**clerks@guamlegislature.org**

**From:** Speaker's Office <speaker@guamlegislature.org>
**Sent:** Monday, June 29, 2020 8:55 AM
**To:** Clerks Office
**Cc:** Rennae Meno
**Subject:** M&C Fwd: GEDA Board of Directors Meeting Packet | May 01, 2020
**Attachments:** May 2020 BODM Packet_Final.pdf

| | | | | | |
|---|---|---|---|---|---|
| 06-27-20 | 8:18 AM | 05-01-20 | Agenda, Minutes, and Attachments for Board of Directors Meeting held on May 01, 2020.* | Guam Economic Development Authority | 35GL-20-1933 |


*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 unrisibi. 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: Sat, Jun 27, 2020 at 8:18 AM
Subject: GEDA Board of Directors Meeting Packet | May 01, 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 **May 01, 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*

GUAM ECONOMIC DEVELOPMENT AUTHORITY
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Aturidåd Inadilånton Ikunumihan Guahan

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

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

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**MELANIE MENDIOLA**
*Chief Executive Officer/Administrator*
*Ge'helo' Ekseketibu Ofisiât*

**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:** Friday, May 01, 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 to media via on Friday, April 24, 2020 and Wednesday, April 29, 2020

**AGENDA**

I. Call to Order
II. Inifresi
III. Roll Call
IV. Approval of Agenda
V. Approval of Minutes
    a. April 2020 Board Meeting | April 13, 2020
VI. Chairman's Remarks
VII. CEO/Administrator's Remarks
VIII. Committee Reports
IX. Old Business
    a. Qualifying Certificate Community Contribution Grant Program Update
X. New Business
    a. Approval of Government of Guam Underwriter Teams Pursuant to RFP 20-004
XI. Public Comment
XII. Adjournment

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

**JOSHUA F. TENORIO**
*Lt. Governor of Guam*
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**ARTEMIO "RICKY" HERNANDEZ**
*Deputy Administrator*
*Sigundo Ge'helo'*

**Board of Directors Regular Meeting**
Attendance Sheet
Friday, May 01, 2020
1:30 p.m.

| | |
|---|---|
| David J. John, Chairman | |
| Ernesto V. Espaldon, Jr., Vice Chairman | present via Zoom Conference |
| Gia B. Ramos, Secretary | present via Zoom Conference |
| George Chiu, Director | |
| Siska Hutapea, Director | present via Zoom Conference |
| Fe Valencia-Ovalles, Director | absent |
| Deepak Dewan, Director | absent |
| Melanie Mendiola, CEO/Administrator | |
| Artemio "Ricky" Hernandez, Deputy Administrator | |
| Terry Brooks, Legal Counsel | |
| Tom Fisher, Legal Counsel | |

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Minutes of Regular Meeting to the Board of Directors of the
**Guam Economic Development Authority**
April 13, 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 Monday, April 13, 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 (via Zoom conference) |
| George Chiu | Director |
| Gia Ramos | Director (via Zoom conference) |
| Siska Hutapea | Director (via Zoom conference) |
| | |
| Artemio Hernandez | Deputy Administrator |
| Terrence Brooks | Legal Counsel |

***Also in attendance were:***

| | |
|---|---|
| Ed Camacho | GEDA |
| Claire Cruz | GEDA |
| Tina Garcia | GEDA |
| Diego Mendiola | GEDA |
| Bernice Torres | GEDA |
| Jennifer Calvo-Guzman | GEDA |
| Patrick Guzman | GEDA |
| Austin Grant | GEDA |
| Jha'Aunie Leon Guerrero | GEDA |

### *Approval of Agenda*

§4. The first item discussed was the approval of the agenda. Chairman David John requested a change to the agenda to skip the Committee Reports and start on the New Business items. Director George Chiu made a motion to approve the agenda changes requested by Chairman John. Vice Chairman Ernesto Espaldon seconded the motion. A roll call was then conducted by Chairman John to obtain votes from the remaining board members in attendance. A unanimous approval of the motion followed.

### *Approval of Minutes*

§5. The next item on the agenda was the approval of the board meeting minutes from February 20, 2020. Director Siska Hutapea made a motion to approve the February 20, 2020 board meeting minutes. Vice Chairman Ernesto Espaldon seconded the motion. A roll call then was conducted by Chairman David John to obtain votes from the remaining board members in attendance. A unanimous approval of the motion followed.

### *Chairman's Remarks*

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

Chairman David John noted that CEO/Administrator Melanie Mendiola was on leave, but will be in attendance at the next board meeting. Chairman John thanked the GEDA team for their continued work.

Chairman John clarified that the need for the current meeting was to allow the board members to vote on time sensitive items. One item was the request to increase the loan amount to assist small businesses during the current COVID-19 situation. Additionally, the board needs to open the proposals received in response to RFP 20-004 for bond underwriters.

Chairman John then yielded the floor to Deputy Administrator Artemio Hernandez.

