Speaker's Office <speaker@guamlegislature.org>

M&C Fwd: GEDA Board of Directors Meeting Packet | February 20, 2020

1 message

Speaker's Office <speaker@guamlegislature.org>
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>
Bcc: Tina Muna Barnes <tinamunabarnes@gmail.com>

Mon, Mar 9, 2020 at 9:53 AM

03-05-20	3:26 PM	02-20-20	Board of Directors Meeting held on February 20, 2020.*	Guam Economic Development Authority	35GL-20-1639

35GL-20-1639

Speaker Tina Rose Muña Barnes

MAR 0 5 2020

Time 3:26 ( )AM (X)PM

Received By: Matt

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unribisi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

---------- Forwarded message ---------
From: **Austin Grant** <austin.grant@investguam.com>
Date: Thu, Mar 5, 2020 at 3:26 PM
Subject: GEDA Board of Directors Meeting Packet | February 20, 2020
To: Speaker's Office <speaker@guamlegislature.org>

Håfa Adai Speaker Tina Muña Barnes,

Pursuant to 5 GCA § 8113.1 Reporting Requirement for Boards and Commissions, we have attached the meeting agenda, approved minutes and attachments from **GEDA's Board of Directors Meeting** held on **February 20, 2020**

Audio from the meeting can be found on the Office of Public Accountability's website.

Please let me know if you have any questions or concerns. I will be glad to assist you.

Si Yu'os Ma'åse!

Warm Regards,

AUSTIN GRANT
GEDA Special Projects Coordinator

590 S. Marine Corps. Drive, Suite 511
Tamuning, GUAM 96913
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February 2020 BODM Packet_Final.pdf
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GUAM ECONOMIC DEVELOPMENT AUTHORITY
America in Asia
Aturidåd Inadilånton Ikunumihan Guahan

REGULAR BOARD OF DIRECTORS MEETING

Thursday, February 20, 2020
1:30 p.m.
GEDA 5th Floor GITC Building
Ste. 511, 590 South Marine Corps Drive
Tamuning, Guam 96913

LOURDES A. LEON GUERRERO
Governor of Guam
I Maga'Haga Guahan

JOSHUA F. TENORIO
Lt. Governor of Guam
I Segundo Na Maga'Lahen Guahan

GUAM ECONOMIC DEVELOPMENT AUTHORITY
America in Asia
Aturidåd Inadilånton Ikunumihan Guahan

MELANIE MENDIOLA
Chief Executive Officer/Administrator
Ge'helo' Ekseketibu Ofisiåt

ARTEMIO "RICKY" HERNANDEZ, Ph.D.
Deputy Administrator
Sigundo Ge'helo'

NOTICE OF A REGULAR BOARD OF DIRECTORS MEETING
PLEASE TAKE NOTE TO ANYONE WHO WISHED TO ATTEND AND PARTICIPATE THAT REGULAR BOARD OF DIRECTORS MEETING WILL BE HELD:

DATE: Thursday, February 20, 2020
TIME: 1:30 p.m.
PLACE: GEDA 5th Floor GITC Building
Ste. 511, 590 South Marine Corps Drive
Tamuning, Guam 96913

Public Notice: Distributed on Thursday, February 13, 2020 & Tuesday, February 18, 2020

AGENDA

I. Call to Order
II. Inifresi
III. Roll Call
IV. Approval of Agenda
V. Approval of Minutes
   - January 2020 Board Meeting | January 23, 2020

VI. Chairman's Remarks
VII. CEO/Administrator's Remarks
VIII. Communications
IX. Committee Reports
   a. Real Property Committee
   b. H2B Visa Committee
   c. Telecommunications Committee
   d. Small-Ship Cruise Industry Committee
   e. Agriculture Committee
   f. Aquaculture Committee
      i. Legislation- Relative To Providing Incentives For Agriculture And Aquaculture Occupations To Engage In Cooperative Agreements With Businesses As Part Of The Guam Registered Apprenticeship Program

X. Old Business
   a. Qualifying Certificate Community Contribution Grant Program Update
   b. Resolution No. 20-05 | Relative To Setting Recommendation Parameters With Regard To The Issuance Of Qualifying Certificates To Domestic Health Insurance Companies

XI. New Business
   a. Resolution No. 20-07 | Resolution Approving The Issuance And Sale Of Guam Waterworks Authority Revenue Bonds and/or Refunding Bonds And Approving And Authorizing The Execution Of Related Documents, Agreements And Actions
   b. MOA between GEDA and University of Guam-Guam Small Business Development Center
   c. MOU between Government of Guam's Office of Civil Defense and Guam Economic Development Authority (Implementing Online Business License Application Processing)
   d. Approval of Rules And Regulations of The Guam Economic Development Authority on the Issuance of Travel Related Tax Credits
   e. Approval of Updated Accountable Officers

f. Resolution No. 20-08 | Relative to commending Lawrence C. Toves For Exemplary Service While Employed at the Guam Economic Development Authority

XII. Public Comment

XIII. Adjournment

Enclosures: Communications Report, Real Property Committee Report, H2B Visa Committee Report, Telecommunications Committee Report, Small Cruise Ship Industry Committee Report, Agriculture Committee Report, Aquaculture Committee Report and Business Items Supporting Documents

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I Maga'Haga Guahan

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Board of Directors Regular Meeting
Attendance Sheet
Thursday, February 20, 2020
1:30 p.m.

David J. John, Chairman

Ernesto V. Espaldon, Jr., Vice Chairman

Gia B. Ramos, Secretary

George Chiu, Director — absent

Siska S. Hutapea, Director

Fe Valencia-Ovalles, Director

Deepak R. Dewan, Director — absent

Melanie Mendiola, CEO/Administrator

Artemio "Ricky" Hernandez, Deputy Administrator

Terry Brooks, Legal Counsel

Tom Fisher, Legal Counsel — absent

590 S. Marine Corps, Dr. Suite 511 ITC Building
Tamuning, GUAM 96913

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Minutes of Regular Meeting to the Board of Directors of the
Guam Economic Development Authority
January 23, 2020

Call to Order

§1. The regular meeting of the Board of Directors of the **Guam Economic Development Authority** (hereafter referred to as "GEDA" or the "Authority") was held on Thursday, January 23, 2020 at 1:30 p.m. at the Guam Economic Development Authority Conference Room, 5th Floor, Suite 511, ITC Building, Tamuning, Guam. The meeting was called to order by Chairman David John to begin discussions of agenda items.

Inifresi

§2. GEDA Board of Directors and all others in attendance recited to *Inifresi.*

Quorum and Attendance

§3. **Roll Call.** As determined by the roll call made by Chairman David John, the following individuals were present:

Directors:	***Offices or Positions:***
David John	Chairman
Ernesto Espaldon, Jr.	Vice Chairman
George Chiu	Director
Deepak Dewan	Director
Siska Hutapea	Director
Melanie Mendiola	CEO/Administrator (via phone)
Artemio Hernandez	Deputy Administrator
Georgette Concepcion	Legal Counsel

Also in attendance were:

Ed Camacho	GEDA
Claire Cruz	GEDA
Christina Garcia	GEDA
Bernice Torres	GEDA
Larry Toves	GEDA
Austin Grant	GEDA
Jha'Aunie Leon Guerrero	GEDA

Approval of Agenda

§4. The first item considered was approval of the agenda. Vice Chairman Espaldon made a motion to approve the meeting agenda with a change to move Resolution No. 20-04, an item under New Business, to be discussed before Communications and after CEO/Administrator's Remarks. Director Hutapea seconded the motion. The motion was unanimously approved.

Approval of Minutes

§5. The next item on the agenda was the approval of the board meeting minutes from December 31, 2019. Director Dewan made a motion to approve the December 31, 2019 board meeting minutes. Director Hutapea seconded the motion. The motion was unanimously approved.

Chairman's Remarks

§6. The next item on the agenda was Chairman's Remarks.

Chairman John thanked the GEDA board and team for all their hard work last year and coming in to the new year. Chairman John noted that it will be a busy month as GEDA works towards different initiatives to stimulate economic development, to include Real Property's leasing build, helping encourage diverse industry with agriculture technology. Vice Chairman Espaldon will also discuss new initiatives regarding Government of Guam finances and also discussions of Qualifying Certificate items.

Secondly, Chairman John recapped on the news about GPA's Bond Rating improvement from BBB- to BBB following an annual review by the agency. GEDA and GPA completed a presentation via teleconference to the rating agency which encouraged our efforts with the Standard Operating Procedures for travel. GEDA is looking at options for sending less staff on travel for bond rating meetings, when needed, to reduce costs. GEDA will also make facility upgrades to improve call-in attendance for additional support with the bond meetings as the last call-in conference was successful.

Next, Chairman John noted that GEDA will continue to focus to streamline the Qualifying Certificate Program after clarification from the Attorney General that GEDA has full control over the QC Program. GEDA will now move forward with two QCs, one for healthcare and the other for captive insurance, and to seek initiatives to drive these markets to relate to modern day landscapes without giving away tax payers' money.

Lastly, Chairman John noted that all of GEDA's board committees remain active and the board and staff will continue to make improvements to these committees to help with economic development.

This concluded the remarks from Chairman David John.

CEO/Administrator's Remarks

§7. The next item on the agenda was CEO/Administrator's Remarks.

CEO/Administrator Melanie reiterated Chairman John's statements of forward movement with the QC Program since the decision from the Attorney General. Ms. Mendiola thanked the board for their help.

Ms. Mendiola noted that GEDA has been assisting the front office with some initiatives to include the move of several agencies to the Hesler Building. Ms. Mendiola noted that the GEDA committees have been working hard. A testament to this is the availability of fresh produce at DOE and also a loan to the Co-op to help with their store operations. In addition, GEDA supported the UOG Hatchery Project, which was approved in late December. GEDA is now working on a bill to modify the Guam Registered Apprenticeship Program to enhance the benefits for agriculture and aquaculture farmers. GEDA plans to focus on community outreaches to agriculture and aquaculture farmers with regards to economic development.

