Considering that the bill's designated lessee is the current licensee of this land, the following are findings concerning this organization:

1. Inadahen I Lina'la' Kotturan Chamoru, Inc. began its CLTC license in December 2006 for a five year term but never exercised its option to extend for another five years by submitting written notice making this request. As a result, it has been using the land without formal declaration to continue its occupancy.
2. Payment terms for the license agreement were for five percent of the entrance fees. To date, no payments have been made to the CLTC.
3. As a nonprofit, this organization is required to file an Annual Report with the Department of Revenue and Taxation. Records of their filings show that Annual Reports for 2007 to 2014 were collectively filed on August 3, 2015. Filings for 2015 and 2016 are delinquent. In these reports, the corporation's directors and principal officers are identified and we must conclude that the organization's responsible individuals are the ones stated in the latest Annual Report filing.

While the CLTC is very respectful to the need to institute a location for a Chamorro cultural center, it is mindful that the land being designated by this bill had previously been designated for commercial use as a source of revenue to assist with the infrastructure development for the CLTC's agricultural and residential lessees. It is also understandable the growing pains a new nonprofit organization encounters but after ten years of existence, the organization needs more than just land and it should contribute in a greater way for the land it is using. The Articles of Incorporation for this designated lessee states in Article Four, paragraph G that it is empowered to pay reasonable compensation for services rendered to the Corporation. The granting of this precious piece of land must have a compensation beyond the nominal amount identified in this bill.

The following are recommendations for this bill:

1. Contractual terms should be for 20 years with 4 options to renew.
2. Lessee organization must maintain nonprofit status.
3. Lessee organization must be current on all necessary report filings and a copy of filed reports furnished to the CLTC.
4. Lessee shall not be authorized to assign, transfer, or sublease the leased land.
5. Reversionary clause shall be added in the event the designated lessee fails to use the property in accordance with its charter, defaults on the terms of the lease, or fails to maintain its nonprofit status.
6. A compensation greater than the nominal amount identified in the bill must be sought. This can still be a form of a percentage of entrance fee collections or an established amount, whichever is greater. The established amount should be an amount that would incentivize the organization to make the leap to a true cultural center self-sustaining in all aspects.
7. Reduce the overall size of the current lot by bisecting it at the access road resulting in 5.1 acres of land. This is the actual area of land currently in use. The remainder would be returned to the CLTC land inventory.

While my comments have been longer than I normally submit on a bill, the intent is to ensure our leases are structured sensibly and responsibly. The intent of these recommendations is to ensure the designated lessee remains a viable, vigorous, and sustainable organization throughout the terms of the lease. We want this effort to succeed but granting precious resources without expectations doesn't tend to foster growth and maturity in an organization.

In whatever form the final version of this bill takes, it must take into account of an existing public law that established lands in the north and south of Guam specifically for cultural centers. Furthermore, specific rules govern the leasing of lands for cultural centers and are noted in 18 GAR, Article 5, Leasing of Government Land. Much of the issues I noted above are annotated in these rules specifically discussing the responsibilities of the lessee, steps necessary for entering a lease, payment terms, lease execution process, and the prohibition of gambling.

The Chamorro Land Trust Commission must guard itself from gross failures and be able to recover its resources. Our lands are finite yet our generosity must be tempered for the long haul. The CLTC strives to maintain its focus on its primary mission of granting residential and agricultural leases and ensuring a revenue source for those lands to be fully and perpetually functional.

Thank you very much for permitting me to provide this testimony.

Senseramente,

A handwritten signature in black ink, appearing to read "Michael J.B. Borja", with a stylized flourish at the end.

MICHAEL J.B. BORJA

Director

My Name is Catherine Flores McCollum. I am a Tamuning Municipal Planning Council (TMPC) member but also I am the Maga'haga of the Nasion Chamoru. My comments are my own personal opinions and not that of either TMPC or the Nasion Chamoru.

Bill 375-33 (COR) AN ACT TO AUTHORIZE A LEASE BETWEEN THE CHAMORRO LAND TRUST COMMISSION AND INADAHEN I LINA'LA' KOTURRAN CHAMORU, INC. ON LOT 5173-1-R2NEW-A, MUNICIPALITY OF TAMUNING, FOR USE AS A CULTURAL CENTER.

I am in full support of the existence of Inadahen I Lina'la' Koturran Chamoru and the need to pursue a lease for a longer term than what is in existence at the present time. I would like to caution Sagan Koturran Chamoru (SKC), as what I know the name to be, is presently on land claimed by the family of original landowner, Frank Perez. I ask that this organization seek the input of the family or maybe membership with the Organization. Several concerns come to mind:

1. This is the dream of Ed Benavente, former Maga'lahi of the Nasion Chamoru, who had passed away in July 2016. He actively took part in the creation of the cultural center, and with the help of others, the center became alive with activity. With Mr. Benavente's passing, is the commitment to continue still in the hearts of the organization?
2. Is the normal lease for 99 years farfetched? Would the organization be penalized for the closure or does the legislature get involved if the organization terminates its activity at SKC?
3. If the Perez family seeks the return of their land by legal means, would the organization suffer in haste of relocation? I believe dialog needs to happen for their support and input.





COMMITTEE ON RULES

I Mina'trentai Tres nu Liheslaturan Guahan • The 33rd Guam Legislature

155 Hester Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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Member

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Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

October 19, 2016

Memorandum

To: Rennae Meno
Clerk of the Legislature

From: Senator Rory J. Respicio
Chairperson of the Committee on Rules

Subject: Fiscal Notes

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below.
Please note that the fiscal notes are issued on the bills as introduced.

FISCAL NOTES:

- Bill No. 363-33(COR)
- Bill No. 373-33(COR)
- Bill No. 374-33(COR)
- Bill No. 375-33(COR)
- Bill No. 378-33(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'ase'!

2016 OCT 19 11:11 AM
WRM

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 375-33 (COR)**

AN ACT TO AUTHORIZE A LEASE BETWEEN THE CHAMORRO LAND TRUST COMMISSION AND INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC. ON LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, FOR USE AS A CULTURAL CENTER.

Department/Agency Appropriation Information

Dept./Agency Affected: Chamorro Land Trust Commission	Dept./Agency Head: Michael J. B. Borja, Director
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date: Chamorro Land Trust Operations Fund	1,002,694
Total Department/Agency Appropriation(s) to date:	\$1,002,694

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2015 Unreserved Fund Balance		\$0	\$0
FY 2016 Adopted Revenues	\$0	\$0	\$0
FY 2016 Appro. (P.L. 33-66 thru _____)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2016 (if applicable)	FY 2017	FY 2018	FY 2019	FY 2020
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Chamorro Land Trust Operations Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No
/ / Requested agency comments not received by due date / Other:

Analyst: Jason Baza Date: 10/11/16 Director: Jose S. Calvo DCY 74 2010
Jason Baza, BMA II Jose S. Calvo, Director

Notes:
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 375-33 (COR)

The intent of the proposed legislation is to create and authorize a legislative lease for the cultural center at Ypao point, Sâgan Kotturan Chamoru (SKC), on Lot No. 5173-1-R2NEW-4 in the municipality of Tamuning. Currently, SKC is licensed by the Chamorro Land Trust Commission (CLTC) to the non-profit organization *Inadahen I Lina'la' Kotturan Chamoru, Inc.* on a limited, five year term basis that commenced on December 1, 2006 with the option to renew for an additional five years after the expiration of the initial term.

The current license agreement outlines the agreed compensation for use of the property as a cultural center. This section states that *Inadahen I Lina'la' Kotturan Chamoru, Inc.* shall remit five percent of each dollar collected as entrance fee(s) assessed from visitors into the Chamoru Cultural Center and/or its related facilities located within the property to the CLTC. In addition, Section 5(2)(ii) states that if *Inadahen I Lina'la' Kotturan Chamoru, Inc.* wanted to sublease a portion of their property to an entity other than themselves, they must remit 40% of any rental payments, fees, or assessments received from said sublease.

Section 3 of the proposed legislation indicates that the terms and conditions of the intended legislative lease of the subject property will remain identical to the existing license, except for a few amendments. The first amendment of note increases the property size by 0.5 acres. The second amendment of note extends the term to ninety-nine (99) years. The third amendment of note states compensation shall be one dollar (\$1.00) per year.

Per testimony from the Department of Land Management (DLM), the payment terms of the original license agreement have not been made to the CLTC to date. DLM also states that P.L. 25-179 declared the highest and best use of the subject property was for commercial development for the purpose of generating revenues for conducting infrastructure improvements on the CLTC's land inventory. Because the land was initially designated for commercial use, the DLM recommends that a compensation greater than the amount stipulated in Section 3 of the proposed legislation be identified.

The proposed legislation hinders the CLTC's ability to effectively utilize its assets. Thus, the compensation in the proposed legislation along with the inability to collect compensation from the original terms and conditions of the lease with *Inadahen I Lina'la' Kotturan Chamoru, Inc.* will ultimately result in an adverse fiscal impact on the CLTC as compared to the designated use of the subject property from P.L. 25-179.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

September 27, 2016

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

VIA E-MAIL
joey.calvo@bbmr.guam.gov

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Jose S. Calvo
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

Vice-Speaker
Benjamin J.F. Cruz
Member

RE: Request for Fiscal Notes – Bill Nos. 372-33(COR) through 376-33(COR)

Legislative Secretary
Tina Rose Muna Barnes
Member

Hafa Adai Mr. Calvo:

Senator
Dennis G. Rodriguez, Jr.
Member

Transmitted herewith is a listing of *I Mina'trentai Tres Na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Senator
Frank Blas Aguon, Jr.
Member

Si Yu'os ma'åse' for your attention to this matter.

Senator
Michael F.Q. San Nicolas
Member

Very Truly Yours,

Senator
Nerissa Bretania Underwood
Member

Senator Rory J. Respicio
Chairperson of the Committee on Rules

V. Anthony Ada
MINORITY LEADER

Attachments (1)

Mary C. Torres
MINORITY MEMBER

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
372-33 (COR)	Tommy Morrison	AN ACT TO AMEND § 54102 OF ARTICLE 1, CHAPTER 54, DIVISION 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PRIORITIZING IMPROVEMENTS TO GUAM'S ROADWAYS.
373-33 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW SUBSECTION 19.80 TO CHAPTER 19 AND A NEW SUBSECTION 30.10 (a)(3) TO CHAPTER 30, BOTH OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE DEFINITION AND INCLUSION OF STRANGULATION IN GUAM'S ASSAULT AND FAMILY VIOLENCE STATUTES.
374-33 (COR)	T. C. Ada B. J. F. Cruz Judith T. Won Pat, Ed.D R. J. Respicio	AN ACT TO RESERVE A PORTION OF LOT 5173-1-R2-NEW-R6, MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF EIGHT (8) ACRES MORE OR LESS, FOR USE AS A CHAMORRO SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS.
375-33 (COR)	T. C. Ada B. J. F. Cruz Judith T. Won Pat, Ed.D R. J. Respicio	AN ACT TO AUTHORIZE A LEASE BETWEEN THE CHAMORRO LAND TRUST COMMISSION AND INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC. ON LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, FOR USE AS A CULTURAL CENTER.
376-33 (COR)	N. B. Underwood, Ph.D.	AN ACT TO AMEND SECTION 10 OF CHAPTER 11 OF PUBLIC LAW 33-185, RELATIVE TO AUTHORIZING SENATORIAL OFFICES TO DE-APPROPRIATE THEIR LAPSED FUNDS AND TO RE-APPROPRIATE SAID FUNDS TO THE GUAM DEPARTMENT OF EDUCATION.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

September 26, 2016

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Julian Aguon
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 375-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 375-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres Na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
375-33 (COR)	T. C. Ada B. J. F. Cruz Judith T. Won Pat, Ed.D R. J. Respicio	AN ACT TO AUTHORIZE A LEASE BETWEEN THE CHAMORRO LAND TRUST COMMISSION AND INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC. ON LOT 5173-1-R2NEW-4, MUNICIPALITY OF TAMUNING, FOR USE AS A CULTURAL CENTER.	09/22/16 1:50 p.m.	09/26/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



Senator Tom Ada

Peter Tran <peter@senatorada.org>

1st Notice of Public Hearing: Thursday, October 6, 2016 at 6:00 p.m.

1 message

Charlene Flores <flores@senatorada.org>

Thu, Sep 29, 2016 at 10:56 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, DLMDIR <dlmdir@land.guam.gov>, Michael Borja <michael.borja@land.guam.gov>, teresa.topasna@land.guam.gov, jqpreservation@guam.net, lynda.aguon@dpr.guam.gov, jose.garrido@dpr.guam.gov, robert.lizama@dpr.guam.gov, william.reyes@dpr.guam.gov, raunderwood@uguam.uog.edu, pangelinanp@triton.uog.edu, hurao1@gmail.com, pink.guam@gmail.com, frankschacher01@gmail.com, mflores.guam@gmail.com, ecris64@teleguam.net, Ken Leon-Guerrero <kenleonguerrero@yahoo.com>, A Gogue <magahet4@gmail.com>, rlsablan@yahoo.com, Jason Biggs <biggs.js@gmail.com>, tomdiego_guam@yahoo.com, asiasison@hotmail.com, Joni Kerr <jonikerr@gmail.com>, Linda Tatreau <lindian@teleguam.net>, bcruz253@msn.com, lasia@me.com, malamasly@gmail.com, Rodney Webb <webb.rodney@gmail.com>, iqperedo@hotmail.com, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, Agat <agatmayoroffice@hotmail.com>, ksusuico@yahoo.com, Asan Maina <hamiasanmaina@gmail.com>, Cayetano Blas <bmomayor@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, inarajan municipality <inarajanmayoroffice@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayorernestc@yahoo.com, mtmmayoroffice1@yahoo.com, pitimayor@yahoo.com, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, vicemayorsantos.tatuha@gmail.com, Umatac Mayor <umatacmo@gmail.com>, Mayor Rudy <yigomayoroffice@gmail.com>, Anthony Sanchez <yigovice@gmail.com>, kenjoeada@yahoo.com, mcogadmin@teleguam.net, Strongdiver44 <strongdiver44@gmail.com>, strong@guam.net, Zita Pangelinan <zpangelinan@gmail.com>, mendiola.ruth@gmail.com, gjecle@gdoe.net, jillq.benavente@gmail.com, patti.hernandez@dca.guam.gov, lzirate@gmail.com

September 29, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Public Hearing: Thursday, October 6, 2016 at 6:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs, and Procurement will be conducting a public hearing on **Thursday, October 06, 2016 at 6:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

6:00 PM

Bill No. 374-33 (COR) – T. C. Ada / B. J. F. Cruz / J. T. Won Pat, Ed. D. / R. J. Respicio

An act to reserve a portion of Lot 5173-1-R2-NEW-R6, Municipality of *Tamuning*, containing an area of eight (8) acres more or less, for use as a Chamorro shrine and the reinterment of ancestral remains.

Bill No. 375-33 (COR) – T. C. Ada / B. J. F. Cruz / J. T. Won Pat, Ed. D. / R. J. Respicio

An act to authorize a lease between the Chamorro Land Trust Commission and *Inadahen / Lina'la' Kotturan Chamoru, Inc.* on Lot 5173-1-R2NEW-4, Municipality of *Tamuning*, for use as a cultural center.

Testimony on **Bill No. 374-33 (COR)** and **Bill No. 375-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **4:00pm, Thursday, October 13, 2016**. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.

--

Charlene Flores

Policy Analyst

Office of Senator Thomas C. Ada

I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature

671-473-3301

3 attachments



1st Notice.pdf

335K



Bill No. 374-33 (COR).pdf

2486K



Bill No. 375-33 (COR).pdf

2348K



in office of
Senator Tom Ada

Peter Tran <peter@senatorada.org>

2nd Notice of Public Hearing: Thursday October 6, 2016

1 message

Blaine Dydasco <bdydasco@senatorada.org> Tue, Oct 4, 2016 at 8:51 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, DLMDIR <dlmdir@land.guam.gov>, Michael Borja <michael.borja@land.guam.gov>, Teresa Topasna <teresa.topasna@land.guam.gov>, jqpreservation@guam.net, "Lynda B. Aguon" <lynda.aguon@dpr.guam.gov>, jose.garrido@dpr.guam.gov, robert.lizama@dpr.guam.gov, william.reyes@dpr.guam.gov, raunderwood@uguam.uog.edu, pangelinanp@triton.uog.edu, hurao1@gmail.com, Catherine McCollum <pink.guam@gmail.com>, Frank Schacher <frankschacher01@gmail.com>, M Flores <mflores.guam@gmail.com>, EAC/HAC <ecris64@teleguam.net>, Ken Leon-Guerrero <kenleonguerrero@yahoo.com>, A Gogue <magahet4@gmail.com>, rlsablan@yahoo.com, Jason Biggs <biggs.js@gmail.com>, tomdiego_guam@yahoo.com, asiasison@hotmail.com, Joni Kerr <jonikerr@gmail.com>, Linda Tatreau <lindian@teleguam.net>, bcruz253@msn.com, lasia@me.com, malamasly@gmail.com, Rodney Webb <webb.rodney@gmail.com>, iqperedo@hotmail.com, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, Agat <agatmayoroffice@hotmail.com>, ksusuico@yahoo.com, Asan Maina <hamiasanmaina@gmail.com>, Cayetano Blas <bmomayor@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, inarajan municipality <inarajanmayoroffice@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayorernestc@yahoo.com, mtmmayoroffice1@yahoo.com, pitimayor@yahoo.com, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, vicemayorsantos.tatuha@gmail.com, Umatac Mayor <umatacmo@gmail.com>, Mayor Rudy <yigomayoroffice@gmail.com>, Anthony Sanchez <yigovice@gmail.com>, kenjoeada@yahoo.com, mcogadmin@teleguam.net, Strongdiver44 <strongdiver44@gmail.com>, strong@guam.net, Zita Pangelinan <zpangelinan@gmail.com>, mendiola.ruth@gmail.com, gjecl@gdoe.net, jillq.benavente@gmail.com, patti.hernandez@dca.guam.gov, lziriate@gmail.com

October 04, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Public Hearing: Thursday, October 6, 2016 at 6:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing on **Thursday, October 06, 2016 at 6:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

6:00 PM

Bill No. 374-33 (COR) – T. C. Ada / B. J. F. Cruz / J. T. Won Pat, Ed. D. / R. J. Respicio

An act to reserve a portion of Lot 5173-1-R2-NEW-R6, Municipality of *Tamuning*, containing an area of eight (8) acres more or less, for use as a Chamorro shrine and the reinterment of ancestral remains.