### *CEO/Administrator's Remarks*

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

Deputy Administrator Artemio Hernandez reported on this item. Mr. Hernandez reported that GEDA remains fully operational and continues to work remotely since the COVID-19 Public Health emergency. GEDA continues to communicate and address all economic concerns. GEDA also continues to assist the business community and has uploaded information regarding the provisions, aid relief and economic security act on the GEDA website at www.investguam.com/coronavirus. Information regarding federal programs can also be found on the GEDA website.

Secondly, Mr. Hernandez reported that a public outreach was done by GEDA and Office of the Governor on the availability of various loan programs. GEDA has received about Sixty-Six (66) inquires within the last month.

Then, Mr. Hernandez noted that GEDA is a part of the 311 information hotline to assist with economic inquiries. He noted that these calls are being routed and answered by Mr. Austin Grant. GEDA is receiving an estimate of about Twenty-Five (25) calls per day. Call inquiries are provided to the respective GEDA divisions to address.

Lastly, Mr. Hernandez stated that GEDA will continue to work with the community and various agencies during this time.

This concluded the remarks from Deputy Administrator Artemio Hernandez.

***Old Business***

§8. This section was tabled per motion made by Director George Chiu regarding the change of agenda.

***New Business***

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

**Authorization of Funds for the Payment of Legal Services:**

Deputy Administrator Artemio Hernandez stated that Fisher and Associates is the legal counsel handling HOT Bond claims for GEDA. Mr. Hernandez noted that these cases are at the discovery stage which requires documentation review. A subcontract to retain an expert construction consultant has also been obtained. Mr. Hernandez stated that it has been difficult for GEDA to pay these legal expenses. Mr. Hernandez noted that the outstanding balance for these services are about One Hundred Eighty-Five Thousand Dollars ($185,000), which cover the period from October 2019 to February 2020.

As a result, a request is made to the board to allow GEDA management to pay legal fees using the GEDA reserve account. Mr. Hernandez stated that GEDA will later pursue to seek reimbursement of these fees from the HOT Bond Projects.

Director George Chiu then made a motion to approve payment for outstanding legal expenses using the GEDA reserve account not to exceed Two Hundred Thousand Dollars ($200,000) at the discretion of the GEDA CEO/Administrator. Vice Chairman Ernesto Espaldon seconded the motion. A roll call was then conducted by Chairman David John to obtain votes from remaining the board members in attendance. A unanimous approval of the motion followed.

This concluded this item.

**Resolution 20-09 Relative to Authorizing the GEDA CEO/Administrator to Approve Loans up to One Hundred Thousand Dollars ($100,000) in Order to Expedite Economic Relief during the COVID-19 Public Health Emergency and Recovery Period:**

Deputy Administrator Artemio Hernandez stated that the board had authorized the GEDA CEO/Administrator to approve loans up to Twenty-Five Thousand Dollars ($25,000), which was an increase from Ten Thousand Dollars ($10,000). With the numerous loan applications received due to the current COVID-19 situation, a request is made to the board to allow an increase in the approval limit of loan amounts up to One Hundred Thousand Dollars ($100,000) by the CEO/Administrator.

Discussions by the board followed. Then a motion was made by Director George Chiu to authorize the CEO/Administrator to approve loans up to One Hundred Thousand Dollars ($100,000). Director Chiu noted that during this interim period, at least one board director will be a part of the loan review committee. Vice Chairman Ernesto Espaldon seconded the motion. A roll call was then conducted by Chairman David John to obtain votes from the remaining board members in attendance. A unanimous approval of the motion followed.

This concluded this item.

**Resolution 20-10 Relative to Granting a Second Extension to the Construction Period for the Tsubaki Hotel for an Additional Ninety (90) Days Pursuant to §3.04 of Qualifying Certificate No. 254:**

Chairman David John noted that the current COVID-19 situation has caused delays to the community. This includes the delays with the opening of the Tsubaki Hotel from a Qualifying Certificate Program. Chairman John stated that Ken Corp. has requested an additional extension for Ninety (90) days.

A motion was made by Director Siska Hutapea to approve Resolution 20-10 relative to granting a second extension to the construction period for the Tsubaki Hotel for an additional Ninety (90) days pursuant to §3.04 of Qualifying Certificate No. 254. Director Gia Ramos seconded the motion. A roll call was then conducted by Chairman David John to obtain votes from remaining board members in attendance. A unanimous approval of the motion followed.

This concluded this item.

**Opening of Underwriter Proposals received for RFP 20-004:**

Deputy Director Artemio Hernandez stated that GEDA issued a Request for Proposals for new underwriting services as the existing underwriting services will be expiring at the end of April 2020. Mr. Hernandez noted that the law requires the Board to open and approve the proposals received during a Board meeting before they can be evaluated.

Mr. Patrick Guzman, GEDA Buyer, stated that GEDA received eleven (11) proposals, including one duplicate proposal, in response to RFP 20-004. Mr. Guzman noted that the RFP requires that proposals submitted must include one (1) Original, Seven (7) Copies, and One (1) Electronic Copy. Mr. Guzman then proceeded to open proposals. A summary of these proposals include:

1. Robert W. Baird & Company – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
2. Barclays – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
3. Jefferies LLC – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
4. RBC Markets – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
5. Bank of America/Meryl Lynch – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
6. Morgan Stanley – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
7. Wells Fargo – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
   *Company submitted Two (2) Proposals
8. American Veterans Group – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy
9. Security Next Mackenzie – Seven (7) Copies and One (1) Electronic Copy; No Original was found
10. Citigroup – One (1) Original, Seven (7) Copies, and One (1) Electronic Copy

A motion was made by Director George Chiu to accept all the proposals received and opened in response to RFP 20-004 and secondly, to allow the GEDA CEO/Administrator to assemble an evaluation committee to review proposals and provide a recommendation to the board of directors at the next board meeting. Director Gia Ramos seconded the motion. A roll call was then conducted by Chairman David John to obtain votes from the remaining board members in attendance. A unanimous approval of the motion followed.

This concluded this item.

***Public Comments***

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

No public comments were made.

***Adjournment***

§11. Director George Chiu made a motion to adjourn the board of director's meeting at 2:37 p.m. Director Gia Ramos seconded the motion. A roll call was then conducted by Chairman David John to obtain votes from the remaining board members in attendance. A unanimous approval of the motion followed.

DAVID JOHN, Chairman
Board of Directors

ATTEST:

GIA RAMOS, Secretary
Board of Directors

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*Deputy Administrator*
*Sigundo Ge'helo'*

May 1, 2020

**TO:** GEDA Board of Directors

**VIA:** Melanie Mendiola, CEO/Administrator
Artemio "Ricky" Hernandez, Deputy Administrator

**FROM:** Christina D. Garcia, Public Finance Manager

**RE:** **APPROVAL OF GOVERNMENT OF GUAM UNDERWRITER TEAMS PURSUANT TO RFP 20-004**

Pursuant to 12 G.C.A. §§ 50103 (k) and 50103.1(b), GEDA solicited proposals for firms interested in providing bond underwriting services to the Government of Guam and those agencies or instrumentalities of the government. RFP 20-004 was issued on February 10, 2020 with a deadline of submission of proposals on March 3, 2020 at 4:00 p.m. Chamorro Standard Time.

In the selection of underwriters for the Government and autonomous agencies, GEDA statute, 12 G.C.A., Chapter 50, §50103.1 states:

> "The Authority shall set a date for the opening of the replies to RFPs from underwriters. The presence of a quorum of the Board shall be required for the initial opening of the replies to RFPs and sufficient copies of the replies to RFPs shall be made available to the Board. After the replies to RFPs are distributed to the Board, the meeting may be adjourned and reconvened but only within 15 (fifteen) working days of the opening of the replies to RFPs. "

The proposals were opened at the GEDA Board meeting held on April 13, 2020 with Evaluations held on April 21 & 22, 2020 at GEDA's Conference Room and via Zoom Conference Meeting.

Upon careful review of all the proposals, the recommendation of the evaluation team as to the firms to serve as co-managing underwriters are as follows:

| Government of Guam Projects | Underwriter Teams |
|---|---|
| **General Obligation/Limited Obligation/ Certificate of Participants (COP)** | Citigroup Global Markets Inc. and Barclays Capital Inc. |
| **Hotel Occupancy Tax (HOT) Bonds** | Citigroup Global Markets Inc. and Wells Fargo Securities |
| **Department of Public Works (GARVEE)** | Citigroup Global Markets Inc. and Barclays Capital Inc. |
| **Guam Department of Education** | Citigroup Global Markets Inc. and Barclays Capital Inc. |
| **University of Guam** | Barclays Capital Inc. and Citigroup Global Markets Inc. |
| **Healthcare - Guam Memorial Hospital** | Citigroup Global Markets Inc. and Barclays Capital Inc. |

These firms were selected based on the higher scores they received in the areas of proposal content, firm experience, and their ability to market the anticipated government of Guam financings.

We respectfully submit this recommendation to the GEDA Board of Directors for consideration and approval of by resolution.

*Si Yu'os Ma'ase!*

Christina Garcia
GEDA Public Finance Manager

**APPROVAL OF THE ABOVE NAMED FIRMS AS THE UNDERWRITER TEAMS FOR THE ABOVE NAMED PROJECTS PURSUANT TO RFP 20-004**

☑ Approved

☐ Disapproved

Melanie Mendiola, CEO/Administrator

Presented at the GEDA Board of Directors Regular Meeting on this day, May 1, 2020.

☑ Approved

☐ Disapproved

David John, GEDA Board Chairman

Gia Ramos, GEDA Board Secretary