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M&C Fwd: CAHA Board Meeting Requirements - September 15, 2017

BENJAMIN CRUZ <speaker@senatorbjcruz.com> Mon, Oct 16, 2017 at 8:08 A
To: 34th Guam Legislature Clerks <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

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10/16/2017	10/16/2017	Guam Council on the Arts and Humanites	CAHA Board Meeting Requirements - September 15, 2017*	34-17-1084

---------- Forwarded message ----------
From: **Sherrie Barcinas** <sherrie.barcinas@caha.guam.gov>
Date: Fri, Oct 13, 2017 at 5:41 PM
Subject: CAHA Board Meeting Requirements - September 15, 2017
To: speaker@senatorbjcruz.com, centralfiles@guam.gov

Pursuant to Public Law No. 31-233 attached is the agenda and attachments of CAHA's Board Meeting held on September 15, 2017.

Sherrie PD Barcinas

Administrative Officer

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OCT 16 2017

Time: 8:25 [ ] AM [ ] PM File No. _____

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OFFICE OF SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication

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3 attachments

- **07.11.2017 Board Minutes.pdf** 54K
- **08.08.2017 Board Minutes.pdf** 49K
- **Agenda.pdf** 11K

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1084

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
Regular Board Meeting
July 11, 2017

I. CALL TO ORDER

The Guam Council on the Arts and Humanities Agency's regular board meeting was called to order at 3:31pm by Interim Chairperson of the Board, Francis Guerrero. Board members present were Francisco Rabon, Francisco Lizama and Joseph Certeza. Absent were Kristal Koga and Tes Burrier. Also present were President Johnny Sablan, Sherrie Barcinas, Administrative Officer and Program Coordinators Jacqueline Balbas, Angie Taitague, Brea Bailey and Mark Duenas.

II. REVIEW AND APPROVAL OF MINUTES DATED MARCH 7, 2017.

Mr. Lizama moved to approve the minutes of March 7, 2017. Motion seconded by Mr. Frank Rabon.

UNANIMOUSLY APPROVED

III. PRESIDENT'S REPORT

President Sablan reported that an incoming Executive Director, Joyce Bamba will soon be on board for the Guam Council on the Arts and Humanities Agency anytime soon and CAHA will be pulled out of the reorganization and become stand alone. Interim Chair Guerrero questioned if the reorganization is through legislation at which President Sablan stated that the Legal Office is working on the issue to ensure legal procedure to separate CAHA. The reorganization was clarified by CAHA Staff Barcinas that it was not made through legislation but rather the Governor's Office. It was further clarified by President Sablan that it is similar to that of an Executive Order in which one could be rescinded without legislation.

After some discussion on the board vacancies, Interim Chair Guerrero requested that the Governor's fill positions on the board. Of the current six board members, three are expected to expire in December 2017. President Sablan stated that what is required is a listing of potential board members as well as a request for those who wish to be reappointed shall be acceptable.

IV. OLD BUSINESS

A. Percent for the Arts

A copy of Public Law No. 33-325 (amendment to existing public law) was provided to the board. President Sablan reported that CAHA requested the Governor's Legal Department to assist in informing the departments to take the % for the arts seriously and therefore the Governor has issued a Directive demanding all agencies to comply whether or not they receive federal or government funds with public access with exceptions to those under educational institutions. CAHA Staff Taitague added to say that a letter was sent out in early May 2017 to include the Governor's Directive. Letters were also sent out to those that owe and were invoiced. The estimated total owed for the % for the Arts for year 2015 is $919,183. Interim Chair Guerrero requested for a listing of the agencies and the amounts owed. In addition, the Interim Chair recommended that the next letter sent out should reference the Governor's Directive and state the date in which the monies were owed and that it remains outstanding so it's made clear that they've not moved on it and to indicate the amount owed with a "cc" to the Governor's Office. A timeline for response on the letters should be identified and those given multiple reminder notices should be given a deadline of 15 days for their response.

The Interim Chair suggested creating a format for the % program:

- The initial letter should be informing entities that the law exists and to consider the % program in their project time line.
- Midway notice informing entity of its installment due date
- End of project notice
- Deadline of installment after end of project notice to include a penalty. The penalty shall be incorporated in the revised rules and regulations.

CAHA should focus on the complete listing of what is owed from all government entities beginning the year 2015.

Reporting on the following is CAHA Staff Angie Taitague.

1. **Update on Occupancy Permits for % for the Arts**
   A listing was provided by Dept. of Public Works as of June 2017. The qualifying list of projects are currently being extracted. This process is also being done for the Guam Economic Development Authority Qualifying Certificate listing that was also recently provided. Letters are being prepared to notify the contractors based on the QC listing.

2. **Update - % for the Arts Regulations & Guidelines Amendment – Triple "A" Process**
   The AdHoc committee still lacks members to move forward on the process in addressing the amendment to the % for the Arts Law. Although a mass email had been sent out, Ms. Yeon Sook Park is the only one that has shown interest. Mr. Certeza then expressed his interest to sit on the committee. Interim Chair Guerrero recommends that there be at least five members on the committee. Another call out will be sent out to seek two more members. It has been requested to seek a member who is a lawyer to assist in the crafting of the verbiage.

3. **Update – Current Projects**
   a. **GCEF**
   Artists Anita Bendo, TASI and Joseph Guerrero were given a completion project deadline of September 29, 2017 regardless if the facility's 2nd floor Permanent Exhibit opening would be later in the year.

   b. GRMC
   Status quo. CAHA Staff Barcinas reported that GRMC has yet to remit two installments. GRMC contract is $1.5million with $800,000 to be remitted to CAHA in installment payments while $500,000 would go towards programs/projects. To date, CAHA has received $200,000. Interim Chair Guerrero requested a follow up letter for remittance on pending installment payments.

   c. Guam Congress Building (Legislature)
   The project is near completion with pending artworks by artist Mark Murer. The delay was due to a death in family but artworks are expected to be fully completed by early August 2017. The Guam Legislature is expected to have an opening to reveal the commissioned artworks. Interim Chair Guerrero suggested that during this time, a speech could be made in awareness of the % for the arts program.

   d. Ken Corporation
   The initial letter sent to Mr. Morinaga, General Manager of TNN was never entertained as he was of lower management. It was requested that the letter be readdressed to Mr. Masugi in which a response was received stating their fully aware of the % for the arts and the project is currently on the foundation portion. Once the project begins, both parties will then meet to draw up the contract.

e. Pending: GIAA (Airport), GCC, UOG, DOE & GHURA

Guam International Airport Authority, GHURA and Dept. of Agriculture was questioning the % program as part of their projects are federally funded and their grant would be in jeopardy. A letter was sent to both legal counsel and Attorney General for their opinion and CAHA is awaiting a response.

Interim Chair Guerrero emphasized that there's nothing that states that those with federal projects are exempt from the law. However the agencies are stating that the federal has restrictions on their projects. The challenge would be that these entities can't use federal funding to comply with the % for the arts but their project is still required to pay towards the % program some other way.

President Sablan stated that the Contractors are responsible to factor in the 1% cost into their bid. After some discussion, Mr. Rabon stated that in as far as collection, CAHA should work towards the collection of those contractors who have factored in the cost versus those who didn't. Interim Chair Guerrero felt that CAHA may not have the authority nor ability to obtain details on whether or not the costs have been factored into the bid which is also not the question at hand but rather the project owner must fulfill its responsibility.

Mr. Rabon expressed that for whatever issues there may be in the entities non-compliance, CAHA would need to develop a process to collect the monies. Interim Chair Guerrero recommended that the law be reviewed for anything that deals with enforcement.

CAHA Staff Balbas recommended that enforcement of collection could be stipulated in the revised rules and regulations.

CAHA Staff Taitague stated that although the new law that was signed in January 2017 excludes educational institutions, GCC, UOG & GDOE projects fell under the prior law and shall be considered as part of the % program.

Interim Chair Guerrero requested a complete master listing of entities with dollar amounts per project on what is owed to the % program.

V. NEW BUSINESS

A. FY 2018 Grant Process

CAHA Staff Balbas provided a hand out the grant process.
In April 2018 an announcement was sent out informing the public that the FY 2018 grant cycle was open and applications can be submitted to CAHA. On June 3, 2017 CAHA held a mandatory workshop for potential applicants which drew in approximately 50-60. The deadline to submit original grant applications is Friday, July 14, 2017 at 4:00pm. Applications submitted via fax or electronically will not be accepted. Applications must have all its supporting documents such as letters of recommendations, detailed budget breakdown and for non-profit organizations they must have letter of incorporation, by-laws, etc. After the deadline each staff member is assigned a panel to review applications to ensure its completeness. All potential applicants were informed that incomplete applications will not be accepted. This was relayed at the workshop, via email and is stated in the grant guidelines. A checklist is also provided to ensure the applicant has submitted all documents.

Mr. Rabon questioned whether the maximum amount that can be awarded is $25,000 at which CAHA Staff Balbas stated that the amount has been reduced as CAHA receives more applicants and to better serve the public. It also makes the applicant responsible in seeking matching funding sources for their project.

Mr. Rabon further questioned how many applicants are proposing worthwhile projects versus those who are just seeking money. Mr. Rabon felt that the matching resources should be something the applicant gives back to the community. Funding of applicants should be scrutinized on more worthwhile projects of quality, those that give back to the community, increases the knowledge in the various disciplines versus funds that are divided to those projects that don't benefit the community.

Interim Chair Guerrero questioned whether the guidelines or application requests for community involvement at which CAHA Staff Balbas stated that it is indicated on the grant application. However, Interim Chair Guerrero requested that it is emphasized by stating how would it benefit the community in ways such as, are you apprenticing others in the process, etc. or any other way as it relates to their project.

Mr. Rabon expressed that giving back to the community shall be stressed and addressed to applicants at the Grant Workshop moving forward into the next grant cycle.

Mr. Guerrero stated that as Panel Chairs, the panel members could be informed of the areas in which the board is looking for as part of the review process. Based on the panel results, the board would ultimately make the final decision on the awards.

A copy of the Grant & Services guidelines as well as the grant application was requested to be provided to the board for their review on changes to be made for the next grant cycle. The board would like to ensure that all issues are addressed.

August is the month in which panels review the grant applications while the month of September the board makes its final decision. The grant applications should have already been screened by staff before panel review then the board should only make decision on those applications with worthwhile projects. The grant awards are issued in September.

Panel Chairs assigned as follows:

Frank Rabon
1st choice - Performing Arts – performances, symphony, school plays, etc. discipline is self-explanatory
Arts in Education - An artist who does a residency in the school or program in the community to teach any art form

Frank Lizama
Folk Arts - Blacksmithing, weaving, carving or any other traditional form of art

Francis Guerrero
Media Arts – Film production, contemporary or traditional art form.
Underserved – services at risk youths, manamko, etc.

Joey Certeza
1st choice - Visual Arts – exhibits or artists creating new works of art or teach in schools depending how the project is written
Special Projects – Literature or projects that don't fall under the other disciplines.

Board members Kristal Koga and Tes Burrier could possibly Chair those disciplines that have been doubled up by another board member. Panel reviews must be completed by the month of August for compilation of results for board meeting in September.

CAHA Staff Bailey sought clarification and questioned whether it was okay at the first level for staff to eliminate those applicants who did not attend the mandatory workshop, at which

Interim Chair Guerrero stated yes as it was a requirement. However, notes should be taken to substantiate the decision. A letter shall then be drafted to specifically state that it was mandatory.

Interim Chair Guerrero reported that the board may come across an issue with one applicant who claim that he showed up when the mandatory workshop was over as there was no way to claim that as the doors were locked. To his discredit the session did end early as there were less questions than anticipated and the announcement in the paper was up until 12:00pm.

Per CAHA Staff Balbas, an email was sent to the applicant stating that his application would be accepted based on those conditions, however July 14, 2017 is the deadline and a complete packet must be submitted to be considered.

Interim Chair Guerrero explained to the board that because the announcement stated 9:00am until 12:00pm the applicant felt he should have been considered. However, Mr. Rabon felt otherwise as based on the timing the staff left, which was around 11:00am, the applicant should have made the effort to attend at least by 10:00am and not two (2) hours into the session. This type of situation would not even be considered when dealing with other grants. The board must be firm on its policies.

B. Appointment of Executive Director

This section is a continuation from President's Report.

Mr. Rabon questioned what good is the CAHA Board if the Executive Director is only answerable to the Governor. The Executive Director should be answerable to the board then expressed to the Governor. If Executive Director is only answerable to the Governor then there is no need for the board to be in place. President Sablan added to say that he hopes that the Executive Director would be answerable to the board.

Interim Chair Guerrero then questioned if it was legal to take on the Executive Director when CAHA has yet to be separated from DCA and felt that the legislation of the reorganization issue is important. The separation of CAHA is not disagreeable but would be a positive thing for CAHA to move on being independent and relieves the President in some of its responsibilities which would help on the focus of CAHA in terms of the Governor's Office. The positive thing about having an Executive Director linked to the Governor's Office is that whatever the board actions or request are, Ms. Bamba would be the liaison to the Governor's Office to push those issues through which would be the most important function as the Executive Director.

The approval on the appointment of the Executive Director is contingent upon obtaining clarity by President Sablan on the reorganization that CAHA would legally be stand alone and that the Executive Director does report to the board and is the liaison to the Governor.

Mr. Certeza moved to approve the appointment of Executive Director Joyce Bamba subject to above mentioned conditions. Motion seconded by Mr. Rabon.

UNANIMOUSLY APPROVED

VI. BUDGET REPORTS

Reporting on financials is CAHA Staff Barcinas.

A. CAHA FY 2017 Appropriation Accounts

CAHA has a local / federal match account which means 50% of the funding is general fund while the remaining 50% is federal funds. Any amount that overmatches the federal funds are placed in the overmatch account.

The local / federal match account covers the salaries and benefits of five (5) employees and the operations of CAHA to include the sub grants that are awarded throughout the fiscal year.

In the local overmatch account it funds the Program Coordinator III position.

The current available funds is $39,659.15 less anticipated expenditures of $26,401.71 would leave a balance of approximately $13,257.44 for the remaining of fiscal year 2017.

As of the local overmatch account, there is a negative balance of $9,713.56 as there was a directive from BBMR to place 15% in reserves. However, it is the priority to cover salaries and benefits and therefore most likely reserve funds would be released to cover the shortfall. In addition, with the anticipation of having a Executive Director on board, the salaries and benefits would also be covered under this account from the reserve funds.

B. CAHA Non-Appropriation / Revolving Accounts

The revolving account current balance is $23,187.39 less amounts identified under specific projects bringing the actual account balance to $3,833.27.

The balance on the % for the Arts Account is $211,235.60 which remains status quo from its reporting at the last board meeting.

Interim Chair Guerrero requested if the reporting on the % for the Arts account be list the amounts that have been encumbered. However, CAHA Staff Barcinas stated that none of the funds have yet to be encumbered until the revised rules and regulations are in place.

CAHA Staff reported that the current account is not interest bearing and charges the account for being inactive. Interim Chair Guerrero stated he would work with Bank of Guam on waiving all fees on this account.

After some discussion on the % program, Interim Chair Guerrero requested that a copy of the current rules and regulations be emailed to all board members for their review.

C. FESTPAC Accounts

The balance remains status quo from last reporting at $219,450. This is being withheld until CAHA has received approval from the Attorney General's Office for its release. President Sablan reported that the final decision is up to the Attorney General although the matter was handled by the Department of Public Works legal counsel assigned who is an Assistant Attorney General. Interim Chair Guerrero requested to follow up on the issue.

VII. OTHER ANNOUNCEMENTS & DISCUSSIONS

President Sablan reported that the Liberation Carnival begins tomorrow, July 12, 2017 at 5:00 – 11:00pm at the Chamorro Village festival huts for five days a weekend starting on Wednesday to Sunday to assist the Mayor's Council and at the request of the Governor's Office. Coronation is scheduled for July 12, 2017 at 6pm.

Mr. Lizama brought up a concern in revisiting the masters program to possibly stipulate that if one does not uphold its master recognition in promoting and educating the art form they've been nominated for, that the title be taken away.

Mr. Rabon stated that he was very adamant in implementing the proper guidelines on the selection of masters or the nomination process as this is a very prestigious title and anyone given the title should uphold their art form. It is a respectful title worldwide and not just on Guam. However, at the time CAHA sent out its nomination process, it was forgotten that masters are born of indigenous people and not of western ideals. This should not govern the selection of masters but somehow it has transpired which has demoralizes a lot. Faced by one who was

deemed a master that is uncooperative, Mr. Rabon questioned how can one be a master with a prestigious title given by the board and the agency and don't respect the title. A letter was sent to the board disapproving that particular nomination but fell on deaf ears to the predecessor of the Department of Chamorro Affairs and former Chairman of CAHA.

Interim Chair Guerrero questioned when the next masters nomination is due at which it was stated in 2019. However, Mr. Rabon felt it would be 2020 as the last award was made in 2016. In addition, Mr. Rabon felt the awards given then was illegal as the law stipulates that it shall take place every four (4) years.

CAHA Staff Barcinas then stated that it was the past board's decision to have nominations announced as a "catch up" for years past of not having any awards. It was most recent when the current board decided to keep the nomination process at every four (4) years per the law.

Mr. Rabon stated that amendments to the masters nomination were made which now requires that a Master must nominate an individual and that the Master must also sit on the evaluation of the packet submittal. In the past, anyone could nominate anyone. However, those changes were made as of November 2016.

Interim Chair Guerrero then stated that the issue is mainly whether there was any policing on the masters and at this time there is nothing in the law that stipulates having to take away the recognition. However, an amendment to the law be recommended to the legislature if the board felt strongly that a clause be incorporated into the law with regards to enforcement or be more stringent on the awarding moving forward.

Next Board Meeting scheduled for August 1, 2017.

VIII. ADJOURNMENT

With no further discussion, Mr. Certeza moved to adjourn the meeting at 5:03pm. Motion seconded by Mr. Rabon.

UNANIMOUSLY APPROVED

Minutes prepared by:

_____
Sherrie A.D. Barcinas
Administrative Officer, Guam CAHA
Div. of Dept. of Chamorro Affairs

Attested to be true and correct by:

_____
Francis Guerrero
Interim Chair, Guam CAHA Board of Directors
Div. of Dept. of Chamorro Affairs

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
Regular Board Meeting
August 8, 2017

I. CALL TO ORDER

The Guam Council on the Arts and Humanities Agency's regular board meeting was called to order at 3:10pm by Interim Chairperson of the Board, Francis Guerrero. Board members present were Francisco Rabon, Tes Burrier and Joseph Certeza. Absent were Kristal Koga and Francisco Lizama. Also present were Deputy Director Joyce Bamba, Sherrie Barcinas, Administrative Officer and Program Coordinators Jacqueline Balbas, Angie Taitague, Brea Bailey and Mark Duenas.

II. REVIEW AND APPROVAL OF MINUTES DATED JULY 11, 2017.

Mr. Certeza moved to table the minutes of July 11, 2017. Motion seconded by Ms. Burrier.

UNANIMOUSLY APPROVED

III. DIRECTOR'S REPORT

Interim Chair Guerrero introduced the new Director of the Guam Council on the Arts and Humanities Agency, Mrs. Joyce Bamba.

Mrs. Bamba reported that she just got on board on July 25, 2017 and spent the first ten (10) days on working with staff on areas of responsibilities and to make positive changes moving forward. A meeting was held with Monica Guzman to discuss the possibility of having the CAHA Gallery in the Guam Museum as it has always been that desire. However, Galaide's position is that there's no space available. Ms. Guzman gave a tour of the entire facility and pointed out that all areas were justified given that plan of the building. Mrs. Bamba felt that if CAHA so desires to move in the facility, CAHA would need to work with those in power to make that move.

Further research would be done to get CAHA into the Guam Museum. Ms. Monica Guzman, former Chaiperson of CAHA initiated having CAHA within the facility and a Memorandum of Understanding was required but never signed. Nonetheless, Mrs. Bamba will continue to look into the matter in hopes that a space would be available for CAHA.

Interim Chair Guerrero recalled that during past board discussions and at the time it made sense that part of the Museum set up was about supporting the arts and humanities and that CAHA should be in the Museum. There may have been challenges between the time the Museum was planned to include CAHA versus the actual building of the Museum and the changes that have happened. There has also been discussion in other non-profit organizations to be part of the facility and with the final exhibit not in place yet, there's not much space available.

Mrs. Bamba stated that the Multi-Purpose room is the only area that she foresees as one in which CAHA could utilize, however that area is one that is rented out. Should there be space, only the Gallery would move to the Museum as there is no room at all to include staff.

Interim Chair Guerrero expressed that the move should entail the entire CAHA Gallery and offices otherwise the current gallery could be further enhanced instead. After some discussion that the gallery should be in the Museum, Interim Chair Guerrero suggested that CAHA look into how the multi-purpose room is being utilized, how often and how much it costs. Ms. Burrier stated that the Filipino Community of Guam has donated monies in exchange for the usage the Multi-Purpose Room and may have been committed.

Interim Chair Guerrero stated that if the gallery could not be in the Museum that possibly seeking a building close by to the Museum for both the offices and gallery which could be like an extension to the Musuem. Mrs. Bamba then stated that she would look into the matter. However, CAHA Staff Barcinas added to say that the movement may be an issue as the current lease is under on bid as a division of the Department of Chamorro Affairs although the current lease is on an option to renew on a year to year basis. Therefore, DCA would have to opt the renewal in order for the divisions under the bid to go out on its own lease. Interim Chair Guerrero requested the issue to be tabled at this time but to look into the possibility of going out on a separate lease.

Mrs. Bamba reported that overall, the offices and gallery will be repainted eggshell white and CAHA sought professional janitorial services to clean out all areas as well.

IV. OLD BUSINESS

A. Percent for the Arts

Reporting on the following is CAHA Staff Angie Taitague.

1. Update on Occupancy Permits for % for the Arts – Status Quo
The listing to combine the years of 2015, 2016 & 2017 into one spreadsheet is still being generated in order to know the running total for the % program.

2. Update - % for the Arts Regulations & Guidelines Amendment – Triple "A" Process

The Ad Hoc Committee has already been established & confirmed with the following members:

Francis Guerrero, Senator Therese Terlaje, Ric Castro (Artist), Yeon Sook Park (Artist), Joey Certeza & Joyce Bamba

CAHA Staff: Jacqueline Balbas & Angie Taitague

Interim Chair Guerrero requested that a copy of the existing Regulations & Guidelines be provided to all members for their review. It was further requested that since CAHA Staff is most likely more familiar with the changes with the new and the old law, that they review the guidelines and make their recommendations.

CAHA Staff Barcinas stated that this would be the time to make changes to the current guidelines as one of the items brought up was to increase the cap of $3,000 to be awarded to applicants that is part of the % for the arts grant process. Interim Chair Guerrero expressed that this most definitely would have to increase as the program would have surplus knowing the amount of monies CAHA would be collecting. In addition, funds could also be utilized for other uses such as a Civic Center that would have the capability to service all art disciplines.

CAHA Staff Balbas & Taitague would work on the process and review of the guidelines and schedule its committee meeting.

3. Update – Current Projects

a. **GCEF –** The close out on all artist projects is still at September 30, 2017 whether or not the 2nd floor is completed. Per TASI, Galaide had mentioned to them that the facility would be available for them to bring in their artwork(s) by that time.

b. GRMC – Status Quo

CAHA Staff Barcinas reported that a reminder notice was sent out mid July and added onto the letter that if GRMC had any questions or concerns to perhaps meet or contact our office for discussion on what the issue may be. However, CAHA has yet to receive any response. To date, GRMC owes three (3) installments payments of $100,00 per installment.

Interim Chair Guerrero requested that Mrs. Bamba also follow up with GRMC on the pending payments.

Mrs. Bamba recommended per discussion with CAHA Staff Taitague the possibility of having the lawyer sign off on demand correspondences. However, in order for CAHA to proceed in this manner, the Attorney General must agree. To ensure that CAHA is able to collect from entities owing monies for the % program, Mrs. Bamba felt that CAHA should hire its own lawyer.

Interim Chair Guerrero stated that he recalled that there may not be any penalty clause in the percent program and that should be written in as well when revising the guidelines.

CAHA Staff Taitague pointed out that during a recent webinar session she attended on % for the Arts program off-island. In Texas, they used federal highway funds to place artwork on the bridges and sculptures on the side of the road which were allowable and therefore, what exempts GHURA from complying with the % law.

CAHA Staff Balbas then stated that the government entities must find other funding sources and not necessarily federal funds to comply with the law.

Mr. Rabon expressed that since this law has been in place for so many years now and that the guidelines are being revisited, that there be strong verbiage stating the entities must pay whether it be local or federal funds.

Interim Chair Guerrero stated that government entities should have already incorporated the requirement to comply with the % law in their bid. In the case of GHURA, all the monies in the RFP could have gone all towards construction and none was set aside for the %.

Mrs. Bamba stated there is a safeguard in place such as CAHA signing off on the Occupancy Permit but that process does not enforce the collection issue.

After some discussion on the collection of monies for %, Interim Chair Guerrero stated that CAHA must strengthen its enforcement to penalize. Since the committee is looking for more possible lawyers, it has been requested to look into the possibility of obtaining one from the Attorney General's Office formally and/or to obtain its own lawyer.

c. Guam Congress Building (Legislature)

All artworks have been completed for the project. Final installation on Mark Murer's artworks is scheduled for the weekend of August 12, 2017. Some of the funds from this project was set aside for the installation costs of artworks. Balance on project shall be remitted to CAHA inclusive of administrative cost fee.

Mrs. Bamba felt that this project should have media coverage so other agencies are made aware of what the % for the Arts program entails.

CAHA Staff Taitague mentioned that per the Executive Director, Jermaine Alerta of the Guam Legislature, a ribbon cutting ceremony to reveal the artworks was to take

place. The board will be informed once finalized.

