



Regular Monthly Meeting
Zoom Platform
10 a.m. Wednesday, March 2, 2022
Zoom Meeting ID: 842 2054 1640
Passcode: 176040

MINUTES

I. CALL TO ORDER: *President* Mayor Jesse L.G. Alig called the meeting to order at 10:40 a.m.

II. ROLL CALL AND RECITATION OF *INIFRESI*:

ALIG, Jesse L.G.	Mayor	Piti
BAUTISTA, Jessie P.	Vice Mayor	Barrigada
BLAS, June U.	Mayor	Barrigada
CHARGUALAF, Anthony P.	Mayor	Inalâhan
DELGADO, Kevin AN	Vice Mayor	Mangilao
FEJERAN, Christopher J.	Vice Mayor	Hâgat
GOGUE, Jessy C.	Mayor	Chalan Pago-Ordot
HOFMANN, Robert RDC	Mayor	Sinajana
IRIARTE, Rudy D.	Vice Mayor	Sinajana
McDONALD, Paul M.	Mayor	Agana Heights
PACO, Rudy A.	Mayor	M-T-M
RIVERA, Louise C.	Mayor	Tamuning
SALAS, Frankie A.	Mayor	Asan-Maina
SAVARES, Melissa B.	Mayor	Dededo
SUSUICO, Kevin J.T.	Mayor	Hâgat
TAITAGUE, Vicente S.	Mayor	Talo'fo'fo'
O/R ALVAREZ, Dale E.	Mayor	Sânta Rita-Sumai
O BENAVENTE, Peter John S.	Vice Mayor	Dededo
O CHARGUALAF, Ernest T.	Mayor	Malesso'
O/R CRUZ, John A.	Mayor	Hagâtña
O/R LEONES, Loreto V.	Vice Mayor	Yigo
O/R QUENGA, Bill A.	Mayor	Yona
O QUINATA, Johnny A.	Mayor	Humâtak
O/R SANCHEZ, Anthony P.	Mayor	Yigo
O TOVES, Albert M.	Vice Mayor	Tamuning
O/R UNGACTA, Allan "Al" R.G.	Mayor	Mangilao

O = ABSENT * = LATE ** = OFF ISLAND R = REPRESENTATIVE

Sixteen (16) members present at time of roll call. Quorum established.

Angel R. Sablan
Elaine RA Schaaf

Executive Director
Recording Secretary

III. APPROVAL OF FEBRUARY MINUTES – Mayor Vicente Taitague made the motion to approve and was seconded by Mayor Melissa Savares. No discussions or objections. The motion carried.

IV. APPROVAL OF TREASURER’S REPORT – Mayor Jessy Gogue made the motion to approve the March report and was seconded by Mayor June Blas. No discussions or objections. The motion carried.

V. GUEST SPEAKERS

1. Cassandra Sachdev- Moda Ginos
- A new program involving care packages to the island's community.
2. Clare Davidson – National Opinion Research Center of the University of Chicago/DPHSS
- In partnership with DPHSS, NORC at the University of Chicago, the Maternal and Child Health Jurisdictional Survey will occur in March-April 2022.
3. Renee Veksler – DPHSS Women, Infants, and Children
- Sought assistance from the Mayors to share about the program in newsletters, Mayor's offices, and other promotional/distribution channels.
4. Landon Aydllett – Hagu Foundation
- Engage the community in suicide awareness and prevention.

VI. EXECUTIVE DIRECTOR’S REPORT

REQUEST FOR LEGAL OPINION – ED sent a letter to the Office of the Attorney General regarding the Open Government Law and meeting notices. He has not received a response yet.

PROJECTS FUNDED BY EDUCATION STABILIZATION FUNDS (ESF) GRANT– When Dept. of Administration uploads the \$3.1 M, it will be one mother account and the fourteen (14) Districts would be notified. Requisitions and purchase orders have to come out from MCOG Admin. Ofc. The Guam State Clearinghouse hired one Program Coordinator assigned to MCOG to handle the account. Districts that have Capital Improvement Projects that are over \$50,000 would go through GSA and DPW. For \$50,000 and below, Admin. Ofc will handle it through MCOG procurement authority.

For those that have afterschool programs and are picking up coaches or other personnel to handle these programs, ED thinks the decision of the GSC is for mayors to make it go through their own non-profit organizations where they could write their own checks to their coaches or other personnel.

ED reminded those Districts of the reporting requirement to the GSC and they cannot change their approved grant and to spend it as what was approved.

ARPA FUNDS – The same way as the ESF, Districts submit their requisitions to MCOG. It is for operations, it cannot be combined with VOMBPS but can be used for the same reasons using VOMBPS as long as the account number is identified to issue the purchase order. This will be reported to BBMR because they need to know where every one of these funds is being expended on.

ISLANDWIDE ENVIRONMENTAL CLEANUP PROGRAM; RRF – White goods are on hold with Pyramid. All FY'21 invoices were submitted to DOA and were assured they will be paid sometime next week.

Districts who have expended or exhausted their original purchase orders for abandoned vehicles cannot increase their purchase orders until Guam EPA approves the invoices that have been submitted to MCOG Admin. Ofc.

ED recalled when he talked about the RRF, purchase orders for white goods would be issued but not for a bin to carry it but instead to use their trailers and the simple reason for that is that there are white goods that are being paid for and white goods that are accepted for free. Dumping everything in one bin would not work because the recycler would charge for everything that is in that bin despite the fact that some of them are free items.

MCOG FY 2023 BUDGET – Council has received the FY2023 budget request from the Committee on Appropriations and the Office of Finance and Budget which is due March 23, 2022. ED and the president met with Senator San Agustin and his staff and were told that Council cannot go over the FY2022 amount of \$10.8M. The \$2.8M that Council received from the Guam Highway Funds will not be available for FY2023.

The funds will all be transferred over to the Department of Public Works, to comply with the Office of Public Accountability and their recommendation to make sure that the GHF is used for the purposes that it's intended for. If that does happen, the result is every village will lose two maintenance positions. It is not a guarantee those two positions will be picked up by DPW. They also met with the director of DPW, whomever he hires; he will turn around and give those two positions back to MCOG but will be under the supervision of DPW. This is not definite yet. Senator said he is going to try his best to see if they can cover the \$2.8M million from another funding source so that mayors' don't lose those two positions

Mayor Savares said maintenance do more than just cut grass on secondary and tertiary roads; from stray dogs and illegal dumping to disturbances, first responders, aid to residents needing access to food and other welfare services, to help with funerals, fixing roads, and cleaning up villages and parks. Mayor queried if the positions would be classified. ED said the status would be Limited Term Appointment

President expressed that there is a bill regarding the liquid fuel tax. So if that takes away from the Guam Highway Funds there would be even less money that's going to DPW and even much more or less coming to MCOG. There are a lot of factors into it. He ensured the senator that they realize mayors' staff does significantly more than just cut grass.

Mayor Anthony Chargualaf communicated that it's more like a slap in the face and MCOG should be asking to maintain their staff and for more staff at this point.

The president and ED will do everything they can to make sure MCOG does not lose those positions.

Mayor Jessy Gogue referenced 11 GCA Chapter 26, Article 4 regarding the Liquid Fuel Tax, communicated that it is a one code annotated issue and that the budget chair is saying he's just trying to comply with the law, as it's outlined by OPA, then all they need to do is change the law and provide some allowances. This is a special fund that is no

different from other special funds, I don't get it, abolish us if people do not believe that the functions of the mayors and what we do for this island not only on a day-to-day basis, but during emergency declarations, whether it be a typhoon or a pandemic, if they don't believe we have a role then do without, this nonsense has got to stop. We've taken a budget cut for the last two fiscal years because of the pandemic and for us to then lose two more people because of budget issues. This has to be rectified and enough is enough. So they're trying to adjust, but that doesn't mean that it can't be corrected and that the funds can be allowed to be used in the manner it's been used since the inception of the liquid fuel tax and that's to provide some of that funding to the Mayors' Council for the work we do on the roads, Mayor said.

ED reported that the Limited Gaming Fund will also be lower than what MCOG received last year and it's not because the legislature wants to reduce it but because of the amount of money they're receiving due to the pandemic.

ED forewarned Council members about continuing appropriations. He doesn't believe they have an appetite in FY2023 to allow agencies to continue using previous years lapsed funds into the current fiscal year.

There was talk from the Office of Finance and Budget at that same meeting that they may exclude Chalan Pago-Ordot and Inalåhan from the budget because they both receive Community Host Funds simply because of budget cuts and how the legislature would determine how they would fund all these agencies.

The OFB asked what the actual amount the governor's office made available to MCOG because it would play a big role in how much we would get in FY2023.

ED will instruct the recording secretary to make the minutes and recording available to Senator San Agustin and his committee.

VII. COMMITTEE REPORTS

1. BOARDS AND COMMISSIONS – No reports.

President communicated that the War Claims Adjudication Committee will be sending a notice out to let people know that mayors' offices will be accepting applications starting April 1 and they will be asking the mayors' offices to distribute applications as they did the initial time.

2. STANDING COMMITTEES –

LEGISLATIVE AND FINANCE COMMITTEE ON BILL NO. 156-36 RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A REMEDY FOR PUBLIC AND PRIVATE NUISANCES. – *President* gave the floor to Mayor Robert Hofmann who communicated that the adjudication part from the bill writers whose response was that the bill creates a civil order to abate the nuisance. There is minimal fines for not abating the nuisance. The subject has two options. One, appeal the order of the abatement to the court to which he may or not may agree with the note or a fine assessed on the order of abatement. The legislature does not make the rules of the court. Likely, the rules will apply for most traffic violations will be adopted and incorporated to adjudicate the appeals. The goal is to get the property owner, tenant to remove the offensive nuisance or cease

creating the disturbance, not to site with the subsequent penalty for violations of the statute. Most traffic violations, civil violations, and judiciary adopted or modified these rules to accommodate the new process for adjudication of traffic violations. It will be the same here. In the U.S. code, The Supreme Court of Guam makes the authority to make the rules of the court, which is why it's not included in the rules and processes there. Most municipal jurisdictions have administrative law and due process prior to the appeals court. It's likely that there'll be adopted into that judicial branch itself. That's where we were at on this on the question of adjudication, Mayor said.

President asked if there was a motion to support the bill. ***President. Mayor Jesse Alig made the motion and seconded by Mayor Hofmann. No discussion on the bill.***

President asked Mayor Robert Hofmann to explain the relationship between Bill 155 and Bill 156 and how Bill 156 helps with Bill 155. A private nuisance, for example, is not defined as a nuisance that occurs on private property. It's every nuisance that's not defined as a public nuisance. For example, a business vehicle parked in front of an owner of a neighborhood house is a private nuisance because it does not affect the entire community, even though it is on a public road. The language is consistent with the other jurisdictions. What this does is it gives public health an additional power tool in this manner and so does all other public officials that are tasked with the enforcement of this. With the abandoned vehicle law, these help each other in both ways, where the leaving of a vehicle on the side of a road whether it be pulled over by law enforcement or not, those are the things that can be added to it. Now if a person left it, it becomes a nuisance. It can be cited as a nuisance and not just solid waste anymore, Mayor Hofmann said.

Roll Call vote. 12 Ayes. 1 Nay. The motion failed.

LEGISLATIVE AND FINANCE COMMITTEE ON BILL NO. 252-36 RELATIVE TO REMOVING THE PROCUREMENT CAP FOR EACH VILLAGE FOR RECYCLING REVOLVING FUNDS APPROPRIATED OR ALLOTTED TO THE MAYORS COUNCIL OF GUAM – *President* communicated that the bill would help larger villages lifting the cap for purchase orders. There is a \$50,000 cap for all purchase orders. Once that has reached 50,000, this bill allows doing more than that up until mayors' cleaned everything up with the available funding that MCOG received.

President asked for a motion to support the bill. **No quorum.** *President* hoped mayors would attend if there were a public hearing.

STRAY ANIMAL ROUND-UP (SARU) – Mayor Rudy Paco communicated that he would follow up with the Dept. of Agriculture and GAIN to find out the outcome of the expansion of GAIN. He commented that there is no room whenever mayors' have dogs to turn in.

OPERATIONS BUDGET – Because ED reported on Council's FY2023 proposed budget, *President* would like to put together an operations budget committee that will determine how to allot or divide the net budget of the MCOG to the 19 villages. He called for a March 8, 2022 meeting at 2 p.m. to discuss options and select a chairperson. Mayors' interested in it, or have a proposal for the distribution, this would be the time to talk about options and suggestions.

VIII. UNFINISHED BUSINESS

1. **FOSTER CARE PROJECT** – *President* communicated that efforts with the Archdiocese of Agana for February were completed but are looking for other options through the season of Lent and Easter as to what can be done with the Catholic Church.

2. **78TH LIBERATION FESTIVITIES** – *President* communicated that he may speak to the administration this week and see what can be done whether it's through them and probably even through GVB. He will call another meeting in the next week or two to discuss what the plans will be based on the public health guidelines that will be coming out and hopefully have more news for what is to come in the next month or two. Vice Mayor Kevin Delgado was working with ED and others regarding some options for Liberation.

IX. NEW BUSINESS

1. **CERTIFICATE PRESENTATION – FORMER TAMUNING VICE MAYOR †KENNETH C. SANTOS** – On behalf of the Mayors' Council, *President* formally presented a certificate to the family through Mayor Louise Rivera. At this time, ED read the certificate.