Bill No. 375-33 (COR) – T. C. Ada / B. J. F. Cruz / J. T. Won Pat, Ed. D. / R. J. Respicio

An act to authorize a lease between the Chamorro Land Trust Commission and *Inadahen I Lina'la' Kotturan Chamoru, Inc.* on Lot 5173-1-R2NEW-4, Municipality of *Tamuning*, for use as a cultural center.

Testimony on **Bill No. 374-33 (COR) and Bill No. 375-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **4:00pm, Thursday, October 13, 2016**. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.

--

Blaine Dydasco
Policy Analyst
Office of Senator Tom C. Ada
I Mina' Trentai Tres Na Liheslaturan Guahan-33rd Legislature
Office (671) 473-3301

3 attachments



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Updated: September 27, 2016

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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

AGENDA

PUBLIC HEARING

Thursday, October 6, 2016

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

6:00pm

**Bill No. 374-33 (COR) – T. C. Ada / B. J. F. Cruz / J. T. Won
Pat, Ed. D./ R. J. Respicio**

An act to reserve a portion of Lot 5173-1-R2-NEW-R6, Municipality of *Tamuning*, containing an area of eight (8) acres more or less, for use as a Chamorro shrine and the reinterment of ancestral remains.

**Bill No. 375-33 (COR) – T. C. Ada / B. J. F. Cruz / J. T. Won
Pat, Ed. D./ R. J. Respicio**

An act to authorize a lease between the Chamorro Land Trust Commission and *Inadahen I Lina'la' Kotturan Chamoru, Inc.* on Lot 5173-1-R2NEW-4, Municipality of *Tamuning*, for use as a cultural center.

http://www.postguam.com/news/local/land-use-bills-fail-to-garner-support-of-planning-council/article_def77670-951f-11e6-a308-2f60edb97183.html

Land-use bills fail to garner support of planning council

By Neil Pang | Post News Staff 5 hrs ago



This 2007 image shows what one of the houses looked like prior to improvement efforts by Sāgan Kotturan Chamoru (SKC). Photo courtesy of SKC

The Tamuning-Tumon-Harmon Municipal Planning Council (TaTuHa MPC) approved a resolution indicating their inability to support legislative proposals that would reserve land for the construction of a reburial facility for disinterred ancestral remains and create a legislative lease agreement for a Chamorro cultural center that would last for a 99-year period.

According to a resolution passed on Oct. 6, the TaHuHa MPC stated that they could not support legislative bills 374-33 or 375-33.

Bills 374 and 375 were introduced on Sept. 22 by Sens. Thomas Ada, Benjamin J.F. Cruz, Judith T. Won Pat and Rory J. Respicio.

Bill 374 calls for the reservation of approximately 8 acres of land for the construction of "Nāftan Mañaina-ta," an entombment facility for ancestral remains disinterred by development projects before 1989 including the Hornbostel Collection, a collection of more than 500 ancestral Chamorro remains unearthed in the 1920s by amateur anthropologist Hans Hornbostel for the Bernice B. Bishop Museum of Honolulu and repatriated to Guam in 2000.

Bill 375 proposes a legislative lease agreement for the use of another plot of land adjacent to the Ypao Point property proposed for the Chamorro Shrine. Currently, the land is used by Sāgan Kotturan Chamoru (SKC) under provisions of a license provided by the Chamorro Land Trust Commission (CLTC). The lease agreement proposed by the legislation would last for 99 years and provides no provision for termination.

Council: Where's the master plan?

The resolution passed by the TaTuHa MPC stated that while they recognize and support the spirit and purpose of the bills, they cannot support them for a number of reasons including the lack of a comprehensive master plan or feasibility study for Ypao Point, the fact that the bills were drafted without any input or participation of the Municipal Planning Council and Tamuning residents and that the bills "do not take into account the best use of the property."

"The Municipal Planning Council requests that a comprehensive master plan for the best use and development of Ypao Point be developed before pledging any support or opposition to any future plans or legislation related to Ypao Point," the resolution stated.

Tamuning-Tumon-Harmon Mayor Louise Rivera said that the Municipal Planning Council heard presentations from representatives of CLTC and others that indicated that there were a number of organizations that had expressed interest in developing the land proposed for reservation in the bills.

According to Department of Land Management Director Mike Borja, the potential revenue generation from commercial lease agreements on the properties in question could be used for various capital improvement projects on other lands within its land inventory.

Borja reported during the initial public hearings that the plots of land proposed by Bills 374 and 375 are worth approximately \$19 million and \$4.3 million respectively.

While the bills are still awaiting legislative action, the fact that they have been proposed and fast-tracked has raised concerns for some who feel the timing of the bills' introductions in an election year calls into question the intentions behind their proposal.

"The lack of a comprehensive master plan or feasibility study for Ypao Point calls to question the true legislative intent of Bill 374-33 and Bill 375-33," the TaHuHa MPC resolution stated.

Other issues raised during the initial public hearing on the bills included SKC's failure to comply with the provisions of the current license that grants them use of the Ypao Point property.

Public hearing

During a public hearing held on Oct. 6, Borja reported that the organization currently licensed to use the property, the nonprofit known as Inadahen I Lina'la' Kotturan Chamoru Inc., failed to comply with the terms of the license in regard to its renewal and have been behind on their taxes since 2014.

The current license, which was established in 2006, granted SKC use of the property for five years with provisions to renew the license for three additional five-year terms. According to Borja, the non-profit had failed to submit the requisite request for renewal.

The Post had previously spoken to representatives of SKC, who said plans to submit the request were underway and would be completed before the deadline of expiration.

According to Ray Leon Guerrero, the newly elected treasurer of SKC, the organization is now up to date on its taxes and is set to keep its current license for the next five years. Under the license provisions, the cultural center has up to 10 more years to use the property after which, unless other arrangements are made, they will no longer be able to use the property.

Leon Guerrero told the Post that while they got the license to use the land in 2006, the cultural center did not become open to the public until 2014 because of the immense work involved in developing the property.

"Everything was overgrown and there was jungle everywhere," he said. "All the work was done by volunteers who committed time and sweat to making the land usable for the cultural center."

Cultural importance

Leon Guerrero said he felt the cultural center served a unique and necessary purpose for the Chamorro people. SKC currently provides a venue for education of locals and visitors who can come to the center and witness traditional crafts being done by longtime practitioners.

Julie Benavente, a body ornamentation specialist, said she had recently apprenticed five individuals under her tutelage in body ornamentation. She said the products created by SKC's artisans not only perpetuate Chamorro culture and tradition, but they also attract the attention of visitors and tourists who want to see and purchase handmade crafts created using traditional techniques.