Interim Chair Guerrero questioned whether there was a process in place for final billing to Guam Legislature. CAHA Staff Barcinas stated that this is tracked by both parties who should have a complete listing based on proposals & installation costs. Balance on % funding should be remitted to CAHA along with administrative cost fee.

Interim Chair Guerrero requested that if a process is not in place yet that a solid procedure be in place showing what the initial 1% amount and what it can be used for and a final report with documentation shall be submitted. CAHA shall then invoice the entity the balance owed to be remitted.

d. Ken Corporation

The company has been informed and will be working with CAHA as soon as they've begun the planning stages for the interior of building and has acknowledged compliance of the 1%.

Interim Chair Guerrero suggested that a letter be sent to Ken Corporation as well as other entities who are listed to comply with the law informing them of the expanded options on how they could incorporate the arts in their building and to include a copy of the amended law.

After some discussion on the options, Mr. Rabon stated that as far as the performing arts in the hotels is concerned, a stop must be made on Polynesian dancing and if anything cultural shall be in place, it shall be of those the Micronesian Region.

e. Pending: GIAA (Airport), GCC, UOG, DOE & GHURA – Status Quo

V. NEW BUSINESS

Before proceeding, Interim Chair Guerrero requested the grant panel update. CAHA Staff Taitague reported Interim Chair Guerrero's panels of Underserved & Media are scheduled for next Thursday. Arts-in-Education & Performing Arts panel meetings Chaired by Mr. Rabon have been completed. Mr. Certerza reported that special projects is scheduled next week Tuesday at 3pm and waiting on finalizing the date with Mark Duenas for Visual Arts. No applications were submitted for Folk Arts.

Interim Chair Guerrero stated that all panel chairs be mindful of the matching requirements set forth for the grants. Since there were only 18 applications, in the event there's left over funding, a second round for call out of grants may be necessary. This may or may not be necessary as some of the applications may be so worthy that an applicant may be awarded more funding than what was requested.

It was discussed at the last board meeting about tackling issues with regards to the grant application, guidelines and its process. The grant application and guidelines were sent out to the board and a subcommittee shall be formed with members of the board for the review process. This shall take place immediately to be publicized and those coming in to pick up grant applications are made aware of the changes in advance and be prepared by the time CAHA is ready to accept applications.

A. Approval of Deputy Director

Interim Chair Guerrero reported that at the last board meeting, the board approved Ms. Joyce Bamba as the Executive Director of the Guam Council on the Arts and Humanities Agency with the condition that there truly are funds to cover her salary and to gain clarity that as an Executive Director, will CAHA be separated from DCA as the question was whether the

Executive Director reports to the President of DCA or does the Executive Director report to the Board and serves as the conduit to the Governor's Office.

Ms. Bamba stated that the Reorganization is still in place and that she would still have to report to Johnny as the President of DCA however, for all practical purposes, CAHA is moving ahead as a stand alone agency budget wise and staff. To be amicable, CAHA remains in working together with DCA. The President is gracious to separate CAHA to alleviate one more thing to do.

A letter was presented to the board reclassifying Ms. Joyce Bamba to Deputy Director instead of Executive Director. This was done to expedite the process of getting Ms. Bamba on board.

A motion was made to amend the last motion approving the Executive Director to a new motion superseding previous for the approval of a Deputy Director for CAHA was made by Mr. Rabon. Motion seconded by Ms. Burrier.

UNANIMOUSLY APPROVED

B. National Assembly of State Arts Agencies Leadership Institute (NASAA)

CAHA Staff Barcinas stated that the National Assembly of State Arts Agencies holds an annual conference and this year the conference is geared towards leaders (Chairs, council members, Directors & Deputies) of the State Arts Agencies called the Leadership Institute. CAHA is seeking two (2) representatives to attend the conference, 1 board member and the Ms. Bamba as the Deputy Director of CAHA. The conference is scheduled for October 11-14, 2017 in Portland, Oregon. A request had already been made to the federal grantor, the National Endowment for the Arts, for approval to send two individuals to the conference.

CAHA Staff Duenas questioned why staff was unable to attend the Leadership Institute conference as he hasn't attended one since employed with CAHA and did attend one while in the private sector. Interim Chair Guerrero questioned whether it was relative to the arts at which it wasn't. It was again reiterated that this conference was geared towards leaders of State Arts Agencies and was clarified by CAHA Staff Barcinas that the conference was specific to those.

CAHA Staff Barcinas stated that although staff is unable to attend the conference this year, staff will be alternated in upcoming NASAA conferences during its General Assembly sessions. Ms. Bamba also stated that should any other conferences become available for staff to attend, that CAHA would send representative(s).