This concluded the remarks from Ms. Mendiola, CEO/Administrator.

Resolution No. 20-04

§8. The next item on the agenda was Resolution No. 20-04 relative to extending the construction period for the Tsubaki Hotel for an additional ninety (90) days pursuant to §3.04 of Qualifying Certificate No. 254.

Deputy Administrator Hernandez reported that Resolution No. 20-04 is to allow an extension to QC No. 254 with TNN Guam, Inc. for the Tsubaki Tower. A letter was received from Mr. Osato requesting for an extension of ninety (90) days to the requirement of forty-two (42) months of construction work completion and occupancy with an expectation completion date of March 28, 2020. The letter stated that the circumstances for the delay were out of their control, including construction labor shortages and issues with inclement weather.

Chairman John asked for clarification that this request was specifically for a time extension and ded not include any additional benefits. Mr. Hernandez confirmed that the request was for an extension only.

Director Chiu commended PHR Ken Corp. for their unwavering commitment to the tourism industry in Guam. Director Chiu highlighted the construction of the Tsubaki Hotel Project which endured tremendous challenges from the continual change of immigration laws and still managed to stay on track to completion. Director Chiu expressed his support with the request for a ninety (90) day extension.

Director Chiu made a motion to approve Resolution No. 20-04 relative to extending the construction period for the Tsubaki Hotel for an additional ninety (90) days pursuant to §3.04 of

Qualifying Certificate No. 254. Director Hutapea seconded the motion. The motion was unanimously approved.

Communications

§9. The next item on the agenda was Communications.

There was no report for Communications.

Committee Reports

§10. The next item on the agenda was Committee Reports.

Real Property Committee:

Mr. Larry Toves, manager of the Real Property Division, reported for the Real Property Committee.

Mr. Toves reported that Deputy Administrator Hernandez and the Real Property Committee prepared a draft legislation proposing GEDA's exemption from the law that requires Legislative approval for lease terms longer than five (5) years, namely Public Law 32-40 as amended by Public Law 34-99. Once the GEDA board is in agreement with the proposed bill, GEDA staff will move forward with approaching Senator Ridgell to seek his sponsorship for the proposed bill.

No motion was needed for this item. Discussion was then concluded.

Investment Committee:

Vice Chairman Espaldon gave a report for the Investment Committee.

Vice Chairman Espaldon stated that the Investment Committee is ready to take the lead and collaborate with other government agencies for managing various funds and reserves with a goal of an increase investment return of various government funds. Mr. Espaldon noted that GEDA believes there to be an opportunity in scale and with a different asset allocation for various funds and reserves, GEDA will aim for a better rate and an overall increased investment return.

Next, Vice Chairman Espaldon reported that GEDA funds are currently being well managed. Mr. Espaldon feels more GEDA accounts can still be consolidated and leveraged for an additional investment return. Mr. Espaldon reported that GEDA's return for the fourth quarter of 2019 was very strong at 5.9% following 1-2% from the third quarter of 2019. GEDA is very pleased with the overall return for 2019, which was 22.18%. GEDA's overall inception of funds has earned a total of 8.5% annualized. Mr. Espaldon reported that for the year of 2020, We are on the mature side of the business cycle for both the United States and various global economies and no changes of interest rates have been reported as of yet. GEDA's allocation will remain the same, however,

GEDA's investment advisors will continue to monitor and make any needed recommendations if necessary.

This concluded the report for the Investment Committee.

Other Committee Reports:

Chairman John stated that no other reports will be given for the remaining of the committee, although the reports can be found within the board packet binders.

This concluded the discussions for the Committee Reports.

Old Business

§11. The next item on the agenda was Old Business.

Qualifying Certificate Community Contribution Grant Program Update:

Deputy Administrator Hernandez reported on this item.

Deputy Administrator Hernandez reported that GEDA is approximately 90% complete with the evaluations and can soon begin to issue to funds to awardees. Mr. Hernandez stated that GEDA received twenty-eight (28) applications and is nearly complete with evaluating all applications. Mr. Hernandez recapped that Three Hundred Thousand Dollars ($300,000.00) is available for QCCC Grants and that GEDA has received an estimate of One Million, Five Hundred Thousand Dollars ($1,500,000.00) in requests. Applications are being evaluated based on a set criteria and evaluators are working diligently on these applications. Deputy Administrator Hernandez stated that GEDA will have an update on the QCCC Grant applications at the next board meeting.

Chairman John requested that GEDA staff and the QCCC Grant evaluation committee provide all award recommendations to the GEDA board of directors for any comments prior to making award. Deputy Administrator Hernandez concurred.

Deputy Administrator Hernandez highlighted that the funding source for the QCCC Grant comes from the GRMC Community Contribution in which GEDA receives One Million Dollars ($1,000,000.00) per year. Mr. Hernandez stated that this is the first cycle of the fiscal year and that GEDA will launch a second cycle between March and May of this year.

This concluded the report by Deputy Administrator Hernandez for the item under Old Business.

New Business

§12. The next item on the agenda was New Business.

Rules and Regulations on the Use of Video Teleconferencing in Board Meetings – Amendment:

Deputy Administrator Hernandez reported for this agenda item.

Deputy Administrator Hernandez recapped that at the last GEDA board meeting, Chairman John requested minor changes to the Rules and Regulation on the use of video teleconferencing for board meetings to allow the Chairman the discretion in terms of board members interested in using the video teleconferencing option for their attendance for board meetings. A change included that board members who wish to use the video teleconferencing during board meetings are required to submit a notice, which can be sent via email or via text message, one (1) hour prior to the meeting time rather than a twenty-four (24) hour prior notice.

Vice Chairman made a motion to adopt the rules and regulations on the use of video teleconferencing for board meetings as amended on the board meeting notes. The motion was seconded by Director Chiu which was followed by a unanimous approval.

Modification of Qualifying Certificate (QC) 252 – Guam Healthcare Development, Inc. dba Guam Regional Medical Center:

Deputy Administrator Hernandez reported for this agenda item.

Deputy Administrator Hernandez reported that GEDA has been working with Guam Regional Medical Center (GRMC) and the Guam Memorial Hospital (GMH) to transfer some of GRMC's unused assets from the Labor and Delivery Ward (LDW), which was closed in November 28, 2019, to GMH. A timeline of actions taken by GEDA is provided in the board packet. GEDA worked with GRMC to compile a list of available assets which was then inspected by GMH to determine what assets were needed and what assets could be used at GMH's LDW. The depreciated value provided by GRMC to GEDA for these assets was about One Million, One Hundred Thousand Dollars ($1,100,000.00), of which an estimated Seven Hundred Forty-Two Thousand Dollars ($742,000.00) of those assets were needed by GMH. The updated depreciated value of GMH's needed assets in December 2019 dropped to a value of about Six Hundred Thirty-Eight Thousand Dollars ($638,000.00).

Deputy Administrator Hernandez stated that GEDA is proposing an amendment to QC 252 to allow GRMC to offset the Six Hundred Thirty-Eight Thousand, Three Hundred Seventy-Four Dollars and Seventy-Two Cents ($638,374.72) over a six (6) year period to be allocated as One Hundred Thousand Dollars ($100,000.00) for the first five (5) years and a final payment of One Hundred Thirty-Eight Thousand, Three Hundred Seventy-Four Dollars and Seventy-Two Cents ($138,374.72) in the sixth year commencing on January 1, 2021.

Director Chiu raised a question as to whether an amendment to QC 252 is required as the in-kind contribution of assets are part of the QC Community Contribution, thus no changes to the QC are being made. Deputy Administrator Hernandez responded that the QC requires cash for the community contribution, therefore board action is needed to allow GRMC to offset the LDR assets towards their community contribution.

A motion was made by Director Chiu to accept the recommendation by GEDA to accept the LDR assets to offset QC 252 Community Contributions. The motion was seconded by Director Hutapea followed by a unanimous approval.

Memorandum of Agreement between the Department of Administration and the Guam Economic Development Authority:

Deputy Administrator Hernandez reported for this agenda item.

Deputy Administrator Hernandez reported that the Government of Guam via the Department of Administration (DOA) is acquiring with federal funds a leasehold interest for the old Legislative Building on Hesler Place in Hagatna. Mr. Hernandez stated that acquisition of this building will allow office space for several Government of Guam agencies. As such, DOA has requested GEDA's assistance with property management services to include the preparation of lease agreements and/or memorandum of agreements, negotiation of lease arrangements, monitoring lease compliance and preparing periodic reports on leases. Mr. Hernandez stated that GEDA's compensation for these services will be ten percent (10%) of the total collected rent all building leases. Rent collection will be handled by DOA. DOA will also be procuring and entering into contracts and funding all necessary services to run the building.

Director Chiu raised a question as to the amount of rent DOA anticipates to collect for all leases. Deputy Administrator Hernandez responded that DOA anticipates to collect an annual estimate of Six Hundred Thousand Dollars ($600,000.00), with this being a preliminary amount.

Director Chiu made a motion to approve the Memorandum of Agreement between DOA and GEDA for property management services. The motion was seconded by Vice Chairman Espaldon, which was followed by a unanimous approval.

Resolution No. 20-05 Relative to Setting Recommendation Parameters with regard to the Issuance of Qualifying Certificates to Domestic Health Insurance Companies:

Business and Economic Development Division Manager, Mr. Ed Camacho reported on this agenda item.