The Ypao Point site also houses the Hâya Foundation, which serves as a venue for traditional healing practices and currently has nine apprentices learning the traditional healing arts.

Leon Guerrero said SKC's current focus is going forward and ensuring DLM officials and others that the center provides invaluable services not found elsewhere. To that end, he reported they had recently submitted a list of events that SKC had conducted over the past eight years. According to Leon Guerrero, the center hosts field trips for schools, various cultural festivals and a number of craft workshops open to the public.

Neil Pang

English teacher turned reporter covering GHURA, military affairs, church/religion, mass transit, parks and rec and more.

http://www.postguam.com/news/local/cultural-center-license-threatened/article_7cf4b022-8edb-11e6-91c8-672f9ed9f8f3.html

Cultural center license threatened

Neil Pang | Post News Staff Oct 11, 2016



Neil Pang

TRADITIONAL MEDICINE: The entrance to the Håya Foundation's clinic located at the Săgan Kotturan Chamoru site near Ypao Point in Tamuning. The Håya Foundation practices traditional Chamorro medicine on their patients. Neil Pang/Post

In addition to the testimony regarding the reservation of land for a Chamorro shrine, the Năftan Mañaina-ta, proposed by Bill 374-33, senators also received testimony on Bill 375-33 last Thursday which proposes a legislative lease agreement for the use of Lot No. 5173-1-R2NEW-4 by Săgan Kotturan Chamoru (SKC) for use as a Chamorro cultural center.

The lot in question is located above the Hilton Guam Resort and Spa in the vicinity of Ypao Point in Tamuning, near the proposed site of the Năftan Mañaina-ta.

Currently, the lot is occupied by SKC – one of two cultural centers on Guam, including Gef Pa'go in Inarajan – under the terms of a temporary license issued by the Chamorro Land Trust Commission. Bill 375 proposes the authorization of a legislative lease in place of the license under which no provision for termination would be stated.

Mike Borja, director of the Department of Land Management and the administrative director of the Chamorro Land Trust Commission, testified in opposition to the bill during Thursday's public hearing.

Borja explained that Bill 375 proposed the perpetual use, without provisions for termination, of a property estimated at approximately 8.5 acres and valued at \$4.3 million.

According to Borja, the organization currently licensed to use the property, the nonprofit known as Inadahen I Lina'la' Kotturan Chamoru Inc., failed to comply with the terms of the license in regard to its renewal and have been behind on their taxes since 2014.

In a case similar to that surrounding Bill 374, Borja testified that CLTC had been in the process of engaging a commercial lease for the property in an effort to generate funds for the development of infrastructure on other lands in their inventory for use by native Chamorros for residential and agricultural purposes.

Revamping the board

Julie Benavente, a resident specialist in body ornamentation at SKC, told the Post that Inadahen I Lina'la' Kotturan Chamoru Inc. was in the process of revamping their administrative board because the previous board had failed to attend to their duties in regards to the license renewal and the filing of taxes.

"We're revamping the administrative board of our organization so that we can put reliable people on to take care of and rectify the matter," she said.

She further stated that the new administrative board would be comprised by a majority of women.

"Only our women can take care of the culture," Benavente said.

Benavente explained that the board had held a work session following Thursday's hearing to address concerns.

"It actually was a shock for us," she said. "We are going to make sure everything is up to date before the week is out."

Under the provisions of the current license that became effective in 2006, SKC had use of the property for five years, after which they had the opportunity to file for three additional five-year terms for a total of twenty years. According to Borja, the nonprofit failed to submit the requisite written request for a renewal.

Benavente told the Post that she was not worried about the license expiring and said that they had until this Wednesday to submit the request for renewal with CLTC.

SKC's mission

Benavente explained that even though they got the license to use the land in 2006, the cultural center was not opened until 2014 because of difficulty in developing the land for use. She described their efforts as a "labor of love" that required long hours of work and contributions from the community.

Benavente said that though they are now facing new challenges, their mission has not changed.

"The mission of the center is apprenticing the next generation of artisans in all the traditional and contemporary skills that we have available here," she stated.

According to Benavente, the center recently apprenticed five individuals under her tutelage in body ornamentation. She said the products created by SKC's artisans not only perpetuate Chamorro culture and tradition, but they also attract the attention of visitors and tourists who want to see and purchase handmade crafts created using traditional techniques.

Another group that resides on the property, the Håya Foundation, focuses on traditional healing practices.

Frances Meno and Rosie Mateo, who between them have more than a hundred years of experience in traditional Chamorro medicine, spoke to the Post about their mission.

"We want to help the children," Mateo repeatedly said. She told the Post that, earlier yesterday, they had treated some cases of congestion in infants that were brought to them.

Meno explained that they instruct apprentices in the skills of plant identification, collection and the processes involved in using those plants for medicinal purposes. Additionally, she explained the importance of their location as being beneficial for residents who want to find them. Meno said that before they had their facility, they operated out of their homes and that people had difficulty in locating them.

According to Meno and Mateo, they currently have about nine apprentices under their instruction in traditional medicine.

More Information

Under the provisions of the current license that became effective in 2006, SKC had use of the property for five years, after which they had the opportunity to file for three additional five-year terms for a total of 20 years. According to Borja, the nonprofit failed to submit the requisite written request for a renewal.

Neil Pang

English teacher turned reporter covering GHURA, military affairs, church/religion, mass transit, parks and rec and more.

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Municipal Planning Council concerned about Oka Point legislation



Posted: Oct 21, 2016 4:53 PM

Updated: Oct 23, 2016 12:00 AM

By Ken Quintanilla [CONNECT](#)

Following a meeting earlier this month, the Municipal Planning Council for Tamuning-Tumon-Harmon passed a resolution expressing concern over a pair of bills regarding Oka Point. Bill 374 would use up to eight acres of land at Oka Point for a Chamorro shrine for at least 2,000 ancestral remains that have been found.

Meanwhile, Bill 375 would authorize a legislative lease for a cultural center.

While the MPC supports the intent, they cannot support both bills until a feasibility study and comprehensive master plan is completed. As part of the concern, the MPC writes without this plan, both bills would result in a "hodgepodge of development in the area and may prohibit a development that may be of better use to the people of Guam."

The MPC also notes these bills were drafted without any input or participation from the MPC and residents of Tamuning. Department of Land Management director Michael Borja raised similar concerns, saying the CLTC was not consulted nor did he believe it was the best use of the property.

http://www.postguam.com/news/local/cltc-approves-grant-of-access/article_bacea6ac-98fc-11e6-8ced-7fbb352f7038.html

CLTC approves grant of access

Neil Pang | Post News Staff Updated Oct 24, 2016

Officers of the nonprofit organization Inadahen I Lina'la' Kotturan Chamoru Inc. met with the Chamorro Land Trust Commission board of commissioners during the commission's meeting last week Thursday, Oct. 20, to discuss their current license agreement and the implications of legislation currently under consideration.

The nonprofit, which also goes by the name of Sagan Kotturan Chamoru (SKC), has recently come under fire for not complying with provisions of their license in regards to its renewal. Under the current license agreement, the group had rights for the use of approximately 8.5 acres of land near Ypao Point for a total of 20 years with application renewals at five-year intervals granted that the nonprofit organization submit annual reports and a written request to renew for each of the five-year terms. Additionally, the license stipulated that the organization pay five percent of each dollar SKC collects as an entrance fee as payment for their use of the property.

According to statements made by the CLTC and SKC, the nonprofit failed to comply or was behind with the above provisions of the license agreement.

"We dropped the ball," said SKC President Anne Marie Arceo. Arceo expressed her dismay at their failure to comply with the terms of their agreement with CLTC.

SKC Vice President Raphael Unpingco added that the cultural center was primarily an educational facility meant to cater to the public and that they had not wanted to turn anyone away with a fee, but rather hosted events to attract community involvement. He indicated that it was SKC's long-term goal to host events that would generate revenue, but that they needed time to make that goal a reality.

According to CLTC Administrative Director Mike Borja, SKC had failed to submit reports for 2015 and 2016, but reported that it had submitted reports as of Oct. 17. He added that the nonprofit had indicated its desire to renew its license agreement and submitted the requisite written request, but that the submission was late and, as a result, the license was terminated.

SKC president Anne Marie Arceo offered an apology to the board for not complying with the license, and requested that the board assist them in starting over with a new license.

Bill 375-33

Borja stated that while the land in question had never been on the list of lands under consideration for use under a commercial lease, its status had been further complicated by the fact that current legislation under review could have an effect on the land's use.

Bill 375, introduced Sept. 22 by Sens. Thomas Ada and Rory Respicio, Vice Speaker Benjamin Cruz and Speaker Judith Won Pat, proposes a legislative lease agreement for the use of the land currently being used by SKC. If enacted, the bill would establish a lease agreement that would last 99 years and include no provision for termination.

Borja stated that the estimated value of the property is \$4.3 million.

"Counsel says that because of the failure to exercise the first option (to renew), it now has negated the license agreement wholly and for us to act on it outside the parameters that the license agreement allows us to do is not within our boundaries," Borja said. "To come up with another license is not within our bounds."

Sablan said that neither he nor the CLTC board were against the organization, and that they were not trying to discourage them, but that they too had to go through the proper channels.

To that end, the board voted and agreed to establish a "grant of access" to SKC permitting it to use the land it currently operates on until Jan. 31, 2017. Borja explained that the period of time not only allows for SKC to evaluate its options, but allows time for the legislature to take action on Bill 375.

Neil Pang

English teacher turned reporter covering GHURA, military affairs, church/religion, mass transit, parks and rec and more.

Sagan Kotturan Chamorro

Date	Span	Event Type	Event	Number	Origin	Description
8/16/08	8/17/08	Festival	1st Pulan Festival			SKC held the inaugural Pulan Festival
2/3/13		Group Tour	Okinawan Tour	40	OKI	Visiting group from Okinawa
4/21/14		Outreach	Acadamy of Our Lady Site Visit	150	LOC	Several artists from SKC visited Academy of Our Lady of Guam in support of their innagural Chamorro Month Activities
8/14/14		Soft Opening	Sagan Kotturan Chamoru Soft Opening	500	LOC	
8/15/14		Group Tour	Korean Tour Group	8	KOR	
1/17/15		Host	7th Annual Gupot Fanha'aniyan Pulan Chamoru		LOC,JAP,KOR,CHI	SKC hosted the 7th Annual Chamorro Lunar Calendar Festival
3/21/15		Workshop	Inetnon Manitufok	15	LOC,JAP	SKC weavers holding free workshop for the public.
3/27/15	4/1/15	Outreach	Chamorro Cultural Festival		US	SKC board member Jill Benavente (master of body ornamentation) & SKC weaving instructor James Bamba (Heritage Artisan Weaver) head to US in support of CAHA initiated FestPac delegation to spread the word about
4/24/15		Fieldtrip	San Vicente Field Trip	200	LOC	San Vicente school visits SKC all houses active for educational outreach
4/24/15		Visit	Maori (NZ) FestPac Delegation	3	NZ	SKC hosted Maori pre festival site visit delegation
4/25/15		Workshop	Inetnon Manitufok	20	LOC	Center weavers holding free workshop for the public.
4/25/15		Workshop	12th FestPac Weaving workshop #1	30	LOC	SKC hosted FestPac Workshop on pandanus weaving
5/9/15		Exhibit	Mark Dell'Isola : Pacific Mandala	60	LOC	SKC hosted Pacific Mandala exhibit, in-residence artist Mark Dell'Isola
5/29/15		Visit	University of Guam English Language Institute student	30	LOC,JAP,KOR,CHI,IND	
6/5/15		Workshop	UOG CM-202 Summer Semester Weaving Workshop	6	LOC	SKC held weaving workshop in support of UOG class activities
6/27/15		Workshop	12th FestPac Weaving workshop #3	15	LOC,MIL	SKC hosted FestPac Workshop on coconut leaf weaving
8/4/15		Visit	Linden Akademia College Preparatory School visit	40	KOR	
8/22/15	12/11/15	Outreach	CM-394: Latte Theory and Construction	11	LOC	SKC Cultural Practitioner Joe "Maga'Saina" Villoria as cultural consultant and assistant instructor in support of University of Guam's Chamorro Studies Program, CM-394: Latte Theory and Construction
8/29/15		Workshop	12th FestPac Weaving workshop #5	8	LOC	SKC hosted FestPac Workshop on weaving coconut leaf roofing
9/23/15		Visit	Manamko' Government Employees' Association	50	LOC	
11/4/15		Group Tour	Seoul National University Tour Group	7	KOR	Seoul National University Anthropology students
11/4/15		Workshop	Seoul National University Tour Group Weaving Workshop	7	KOR	Pandanus weaving workshop held in support of SNU visit
11/28/15		Workshop	Inetnon Manitufok	15	LOC,JAP	SKC Weaving instructor James Bamba and fellow weavers & apprentices hold monthly weaving workshop.
2/6/16		Host	8th Annual Gupot Fanha'aniyan Pulan Chamoru		LOC,JAP,KOR,CHI,RUS	
2/12/16	5/17/16	Outreach	CM-394: Introduction to Weaving	9	LOC	SKC Weaving instructor James Bamba as instructor of record in support of University of Guam's Chamorro Studies Program. Develops curriculum and course materials to teach special studies course for 9 students. 7 current GDOE instructors and 2 undergraduate students.
2/29/16		Group Tour	Guam Christian Home School CoOp	20	LOC,MIL	SKC hosted visit by local and military homeschool parents and students
4/6/16		Visit	French Polynesia FestPac Delegation	1	FrPoly	SKC hosted French Polynesia pre festival site visit delegate
5/22/16	6/4/16	Host	FestPac		LOC,MIL,KOR,CHI,JAP,RUS,US,FOR	SKC hosted FestPac as satellite venue, to include weaving, tatooning, traditional medicine, culinary, body ornamentation, street art (murals) among others
6/11/16		Workshop	Guest Healer from Nauru: Eraimon "Uncle Ray" Itsimaera	35	LOC	Guma' Yo'amte' (House 9) hosted visiting Nauru traditional healer to hold traditional medicine workshop
7/15/16		Visit	Mental Health visit	15	LOC	
7/15/16		Visit	Taiwan Home stay group	9	CHI	
8/27/16		Open House	2nd Anniversary Open House		LOC,JAP,KOR,CHI	Open house w/ demonstrations featuring all the houses, seafaring, farming/cooking, cultural dance, traditional fishing, weaving, traditional medicine, live art, guest artists displaying wares and
9/26/16		Workshop	Inetnon Manitufok	20	LOC,JAP,KOR	SKC Weaving instructor James Bamba and fellow weavers & apprentices hold monthly weaving workshop.

