

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
**GUAM ECONOMIC DEVELOPMENT AUTHORITY**

April 17, 2012

*Call to Order*

§ 1. The regular meeting of the Board of Directors of the **GUAM ECONOMIC DEVELOPMENT AUTHORITY** (referred to as “GEDA” or the “Authority”) was held on April 17, 2012 at the hour of 1:45p.m. at the Guam Economic Development Authority Conference Room, Fifth Floor, Suite 511, ITC Building, Tamuning, Guam. The meeting was called to order to consider several items on the agenda.

*Attendance and quorum*

§ 2. **Roll call.** As determined by the roll call, the following directors were present:

*Directors:*

Ricardo C. Duenas  
Edward J. Calvo  
Arlene P. Bordallo  
George Chiu  
David J. John  
Robert P. Salas

*Offices or positions:*

Chairman  
Vice Chairman

*Absent and excused:*

Ramona L.E. Jones                      Secretary

*Also present were:*

*GEDA officials:*

|                     |  |
|---------------------|--|
| Karl A. Pangelinan  | Administrator                                    |
| Christina D. Garcia | Acting Deputy Administrator                      |
| Janalynn Damian     | GEDA Legal Counsel<br>(Calvo Fisher & Jacob LLP) |
| Larry Toves         | Real Property Manager                            |

|                          |   |
|--------------------------|---|
| Greg Sablan              | Assistant Manager, Business Development & Marketing |
| Claire Cruz              | Programs & Compliance Manager                       |
| Bernice Torres           | Admin. & Operations Manager                         |
| Mike Cruz                | Project Director                                    |
| Antoinette Leon Guerrero | Public Finance Officer                              |
| Gloria Molo              | Loan Serving Specialist                             |
| Diana Rivera             | Administrative Aide                                 |
| Charlene Concepcion      | Executive Assistant                                 |

### ***Approval of Agenda***

§ 3. The first item considered was approval of the agenda. There was discussion on moving Executive Session to the beginning of the meeting. On motion duly made by Director Calvo and seconded by Director John, the agenda was unanimously approved as amended.

### ***Approval of Minutes***

§ 4. The next item on the agenda was approval of the minutes of the March 22, 2012 Board meeting. On motion duly made by Director Calvo and seconded by Director Bordallo, the following resolution was unanimously approved:

### ***Resolution No. 12-013***

RESOLVED, that the Board approves the minutes of the March 22, 2012 Board meeting.

### ***Communications***

§ 5. The next item considered was Communications. Administrator Pangelinan informed the Board that their packets contained the laws enacted since the last Board meeting and that none of the items impacted GEDA. There was no discussion.

### ***Old Business***

§ 6. The next item discussed was Old Business. There first item of discussion was the Program Management Office (PMO) update. Mr. Larry Toves, Real Property Manager, Mr. Mike

Cruz, Project Director, and Mr. Ken Baki, of RW Armstrong, PMO consultant, gave a detailed briefing to the Board on the status of PMO projects. The Board was informed that the design contract for the Guam and Chamorro Educational Facility (“GCEF”) was ready for signature by GEDA and Architects Laguana & Cristobal, after which the contract would be transmitted to the Attorney General for review and approval prior to presentation to the Governor for approval. Once the contract is fully executed, GEDA would issue the notice to proceed.

The Board was informed that the deadline for the submission of price bids for the Plaza de España project was extended to May 4 at the request of all bidders.

The Board was informed that the deadline for the submission of unpriced technical proposals for the Inarajan Community Center project was April 20.

The Board was informed that the PMO was preparing to issue the RFP for construction management services for the GCEF and for the archeologist for historic preservation compliance.

The Board was provided with background information on the San Vitores flooding project. Mr. Baki informed the Board that the scope of the project has not been determined and the PMO is still reviewing Department of Public Work’s (“DPW”) existing contract. The Board requested a report on the review of the DPW-Maeda contract scope and whether the San Vitores flooding project would fall within the scope.

The Board was informed that no payment has been made to the Guam Preservation Trust because Department of Administration is still looking for evidence that money is owed.

After discussion, Chairman Duenas requested that the PMO provide another update at the next board meeting.