Mr. Camacho stated that the QC Committee was working hard on the Domestic Health Insurance Section of the QC to accommodate the potential investments and administration policy. Mr. Camacho stated that the current QC program allows for a twenty (20) year period for one hundred percent (100%) of corporate income tax, dividend tax rebates, and business tax rebates. The new QC program for domestic insurance will only offer an abatement of Business Privilege Tax (BPT) of up to one hundred percent (100%) for up to three (3) years.

Chairman John questioned why a decision of three (3) years was made for the new QC program. Mr. Camacho responded that this decision was made to allow a short period of time to re-evaluate the program to ensure that insurance premiums are being maintained and decreasing for the consumer. A renewal provision will be included in the new QC program.

Discussions continued on this agenda item, which then led to a motion made by Vice Chairman Espaldon to table this agenda item. The motion was seconded by Director Hutapea. A unanimous approval of the motion followed.

Executive Session:

Director Hutapea made a motion for the board of directors to move in to an Executive Session. Director Dewan seconded the motion, which was followed by a unanimous approval.

Following the Executive Session, a motion was made by Director Chiu to resume the remaining board agenda items. The motion was seconded by Vice Chairman Espaldon. A unanimous approval followed.

Resolution No. 20-06 Relative to Setting Recommendation Parameters with regard to the Issuance of Qualifying Certificates to Captive Insurance Companies:

Business and Economic Development Division Manager, Mr. Ed Camacho reported on this agenda item.

Mr. Camacho reported that the intent of the draft resolution is to entice small companies to self-insure and take advantage of the Captive Insurance Program. The program allows only a rebate of one hundred percent (100%) of corporate income taxes for a period of three (3) years from insurance underwriting with an option to renew for another three (3) years. A Community Contribution Public Investment for five percent (5%) of the annual premiums, with a minimum fee of Two Thousand Five Hundred Dollars ($2,500.00) and a maximum fee of Fifty Thousand Dollars ($50,000.00).

Discussions followed after Mr. Camacho's report. Vice Chairman Espaldon then moved to adopt Resolution 20-06 relative to setting the recommended parameters in regards to issuing Qualifying Certificates to Captive Insurance Companies. Director Dewan seconded the motion. The motion passed with a unanimous approval.

Executive Session:

After the board of directors concluded their Executive Session, Director Chiu made a motion to write-off the debt on the GDFA Loan 008-11 in the amount of Two Thousand Forty-Two Dollars and Ninety-Nine cents in addition to all pending legal fees. Director Hutapea seconded the motion. The motion was unanimously approved.

Public Comments

§13. The next item on the agenda was Public Comments.

No public comments were made.

Adjournment

§14. Director George Chiu made a motion to adjourn the board of director's meeting at 2:42 p.m. Vice Chairman Espaldon seconded the motion. The motion was unanimously approved.

DAVID JOHN, Chairman
Board of Directors

ATTEST:

GIA RAMOS, Secretary
Board of Directors

Media Communications Report
February 20, 2020

	Topic/Interest	Medium	Date Published	Source	Title	Link	View
1	Qualifying Certificate	Article	1/24/19	Pacific Daily News	Health insurers may receive tax breaks for lowering premiums	https://www.guampdn.com/story/money/2020/01/23/guam-health-insurance-cost-tax-breaks-healthcare/4548047002/	
2	Former Legislature Building	Article	1/25/19	The Guam Daily Post	$2.5M diverted from homeless shelter plan to buy office spaces	https://www.postguam.com/news/local/m-diverted-from-homeless-shelter-plan-to-buy-office-spaces/article_300c534c-3e86-11ea-8a7c-ebcb10bc9de7.html	
3	Hagatna Restoration	Article	1/24/19	Pacific Daily News	$1M Hagan consultant says it will give Legislature copies of its work	https://www.guampdn.com/story/news/2020/01/24/1-m-hagatna-consultant-says-give-legislature-copies-work/4560771002/	
4	Former Legislature Building	Article	1/26/19	Pacific Daily News	Government of Guam purchasing old legislature building	https://www.guampdn.com/story/news/local/2020/01/26/govguam-purchasing-old-legislature-building/4578171002/	
5	Tax Credits	Article	2/3/20	Pacific Daily News	From curbing sex crimes to giving tax breaks, $10M for GMH: Tuesday vote on 12 bills	https://www.guampdn.com/story/news/local/2020/02/02/guam-senators-vote-bills-sex-crimes-tax-credits-gmh-funding/4615909002/	
6	Qualifying Certificate	Article	2/4/20	The Guam Daily Post	Businessman shares vision for drone industry	https://www.postguam.com/news/local/businessman-shares-vision-for-drone-industry/article_3b6cbbec-4c72-11ea-8317-6f7ddd0751af.html	
7	Qualifying Certificate	Article	2/14/20	The Guam Daily Post	Bill to develop distribution center could create jobs	https://www.postguam.com/business/local/bill-to-develop-distribution-center-could-create-jobs/article_ee25ea3c-4c91-11ea-a0c9-7321e256264c.html	
8	Qualifying Certificate	Article	2/12/20	Pacific Daily News	Potential tax cuts to encourage drone, shipping industries	https://www.guampdn.com/story/money/2020/02/11/guam-corporate-tax-cuts-bill-amazon-drone-shipping-industry/4719781002/	
9	Qualifying Certificate	Article	2/13/20	Marianas Variety	Businessman shares vision for Guam drone industry	https://www.mvariety.com/cnmi-local/73-local/1643-businessman-shares-vision-for-guam-drone-industry	
10	GMHA Financing	Interview	2/19/20	Pacific News Center			

Report Printed 3/5/20 2:21 PM

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Real Property Committee Report: Notification of RFPs and IFB 2/20/2020

Key Meetings:

- CHamoru Land Trust Commission (CLTC) Regular Meeting, January 16, 2020
- Guam Ancestral Lands Commission (GALC) Regular Meetings, January – February, 2020

Items of Interests:

- **CLTC**: The Real Property Division (RPD), on behalf of the CLTC, has issued 2 RFPs (RFP 20-001 and 20-002) for the lease and development of 2 CLTC properties:
    - RFP 20-001 for a ½ acre lot across San Vitores Road from Proa Restaurant in Tumon
        - Deadline for proposals is Feb 28, 2020
        - H-Zone and Located in a Qualified Opportunity Zone (QOZ)
    - RFP 20-002 for an 8 acre lot behind and adjacent to the Yigo Gym
        - Deadline for proposals is Mar 12, 2020
        - A – Zone
    - Upcoming RFP for CLTC
        - 1.9 Acre Lot behind Nissan and GWA water tank in Upper Tumon
        - R2 – Zone, Opportunity Zone
- **GALC**: RPD finalizing Invitation for Bid (IFB) for repair of GEPA roof in Tiyan
- **Return of Excess Federal Lands** – RPD continuing its coordination and support with the Guam Buildup Office and the Office of the Governor regarding the return of 2,600 acres of terrestrial land and 17,031 acres of submerged land to the Government of Guam. The Secretary of Navy has requested a 90-day extension to the February 4, 2020 deadline in responding to the Governor's August 8, 2019 letter of request.
- **Office of Economic Adjustment (OEA) Grant** - RPD continuing to support Governor's Office on
    - **Financial Impact Assessment Study (FIAS)** – Task Order No. 7
        - Updating Report on Financial Impact of Buildup Activities to GovGuam
    - **Grants Management Capacity Building** – Task Order No. 6
        - Training for several GovGuam agencies that apply for and manage federal grant funds

Recommendations:

- No recommendations from RPD at this time as the purpose of this report is for the Board's information only, with no board action required.

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COMMITTEE

H2B VISA AD HOC

CENTRAL ISSUE

Since 2015 USCIS has denied almost all H2 applications due the petitioner being unable to demonstrate "temporary need". This changed in 2018 to allow H2 workers for NDAA projects.

01/19/2020: Department of Homeland Security excludes, for the second year, the Philippines from the 2020 register of approved countries for the H-2A and H-2B Non-immigrant Worker Program.

OTHER NEWS AND UPDATES

01/31/2020 - Mark Koumans, Deputy Director, USCIS and David Gulick, District Director of the Honolulu Field Office visited with Gov. Lou Leon Guerrero.
02/11/2020 - Philippine President Duturte announced the termination of the 2 decade old Visiting Forces Agreement (VFA) with the U.S.

H-2B Workers on Guam as of 02/16/2020
- USCIS filings: 2,529 positions (All related to NDAA)
- USCIS approvals: 2,479 positions
  100% approvals from USCIS
- Current Worker Population on Guam: 1,266

KEY MEETINGS

01/09/2020 - Committee met with Gov LG and team. All agreed that that the current process of DOL associating all petition request with NDAA and obtaining support and endorsement from the Admiral is working. DOL has instructed us that no further work is required as we are at 100% approvals.

01/31/2020 - USCIS Mark Koumans, Deputy Director and David Gulick, District Director of HI visited Guam and met with Gov. Lou Leon Guerrero.
No details yet on the outcome of their meeting.

ACTION ITEMS

Committee will continue to work with Guam Department of Labor to assist with their outreach efforts to ensure contractors and developers that H-2B petitions are being approved on a case by case basis and their have been no denials.

TRIP REPORT

OTHER NEWS AND UPDATES: continued

February 2020 - The Guam Department of Labor reached out to Government and Non-Government entities for input related to the impact on Guam's economy resulting from the denials of H-2B petitions by the USCIS which caused a labor shortage in the construction industry on Guam. GEDA provided data and information showing almost $1B in development projects that were delayed or canceled as well as other significant information that impacted our community.

GEDA COMMITTEE REPORT

FEBRUARY 2020

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GEDA COMMITTEE REPORT

COMMITTEE

TELECOM/TECH

CENTRAL ISSUE

GEDA is identifying concrete opportunities to encourage the growth of the telecommunications and technology industry in Guam through the following projects: 1) Guam Silicon Village Park - a technology park that would provide a central location for the clustering of a high-tech industry; 2) High Tech Workforce Development - programs to support training for higher level paying jobs; and 3)Technology Entrepreneurship - creating opportunities for tertiary industries, jobs, and services to support the tech industry.

OTHER NEWS AND UPDATES

Bill 217-35, introduced by Sen. Jim Moylan, would create a QC to encourage a local commercial drone industry. GEDA testified in support of the bill.

GEDA requested from the Guam Chamber of Commerce the most recent survey taken related to the need or demand for technology related jobs.

KEY MEETINGS

Held site visit and follow-up meeting with Tata Communications to discuss current capacity and future growth plans.

ACTION ITEMS

Meetings planned with GCC School of Technology & Student Services and Guam Registered Apprenticeship Program regarding tech workforce development.

Meeting planned with the Pacific Islands Small Business Development Center Network regarding tech entrepreneurship initiatives.

Site identification needed for possible tech park and/or incubator.

TRIP REPORT

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GEDA COMMITTEE REPORT

COMMITTEE

SMALL SHIP CRUISE INDUSTRY

CENTRAL ISSUE

GEDA has been engaged in long term research and study to potentially establish Guam as a homeport for a cruise ship. In 2016, the government of Guam received from the Pacific Asia Travel Association (PATA) a report that indicates that Guam may be a ripe location to homeport a cruise ship of no more than 400 passengers. The government has received a grant to refurbish Hotel Wharf at the Commercial Port to accommodate a cruise ship and Governor Leon Guerrero issued EO 2019-17 to form a working group to determine a strategy.

OTHER NEWS AND UPDATES

Oct 9-11: GEDA attended the 2019 Seatrade Asia Pacific Cruise Conference in Shanghai

The Next MCA meeting is scheduled for April 2020 during the PATA meeting in Pohnpei.

KEY MEETINGS

Jan 27-Jan 31 - Targeted week for first round of conference calls with island nations pending the assembly of their respective working groups.

Initial conference calls completed with Palau, Pohnpei and Yap. Areas of priority include: communication channels, remote access, and government regulations.

ACTION ITEMS

GEDA is developing an RFP for professional services to assist with creating of a comprehensive implementation strategy. RFP will be circulated for review before the end of January 2020.

GEDA has a working file completed by potential island port calls. This serves as a foundation for working groups in the respective island nations for planning and preparations.

MOA draft in progress between Gov't agencies per EO

TRIP REPORT

In line with the administration's priority to develop a small cruise line homeport for Guam to service Micronesia, the Guam delegation attended the annual Seatrade Asia Pacific Cruise Conference in Shanghai at the Delta Hotel by Marriott. The purpose for attending was to meet industry leaders and their groups to establish a network of support and interest to help Guam with it's initiative.

The conference attracted over 1,000 participants with many of which were top group executives and leaders of some of the global brands such as Carnival, Princess Cruises, Genting Cruises, and Mediterranean Shipping Company (MSC) among others. The conference enabled the Guam delegation to meet and network with key groups and organizations to consider our island and it's region as a potential location to do business in. While their focus has been developing the rapidly growing China market, they all agree finding new destinations and products to offer their clientele is surely a priority as a common denominator.

FEBRUARY 2020

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COMMITTEE

AGRICULTURE

CENTRAL ISSUE

Guam's high dependency on the importation of agriculture products creates a need to grow and develop the local agriculture into a sustainable industry and reduce imports.

GEDA initiatives:
1. Expand and build agriculture assets
2. Workforce development
3. Private investment initiatives

OTHER NEWS AND UPDATES

• GRAP amendment PL 35-39
- Extends the GRAP for an additional 5 years

• GEDA has been meeting with key industry organizations for input on the expansion of the industry and insight to development and/or implementation issues.

KEY MEETINGS

- 02/04/2020: Deputy Admin Hernandez met with DOL Deputy Dir. Jerry Toves on GRAP bill
- 02/05/2020: GEDA BEDD met with Farm to Table
- 02/11/2020: GEDA BEDD met with Guahan Sustainability

Upcoming
- 02/26/2020: GEDA team to meet with Farmers' CoOp

ACTION ITEMS

- EDA grant submission: Guam Green Markets (MCOG)

- Draft GRAP bill (to include agriculture and aquaculture industries) has been sent to GEDA legal counsel for clarification on several aspects

- Agriculture Development Marketing plan underway

TRIP REPORT

No Trips Taken.

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GEDA COMMITTEE REPORT

FEBRUARY 2020

COMMITTEE

AQUACULTURE

CENTRAL ISSUE

Guam needs to develop an Aquaculture industry to become more sustainable and less reliant on imports.

GEDA initiatives:
1. Help establish a process and pathway forward with regulatory agencies
2. Workforce development
3. Private investment initiatives
4. Expand and build aquaculture assets

OTHER NEWS AND UPDATES

KEY MEETINGS

- February 7, 2020: Regular Task Force Meeting held at GEDA.

ACTION ITEMS

- Draft EDA grant with Dept of Agriculture to fund the purchase of equipment and design a program benefitting community groups who may want to grow and sell/share aquaponics system food (tilapia, leafy greens, microgreens, and tomatoes).

- Follow up meeting in March 2020 concerning partnerships in the strategic planning process.

TRIP REPORT

Aquaculture America 2020 ((Sunday, February 9 to Wednesday, February 12)

- Attended day long Aquaponics Pre conference to assess the viability of community centered aquaponic systems.

- Attended various sessions centered on Economic Development, Environmental Issues in Aquaculture, NOAA and USDA Grants and Loan Programs, planning and permitting, and experiments in aquaculture done by cooperative extension and other professionals.

- Connected with Dr. Wyban, preeminent researcher, speaker, and trainer on aquaculture development.

- Connected with Hawaiia Ocean Science and Technology Park representatives as well as HOST Park companies in aquaculture (aquaculture "industrial park" run as a Government Autonomous Agency and self funded). Planning a visit for March/April to the park and some companies.

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I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. ____-35 ( )

Introduced by:

_____

AN ACT TO *AMEND* § 10108 OF ARTICLE 1 OF CHAPTER 10, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING INCENTIVES FOR AGRICULTURE AND AQUACULTURE OCCUPATIONS TO ENGAGE IN COOPERATIVE AGREEMENTS WITH BUSINESSES AS PART OF THE GUAM REGISTERED APPRENTICESHIP PROGRAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds the Guam Registered Apprenticeship Program (GRAP) has been instrumental in helping reduce the shortage of highly skilled workers in various trades in Guam. The program, through measured tax incentives, encourages the employment and training of apprentices in highly skilled trades and occupations.

I Liheslaturan Guåhan further finds that Public Law 35-39 added language that the Director of the Department of Labor consider occupations in agriculture and aquaculture, among others, as eligible skilled occupations under GRAP.

I Liheslaturan Guåhan further finds that growing the skilled workforce in agriculture and aquaculture is crucial towards efforts of the government of Guam to increase activities in these industries. Current efforts to bolster and grow these industries require innovative and significant action on the part of the government of Guam.

DRAFT

I Liheslaturan Guåhan further finds that many, if not all, businesses that engage in agriculture or aquaculture activities are not obligated to pay business privilege taxes pursuant to an exemption in Guam law. This makes it impossible to avail of the assistance provided in GRAP.

I Liheslaturan Guåhan further finds that the local agriculture and aquaculture industries are quite small, and do not have the capacity to engage in widespread training and recruitment of the new, more technical employees that are needed to increase Guam's capacity in agriculture and aquaculture. As such, providing a mechanism for other local businesses to partner with agriculture and aquaculture businesses may provide additional resources to see these industries grow. These partnerships will be limited to the hiring and training of apprentices in GRAP in occupations in agriculture and aquaculture, and will provide tax credits to these businesses.

Therefore, it is the intent of *I Liheslaturan Guåhan* to authorize cost sharing arrangements between agriculture/aquaculture businesses and other local businesses for the purpose of availing of GRAP tax credits by *amending* § 10108 of Article 1 of Chapter 10, Title 22, Guam Code Annotated.

Section 2. § 10108 of Article 1 of Chapter 10, Title 22, Guam Code Annotated, is hereby *amended* to read:

"§ 10108. Tax Credit for Apprenticeship Program Participants.

Any business that employs apprentices duly enrolled and registered under the terms of the Program is entitled to a tax credit against its business privilege tax liability equal to fifty percent (50%) of the eligible costs paid or incurred by the business, provided that:

(a) The apprenticeship training program teaches an approved occupation under § 10104 of this Article;

DRAFT

(b) The apprentice completes a training stage of an apprenticeship program as determined by DOL following -USDOL-OA standards. No tax credit *shall* be claimed by a program participant for an apprentice unless the apprentice satisfactorily completes the current level of training;

(c) The eligible costs were paid or incurred during the apprentice's participation in the Program;

(d) The eligible costs were paid or incurred within the previous three (3) calendar years from the date the costs are submitted to DOL for certification. Costs paid or incurred earlier than the three (3) calendar years preceding the date the costs are submitted to DOL *shall* not be certified as eligible costs.

(e) No business or program participant holding a Qualifying Certificate (QC) *shall* claim tax credits pursuant to this Section. The Guam Economic Development Authority *shall* assist the Director in determining whether a participant may claim the credit;

(f) The apprentice must work a minimum of one hundred twenty (120) hours per month at the trade;

(g) The apprentice must be paid the prevailing wage required by the Program, which *shall* be a graduated percentage of journeyman wages as outlined in the apprenticeship standards;

(h) Pre-apprentices are not counted as apprentices and wages earned by pre-apprentices are not eligible for this tax credit; and

(i) Apprenticeship training costs paid by Workforce Innovation and Opportunity Act (WOIA) funds, Department of Labor Manpower Development Fund (MDF) funds, Hotel/Restaurant Industry Training Program funds, and any training costs paid by government of Guam or

DRAFT

federal funding *shall* not be eligible Program costs and *shall* not be applied as a tax credit.

(j) Agriculture and Aquaculture businesses that do not pay business privilege taxes by nature of an exemption granted in 11 GCA § 26203 that have eligible occupations may enter into cooperative agreements with other businesses that do pay business privilege taxes pursuant to Guam law to contribute *not more than fifty percent* (50%) of eligible costs for apprentices pursuant to the following:

(1) The businesses, along with the cooperative agreement(s) between them *shall* be registered with DOL;

(2) The Director *shall* approve all cooperative agreement(s) prior to the hiring of any apprentices, and such agreements *shall* contain the manner in which the eligible costs for apprentices will be shared between the agriculture/aquaculture business and the other participating business.

(3) Tax credits *shall* apply to one hundred percent (100%) of the eligible costs borne by the participating business subject to the limitation that cost sharing cannot exceed fifty percent (50%) of an agriculture or aquaculture business' eligible costs for apprentices, and *shall* be utilized solely by that business. Tax credits *shall not* be transferred or sold to any other business.

(4) The Director *shall* engage in public outreach to ensure that adequate notice is provided to the business community regarding this subsection. DOL may engage with

DRAFT

the Department of Agriculture and the Guam Economic Development Authority in this outreach effort.

(5) For the purposes of § 10108(j), cooperative agreements *shall* mean written agreements or arrangements between an agriculture or aquaculture business that do not pay business privilege taxes by nature of an exemption granted in 11 GCA § 26203 and business that do pay business privilege taxes whereby the business that do pay business privilege taxes *may* contribute *not more than* fifty percent (50%) of the eligible costs for apprentices of an agriculture or aquaculture business described herein.

A program participant may only carry forward the tax credit if allowed by the Guam Department of Revenue and Taxation procedures."

Section 3. Effective Date. This act *shall* be effective immediately upon enactment.

Section 4. Severability. *If* any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.

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GUAM ECONOMIC DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS

Resolution Number 20-05

RELATIVE TO SETTING RECOMMENDATION PARAMETERS WITH REGARD TO THE ISSUANCE OF QUALIFYING CERTIFICATES TO DOMESTIC HEALTH INSURANCE COMPANIES

WHEREAS, the Board of Directors of the Guam Economic Development Authority (GEDA) has the sole authority to recommend the issuance of Qualifying Certificates (QC) to the Governor of Guam; and

WHEREAS, §58103 states that "a Qualifying Certificate shall entitle the Beneficiary to tax rebates or tax abatements or both in return for meeting the conditions and requirements prescribed by the Authority in this Chapter and in the Qualifying Certificate"; and

WHEREAS, domestic insurance companies, which include health insurance companies, have been eligible to apply for QCs for over twenty (20) years; and

WHEREAS, 12 GCA 58 (the QC Law), specifically 12 GCA §§58127.5, 58128.4 and 58130 establish Business Privilege Tax (BPT) abatements, corporate income tax and dividend tax rebates for domestic insurance companies; and

WHEREAS, the initial purpose of these tax incentives was to spur the development of a strong local insurance industry; and

WHEREAS, over the past two decades the Guam insurance industry has grown and matured due to the contributions of the QC program, with the industry creating hundreds of jobs and providing a critical service to the people of Guam; and

WHEREAS, the GEDA Board acknowledges that finding ways to provide more affordable health insurance to Guam residents is important for the continued growth and strength of Guam's economy; and

WHEREAS, § 58105.3 of the QC law states that the reduction in consumer prices is one of the main goals of the QC program; and

WHEREAS, although the business privilege tax (BPT) is technically a tax on local business, the burden of that tax is almost always shifted to the consumer,

which means that BPT has a direct correlation to the end price of health insurance coverage to the local consumer; and

WHEREAS, by providing a BPT abatement to local health insurance companies, it will have a direct effect on lowering the price of health insurance to Guam residents; and

WHEREAS, the Guam Economic Development Authority (GEDA) Board of Directors desire to set the parameters with which they will make a recommendation on the issuance of a QC to a health insurance company; and

WHEREAS, the parameters to be set by the GEDA Board, through the adoption of this resolution is in line with the authority granted to it by virtue of the QC Law and the additional compliance requirements are part and parcel of already mandatory reporting processes by local insurance companies to the Commissioner of Banking and Insurance at the Department of Revenue and Taxation.

NOW THEREFORE BE IT:

RESOLVED, that the Board of Directors of the Guam Economic Development Authority hereby sets the following parameters with regards to the recommendation of issuance of a Qualifying Certificate to a domestic health insurance company; and be it further

RESOLVED, that parameters shall be as follows:

1. An abatement of 100% of business privilege taxes (BPT) for a period of three (3) years for those gross receipts derived from underwriting insurance risks in Guam, including gross receipts derived from investing funds generated from insurance underwriting in Guam;
2. NO rebate of corporate income tax;
3. NO rebate of dividend taxes for both resident and non-resident shareholders;
4. All applications for a QC by a domestic health insurance company shall include an analysis from the applicant that demonstrates how receiving a BPT abatement will result in more affordable insurance rates to Guam consumers. GEDA shall determine if the application meets the qualifications of reducing or retaining Guam consumer premium costs for health insurance.
5. GEDA acknowledges that the definition of reducing or retaining Guam consumer premium costs is subjective, but as this is the focus of this program it is imperative that the industry work with GEDA to

demonstrate that they have done their part to keep health insurance affordable. After the first three (3) year period, GEDA will review the program as a whole to determine if the program will continued to be offered to the industry. If it is decided to continue the program, all participating providers will automatically be eligible to be renewed for a period of five (5) years, at which time the program will be further reviewed for effectiveness in helping make insurance premiums affordable;

6. Each beneficiary issued a QC shall pay an annual public investment of fifty thousand dollars ($50,000), the payment terms of which shall be negotiated in the final QC;
7. Public investments shall be allocated and subject to the following:
    a. Seventy percent (70%) annually for activities and organizations involved in healthcare in Guam to be awarded under the GEDA QC Grant Program;
    b. Thirty percent (30%) annually to GEDA to support local economic development efforts;
8. Each beneficiary issued a QC shall provide the Commissioner of Banking and Insurance all mandatory annual financial statements and reports, and comply with all examinations and investigations and all other requirements as set forth by the Commissioner of Banking and Insurance. Beneficiaries shall ensure that copies of the annual report are filed with GEDA. Failure to provide these reports may prevent the beneficiary from utilizing authorized tax benefits; and
9. GEDA may, from time to time, require beneficiaries to provide other necessary financial and business information as needed;
10. Applications for renewal shall be analyzed in the manner as any other application, and a thorough review and analysis of the prior activities of beneficiaries shall occur in the consideration of renewal; and be it further

RESOLVED, that GEDA shall cause to inform any potential applicant for a QC for a domestic health insurance company of the parameters set forth in this resolution prior to the submission of any QC application, and that all relevant GEDA marketing material, collateral and website contain information regarding the parameters contained in this resolution; and be it further

RESOLVED, that these parameters shall be in force and effect immediately upon adoption of this resolution, and shall be in force and effect until rescinded or modified by subsequent resolution of applicable Guam law; and be it further

RESOLVED, that the Chairman certify and the Secretary attest to the adoption of this resolution.

SO RESOLVED AND DULY AND REGULARLY ADOPTED this 20th day February, 2020.

David J. John
Chairman

ATTEST:

Gia Ramos
Secretary

BOARD OF DIRECTORS OF THE
GUAM ECONOMIC DEVELOPMENT AUTHORITY

RESOLUTION NO. 20-07

RESOLUTION APPROVING THE ISSUANCE AND SALE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS AND/OR REFUNDING BONDS AND APPROVING AND AUTHORIZING THE EXECUTION OF RELATED DOCUMENTS, AGREEMENTS AND ACTIONS

WHEREAS, Article 2, Chapter 14, Title 12 of the Guam Code Annotated (the "Act") authorizes Guam Waterworks Authority ("GWA") to issue revenue bonds to raise funds for the purpose of acquiring, constructing, improving, equipping, maintaining, repairing, renewing, replacing, reconstructing or insuring the System (as that term is defined in the Act), or any part thereof, or for the purpose of refunding any such bonds or any other prior obligations of GWA, or for any combination of such purposes, in accordance with and subject to the requirements and limitations set forth in the Act;

WHEREAS, the Consolidated Commission on Utilities (the "Commission") has determined that there exists a need for certain additions and improvements to the System, which may include (but is not limited to) certain water production, treatment and distribution projects, certain wastewater collection and treatment projects and certain systems analysis, monitoring and technology upgrades, including certain electrical projects, contained in GWA's Capital Improvement Plan (collectively, the "Projects"), and to issue refunding bonds to redeem or otherwise retire a portion of the outstanding Guam Waterworks Authority Water and Wastewater System Revenue Bonds, Series 2013 (the "Prior Bonds") for debt service savings, and has determined that it is in the public interest for GWA to issue bonds pursuant to the Act for such purposes;

WHEREAS, GWA has determined it is necessary and desirable to issue one or more series of Guam Waterworks Authority Water and Wastewater Revenue Bonds (the "2020 Bonds") to finance the Projects and/or to refund the Prior Bonds, and the Consolidated Commission on Utilities (the "CCU") has approved such 2020 Bonds;

WHEREAS, pursuant to §50103(k), Title 12, Guam Code Annotated, public corporations of the Government of Guam shall issue bonds and other obligations only by means of and through the agency of GEDA;

WHEREAS, as required by Section 14203 of the Act and said Section 50103(k), the authorization provided by this resolution to sell and issue the 2020 Bonds has been approved by the Legislature of Guam (the "Legislature") pursuant to the terms and conditions set forth in Public Law No. 28-71, as amended by Public Law Nos. 30-145 and 32-069 (collectively, the "Legislation");

WHEREAS, this Board of Directors has determined that it is in the public interest for GWA to sell the 2020 Bonds for the purpose of financing the Projects and/or refunding the Prior Bonds;

WHEREAS, GWA has previously executed and delivered an Indenture, dated as of December 1, 2005, pursuant to which bonds in one or more series may be issued, and such indenture, as previously supplemented and amended, is now in effect;

WHEREAS, there has been presented to this Board of Directors the proposed substantially final form of a Preliminary Official Statement relating to the 2020 Bonds; and

WHEREAS, there have been presented to this Board of Directors proposed substantially final forms of a Seventh Supplemental Indenture pursuant to which the 2020 Bonds are proposed to be issued by GWA (the "Supplemental Indenture") and a bond purchase agreement pursuant to which the 2020 Bonds will be sold (the "Bond Purchase Agreement" and, together with the Supplemental Indenture, the "Bond Documents");

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors (this "Board") of the Guam Economic Development Authority as follows:

Section 1. The issuance and sale of the 2020 Bonds in an aggregate principal amount not to exceed $134,000,000 to finance the Projects, plus a principal amount not to exceed a principal amount sufficient to provide funds for the redemption or retirement of the Prior Bonds, plus the related costs of issuance and of such redemption or retirement, including capitalized interest, and to make a deposit to the Bond Reserve Fund, if necessary, are hereby approved in accordance with Section 50103(k), subject to the terms and conditions set forth in the Legislation and as approved by the CCU, and further subject to the approval by the Guam Public Utilities Commission (the "PUC") pursuant to Title 12 of the Guam Code Annotated of the issuance of the 2020 Bonds.

Section 2. The form of Bond Purchase Agreement presented to this meeting is hereby approved for execution and delivery by GWA and GEDA in substantially such form, with such additions, changes and modifications as (i) the CCU, acting as Board of Directors of GWA, may approve or may authorize the Chairman or Vice-Chairman of the CCU or the General Manager of GWA (collectively, the "Designated Officers of GWA") to approve upon consultation with the Chief Executive Officer/Administrator of GEDA (the "CEO/Administrator") and/or the Deputy Administrator, or the Public Finance Division Manager of GEDA and legal counsel, such approval to be conclusively evidenced by the adoption of one or more bond resolutions by said Board and by execution and delivery of the Bond Purchase Agreement by the Designated Officers of GWA, and (ii) are approved by the CEO/Administrator upon consultation with legal counsel, such approval to be conclusively evidenced by the execution and delivery of such Bond Purchase Agreement by the CEO/Administrator or the Public Finance Division Manager of GEDA, or their duly authorized designees as designated in writing (individually or collectively, the "GEDA Authorized Signers") who are hereby authorized to execute and deliver the Bond Purchase Agreement on behalf of GEDA.

Section 3. The forms of Bond Documents presented to this meeting are hereby approved for execution and delivery by GWA in substantially such form, with such additions, changes and modifications as the CCU may approve or may authorize the Designated Officers of GWA, to approve upon consultation with the CEO/Administrator and legal counsel, such approval to be conclusively evidenced by the adoption of one or more bond resolutions by

said Board and by execution and delivery of such Bond Documents on behalf of GWA by one or more Designated Officers of GWA.

Section 4. The Preliminary Official Statement in the form presented to this meeting is hereby approved, and the distribution of the Preliminary Official Statement in connection with the offering and sale of the 2020 Bonds, with such changes, omissions and insertions as shall be approved by the Designated Officers of GWA, is hereby authorized and approved. GEDA hereby approves and acknowledges the review of the Preliminary Official Statement by the Designated Officers of GWA and their certification on behalf of GWA upon appropriate authorization and delegation by the CCU, that the Preliminary Official Statement is "deemed final" as of its date, except for the omission of certain terms and pricing information permitted to be omitted therefrom pursuant to Securities and Exchange Commission Rule 15c-12.

GEDA further hereby approves and acknowledges the preparation of a final version of the Official Statement by the Designated Officers of GWA (such final version of the Official Statement, in the form of the Preliminary Official Statement, with such changes, insertions and omissions as shall be approved by the Designated Officers of GWA, upon consultation with the CEO/Administrator and legal counsel, being hereinafter referred to as the "Official Statement") upon appropriate authorization and delegation by the CCU, and their execution of the Official Statement and any amendment or supplement thereto, in the name of and on behalf of GWA, and their causing the Official Statement and any such amendment or supplement to be delivered to the purchasers and distributed in connection with the sale of the 2020 Bonds.

Section 5. The Designated Officers of GWA, upon appropriate authorization and delegation by the CCU, and the CEO/Administrator are hereby authorized and directed to determine, consistent with the Act, the aggregate principal amount of 2020 Bonds to be issued (subject to Section 1 hereof), the number of series of such 2020 Bonds, the maturity or maturities, the interest rates (not exceeding any limitation established by the Legislature), interest payment dates, denominations, forms, registration privileges, terms and place or places of payment, terms of redemption and other terms of each series of the 2020 Bonds.

Said Designated Officers of GWA, upon appropriate authorization and delegation by the CCU, and the CEO/Administrator are hereby also expressly authorized to arrange for such bond insurance, reserve fund surety bond or other supplemental security arrangements for all or such portion of the 2020 Bonds as they may deem in the public interest, and to enter into any other agreements deemed by them to be necessary or appropriate in connection therewith.

Notwithstanding any other provision of this resolution, the 2020 Bonds and any obligations of GWA under any reimbursement or other similar agreement shall be limited obligations of GWA payable solely from the revenues and other assets of GWA pledged for such purpose and shall not be a debt or liability of the Government of Guam.

Section 6. The CEO/Administrator and the Designated Officers of GWA, upon appropriate authorization and delegation by the CCU, are hereby authorized and directed to do any and all things and to execute and deliver any and all documents, certificates and other instruments, including tax certificates or any escrow agreement which they may deem necessary

or advisable in order to consummate the sale of the 2020 Bonds and otherwise to effectuate the purposes of this resolution. Such actions may include, but are not limited to, the preparation of certain economic, demographic and other information relating to Guam for inclusion in the Preliminary Official Statement and the Official Statement, participation in the pricing of the 2020 Bonds, the publication of any notices and consummation of any proceedings necessary to comply with the requirements of the Internal Revenue Code or other applicable law, the distribution of other information and material relating to the 2020 Bonds or the Prior Bonds, and the holding of any appropriate information meetings concerning the 2020 Bonds. Any action authorized by this resolution to be taken by the CEO/Administrator and the Designated Officers of GWA may be taken by a person officially acting in such position and, with respect to the CEO/Administrator, may be taken by another one of the GEDA Authorized Signers during any period in which the CEO/Administrator is absent or the office of the CEO/Administrator is vacant.

Section 7. All actions heretofore taken by the officers, representatives or agents of GEDA in connection with the issuance and sale of the 2020 Bonds are hereby ratified, confirmed and approved.

Section 8. The 2020 Bonds shall not be issued without the approval of the PUC in accordance with the Act and Chapter 12 of Title 12, Guam Code Annotated, and shall be in all respects subject to such approvals, and to the Legislation.

Section 9. This resolution shall take effect from and after its adoption.

CERTIFICATE

I, Gia Blancaflor Ramos, Secretary of the Board of Directors of the Guam Economic Development Authority, do hereby certify as follows:

The foregoing is a full, true and correct copy of Resolution 20-07 duly adopted at a regular meeting of the members of the Board of Directors of said Authority duly and legally held at the regular meeting place thereof on February 20, 2020, of which meeting all of said members had due notice and at which at least a majority thereof were present.

At said meeting said resolution was adopted by the following vote:

Ayes: 5

Noes: Ø

Absent: 2

Said original resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

DATED: 02/20/2020.

(S E A L)

Secretary, Board of Directors

4136-8012-5725

MEMORANDUM OF AGREEMENT
BETWEEN
GUAM ECONOMIC DEVELOPMENT AUTHORITY
AND
UNIVERSITY OF GUAM
GUAM SMALL BUSINESS DEVELOPMENT CENTER

January 1, 2020 – December 31, 2020

SECTION I

AGENCIES

This **MEMORANDUM OF AGREEMENT (MOA)** is entered into by and between the **GUAM ECONOMIC DEVELOPMENT AUTHORITY**, (hereinafter referred to as "**GEDA**") Guam, a public corporation and autonomous instrumentality of the Government of Guam, whose address is 590 S. Marine Corps Dr. Suite 511 ITC Building, Tamuning, Guam 96913, and the University of Guam- Guam Small Business Development Center (**Guam SBDC**) whose address is 303 University of Guam, Mangilao, Guam 96923.

RECITALS

WHEREAS, GEDA has been established by the Government of Guam to play a central role in the development and growth of Guam's economy; and

WHEREAS, the Guam SBDC provides high quality business counseling, training and information to aspiring and existing local small businesses with the goal of growing Guam's economy; and

WHEREAS, GEDA was recently awarded funding from the United States Small Business Administration (SBA) under the 2018 State Trade Expansion Program (STEP) with the goal of increasing the export of goods and services out of Guam; and

WHEREAS, GEDA's STEP grant proposal include funding to collaborate with the Guam SBDC on various workshops, trainings and other educational opportunities for participating small businesses; and

WHEREAS, GEDA and the Guam SBDC desire to officially enter into a formal agreement to carry out the goals and objectives of the STEP grant; and

WHEREAS, this MOA shall enumerate the process through which GEDA and the Guam SBDC shall provide collaboration in relation to the STEP grant.

NOW, THEREFORE IN CONSIDERATION of the mutual covenants contained herein, the Parties hereby AGREE as follows:

SECTION II

RESPONSIBILITIES OF PARTIES

1. **Cooperation by GEDA.** GEDA shall do the following to assist the Guam SBDC in performing the services pursuant to this MOA:

A. Provide SBDC a detailed plan on the types of trainings, workshops and other applicable activities/events to be cosponsored by GEDA and SBDC pursuant to the STEP grant.
B. Include SBDC in GEDA STEP Committee to review and evaluate participating clients in the STEP grant.
C. Assist the Guam SBDC in the carrying out of all workshops, trainings and activities/events held pursuant to this MOA.
D. Provide regular communication and updates regarding STEP activities.
E. Compile reports, statistics and data regarding all workshops, trainings and activities/events held pursuant to this MOA and provide such information to the Guam SBDC.

2. **Cooperation by the Guam SBDC.** The Guam SBDC shall do the following to assist GEDA in performing the services pursuant to this MOA:

A. Provide GEDA with suggested trainings, workshops and other applicable activities/events to be cosponsored by GEDA and SBDC.
B. Participate in the GEDA STEP Committee to review and evaluate participating clients in the STEP grant.
C. Provide technical assistance in the administration and implementation of such trainings, workshops and activities/events for STEP clients.
D. Provide STEP clients, in addition to those services specifically for the STEP grant, with the normal scope of services provided by the Guam SBDC.
E. Follow all applicable local and federal government laws, rules and regulations with regards to the implementation of events/activities and the utilization of funds received pursuant to this MOA.

3. **PAYMENT OF SERVICES.**

A. The Guam SBDC shall submit its request for payment in the form of certified invoices to GEDA.
B. GEDA shall reimburse the Guam SBDC for expenditures associated with the work prescribed under this MOA.
C. The Guam SBDC shall ensure that funds received are utilized solely for the operations and activities of STEP. Any costs outside the grant parameters shall not be authorized unless written prior approval is obtained from SBA by GEDA.

SECTION III

TERM OF AGREEMENT

This MOU shall remain in force for the time specified, from January 1, 2020 to December 31, 2020.

SECTION IV
AMENDMENTS

Amendments to the MOU shall be made, in writing, and agreed to by all parties. In the event of any dispute in the interpretation, development, implementation, and/or execution of each party's responsibility, the parties shall meet to discuss and resolve the dispute.

SECTION V
DISPUTES

All controversies between UOG and the GEDA which arise under or by virtue of this agreement and which are not resolved by mutual agreement shall be resolved by the Administrator of GEDA. In the event that SBDC does not agree with the ruling, SBDC may seek judicial review in the Superior Court of Guam.

SECTION VI
TOBACCO FREE CAMPUS

Pursuant to 10 GCA 90106, Regulation of Smoking in Places of Employment, Board of Regents' Resolution 06-04 designates UOG as a tobacco –free campus with a total ban on sale, distribution and use of tobacco and tobacco-based products. All parties agree to abide by this no smoking and tobacco free policy while on the UOG campus and in support of a healthy University environment.

SECTION VII
NO GRATUITIES, KICKBACKS, AND/OR FAVORS

All parties acknowledge that it has not and will not violate the prohibition against gratuities, kickbacks and/or favors set forth (Gratuities and Kickbacks) in 5 GCA, Chapter 5, Article 11, Ethics in Public Contracting **and** Section 11.7 (Gratuities and Kickbacks and Favors) of the UOG Procurement Manual.

SECTION VIII
INDEMNITY

All parties agree to save and hold harmless each organization, its officers, agents, representatives, successors, and assigns from any and all suits or actions of every nature and kind, which may be brought.

SECTION IX
EMPLOYMENT RESTRICTION

Both parties warrant that no person shall provide services on its behalf in relation to this ~~Contract~~ Agreement who has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed in the Sex Offender Registry. Any such person discovered to have been so convicted shall be immediately removed from working at each other's organization and the appropriate supervisor shall be informed within twenty-four (24) hours. Failure to take corrective action after notice may result in the temporary suspension of this Agreement at the discretion of discovering party.

SECTION X
GOVERNING LAW

The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties to this Agreement, shall be governed by the laws of Guam.

SECTION XI
SEVERABILITY

If any provision of this Agreement shall be deemed by a court of competent jurisdiction to be invalid, then such provision shall be deemed stricken from the Agreement and the Agreement shall be enforced according to its valid and subsisting terms and provisions.

SECTION XII
INTELLECTUAL PROPERTY

All signage, marketing collateral and communications in relation to the training events will be co-branded with the unit's logos participating in the event.

SECTION XIII
CONTINGENT FEES

Each affirms that it has not retained any person or agency on a percentage, commission, or other contingent arrangement, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

SECTION XIV
ETHICAL STANDARDS

Each affirms that it has not knowingly influenced and/or promised or influenced any government employee to breach any of the ethical standards set forth in 5 GCA, Chapter 5, Article 11, and in Chapter 11 (Ethics in Public Contracting) of the UOG Procurement Manual.

SECTION XV
NO DISCRIMINATION

Each warrants that neither in the delivery of the services nor in its employment practices will they discriminate against any and all individual(s), on the basis of race, color, creed, national origin, sex, age (except as permitted by law), disability, citizenship status (except as permitted by law) and that it will comply in every respect with all provisions of federal and territorial law regarding this obligation.

SECTION XVI
DEFAULT, REMEDIES & TERMINATION

Default occurs by (1) the failure of either party to perform as specifically described in the Agreement; (2) non-payment for services rendered, as described in the Agreement; (3) a unilateral change in agreement terms not agreed to in writing by both parties; (4) court order. A non-defaulting party shall have the remedies afforded by law and in equity and shall have the right to terminate this Agreement. Notwithstanding, either party may terminate this Agreement by providing thirty (30) days' written notice to the other. Should SBDC terminate this contract, the SBDC will be paid the reasonable value for services performed that are due to the date of termination.

SECTION XVII
ENTIRE AGREEMENT

This Agreement supersedes all prior agreements, written or oral, between the parties and shall constitute the entire agreement and understanding between the parties with respect to the subject matter hereof.

SECTION XVIII
FORCE MAJEURE

Neither party hereto shall be liable or responsible to the other for any loss or damage or for any delays or failure to perform due to causes beyond its reasonable control, including but not limited to acts of God, strikes, epidemics, war, riots and/or any other cause beyond the reasonable control of the party whose performance is affected. Dates by which performance obligations are scheduled to be met will be extended for a period of time equal to the time lost due to any delay so caused.

SECTION XIX
AUTHORIZED SIGNATURES

The individual signatures appearing below represent the authorized officials responsible for each organization and bind the organization to this Memorandum of Agreement.

University of Guam

BY

for Dr. Anita Borja-Enriquez /Date: 12/26/19
Senior Vice President
Academic and Student Affairs

/Date: 12/13/2019
Dr. Annette Santos
FOR Dean
School of Business & Public Administration

/Date: 12-12-19
Denise M. Mendiola
Acting Director, PISBDCN/Guam SBDC

APPROVED AS TO FORM:

/Date: 12/23/19
Anthony R. Camacho, Esq.
Legal Counsel

Office of the Legal Counsel
University of Guam
Received By:
12/16/19
Date & Time

Guam Economic Development Authority

BY

/Date: 2/20/2020
Melanie Mendiola
CEO/Administrator

2/20/20 /Date:
David J. John
Chairman, Board of Directors

OFFICE OF SPONSORED PROGRAMS AND ACADEMIC AFFAIRS
2019 DEC 23 PM 3:07
UNIVERSITY OF GUAM

RULES AND REGULATIONS
OF THE GUAM ECONOMIC DEVELOPMENT AUTHORITY
ON THE ISSUANCEOF TRAVEL RELATED TAX CREDITS

The purpose of these rules and regulations ("Rules") is to set out the administrative procedures for GEDA's issuance of a tax credit certificate ("Certificate") to applicants therefor pursuant to provisions of PL 35-62, which Certificate entitles a holder thereof to a credit against the tax imposed under Article 2 of the Business Privilege Tax Law.

Public Law 35-62 of February 5, 2020, Section 77907, GEDA shall implement and monitor the tax credit program authorized pursuant to this article based on rules and regulations already adopted by GEDA for previous tax credit programs:
Notwithstanding any other provision of law, GEDA *shall* have the authority to incorporate and add rules and regulations necessary to process travel-related tax credits which *shall* use, at a minimum, the Federal Travel Regulation as a basis for such rules and regulations."

Authorization to Travel:
Traveler must have written or electronic authorization prior to incurring any travel expense.

Authorized methods of transportation:
Common carrier transportation (e.g., aircraft, train, bus, ship, or other transit system)

Fare Basis.
When travelling, all persons authorized to travel shall utilize the **lowest flexible economy fare,** that allows the traveler the flexibility in the event there are changes to travel itinerary whenever possible.

Airline fare class:
For official travel, both domestic and international, you must use coach/economy class fare.

Upgrades.
You may upgrade to a class other than coach-class at your personal expense, including through redemption of frequent flyer benefits.

Per Diem Rates:

- Based on the federal per diem rates in effect during the period of travel. U.S. General Services Agency rates in the continental United States (CONUS). The Department of Defense sets rates for Alaska, Hawaii, U.S. Territories, and Possessions (OCONUS). The State Department sets Foreign Rates.

- If the Host Country provides lodging, food and transportation, per diem shall not be allowed. However, partial per diem maybe given should the host country only provide one or two of the lodging, food and transportation.

- Participants living in Guam shall not be entitled to per diem if the event is located in Guam.

Use of reduced group or charter fare:
You may use a reduced group or charter fare when the organization has determined, on an individual case basis prior to your travel, that use of such a fare is cost effective.