INADAHEN I LINA'LA' KOTTURAN CHAMORU, INC.

P.O. Box 4157 Hagåtña, Guam 96910

*SET FORTH AT SPECIAL BOARD MEETING HELD ON 10/24/16 @ 1:00 p.m.

TASKS AND PLANS TO MOVE FORWARD:

1. •Up-date Senator Ada's office on the status with CLTC mtg. last Thursday (10/20/16)
 - Coordinate mtg. with Senator Ada's office; CLTC and Lina'la' Board on developing the Bill #375
2. Meet with Therese on up-dating Articles and By-Laws
3. Continue working on getting official resignations from Hope and Jean (former board members)
4. Appoint new board members
5. Assess current operations of SKC
6. Up-date Business Plan
7. Call General Membership mtg.
8. Create committees according to tasks that need to be completed (fundraising, S.O.P.'s, etc.)



Inadahen I Lina'la Kotturan Chamoru
P.O. Box 130
Hagåtña, Guam 96932

October 12, 2016

Michael J.B. Borja
Administrative Director
Chamorro Land Trust Commission
Department of Land Management, Government of Guam
Tamuning, Guam 96931

Hafa adai Mr. Borja,

On behalf of our nonprofit organization, Inadahen I Lina'la Kotturan Chamoru, Incorporated, we are writing to respectfully request an extension of our license agreement issued by the Chamorro Land Trust Commission for Lot 5173-1-R2New-4, in the Municipality of Tamuning, where we manage and operate Sagan Kotturan Chamoru (SKC), the Chamoru cultural center. We respectfully request to extend the license for the first period of 5 years (2011-2016) and second period of 5 years (2016-2021), as outlined in our License Agreement, made effective December 1, 2006.

Our organization has dedicated countless hours and resources over the past ten years, with the first 8 years committed to improving and upgrading the property and facilities. We opened to the public in 2014, and have worked over the past two years providing numerous tours, workshops, demonstrations, and other programs with school groups, language students, cultural education groups, artists, seafarers, healers, visitors, and more. SKC also played a vital role during the Festival of the Pacific Arts, hosting delegations from throughout the region, without financial support or compensation. We have provided all of these services without charging entrance fees or rental fees, or generating any other forms of income, other than donations for repairs and water.

We remain registered licensees for the lot and, until recently, have maintained our filing of reports. Since no revenues have been generated or collected at SKC, there are no payment obligations to be met at this time. Our board members remain committed to the payment agreement, as well as updating all reports to the Department of Revenue and Taxation and the Commission, and maintaining our tax-exempt status.

We sincerely appreciate your consideration of our request. We look forward to working with you and to your response. Thank you and Un Dangkulo' Na Si Yu'os Ma'åse.

Best regards,


Anna Marie B. Arceo, President


Raphael Unpingco, Vice-President

Attachments:

- Annual Reports Filed with the Guam Department of Revenue and Taxation
- List of Activities, Audiences, and Estimated Project Value

OCT 13 2016

257 pm
BUSINESS REGISTRATION

GUAM ANNUAL REPORT

for 2015

Inadahen I Lina'la Kotturan Chamoru, Inc.

Inadahen I Lina'la Kotturan Chamoru, Inc. incorporated under the laws of the state of Guam or of the country _____;

The date of incorporation is (if chartered in Guam): Jan. 25, 2006 or the date the corporation (if a foreign corporation) was authorized to transact business in Guam: _____.

The registered office of the corporation is Guam if any is:
#139 Semon Circle, Mangilao, Guam 96913

(Street address)

and the registered agent in Guam is Anna Marie B. Arceo

The address of the Principal Office is #139 Semon Circle, Mangilao, Guam 96913

The names and business addresses of the corporation's directors and principal officers are as follows:

Name	Title	Business address
Anna Marie B. Arceo	President/Secretary	#264 Calle De Los Marteres, Agat, Gu 96915
Raphael Unpingco	Vice-President	P.O. Box 130, Hagatna, Gu 96932

A brief statement of the character of the business in which the corporation is actually transacting on Guam is as follows:

Promote, perpetuate, and preserve the Chamoru culture, through educational programming, and supporting other community organizations related to the promotion, perpetuation, and preservation of Chamoru culture.