2. **26TH AMIM GENERAL ASSEMBLY** – Scheduled for Thursday, March 17, 2022 in Tinian. Election of Officers would be conducted where the presidency would go to CNMI and the vice presidency would be from Guam. The other item on the agenda will be discussions on the scholarship. Mayor Gogue queried if there was an option to attend through a virtual platform. *President* will make sure AMIM president is aware.

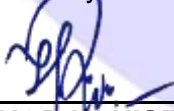
X. ANNOUNCEMENTS

- *President* will send out an out-of-school youth program flyer for the community's information.
- *President* communicated that 5th grader Madison Flores who was selling ifit plants last year, has calamansi plants for sale at \$6.

XI. ADJOURNMENT

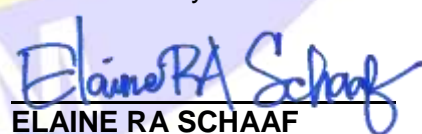
President thanked Council members and adjourned the meeting at 12:30 p.m.

Attested by:



MAYOR LOUISE C. RIVERA
Council Executive Secretary
17th Mayors' Council of Guam

Transcribed by:



ELAINE RA SCHAAF
Transcriber
MCOG – Administration



Mayors' Council of Guam

Konsehelon Malet Guahan

VOTING RECORD

17th Mayors' Council of Guam
Regular Monthly Meeting

DATE: March 2, 2022

PURPOSE: 156-36 Motion to Support J. ALIG / R. HOFMANN

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Mayor Jesse L.G. Alig	✓					
Mayor Dale E. Alvarez						
Vice Mayor Jessie P. Bautista						
Vice Mayor Peter John S. Benavente	X					
Mayor June U. Blas	✓					
Mayor Anthony P. Chargualaf	✓					
Mayor Ernest T. Chargualaf	X					
Mayor John A. Cruz	R					
Vice Mayor Kevin AN Delgado	?					
Vice Mayor Christopher J. Fejeran	✓					
Mayor Jessy C. Gogue		✓				
Mayor Robert RDC Hofmann	✓					
Vice Mayor Rudy D. Iriarte	?					
Vice Mayor Loreto V. Leones	R					
Mayor Paul M. McDonald	✓					
Mayor Rudy A. Paco	✓					
Mayor Bill A. Quenga	R					
Mayor Johnny A. Quinata	R					
Mayor Louise C. Rivera	✓					
Mayor Frankie A. Salas	✓					
Mayor Anthony P. Sanchez	R					
Mayor Melissa B. Savares	✓					
Mayor Kevin T. Susuico	✓					
Mayor Vicente S. Taitague	✓					
Vice Mayor Albert M. Toves	OI					
Mayor Allan R.G. Ungacta	R					

TOTAL

12
Aye

1
Nay

Not
Voting/
Abstained

Out
During
Roll Call

Absent

Excused

CERIFIED TRUE AND CORRECT:

MAYOR LOUISE C. RIVERA
Secretary and Mayor of Tamuning

MOTION FAILS





MAYORS' COUNCIL OF GUAM

Regular Monthly Meeting

ATTENDANCE ROLL CALL

Virtual Platform
March 2, 2022

NAME	PRESENT	LATE	ABSENT	EXCUSED
Mayor Jesse L.G. Alig	✓			
Mayor Dale E. Alvarez	R		✓	
Vice Mayor Jessie P. Bautista	✓			
Vice Mayor Peter John S. Benavente			✓	
Mayor June U. Blas	✓			
Mayor Anthony P. Chargualaf	✓			
Mayor Ernest T. Chargualaf			✓	
Mayor John A. Cruz			✓	
Vice Mayor Kevin AN Delgado	✓			
Vice Mayor Christopher J. Fejeran	✓			
Mayor Jessy C. Gogue	✓			
Mayor Robert RDC Hofmann	✓			
Vice Mayor Rudy D. Iriarte	✓			
Vice Mayor Loreto V. Leones	R		✓	
Mayor Paul M. McDonald	✓			
Mayor Rudy A. Paco	✓			
Mayor Bill A. Quenga	R		✓	
Mayor Johnny A. Quinata	R		✓	
Mayor Louise C. Rivera	✓			
Mayor Frankie A. Salas	✓			
Mayor Anthony P. Sanchez	R		✓	
Mayor Melissa B. Savares	✓			
Mayor Kevin T. Susuico	✓			
Mayor Vicente S. Taitague	✓			
Vice Mayor Albert M. Toves	R		✓	
Mayor Allan R.G. Ungacta	R		✓	

	<u>16</u>	<u> </u>	<u>10</u>	<u> </u>
TOTAL	PRESENT	LATE	ABSENT	EXCUSED

CERTIFIED TRUE AND CORRECT:

LOUISE C. RIVERA

Mayor of Tamuning and Executive Secretary