When different airlines furnish the same service at different fares:
When there is no contract fare, and common carriers furnish the same service at different fares between the same points for the same type of accommodations, you must use the lowest cost service unless the organization determines that the use of higher cost service is more advantageous to the Government.

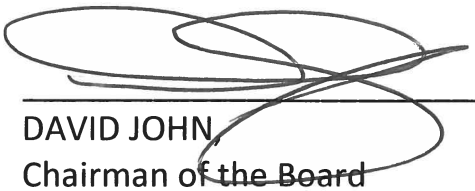
Liability if travel differs from the authorized method or fare class:
If you do not travel by the method or class of transportation required by regulation or authorized by your organization, any additional expenses you incur which exceed the cost of the authorized method of transportation will be borne by you.

Refund or credit for unused transportation?
Traveler cannot keep refunds, credit, or any other negotiable document from a carrier for unfurnished services or any portion of an unused ticket. This must be returned to authorizing organization,

Airline compensation:
If you are performing official travel and a carrier denies you a confirmed reserved seat on a

plane, any payment you receive for liquidated damages must be returned to authorizing organization.

APPROVED during its regular Board of Directors meeting dated February 20, 2020.



DAVID JOHN,
Chairman of the Board

2-20-20

DATE

LOURDES A. LEON GUERRERO
Governor of Guam
I Maga'Haga Guahan

JOSHUA F. TENORIO
Lt. Governor of Guam
I Segundo Na Maga'Lahen Guahan

GUAM ECONOMIC DEVELOPMENT AUTHORITY
America in Asia
Aturidåd Inadilånton Ikunumihan Guahan

MELANIE MENDIOLA
Chief Executive Officer/Administrator
Ge'helo' Ekseketibu Ofisiåt

ARTEMIO "RICKY" HERNANDEZ, Ph.D.
Deputy Administrator
Sigundo Ge'helo'

February 20, 2020

MEMORANDUM

To: GEDA Board of Directors

From: Melanie Mendiola, CEO/Administrator

Subject: Obtain Board Approval for Accountable Officers- February 2020 Update

Håfa Adai!

Below is an updated list of recommended accountable officers for the Guam Economic Development Authority that requires Board approval.

1. Authorized Approving Officials
   a. Chairman of the Board
   b. Vice Chairman of the Board
   c. Secretary of the Board
   d. CEO/Administrator
   e. Deputy Administrator
   f. Acting CEO/Administrator

2. Authorized Certifying Officers
   a. CEO/Administrator
   b. Deputy Administrator
   c. Acting CEO/Administrator
   d. Christina Garcia
   e. John San Nicolas (updated)

3. Authorized Check Signers—All Accounts (2 signatures required)
   a. CEO/Administrator
   b. Deputy Administrator
   c. Acting CEO/Administrator
   d. Secretary of the Board
   e. Bernice Torres
   f. Christina Garcia
   g. Claire Cruz
   h. Diego Mendiola (updated)

4. Authorized Signers for Investment Account (2 signature required)
   a. CEO/Administrator
   b. Deputy Administrator
   c. Acting CEO/Administrator
   d. Secretary of the Board
   e. Bernice Torres
   f. Christina Garcia
   g. Claire Cruz
   h. Diego Mendiola (updated)

☒ Approved ☐ Disapproved

Melanie Mendiola
CEO/Administrator

3-3-20
David John
Chairman of the Board

590 S. Marine Corps, Dr. Suite 511 ITC Building
Tamuning, GUAM 96913

T 671.647.4332 F 671.649.4146
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LOURDES A. LEON GUERRERO
Governor of Guam
I Maga'Haga Guahan

JOSHUA F. TENORIO
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Ge'helo' Ekseketibu Ofisiåt

ARTEMIO "RICKY" HERNANDEZ, Ph.D.
Deputy Administrator
Sigundo Ge'helo'

February 20, 2020

Bank of Guam
ITC Building, Suite 111
590 South Marine Drive
Tamuning, GU 96913

SUBJECT: Authorized Check Signers for Checking Accounts

The Guam Economic Development Authority's Board of Directors authorized the following check signers for all of GEDA's checking accounts at the Bank of Guam:

1. **CEO/Administrator – Melanie Mendiola**
2. **Deputy Administrator – Artemio Hernandez**
3. **GEDA Board Secretary – Gia B. Ramos**
4. **Administrative Services Manager – Bernice Torres**
5. **Public Finance Manager – Christina Garcia**
6. **Real Property Assistant Manager – Diego Mendiola**
7. **Compliance Manager – Claire Cruz**

☒ Approved ☐ Disapproved

3-3-20

David John
Chairman of the Board

Concurred:

Melanie Mendiola
CEO/Administrator

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Guam Economic Development Authority ("GEDA")
Resolution No. 20-08
Regular Meeting of the Board of Directors
February 20, 2020

Relative to commending

LAWRENCE C. TOVES

For Exemplary Service While Employed at the Guam Economic Development Authority

WHEREAS, Lawrence ("Larry") C. Toves began employment with the Guam Economic Development Authority in 1995 after serving his country and his island in the U. S. Air Force and Air Force Reserve and working in various public and private sector jobs, the Guam Legislature, banking; and

WHEREAS, throughout the 25 years during which he provided services to GEDA, Larry's outstanding performance allowed him to rise from a Program Coordinator to become the Manager for the Real Property Division, responsible for ensuring the generation of revenues to support GEDA economic development initiatives through management of GEDA and other government agency real property assets; and

WHEREAS, as Manager of GEDA's Real Property Division, Larry was responsible for managing leases of 48 acres of GEDA property and 48 acres of Guam Ancestral Lands Commission property, generating over $1.2 Million annually in revenues for GEDA and $5.4 Million in revenues for GALC; and

WHEREAS, Larry's direct involvement resulted in the transfer of 3,000 acres of federal property to the Government of Guam for return to their rightful ancestral owners so that economic development could occur thereby generating jobs, revenue and economic activity; and

WHEREAS, Larry leadership, work ethic and personal involvement led to the successful completion of $55.6 Million in capital improvement projects under the Hotel Occupancy Tax Bond program including such notable and iconic projects as the Guam Museum, the Farmers' Cooperative public market, Tumon Flood Mitigation, Inarajan Community Center, Malesso Bell Tower, Magellan Monument, numerous park and historic preservation improvements including the Plaza de Espana Chocolate House and Azotea, Angel Santos Park, Fish Eye Park, Fort Soledad, and Nimitz Park, the Hagatna Tennis Court and Pool to the benefit of the entire island community and its visitors; and

WHEREAS, Larry's professionalism, dedication, commitment and reliability frequently resulted in his designation of Acting Administrator and garnered the Authority's all-important designation as a GEDA signatory on all checks issued by the Authority; and

WHEREAS, during his tenure with GEDA, Larry trained and received certificates of completion in the areas of procurement, computer software, grants management, real estate fundamentals, leadership, first aid, and technical writing; and

WHEREAS, the Authority acknowledges that during Larry's tenure with GEDA, his work significantly contributed to the Authority's success in being able to quickly and efficiently deal with procurement, personnel and other related matters; and

WHEREAS, Larry earned designation as GovGuam Employee of the Year in Program Administration in 2005, GEDA's Manager of the Year in 2014 and GovGuam Manager of the Year in 2018 and on numerous occasions, the Real Property Division garnered recognition as Program of the Year; and

WHEREAS, throughout his tenure with GEDA, Larry consistently received an "Outstanding" rating in all performance evaluations; and

WHEREAS, Larry has actively served as a member of the GEDA Employee Morale Association (GEMA) and assisted GEMA in donating supplies to other charitable organizations and public schools and actively participated in numerous island-wide cleanup projects; and

WHEREAS, Larry is an active parish member of the Maina Catholic Church where he and his wife regularly aid and assists its priest and parish's functions and where he performs Eucharistic Ministry services; and

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WHEREAS, Larry's deep and genuine concern for the welfare and overall morale of all GEDA employees has resulted in tremendous respect and sincere appreciation from all GEDA employees which will be sorely missed and which GEDA will have difficulty replacing; and

WHEREAS, Larry is the first employee to always recognize and respect the value of each employee and always undertakes any activity that allows employees to congregate either during or after working hours including decorating the GEDA office, purchasing supplies using his own money, coming in early, staying late or coming in on the weekends to prepare the office for upcoming events such as Christmas, Thanksgiving, Valentines' Day, and employee birthdays; and

WHEREAS, the Authority acknowledges that Larry could not provide the level of service both during and after working hours without the love, support and sacrifice of his family, especially his wife Lucy and his mother, Mrs. Elizabeth Campos Toves; and

WHEREAS, the Authority acknowledges that Larry has been nothing less than one of the most valuable assets to GEDA and its employees, now therefore be it

RESOLVED that the Board of Directors, Management and Staff of the Guam Economic Development Authority does hereby convey our deepest appreciation and commendation, and applaud Mr. Larry C. Toves on his retirement from GEDA, for his exemplary service with the Guam Economic Development Authority; and that we wish him and all of his family the highest levels of success in all their future endeavors; and be it further

RESOLVED, that the Board of Directors, Management and Staff of the Guam Economic Development Authority does also hereby convey our deepest appreciation, commendation and respect, to Larry's family, for their support during his service with the Guam Economic Development Authority; and be it further

RESOLVED that the Chairman certify and the CEO/Administrator attest to the adoption of this resolution and that copies of the same be transmitted to Mr. Larry Toves, to the Speaker of the 35th Guam Legislature; Chairperson, Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response, *I Mina'trentai Sinkko Na Liheslaturan Guåhan*; the Lieutenant Governor and to the Governor of Guam.

DAVID JOHN
Chairman, Board of Directors
Guam Economic Development Authority

MELANIE MENDIOLA
CEO/Administrator
Guam Economic Development Authority