The aggregate number of shares, which the corporation has authority to issue, itemized by class, par value of shares, shares without par value are as follows,

Number of issued & Outstanding shares	Class of Stock	Par value of each share	Shares without par value
NOT APPLICABLE	N/A	N/A	N/A

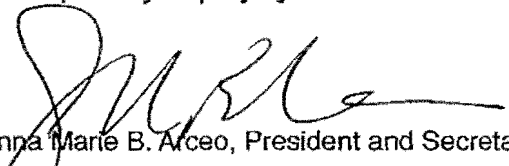
The aggregate number of issued and outstanding shares, itemized by class, par value of shares, shares without par value are as follows:

Number of issued & Outstanding shares	Class of Stock	Par value of each share	Shares without par value
NOT APPLICABLE	N/A	N/A	N/A

The corporation has less than fifteen (15) shareholders, their names, citizenship, number and class of shares held are as follows:

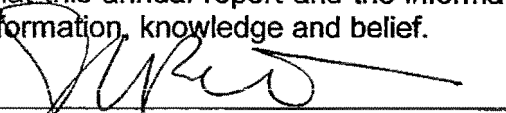
Name	Citizenship	Number of Shares	Class of stock
Anna Marie B. Arceo	US	N/A	N/A
Raphael Unpingco	US	N/A	N/A

Pursuant to Section 4308, Title 6 GCA, I declare under penalty of perjury under the laws of Guam that the foregoing is true and correct.

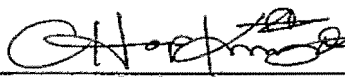

 Anna Marie B. Arceo, President and Secretary
 Name & Title (Signature)
 Date: 10/3/16

I, Anna Marie B. Arceo, being duly sworn, depose and say that I am the President
or Treasurer or Secretary of
Inadahen I Lina'la Kotturan Chamoru, Inc. and

That this annual report and the information set forth herein is true and correct to the best of my
information, knowledge and belief.


(Signature)

Subscribed and sworn before me this 13th day of October, 2016.

Notary Public 
State of Guam, U.S.A.
My Commission expires 5-7-2020

CAMARINE ANN SANTOS HOPKINS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **MAY 07, 2020**
P.O. Box 7611 Agat, Guam 96928

INADAHEN I LINA'LA' KOTTURAN CHAMORU, Inc.

(SKC: Sagan Kotturan Chamoru)

P.O. BOX 4157, HAGÁTÑA GUAM 96932

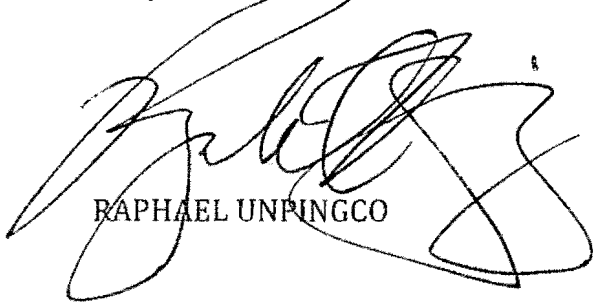
Whereas, Pursuant to the authority granted the Incorporators, the Board of Directors, and the Officers of Inadahen I Lina'la' Kotturan Chamoru, Inc., the undersigned does hereby appoint Raymond Leon Guerrero to fill the vacant Board of Directors position formerly filled by Maria Rosita Crisostomo Martin, Deceased;

Whereas, the undersigned Incorporators and Board of Directors do hereby appoint Raymond Leon Guerrero to serve as Treasurer of the Corporation in accordance with the authority granted by the Bylaws of Inadahen I Lina'la' Kotturan Chamoru, Inc., including authority to conduct banking transactions;

Whereas, the undersigned Incorporators, Directors, and Officers do hereby authorize Raymond Leon Guerrero to file Annual Reports and prepare other reports as required by the Department of Revenue and Taxation or the IRS.

Executed this 14th day of October, 2016


ANNA MARIE B. ARCEO


RAPHAEL UNPINGCO

GUAM ANNUAL REPORT

for 2016

OCT 17 2016

3:20 pm
BUSINESS REGISTRATION

Inadahen I Lina'la Kotturan Chamoru, Inc.

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(Street address)

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Raphael Unpingco	Vice-President	P.O. Box 130, Hagatna, Gu 96932
Ray Leon Guerrero	Treasurer	P.O. Box 21502, GMF Barrigada, GU 96921

A brief statement of the character of the business in which the corporation is actually transacting on Guam is a follows:

Promote, perpetuate, and preserve the Chamoru culture, through educational programming, and supporting other community organizations related to the promotion, perpetuation, and preservation of Chamoru culture.

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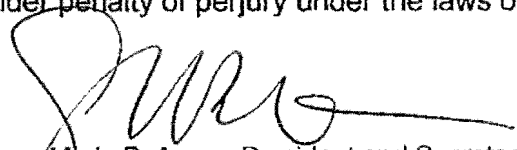
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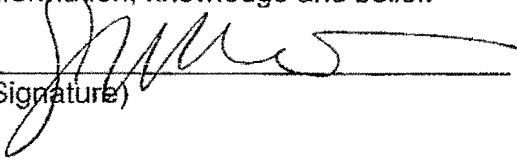
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Raphael Unpingco	US	N/A	N/A
Ray Leon Guerrero	US	N/A	N/A

Pursuant to Section 4308, Title 6 GCA, I declare under penalty of perjury under the laws of Guam that the foregoing is true and correct.

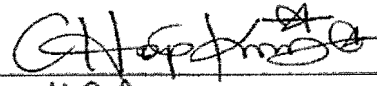

 Anna Marie B. Arceo, President and Secretary
 Name & Title (Signature)
 Date: 10/17/14

I, Anna Marie B. Arceo, being duly sworn, depose and say that I am the President
or Treasurer or Secretary of
Inadahen I Lina'la Kotturan Chamoru, Inc. and

That this annual report and the information set forth herein is true and correct to the best of my
information, knowledge and belief.


(Signature)

Subscribed and sworn before me this 17th day of October, 2016.

Notary Public 
State of Guam, U.S.A.
My Commission expires 5-7-2020

CAMARINE ANN SANTOS HOPKINS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **MAY 07, 2020**
P.O. Box 7611 Agat, Guam 96928