Interim Chair Guerrero brought up discussion on former Chair Monica Guzman's previous attendance to the National Assembly of State Arts Agencies under CAHA funds as being nominated to the NASAA board. CAHA Staff Barcinas stated that Ms. Guzman made a request for CAHA to cover her registration fee which was approved by both CAHA and NEA.

The board felt that CAHA should not honor any request for funds not within CAHA board and should seek other funding.

VI. BUDGET REPORTS

Reporting on financials is CAHA Staff Barcinas.

A. CAHA FY 2017 Appropriation Accounts

In the local/federal match account as of August 3, 2017, the current balance is $16,532.20 and with anticipated expenses and the returned funds from sub grantee Simeon Palomo, the

balance for the remaining of the fiscal year would be $9,717.48. This amount would most likely be utilized to cover other contractual services and other anticipated expenses by fiscal year ending September 30, 2017.

On the local overmatch account which currently funds the Program Coordinator III position and soon the Deputy Director position, the balance by the end of the fiscal year is estimated at $5,516.82. The $33,869 remains in reserve.

B. CAHA Non-Appropriation / Revolving Accounts

In the revolving fund account, the balance remains status quo at $3,833.27. Based on the amounts shown in parenthesis of hand out, only $15,000 is what's pending for payment (Gannett funding) out to vendor once project has been completed. CAHA Staff Balbas stated that project should be completed by November 30, 2017.

In the % for the Arts account, the balance remains status quo at $211,235.60

C. FESTPAC Accounts

In the FestPac account, what has been retained was the 10% from the hut construction of $219,450. However, in a recent bank transaction, $1,800 was debited from FestPac account due to a vendor payment by Hafaloha that was collected from GEDA in which check was stale dated. CAHA is currently working with Julius Santos of GEDA to collect funds on the shortfall of the 10% retention as it was mentioned that initially Hafaloha did not have to pay for a space during FestPac but yet a payment was remitted to CAHA. Mr. Santos will work with the Ms. Rose Ramsey from the front office in resolving the matter.

VII. OTHER ANNOUNCEMENTS & DISCUSSIONS

CAHA Staff Duenas announced the opening exhibit reception of Moe Cotton & Tim Hanley scheduled for August 11, 2017 from 6-9pm. Exhibit will run throughout the month of August 2017.

Ms. Bamba invited the board to the department's Labor Day Picnic on September 3, 2017.

Mr. Certeza announced that on August 18, 2017 from 6-9pm at Nissan, Sagan Kutturan will hold its art show opening reception with weaving, performances, mini fashion exhibition of his newest works and silent auction with approximately 30+ artists participating. Food will be provided by Micronesian Chef's Association. Art show will continue throughout the week.

Next Board Meeting scheduled for September 5, 2017.

VIII. ADJOURNMENT

With no further discussion, Mr. Certeza moved to adjourn the meeting at 4:50pm. Motion seconded by Ms. Burrier.

UNANIMOUSLY APPROVED

Minutes prepared by:

_____
Sherrie A.D. Barcinas
Administrative Officer, Guam CAHA
Div. of Dept. of Chamorro Affairs

Attested to be true and correct by:

_____
Francis Guerrero
Interim Chair, Guam CAHA Board of Directors
Div. of Dept. of Chamorro Affairs

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
Regular Board Meeting
September 15, 2017 – 10:30 am
A G E N D A

I. CALL TO ORDER

II. REVIEW AND APPROVAL OF MINUTES July 11 & August 8, 2017

III. DIRECTOR'S REPORT

IV. OLD BUSINESS

- **A. Percent for the Arts**
  1. **Update on Occupancy Permits for % for the Arts**
  2. **Update - % for the Arts Regulations & Guidelines Amendment - Triple "A" Process**
  3. **Update – Current Projects**
     - **a. GCEF**
     - **b. GRMC**
     - **c. Guam Congress Building (Legislature)**
     - **d. Ken Corporation**
     - **e. Pending: GIAT (Airport), GCC, UOG, GHURA**

V. NEW BUSINESS

- **A. FY 2018 Grants**

VI. BUDGET REPORTS

- **A. CAHA FY 2017 Appropriation Accounts**
- **B. CAHA Non-Appropriation / Revolving Accounts**
- **C. FESTPAC Accounts**

VII. OTHER ANNOUNCEMENT & DISCUSSIONS

Next Board Meeting scheduled for October 3, 2017

VIII. ADJOURNMENT