***New Business***

§ 7. The next item on the agenda was New Business. The first item for discussion was the Memorandum of Understanding (“MOU”) between GEDA and the Guam Strategic Development Regional Center (“GSDRC”) for the Immigrant Investor Visa Program (“EB-5 Visa”). Greg Sablan, Assistant Manager, Business Development & Marketing, provided background information to the Board.

Chairman Duenas and Director Salas stated that they were recusing themselves from this matter because of their business relationships with GSDRC.

Mr. Sablan informed the Board that the mission of GEDA and GSDRC are mutually supportive with the intent to grow Guam’s economy in accordance with plans and policies that create investment and jobs for the Island. Mr. Sablan informed the Board that GEDA would receive a fee for investors referred by GEDA to GSDRC whose application for an EB-5 visa is approved. Mr. Sablan requested that the Board approve the MOU, a copy of which was included in their Board packet.

After discussion, on motion duly made by Director John and seconded by Director Chiu, with the exception of Chairman Duenas and Director Salas who abstained from voting because of conflicts of interest, the following resolution was passed:

***Resolution No. 12-014***

RESOLVED, that the Board approves the Memorandum of Understanding between GEDA and GSDRC as presented during the April 17, 2012 Board meeting and attached hereto as Attachment A.

§ 8. The next item of new business for discussion was the GDFA Loan for Robert and Tanya Taitano dba Ifit Shop. Mrs. Gloria Molo, Loan Serving Specialist briefed the board on said

loan applicant and referred the Board to the GDFA Direct Loan Recommendation memorandum included as part of their loan packet. Robert and Tanya Taitano were present to answer any questions from the Board.

After further discussion, on motion duly made by Director Chiu and seconded by Director John, the following resolution was unanimously passed:

***Resolution No. 12-015***

RESOLVED, that the Board approves the GDFA Direct Loan Application by Robert and Tanya Taitano dba Ifit Shop, in the amount of twenty-eight thousand dollars (\$28,000.00) subject to the terms and conditions as set forth in the GDFA Direct Loan Recommendation memorandum included as part of the Board's packet and attached hereto as Attachment B.

§ 9. The next item of new business for discussion was the Business Privilege Tax 2012 Series B Bonds (the "Bonds. Administrator Pangelinan briefed the board on the status of GEDA's efforts to secure said bond. The Board was informed that the Bonds were for the purpose of paying the Government's Retirement Fund liability and health insurance premiums, as well as for tax refunds. Administrator Pangelinan informed the Board that the Board authorization for the issuance of the Bonds would be requested during the May board meeting.

§ 10. The next item of new business for discussion was the MICE Market Facility Development. Director Calvo provided background information on the subject and there was discussion by the Board. A suggestion was made to expand the scope of the subcommittee on the HOT bond projects to include all economic development initiatives such as the MICE facility and sports tourism.

***Public Comments***

§ 11. The next item on the agenda was Public Comments. There were no comments.

***Reports***

§ 12. The next item on the agenda was Reports. The Board was referred to the reports included in their packets. There was no discussion.

***Others***

§ 13. The next item on the agenda was Others. There were none items for discussion.

***Executive Session***

§ 14. The Chairman informed the Board that there was a written recommendation by counsel to convene executive session to discuss Civil Case 1279-06 and by conflicts counsel to discuss Civil Case 1781-94. On motion duly made by Director Calvo and seconded by Director Chiu, the Board recessed for Executive Session at 2:37 p.m.

At 3:00 p.m., on motion duly made by Director Calvo and seconded by Director Chiu the Board reconvened regular session.

On motion duly made by Director John and seconded by Director Calvo, the following resolution was unanimously passed:

***Resolution No. 12-016***

RESOLVED, that the Board approves the changes to the settlement in Civil Case 1279-06 as recommended by counsel during executive session.

On motion duly made by Director Chiu and seconded by Director Bordallo, the following resolution was unanimously passed:

***Resolution No. 12-017***

RESOLVED, that the Board authorizes the release of GEDA's judgment lien on the following property: Lot 3, Block 8, Tract 232, Sinajana.

*Adjournment*

§ 15. After further discussion, there was a recommendation to adjourn the meeting. On motion duly made by Director Chiu and seconded by Director John, the meeting was adjourned at 3:02 p.m.

Dated this 11 day of May, 2012.



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Ricardo C. Duenas  
Chairman

ATTEST:



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Ramona L.E. Jones  
Secretary

EJ CALVO  
for: