**clerks@guamlegislature.org**

**From:** Speaker's Office <speaker@guamlegislature.org>
**Sent:** Monday, November 16, 2020 8:50 AM
**To:** Clerks Office
**Cc:** Rennae Meno
**Subject:** M&C Fwd: GEDA Board of Directors Meeting Packet | November 10, 2020
**Attachments:** GEDA Nov 2020 BODM Packet_FINAL.pdf

| | | | | | |
|---|---|---|---|---|---|
| 11/16/20 | 8:16 AM | 11/10/20 | Meeting Agenda, Minutes, and Attachments from Special Board of Directors Meeting held on November 10, 2020.* | Guam Economic Development Authority | 35GL-20-2429 |


*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
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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: **Jennifer Calvo-Guzman** <jennifer.calvo@investguam.com>
Date: Mon, Nov 16, 2020 at 8:16 AM
Subject: GEDA Board of Directors Meeting Packet | November 10, 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 **November 10, 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'us Ma'åse,**

**Jennifer Calvo-Guzman**
***Executive Assistant***

GUAM ECONOMIC DEVELOPMENT AUTHORITY
America in Asia
Aturidåd Inadilånton Ikunumihan Guahan

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GUAM ECONOMIC DEVELOPMENT AUTHORITY
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Aturidåd Inadilånton Ikunumihan Guahan

# SPECIAL BOARD OF DIRECTORS MEETING

Tuesday, November 10, 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
*Aturidâd Inadilânton Ikunumihan Guahan*

**MELANIE MENDIOLA**
*Chief Executive Officer/Administrator*
*Atkådi Eksekutibu Ofisiat/Atmenestradora*

**JOANN G. CAMACHO**
*Deputy Administrator*
*Sigundon Atmenestradora*

**Board of Directors Special Meeting**
Attendance Sheet
Tuesday, November 10, 2020
1:30 p.m.

| | |
|---|---|
| David J. John, Chairman |  |
| Ernesto V. Espaldon, Jr., Vice Chairman | Present via teleconference (video) |
| Gia B. Ramos, Secretary | Present via teleconference (video) |
| George Chiu, Director | Present via teleconference (video) |
| Siska Hutapea, Director | Present via teleconference (video) |
| Fe Valencia-Ovalles, Director | Present via teleconference (video) |
| Deepak Dewan, Director | Absent |
| Melanie Mendiola, CEO/Administrator |  |
| Joann G. Camacho, Deputy Administrator |  |
| Terry Brooks, Legal Counsel | Present via teleconference (video) |

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Tamuning, GUAM 96913

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*Governor of Guam*
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**JOANN G. CAMACHO**
*Deputy Administrator*
*Sigundon Atmenestradora*

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

**DATE:** Tuesday, November 10, 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 the media on Tuesday, November 3, 2020 and on Friday, November 6, 2020.

AGENDA

I. Call to Order
II. Inifresi
III. Roll Call
IV. Approval of Agenda
V. Approval of Minutes
   a. October 2020 Board Meeting | October 22, 2020
VI. Chairman's Remarks
VII. CEO/Administrator's Remarks
VIII. Committee & Standing Reports
   a. Real Property Committee
   b. Healthcare Committee
   c. Agriculture Committee
   d. Aquaculture Committee
   e. Communications Report
   f. Grants Report
IX. Old Business
   a. Guam Small Business Pandemic Assistance (GSBPA) Grant Program Update
   b. Healthcare System Stabilization (HSS) Grant Program SOP
X. New Business
   a. Rental Relief Grant Program Standard Operating Procedures | Resolution No. 21-03
XI. Public Comment
XII. Adjournment

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Enclosures

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*Deputy Administrator*
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Minutes of Regular Meeting to the Board of Directors of the
**Guam Economic Development Authority**
October 22, 2020

***Call to Order***

§1. The regular meeting of the Board of Director of the **Guam Economic Development Authority** (referred to as "GEDA" or the "Authority") was held on Thursday, October 22, 2020 at the hour of 1:34 p.m. at the Guam Economic Development Authority conference room, Fifth Floor Suite 511, ITC Building Tamuning, Guam. The meeting was called to order by Vice Chairman Ernesto Espaldon, Jr. to consider several items on the agenda.

***Inifresi***

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

***Quorum and Attendance***

§3. **Roll call.** As determined by the roll call made by Vice Chairman Espaldon, the following individuals were present:

| ***Directors:*** | ***Offices or Positions:*** |
|---|---|
| David John | Chairman (via video teleconference) |
| Ernesto Espaldon, Jr. | Vice Chairman |
| Gia Ramos | Secretary (via video teleconference) |
| George Chiu | Director (via video teleconference) |
| Siska Hutapea | Director (via video teleconference) |
| Fe Valencia-Ovalles | Director (via video teleconference) |
| | |
| Melanie Mendiola | CEO/Administrator |
| Joann G. Camacho | Deputy Administrator |
| Terry Brooks | Legal Counsel (via video teleconference) |

***Absent and excused:***

| | |
|---|---|
| Deepak Dewan | Director |

***Also in attendance were:***

| | |
|---|---|
| Edward Camacho | GEDA |

| | |
|---|---|
| Christina Garcia | GEDA |
| Claire Cruz | GEDA (via video teleconference) |
| Diego Mendiola | GEDA (via video teleconference) |
| Bernice Torres | GEDA (via video teleconference) |
| Ariana Villaverde | GEDA |
| Yong Pak | GEDA |
| Jennifer Calvo-Guzman | GEDA |
| Senator Therese Terlaje | 35th Guam Legislature (via video teleconference) |
| Rita Nauta | (via video teleconference) |
| Anne Wen | Pacific Daily News (via video teleconference) |
| Gerry Partido | Pacific News Center (via video teleconference) |
| Peter Santos | KUAM (via video teleconference) |
| Morgan Legel | Glimpses of Guam (via video teleconference) |
| Erin Grajek | Office of Senator Clynt Ridgell (via video teleconference) |

***Approval of Agenda***

§4. The first item considered was approval of the agenda. Director Siska Hutapea made the motion to approve the meeting agenda. Secretary Gia Ramos seconded the motion. A roll call of the remaining board members in attendance was then conducted by Vice Chairman Espaldon, which was unanimously approved.

***Approval of Minutes***

§5. The next item on the agenda was the Approval of Minutes from September 17, 2020. Director Hutapea moved to approve the minutes. Chairman David John seconded the motion. A roll call for votes from the remaining board members in attendance was then conducted by Vice Chairman Espaldon, which was unanimously approved.

***Vice Chairman's Remarks***

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

Vice Chairman Espaldon announced that the Business and Economic Development Division, which led the Small Business Pandemic Grant is now working on the Healthcare System Stabilization (HSS) Grant which was announced in the Governor's Executive Order 2020-35 on the 29th of September. He informed all that Governor Leon Guerrero asked GEDA to stand up this program so that clinics who participated in the COVID-19 response could seek some relief

for additional expenditures in staff, personal protective equipment, and other COVID-related expenditures. Furthermore, he informed the board of directors (BOD) that the HSS Grant Program's Standard Operating Procedures will be an item for board action.

Vice Chairman Espaldon then reported that the Public Finance Division closed on the John F. Kennedy bond on October 13, 2020 resulting in a net present value savings of $7.9 million (13.99%) to the government of Guam. In addition, Vice Chairman Espaldon mentioned that discussions will take place regarding the negotiation of Ordot-Chalan Pago (OCP) Multi-purpose Recreation/Emergency Center financing and further noted that the project is valued at $6.5 million and will be covered by an OEA grant in the amount of $3.5 million and a loan for $2.5 million being taken out by the OCP Municipal Planning Council.

Furthermore, Vice Chairman stated that Governor Leon Guerrero has requested GEDA's Public Finance and Real Property Division's assistance with the Guam Memorial Hospital's Task Force in moving a new hospital project forward, as well as other government projects including the Hagatna Pool and the Fishermen's Co-op. Additionally, he noted that the Real Property Division has been assisting with the Governor Leon Guerrero's requests regarding the return of excess land from the U.S. Military.

Vice Chairman noted that the Compliance Division's main focus has been processing the Qualifying Certificate Community Contribution (QCCC) Grant Program applications. He informed all present that the grantees will be announced during the meeting and announced that awards totaled to about $300,000. He thanked Director Fe Valencia-Ovalles for being a part of the QCCC evaluation panel.

Next, Vice Chairman stated that the Administrative Services Division kicked off its meeting this month with Ernst & Young concerning GEDA's annual audit.

Lastly, Vice Chairman Espaldon informed all in attendance that Chairman John and CEO/Administrator Mendiola continue to participate in the Governor's Economic Recovery Group whose focus is to open up our economy as safely as possible and noted that CEO/Administrator Mendiola will discuss GEDA's industry diversification and small business support efforts.

This concluded the Vice Chairman's remarks.

***CEO/Administrator's Remarks***

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

CEO/Administrator Melanie Mendiola stated that GEDA services remain available to the public while COVID-19 continues to batter our island but noted that as Governor Leon Guerrero had asked GEDA to increase efforts to allow employees to work from home to prevent the spread of COVID-19, GEDA staff have staggered schedules. Furthermore, she informed all that there are less than 10 employees in the office at one time but that all divisions are covered in person and of course, virtually.

Next, CEO/Administrator Mendiola stated that GEDA has reached out to all of its SSBCI Partners concerning expanding the loan program to include an "Interest Only" until 2022 option for borrowers noting that GEDA is already offering this as an option for GDFA and ADF loan applicants. Furthermore, she stated that collateral materials will be available soon in efforts to inform the community.

CEO/Administrator Mendiola mentioned that Governor Leon Guerrero directed GEDA, well before COVID-19 to diversify our economy and further mentioned that COVID-19 has accelerated the need for diversification – more jobs and new businesses in diverse industries. She stated that farm groups have asked GEDA to support their curbside initiatives through sponsorships, which GEDA did, and CEO/Administrator Mendiola announced that not only did farm groups sell bags of produce to the community, but they also used GEDA support to fill an order for DPHSS for nearly 2,000 bags of local produce deliveries to our Manamko during the pandemic. In addition, she noted that the Co-op is using the community contribution to complete their store, which will be opened next month. CEO/Administrator stated that pre-pandemic, GEDA, on behalf of the Mayor's Council of Guam applied for a $1.3 million grant with the EDA to strengthen the Council's market sites and build a new market site. She announced that this past month, GEDA received a notice of further consideration, which is a good sign of the odds of funding. Furthermore, she stated that the Aquaculture and Healthcare Committees have been active and that the committees will likely seek board action in the coming months for projects.

Recognizing that rebuilding our economy cannot happen alone, CEO/Administrator Mendiola stated that GEDA is consistently meeting with the Guam Chamber of Commerce, the Guam Women's Chamber of Commerce, the Guam Hotel and Restaurant Association (GHRA), and most recently with the business incubator, the Guam Unique Merchandise & Arts (GUMA) and the Small Business Development Center (SBDC). She added that the Chamber has GEDA involved in various aspects of their industry initiatives and are requesting GEDA's assistance to promote Captive Insurance Investments, Alternate Dispute Resolution, and Trust work. Additionally, CEO/Administrator Mendiola indicated that the Chambers, in the long term, are looking at Pharma and Telecom, for which GEDA will offer its support. Similarly, she mentioned that GHRA is working on a program to benefit hotels and restaurants which Governor Leon Guerrero and GEDA support pending the availability of funds.

Lastly, CEO/Administrator Mendiola announced a couple of programs that GEDA will undertake including the Healthcare System Stabilization Grant Program and a virtual conference with the assistance of the University of Guam and in partnership with the Chambers, GUMA, and SBDC, entitled – Taking the Leap; Launching a new business in 2021 – targeted towards the unemployed or those who want to make their side hustle their main hustle. She noted that the tentative dates are November 18-20 (two or three days) and the GEDA will utilize marketing funds for the virtual conference.

This concluded the CEO/Administrator's remarks.

***Committee Reports***

§8. The next item on the agenda, Committee Reports.

Vice Chairman reported for the Investment Committee. He noted that the third quarter of the calendar year has closed and shared that the total market value ending this quarter was up $1.3 million since last quarter end. He conveyed that despite a slight selloff in September, the portfolio still delivered a 5.55% return for the 3rd quarter further noting that the portfolio remains positive YTD at 0.39%, up 30 basis points on our target benchmark. Vice Chairman stated that all asset classes delivered positive returns for the quarter, led by Emerging Markets and U.S. Equities. Additionally, he announced that GEDA's performance for the full Fiscal Year 2020 is 6.53% in line with GEDA's investment target and noted that the long-term performance remains strong at 7.27% annualized since inception (2017). Lastly, Vice Chairman Espaldon stated that all asset allocation remains within target range.

This concluded the Investment Committee report.

Other Committee Reports were included in the board packet.

***Old Business***

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

The first item under Old Business was the Qualifying Certificate Community Contribution (QCCC) Grant Program.

CEO/Administrator Mendiola stated that the QCCC Grant program for non-profit organizations (NPO) was authorized on July 23, 2020 with the application period open from August 6 – 28, 2020 and extended to September 11, 2020 due to the Governor's Stay-at-Home order, Executive

Order No. 2020-27. CEO/Administrator Mendiola gave a report and indicated the following: 56 applications were received and of that, 49 were deemed eligible for evaluation, maximum grant award amount was $10,000, a panel of five (5) evaluated each application, calculation was based on number of points received, points were attached to a dollar amount, and amounts ranged from $3,047 to $7,852. CEO/Administrator Mendiola stated that NPOs, like small businesses, are hurting as a result of the pandemic and noted that NPO revenues are down, fundraising efforts are either canceled or postponed, donors are pulling back, and resources are moving away from NPOs to emergency needs. Furthermore, she stated that NPOs have staffing expenses, operation expenses, and on-going missions to meet. CEO/Administrator Mendiola mentioned that NPOs have pivoted their focus to serve the needs of the community in these Covid-19 times and that a number of NPOs are interested in using their grant funding for virtual trainings. Lastly, she stated that NPOs are committed to their mission.

Director Fe Valencia-Ovalles agreed with CEO/Administrator Mendiola and recommended that GEDA continue to support the NPOs. Vice Chairman Espaldon added that he was glad that we were able to help the community and hopes that additional funds will become available to assist the community even further. He commended the GEDA staff for their work on the two QCCC grant rounds and further noted that the program has been organized and efficient.

After further discussion, a motion was made.

**RESOLUTION NO. 21-01**
RELATIVE TO APPROVING THE QUALIFYING CERTIFICATE COMMUNITY CONTRIBUTION GRANT PROGRAM SERIES 2 DISBURSEMENTS

Director Valencia-Ovalles made a motion to adopt Resolution No. 21-01. Chairman John seconded the motion. A roll call was then conducted by Vice Chairman Espaldon to obtain votes from the remaining members in attendance. A unanimous approval of motion followed.

The second item under Old Business was the Guam Small Business Pandemic Assistance Grant (GSBPAG) Program.

CEO/Administrator Mendiola informed the Board of Directors and all present that with the board's recommendation last meeting to request for additional funding for businesses, Governor Leon Guerrero approved and authorized an additional $1 million. CEO/Administrator Mendiola expressed her gratitude to the Governor. She reported that to date, 2,663 applications have been processed totaling $16.5 million and 29 applications are pending required documentation. CEO/Administrator noted that around the second closure, GEDA observed an increase of applications but indicated that it has tapered off since and further noted that of the

additional $1 million that the Governor authorized, there are funds available for those pending applicants and new applicants.

Director Hutapea inquired about a previous board meeting discussion to use additional funding as a supplemental award to those businesses who already received the grant and further mentioned that those businesses need more assistance. CEO/Administrator Mendiola noted that GEDA brought that message to the Governor, and she is sympathetic to the struggles of our businesses further noting that it's up for consideration and awaiting feedback. Director Hutapea recommended to request for the remaining funds from the initial $20 million. Vice Chairman agreed noting how quickly the additional $1 million was awarded and that the program continues to demonstrate a need.

After further discussion, there was no other business.

***New Business***

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

The first item under New Business was the Approval to Commence Negotiation and Award for RFP 20-006, Proposed Financing for the Chalan Pago-Ordot Municipal Planning Council for the Construction of a Multi-purpose Recreation/Emergency Center.

Mrs. Christina Garcia, GEDA Public Finance Manager stated that pursuant to 12 G.C.A. §§ 50103(k) and 50103.l(b), GEDA on behalf of the Chalan Pago-Ordot Municipal Planning Council is seeking financial assistance from an Offeror to provide a loan of an amount not to exceed Two Million Five Hundred Thousand Dollars ($2,500,000.00) for a period of Twenty-Five (25) years for the construction of a Multipurpose Recreation/ Emergency Center. She further stated that RFP 20-006 was issued on August 26, 2020 with a deadline of submission of proposals on September 16, 2020 at 4:00 p.m. Chamorro Standard Time.

Mrs. Garcia announced that a total of two (2) responses were received from the Bank of Guam (2 options offered) and First Hawaiian Bank. The proposals were opened in the presence of two (2) Procurement Officers and the Evaluation Team was named and approved. She named the members of the evaluation committee which included Mayor Jessy C. Gogue, Chalan Pago-Ordot Mayor, Edward Camacho, GEDA Business & Economic Development Manager, and Mrs. Garcia. Evaluations were held on October 16, 2020 at GEDA's office and via Zoom Conference Meeting. Mrs. Garcia informed all present that after thorough analysis of the two proposals, the evaluation committee ranked the proposals with the First Hawaiian Bank ranking first and the Bank of Guam ranking second.

Furthermore, Mrs. Garcia requested and submitted a recommendation to the GEDA Board of Directors for approval to commence negotiations and award to the best-qualified proposer with the First Hawaiian Bank as first ranking proposer. She then noted that if GEDA, with participation of the Chalan Pago-Ordot Mayor, are unable to reach an agreement, negotiations will then commence with the Bank of Guam.

Vice Chairman asked how the Chalan Pago-Ordot Municipal Planning Council will pay back the funds. Ms. Garcia informed the board that the council receives a percentage of the revenue collection from the Guam Solid Waste Commission. She further mentioned that the council receives $150,000 a year as host to the community and will continue to receive that funding until the Ordot Landfill is completely closed and deemed safe. Ms. Garcia noted that through GEDA's involvement with the Guam Solid Waste Commission to secure funding to build a new landfill with discussion to the closure of the landfill, GEDA learned that the initial 25-year term will take a little longer but are confident the Chalan Pago-Ordot Municipal Planning Council will continue to receive funds annually. In addition, Ms. Garcia mentioned that the council has been receiving the funds since 2011 and have accumulated about $1 million and $100,000 from that pot has been used to make immediate repairs during disasters.

Vice Chairman inquired the status of the OEA grant. Mrs. Garcia noted that the OEA approved a grant of $3.5 million but that the total project cost is $6.5 million. Furthermore, she noted that there is a timing deadline to confirm all funds on the local side and that the OEA is requesting the balance of $3 million to come from local funds. Additionally, Ms. Garcia disclosed that both proposals came in below $2 million, and therefore, GEDA has submitted a request to USDA to also participate in a loan. Ms. Garcia communicated that GEDA, with USDA support, will work with the banks to secure a loan.

Chairman John inquired if GEDA can bridge the difference with GEDA funds. Mrs. Garcia noted that GEDA funds cannot be used for government facilities and are strictly for business operations. She further mentioned that the status of the Municipal Planning Council will disqualify the applicant from using GEDA funds.

After further discussion, Director Valencia-Ovalles made a motion to approve the Commencement of Negotiation and Award for RFP 20-006, Proposed Financing for the Chalan Pago-Ordot Municipal Planning Council for the Construction of a Multi-purpose Recreation/Emergency Center. Secretary Ramos seconded the motion. A roll call was then conducted by Vice Chairman Espaldon to obtain votes from the remaining members in attendance. A unanimous approval of motion followed.

The second item under New Business was the Healthcare System Stabilization (HSS) Grant Program Standard Operating Procedures (SOP).

CEO/Administrator Mendiola presented the HSS Standard Operating Procedures and stated that GEDA is authorized to administer the HSS Grant Program under Executive Order 2020-35. Under the CARES Act, Governor Leon Guerrero set aside $2 million for Tier 1 and Tier 2 facilities. She noted that we are currently seeking clarification on the criteria for Tier 2 clinics. She noted that Tier 1 clinics are those who are not considered Tier 2 or Tier 3. Furthermore, she announced that one of the eligibility requirements is that medical providers/individuals must practice on Guam and be licensed by the Guam Board of Medical Examiners and/or behavior health providers licensed by the Guam Board of Allied Health Examiners and for brick and motor clinics.

CEO/Administrator Mendiola announced that GEDA will launch the HSS Grant Program on Monday, October 26, 2020 and encouraged all clinics, regardless of tier, to submit an application. She noted that the applicant's 2019 GRT filings will be required to determine business interruption. CEO/Administrator indicated that if the GRT does not tell the whole story, the application will move forward to a case manager, and the case manager will work with applicant to determine the impact the pandemic has had on their business operations. Additionally, CEO/Administrator Mendiola informed all present that GEDA held virtual meetings with some Tier 1 and Tier 2 clinics for their input. She stated that Tier 1 clinics are subject to a maximum grant amount of $50,000 and further reiterated that GEDA is pending clarification on the Tier 2 clinics. CEO/Administrator noted that all applicants will be considered Tier 1 until designated as a Tier 2 and mentioned that authorized grant amounts will be transmitted to the Department of Administration for their distribution to the clinics. CEO/Administrator expressed her thanks to Ed Camacho, Business and Economic Development Division, Joann Camacho, Deputy Administrator, and the team for their work.

Director Valencia-Ovalles questioned why GEDA is seeking board adoption of the SOP without Tier 1 clarification. CEO/Administrator stated that GEDA is clear on Tier 1 clinics with the grant calculation based on their revenue which is included in the SOP. She further noted that the Office of the Governor will direct GEDA the award amount for Tier 2 clinics and GEDA will request for supporting documents.

Vice Chairman Espaldon clarified that the HSS Grant Program is connected to a reimbursement of COVID-related expenses and based on a percentage of their actual revenue. CEO/Administrator Mendiola stated that in initial discussion with clinics, they prepared for a surge in business activity, particularly a surge of COVID cases by increasing their staff, purchasing PPEs, and readying their spaces for potential cases coming in. Furthermore, CEO/Administrator stated that it wasn't a question of their expenses but opportunity cost as their regular patients canceled appointments and whereas clinics experienced interruption and expending more on sanitization, PPEs, and other surges of COVID-related expenses.

Secretary Ramos inquired if those three facilities that were designated to treat COVID-19 patients and compensated by the government will qualify for the HSS grant. CEO/Administrator Mendiola clarified that the three designated clinics have not been receiving $250,000 - $300,000 monthly payments from the government of Guam and further noted that clinics are getting reimbursed for COVID testing, about $50-$60 per test. In addition, she noted that there have been various discussions about the clinics prior to GEDA's involvement with the HSS Grant. Director Chiu stated the three clinics are American Medical Clinic, Seventh Day Adventist Clinic, and FHP that a Memorandum of Understanding was signed but no funding has been disseminated to the clinics.

CEO/Administrator Mendiola explained that grant fund recipients cannot use the funds for the same expenses. Chairman John recommended that GEDA have HSS grant applicants sign a waiver acknowledging that they have not received funds for the same expenses. CEO/Administrator stated that applicants will need to sign a Self-Certification form prior to disbursements of funds. She added that while there are federal sources that clinics can apply for aid, at the Governor's request, some clinics were available to take patients, whether insured or uninsured and to continue to care for the people of Guam as to not overwhelm GMH and GRMC. Recognizing the critical nature of our healthcare system, CEO/Administrator Mendiola stated that Governor Leon Guerrero authorized that funding to assist those clinics with the additional expenses to include additional precautionary measures, augmenting staffing pattern, and structure modifications. This, she states, is following through with that commitment the Governor Leon Guerrero made prior to GEDA's involvement in the HSS Grant Program.

Vice Chairman sought clarification if testing provided by private clinics will be reimbursed by the Department of Public Health. CEO/Administrator Mendiola and Deputy Administrator Joann Camacho both noted that they are aware of some form of reimbursements but are not aware of the terms. CEO/Administrator Mendiola noted that there are other programs available for clinics, such as HHS and Medicaid advance payments. She further stated that GEDA's concern is that grant funding is not used to cover the same expenses twice and that is stipulated in the HSS SOP and that applicants are subject to audit review. CEO/Administrator Mendiola stated that Attorney Terry Brooks has reviewed the HSS SOP.

CEO/Administrator Mendiola announced that applications will be available on GEDA's website on Monday, October 26th, a press release will be sent out with relevant information, and a dedicated email and help line will be available. Vice Chairman noted that there are provisions in the SOP that may be amended with board approval and oversight and noted that the HSS SOP serves as a template and allows GEDA to move forward with the processing grant applications. CEO/Administrator Mendiola noted that GEDA is the administrator of the grant funds but that the CARES Act funds are under the control of the Office of the Governor. Lastly, CEO/Administrator Mendiola stated that the HSS SOP is speaking to the process of intaking and

processing applications and then transmitting it to the Department of Administration for disbursements. Furthermore, she noted that GEDA does not determine if one applicant is more deserving than another.

Chairman John recommended that GEDA continue to research for other federal funds to assist the medical community, and in the meantime, move forward with approving the HSS SOP. Vice Chairman Espaldon sought clarification from Attorney Brooks to ensure that there is no procurement issue with the HSS Grant Program funds. Attorney Brooks indicated that some procurement laws have been suspended with respect to the CARES Act funds so that the process can move forward quickly. Also, he noted that this is not technically a procurement but the issuing of grants.

After further discussion, a motion was made.

**RESOLUTION NO. 21-02**
RELATIVE TO APPROVING THE STANDARD OPERATING PROCEDURES FOR THE HEALTHCARE SYSTEM STABILIZATION GRANT PROGRAM

Secretary Ramos made a motion to adopt Resolution No. 21-02. Director Chiu seconded the motion. A roll call was then conducted by Vice Chairman Espaldon to obtain votes from the remaining members in attendance. A unanimous approval of motion followed.

There was no further business discussed.

***Public Comments***

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

Senator Therese Terlaje inquired if GEDA received notice of a public hearing regarding 396-35 regarding refinancing the Hot Bonds allowing GVB to use proceeds for their operations. Senator Terlaje stated that this bill is solely for the refinancing. CEO/Administrator Mendiola noted that the refinancing the Hot Bonds will have an upfront savings of $13.3 million. Senator Terlaje stated that the Hot Bond project list was changed by GEDA with the Tumon Bay Flood Mitigation removed seeming that there's no further need. Chairman John indicated that it was altered in cost structure, where to pump out would cost about $50 million and further noted that Phases I and II were completed but funding and environmental concerns have stalled Phase 3. Senator Terlaje then inquired about the timeline of awarding the HSS grant funds. CEO/Administrator indicated that GEDA can process within two weeks assuming all required documentation are in order including the applicant's SAM's and DUNN's registration and the Self-Certification form.

This concluded Public comments.

***Adjournment***

§12. After further discussion there was a recommendation to adjourn the meeting. On motion duly made by Director Valencia-Ovalles and seconded by Director Chiu. A roll call was then conducted by Vice Chairman Espaldon to obtain votes from the remaining members in attendance. A unanimous approval of motion followed.

DAVID JOHN, Chairman
Board of Directors

ATTEST:

GIA RAMOS, Secretary
Board of Directors

# COMMITTEE REPORTS

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## COMMITTEE

**November 2020**
**Real Property**

## CENTRAL ISSUE

5 Year Law
- Creates challenges to attracting developers and investors

CLTC
- New Commission Chair and Executive Director to collaborate with GEDA on Commission new ways to generate revenues

Military Excess Lands
- GEDA RPD Assisting Gov Office

## OTHER NEWS AND UPDATES

- Local Legislative elections have concluded. Committee Chairperson on Lands to be elected.

- 4 GALC Commissioners went through Legislative confirmation hearings Oct 12. Currently 6 or 7 have been confirmed and will be holding 1st Public Meeting (since March 2020) on November 12, 2020.

## KEY MEETINGS

Oct 2 - RE 5 Year Law Mtg w Stakeholders Guam Realtors, CLTC, Finance Reps

## ACTION ITEMS

- GEDA staff and Committee Chair to develop strategy and justifications for Legislative support to consider draft bill regarding 5-year law upon confirmation of Chairperson on Legislative Committee on Land

- GEDA staff to reengage GALC Commission on November 12 at its upcoming meeting

- Continuing to support Governor's Initiatives on Potentially Releasable Federal Lands. Staff collaborating and supporting Joint Region Marianas (JRM) and Guam Buildup Office (GBO)





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## COMMITTEE

**HEALTHCARE INDUSTRY**
**November 2020**

## CENTRAL ISSUE

Due to rising and continued COVID 19 cases, GMH, GRMC and other health providers are experiencing shortages of trained staffers to support front liners

Assisted Living: Shortage of support facilities for elderly individuals resulting from shutdowns due to COVID are putting increased pressure on demand for caregivers.

## OTHER NEWS AND UPDATES

UOG and GCC have submitted requests for grant funding to augment their respective training programs for Certified Nursing Assistants (CNA), Caregivers and Medical Billing and Coding staffers

Local Legislative elections have concluded. Health Committee Chairperson to be elected.

Oct 16 Zoom call with GMH Reps highlighted financing options for construction of a new hospital and establishment of a New Hospital Task Force

## KEY MEETINGS

Nov 4 - Mtg w UOG, GCC, and GRMC Regarding shortage of healthcare staff and options to fill shortage

Oct 16 - New Hospital Task Force w GMH and board, and Guam Buildup Office

## ACTION ITEMS

Committee to recommend resolution for GEDA Board to address UOG request for $30K funding for Certified Nursing Assistant (CNA) training program to support healthcare staffing shortages at local hospitals and other healthcare service providers.

Committee to recommend resolution for GEDA Board to address GCC request for $50K funding for Certified Caregivers and Medical Billing and Coding training programs to support healthcare staffing shortages for elderly and disabled individuals and to address Guam's unemployed population.

Upon Establishment of Committee Chairperson for Legislative Committee on Health, staff will meet with appropriate senator to discuss Assisted Living draft legislation





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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

• 10/9/20 - Received Notification of Further Consideration that the Green Markets grant application has been preliminarily selected by EDA for possible award of funding.

## KEY MEETINGS

• Ongoing conversations with the Mayors' Council of Guam, Guam State Clearinghouse, State Historic Preservation Office, U.S. Fish and Wildlife, and Department of Land Management regarding information requested by EDA for the Green Markets grant application.

## ACTION ITEMS

• Compiling additional information requested by EDA for the Green Markets grant application for final consideration.

## TRIP REPORT

None





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## COMMITTEE

**AQUACULTURE**

## CENTRAL ISSUE

Draft of Aquaculture for subsistence in final stages. Costs for training modules identified. Duration of training identified.
Who will conduct training identified

Draft to be completed and submitted by next Aquaculture task force meeting

Price per applicant for systems components identified and finalized

## OTHER NEWS AND UPDATES

* Dr. Barber and Dave Crisostomo contributed significant content towards the final draft of Aquaculture for subsistence

* 70% of the draft completed and preparing for submission by next aquaculture task force meeting

* Final discussion on type of applicant to be selected for program to be finalized. Private citizen for self consumption or private citizen for consumption and small commercial sales?

## KEY MEETINGS

* Zoom meeting call 10-18-20 Bobby and Dave Crisostomo, discussions on pricing of material. Significant increase in price from $2k up to $4K per applicant

* Zoom call- 10-22-20- Bobby, Dave & Dr. Barber- discussions on training modules and amount of hours. Increased training from 40 hours to 80 hours within 6 months

* Zoom call Dave and Bobby 11-5-20 discussions on final draft for submission. Location of training and online training modules

## ACTION ITEMS

* Research on system components completed

* Price comparison with different vendors on water pumps and blowers completed

* Identify on island components completed

* Research on most cost-effective ponds with UV protection completed
* Provide complete list of components inclusive of most cost-effective pricing- completed

## TRIP REPORT

N/A





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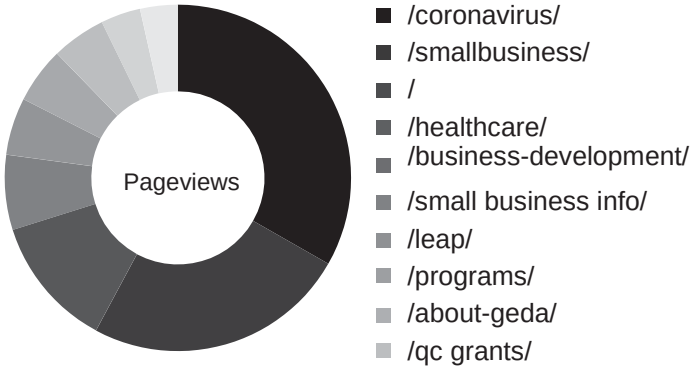
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## COMMITTEE

**COMMUNICATIONS**

## ONLINE ANA LYTICS

Website pageviews (10/25-11/08): 4,933




Social Media Summary

| PAGEVIEWS | LIKES | FOLLOWERS |
|---|---|---|
| 103 ▲ 3% | 12 ▲ 33% | 13 ▲ 18% |

| POST ENGAGEMENT | POST REACH |
|---|---|
| 147 ▲ 8% | 3,279 ▲ 26% |

## MEDIA COVERAGE

Healthcare Stabilization Grant
- GDP, KUAM

QC Community Contribution Grant Awards
- PNC

Chalan Pago-Ordot Center financing
- PDN

Warning: Phishing Email
- KUAM, PNC, PDN

Virtual Small Business Conference (Leap)
- PNC, KUAM, Ray Gibson Show

## SPONSORSHIP/PARTICIPATION

49 Non-Profit Organizations awarded $300,000 in QC Community Contribution Grant funding.

## OTHER NEWS/UPDATES

Virtual Small Business Conference:
Taking the Leap; Starting and Growing Your Business in 2021
November 19-20, 9a-12p

Partners:
Guam Chamber of Commerce
Guam Women's Chamber of Commerce
Guam Unique Art and Merchandise
Guam Small Business Development Center
UOG Global Learning and Engagement

Participants:
30+ contributors (speakers, panelists, and video content)

Registration to date: 41
(Launched on Friday, 11/06)





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| GEDA FEDERAL GRANT PROJECTS (Updated 11/09/20) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| PROJECT TITLE | PROJECT DESCRIPTION | PROJECT START DATE | GRANT | FUNDING SOURCE | REQUESTED AMOUNT | GEDA ALLOCATION | STATUS | COMMENTS | |
| Guam Comprehensive Economic Development Strategy Update | Update of Guam CEDS 2020-2025 to include new and revised strategic development projects in order to reflect current economic conditions and the impact of COVID-19 | June 2020 | FY 2020 EDA Public Works and Economic Adjustment Assistance Programs including CARES Act Funding | DOC - EDA | $128,533 | 23,533 | SUBMITTED - 9/3/20 | | 1 |
| Guam Aquaculture Industry Feasibility Study | Economic and marketing feasibility study (including site analysis and preliminary conceptual design) for the establishment of an aquaculture industry on Guam | June 2020 | FY 2019 EDA Disaster Supplemental | DOC - EDA | $199,775 | $51,150 | SUBMITTED - 7/23/20 | Submitted additional information requested by EDA - 8/4/20, 8/18/20, 9/11/20 | 1 |
| Guam Small Cruise Ship Feasibility Study | Preparation of an economic feasibility, environmental impact assessment and a business model design for the establishment of a small cruise ship line home porting and/or regional hub in Guam to serve the entire Marianas Islands visitor destination points | March 2020 | FY 2020 EDA Public Works and Economic Adjustment Assistance Programs including CARES Act Funding | DOC - EDA | $350,500 | $63,162 | SUBMITTED - 6/10/20 | Resubmitted under FY 2019 EDA Disaster Supplemental - 6/16/20<br>Submitted additional information requested by EDA - 8/18/20, 9/11/20 | 1 |
| Guam Agriculture Master Plan | Development of a Guam Agriculture Master Plan to strengthen and modernize the agriculture industry | April 2020 | Technical Assistance Program | DOI | $200,000 | TBD based on RFP requirements (potentially $30,000 - $40,000) | SUBMITTED - 5/1/20 | | 1 |
| Guam Green Market Facilities | The project is intended to repair, renovate, storm-harden and construct new green market facilities in three strategic municipalities (Agat, Mangilao and Sinajana) and to expand existing facilities at the sites in order to add new small business space for minority entrepreneurs. | January 2020 | FY 2020 EDA Public Works and Economic Adjustment Assistance Programs | DOC - EDA | $1,200,000 | $60,000 | SUBMITTED - 3/10/20<br>PRELIMINARY SELECTED - 10/9/20 | Submitted additional information requested by EDA - 8/3/20<br>Compiling additional information requested by EDA | 1 |
| Hagatna Multi-Agency Facility Complex | 5-story office building to house GEDA, DLM, GDOL, and HRRA with the aim to provide a more efficient coordinated government services related to economic development | June 2020 | FY 2020 EDA Public Works and Economic Adjustment Assistance Programs including CARES Act Funding | DOC - EDA | $30,000,000 | TBD | Active Draft in progress | Collaborative meetings to be scheduled with DLM and Adelup | 3 |
| E.T. Calvo Industrial Park Upgrade and Site Improvements | Modernize the park and provide needed infrastructure to address issues affecting present and future tenants | March 2020 | FY 2019 EDA Disaster Supplemental | DOC - EDA | $3,000,000 | TBD | Draft in progress | Completion of application dependent on the availability of funds for a design and engineering plan | 4 |
| Guam Commercial Kitchen Feasibility Study | Feasibility study will assess the development and preliminary building options of a Guam Commercial Kitchen that would serve as a food business incubator and provide the foundation for food entrepreneurs to change from a home-based kitchen to a food company with successful commercialized food products | May 2020 | FY 2020 EDA Public Works and Economic Adjustment Assistance Programs including CARES Act Funding | DOC - EDA | $100,000 (Tentative) | $15,000 (Tentative) | Draft in progress | | 4 |
| Micro-Loan Revolving Loan Fund | Development of a 0% or low interest revolving loan fund to assist micro-businesses (can be specific to farmers or for GPS permit holders) | May 2020 | FY 2020 EDA Public Works and Economic Adjustment Assistance Programs including CARES Act Funding | DOC - EDA | $1,000,000 - $2,000,000 (Tentative) | $150,000 - $300,000 (Tentative) | Draft in progress | | 4 |
| Harmon Industrial Park Site Improvements and Upgrade | Design and construct site improvements at the Harmon Industrial Park site, including specific improvements to the power distribution system and storm water infrastructure | March 2020 | FY 2019 EDA Disaster Supplemental | DOC - EDA | $3,000,000 | TBD | Draft in progress | Completion of application dependent on the availability of funds for a design and engineering plan | 4 |
| Commercial Port - Cabras Island | Design and construct infrastructure improvements | March 2020 | FY 2019 EDA Disaster Supplemental | DOC - EDA | TBD | TBD | Draft in progress | Completion of application dependent on the availability of funds for a design and engineering plan | 4 |
| Guam Silicon Village Park | The "Guam Silicon Village Park" is a proposed energy-efficient technology park that would provide a central location for the clustering of high technology industries and support the growth of a technology ecosystem on the island. | October 2019 | FY 2020 EDA Public Works and Economic Adjustment Assistance Programs including CARES Act Funding | DOC - EDA | TBD | TBD | Draft in progress | Completion of application dependent on identification of potential project site | 4 |
| Polaris Point Cleanup Assessment | Comprehensive environmental assessment of Polaris Point | November 2019 | FY20 Guidelines for Brownfield Cleanup Grants | USEPA | $200,000 | $20,000 | SUBMITTED - 12/3/19 - NOT SELECTED | | 5 |

# GUAM SMALL BUSINESS PANDEMIC ASSISTANCE GRANT PROGRAM

**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

# Guam Small Business Pandemic Assistance GRANT PROGRAM

**MELANIE MENDIOLA**
*Chief Executive Officer/Administrator*
*Atkådi Eksekutibu Ofisiat/Atmenestradora*

**JOANN G. CAMACHO**
*Deputy Administrator*
*Sigundon Atmenestradora*

**AS OF NOVEMBER 9, 2020 :**

| | |
|---|---|
| **Number of Applications:** | 2675 |
| **Applications deemed Ineligible:** | 302 |
| **Applications Processed:** | 2313 |
| **Applications In-Process:** | 60 |

| | Series 1 | Series 2 | Series 3 | TOTAL |
|---|---|---|---|---|
| **Number of Apps** | 1289 | 877 | 147 | **2313** |
| **Total Awarded** | $2,323,327.89 | $7,500,400.33 | $6,747,693.47 | **$16,571,421.70** |
| **Average** | $1,802.43 | $8,552.34 | $45,902.68 | **$7,164.47** |

| | COUNT | AMOUNT |
|---|---|---|
| **APPLICANTS TRANSMITTED TO DOA:** | 2311 | 16,551,675.67 |
| **# OF CHECKS PRINTED BY DOA:** | 2308 | 16,464,546.13 |
| **# OF CHECKS IN-PROCESS BY DOA:** | 3 | 87,129.54 |

# HEALTHCARE SYSTEM STABILIZATION GRANT PROGRAM

**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
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**MELANIE MENDIOLA**
*Chief Executive Officer/Administrator*
*Atkâdi Eksekutibu Ofisiat/Atmenestradora*

**JOANN G. CAMACHO**
*Deputy Administrator*
*Sigundon Atmenestradora*

November 10, 2020

To: David John, GEDA Board Chairman

From: Melanie Mendiola, CEO/Administrator

Subject: Healthcare System Stabilization Grant Program Standard Operating Procedures

Hafa Adai!

During the GEDA's Regular Board of Director's Meeting on October 22, 2020, the board adopted Resolution No. 21-02, Relative to Approving the Standard Operating Procedures (SOP) for the Healthcare Stabilization (HSS) Grant Program.

As per Section 1.6 b) of the SOP, the GEDA CEO/Administrator shall have the authority to revise SOP as necessary so long as ample prior written notice is provided to the GEDA Board of Directors. Therefore, we seek approval to make the following amendment:

- Delete Item D on Section 2.6: *If an Applicant under this program is also a recipient of the Guam Small Business Pandemic Assistance (GSBPA) Grant, and if the grant under this program is more than the grant received under the GSBPA grant, said Applicant shall receive a grant under Healthcare System Stabilization Grant program equal to the difference between the original GSBPA grant and the amount approved under this program. Conversely, if a grant amount under this program is less than the grant received under the GSBPA program, then said Applicant will not receive any additional grant funds.*

Si Yu'us Ma'åse,

Melanie Mendiola

X Approved / / Not Approved

David John
GEDA Board Chairman

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Standard Operating Procedures
Healthcare System Stabilization Grant Program
REVISED: 11/10/2020

1. **PREFACE.** To assist the states and territories combat the economic impact of COVID-19, the federal government has directed money in direct aid to Guam under the Coronavirus Aid, Relief, and Economic Securities (CARES) Act. As part of the CARES Act, the government of Guam received $117,968,257.80 in direct aid.

   In an effort to ensure the stable operation of Guam's healthcare industry during the COVID-19 pandemic, and in light of the critical role these healthcare facilities play in the community's overall health and well-being, the government of Guam has established the Healthcare System Stabilization Grant Program (hereafter referred to as "program") as mandated by Executive Order (EO) 2020-35. The Office of the Governor will allocate funds to this program to provide direct assistance to Tier One and Tier Two healthcare facilities whose practitioners are either medical providers whose licensure is governed by the Guam Board of Medical Examiners and/or behavior health providers whose licensure is governed by the Guam Board of Allied Health Examiners.

   This direct assistance will assist the aforementioned entities in offsetting financial hardship they have incurred as a result of the COVID-19 pandemic. The Guam Economic Development Authority (hereafter referred to as the "Authority") has been delegated the responsibility of administering the program.

   **1.1. Purpose.** Pursuant to EO 2020-35, the Authority is mandated with adopting Standard Operating Procedures ("SOP") for the program. The purpose of this SOP is to provide guidance in administering the program as well as to comply with EO 2020-35. This SOP incorporates the required legal mandates and the Authority's rules and regulations relative to this program.

   **1.2. Policy.** This original policy implementing this SOP is Resolution #21-02 (see exhibit A).

   **1.3. Definitions.**
   a) "Tier One facility" shall mean any and all healthcare facilities that are not designated as either Tier Two or Tier Three facilities under the COVID-19 Unified Response Effort (C.U.R.E.);
   b) "Tier Two facility" shall mean any and all healthcare facilities designated under C.U.R.E.;

c) "Medical provider" shall mean any individual that currently practices in Guam that is licensed by the Guam Board of Medical Examiners;
d) "Behavioral health providers" shall mean any individual that currently practices in Guam that is licensed by the Guam Board of Allied Health Examiners in the areas of clinical psychology, professional counseling, marriage family therapy and mental health counseling; and
e) "Applicant" shall mean any entity that operates a Tier One or Tier Two facility that submits an application under this program. In the case of an entity that possesses more than one physical location, said entity shall be considered one applicant, regardless of number of locations and/or if each location has its own unique business license and unique account number when filing its monthly business privilege tax documents with the Department of Revenue and Taxation.

## 1.4. Responsibilities.

a) The CEO/Administrator shall appoint a Program Manager, who shall recommend appropriate staff to run the day to day operations of the program. Such day to day activities shall include, but not be limited to, receiving inquiries, processing and verifying applications, preparing and submitting payment schedules and preparing the application files for final disposition by the GEDA CEO/Administrator. The Program Manager shall ensure that adequate staff is delegated to all aspects of the program other than compliance.

b) The Compliance Division is responsible for monitoring for the compliance of all requirements and conditions of approved grants under the program. The Compliance Division Manager shall ensure that adequate staff is delegated to this aspect of the program.

## 1.5. Agency Relations under the Program.

a) **Guam Department of Public Health and Social Services (DPHSS)**: The Authority shall coordinate with DPHSS to ensure that potential awardees are currently licensed.

b) **Guam Department of Administration (DOA):** Upon approval of grant applications, the Authority submits regular payment schedules to DOA for check issuance.

c) **Office of the Governor:** The Authority shall maintain a schedule of reimbursable costs outside of regularly budgeted items associated with administering the program for submission to the Office of the Governor.

### 1.6. Changes to SOP

a) Recognizing that the COVID-19 pandemic is an evolving situation, any portion of this SOP which conflicts with a law, rule, regulation or directive, shall be superseded by such, until this SOP is revised and in conformance. In order to accurately account for such changes, a copy of the new law or amendments to current law will be posted with this SOP until revised.

b) The GEDA CEO/Administrator shall have the authority to revise SOP as necessary so long as ample prior written notice is provided to the GEDA Board of Directors.

## 2. GENERAL PROCESSING PROCEDURES

**2.1 Program Comprehension.** All relevant personnel must be familiar with the program requirements. This will help in conveying program benefits, expectations, and requirements to potential applicants.

**2.2 Eligibility.** The following criteria must be met for an applicant to be eligible under the program:

a) Is either a Tier One or Tier Two healthcare facility as defined;
b) Has a verifiable physical location where eligible healthcare and/or behavioral health services are provided;
c) In order for the healthcare and/or behavioral health service to be eligible, it must be provided by practitioners that are either medical providers that are currently licensed by the Guam Board of Medical Examiners, and/or behavioral health providers that are currently licensed by the Guam Board of Allied Health Examiners;
d) Tier One or Tier Two healthcare facility was in operation on or before October 1, 2019; and

e) The Applicant can demonstrate any amount of business loss via either their BPT filings or some other acceptable form of documentation.

**2.3 Government Facilities not Eligible.** Government of Guam and United States federal government healthcare and/or behavioral health facilities are not eligible to receive funds under this program.

**2.4 Application Period.** Funds authorized under this program are available until December 31, 2020. The Authority will begin to accept applications no later than three (3) business days following adoption of this SOP, and shall continue to receive applications until November 30, 2020.

**2.5 Processing.** Staff shall encourage that all applications be submitted via email to healthcare.grant@investguam.com. Non-electronic submissions may be submitted to GEDA by appointment only in order to comply with public health guidelines. Each applicant will be evaluated based on its own merits and therefore processing time may vary. Below are the six (6) phases of the processing cycle.

a) **Initial Inquiry.** The Authority expects initial inquiries to be minimal, with most information readily conveyed to the public via the GEDA website. In instances where direct client assistance is required, relevant staff shall provide potential applicants with general program information, clarifying program questions, providing access to a digital application package with guidelines, a checklist for additional information/supporting documents, and such other information as may be relevant and necessary.

b) **Official Submission Date.** The official date of filing of a grant application occurs when the Authority receives an application package via email or physical copy submitted during a scheduled appointment. Assigned staff will be responsible for ensuring that all applications are properly logged and sorted according to submission date and time.

c) **Notice to Applicant.** Assigned staff shall provide electronic notice to applicant, along with a unique application number. The applications shall be filed in the order they are received. Assigned staff shall be as expeditious as possible in assigning the application number. Notice can

be provided via email and/or telephone call, and a list of all application numbers shall be posted on the GEDA website at www.investguam.com/healthcare.

d) Application Review. The application review contains the following steps:
   1) All applications are properly logged and issued a unique application number as indicated in section 2.5(c) above.
   2) Applications are then reviewed by assigned staff for completeness. If an application is missing documents or information, assigned staff shall contact the applicant and instruct them to provide the necessary documents or information. INCOMPLETE APPLICATIONS SHALL NOT PROGRESS FURTHER IN THE REVIEW PROCESS.
   3) All complete applications are then reviewed according to program parameters. The review shall consist of the following:
      i. Determining whether applicant is eligible to apply for and receive grant assistance;
      ii. Calculating total annual gross receipts as indicated in their monthly Business Privilege Tax (BPT) filings;
      iii. Determining approval or disapproval of grant application; and
      iv. Determining total amount of grant, if approved, based on the parameters contained in section 2.6 of this SOP.

e) **Notice to Applicant.** No more than seven (7) working days after action has been taken on an application, assigned staff shall send an official notice via mail which indicates either approval or disapproval of said application. All notices shall be signed by the employee that conducted the final review of the application prior to final signature by the CEO/Administrator. All notices shall contain the following:
   1) In the case of grant approval, notice shall include the final calculation that determined eligibility, the approved grant amount, and all other necessary information.
   2) In the case of a grant award that is fifty thousand dollars ($50,000) or above, the notice shall include instructions for awardee to provide proof of registration in the US federal System for Award Management (SAM).

3) In the case of grant disapproval, notice shall include reasons for disapproval and provide guidelines for reconsideration as detailed in section 2.6 below.

f) **Fund disbursement.** Assigned staff shall prepare regular payment schedules to the Department of Administration to ensure prompt check issuance of grant awards. This payment schedule shall first be approved by the CEO/Administrator prior to submission to DOA, and shall include the following:
   1) Applicant Name;
   2) Applicant Address;
   3) Applicant phone number;
   4) Applicant taxpayer ID number; and
   5) Total grant award.

**2.6 Award Calculation.**

a) Grant awards shall be calculated based on annual gross receipts, which shall be determined by utilizing the Applicant's monthly BPT filings for the month ending March 2019 to month ending February 2020, or in the case of an Applicant that began operations between April 1, 2019 and October 1, 2019, grant awards shall be calculated based on annualized gross receipts by utilizing their first month end filing after they commence business to month ending February 2020;
b) Grant awards shall equal **three percent (3%)** of an awardee's annual gross receipts that is directly derived from patient care for Tier One facilities, except that Tier One facilities that have been instructed to provide necessary health care services by the C.U.R.E. Action team shall receive an award of fifty thousand dollars ($50,000); and
c) No Tier One facility shall receive a grant award in excess of fifty thousand dollars (50,000). Tier Two facilities that receive a grant under this program shall receive an award in an amount to be defined by the Office of the Governor.

**2.7 Reconsideration.** Applicants who have had their applications disapproved may seek reconsideration based on the following:

a) Applicants must submit a written reconsideration request, along with all necessary supporting documentation, which shall detail their reasoning as to why disapproval is not warranted. Requests shall be

addressed to the GEDA CEO/Administrator and must be received no more than fifteen (15) working days after the applicant's receipt of grant disapproval notice;

b) The Program Manager shall assign appropriate staff to reevaluate the application to determine if any information was improperly evaluated. Applicant may be asked to provide additional information as needed;
c) Reevaluation shall be provided to GEDA CEO/Administrator for final action; and
d) Notice of final action by CEO/Administrator shall be provided to Applicant no later than five (5) working days from said action. Applications that have been reconsidered and approved for grant funding will be provided to DOA for check issuance.

**2.8 Compliance Monitoring.** Assigned staff shall perform audits of applications that have gone through the review process to ensure accountability.

a) Review application and supporting documents with an emphasis on the following:
    i. EIN Number;
    ii. GRT Account Number;
    iii. Business License;
    iv. BPT Monthly Filings;
    v. Proof of physical location;
    vi. Self-Certification;
    vii. Data entry;
    viii. Eligible/Not-Eligible;
    ix. Proof of registration in the US federal System for Award Management (SAM) for grant awards that are fifty thousand dollars ($50,000) or above; and
    x. Advise Program Manager of any discrepancies if necessary.

**2.9 Grant Application Files.** Assigned staff shall ensure that all necessary documents, both digital and physical, are properly filed and stored. Such documents shall include, but not be limited to, the following:

a) Application form;
b) All application supporting documents (business license, business privilege tax filings, etc.);
c) Copies of all notices to applicant;

d) All documents related to the disbursement of funds; and
e) In the cases of a reconsideration of a disapproved application, all documents pertaining to such reconsideration.

**2.10 Grant Application Package (Contents).** Listed below are the minimum documents required to be submitted by an applicant. There may be additional information required of the applicant. Any additional documentation required must be promptly identified and communicated to the applicant and properly documented.

a) Grant application form;
b) Applicant self-certification form
c) Copy of applicant's current business and/or professional license;
d) Applicant's month ending BPT filings for the period of March 2019 to July 2020;
e) Proof of physical commercial office location through business license and either lease or rental agreement, ownership documentation, mortgage documentation, or any other document acceptable to GEDA; and
f) All other information as may be required.

**2.11 Cost to be Covered by Applicant.** There are no costs to be borne by the applicant in the course of the application process.

# RENT ASSISTANCE GRANT PROGRAM

**GUAM ECONOMIC DEVELOPMENT AUTHORITY**
**BOARD OF DIRECTORS**

***Resolution Number 21-03***

***RELATIVE TO APPROVING THE STANDARD OPERATING PROCEDURES FOR THE SMALL BUSINESS RENT ASSISTANCE GRANT PROGRAM***

**WHEREAS,** COVID-19 and the subsequent public health emergency measures to eradicate the virus from Guam have had an adverse impact on Guam's economy; and

**WHEREAS,** in an effort to provide direct financial assistance to local small businesses during the COVID-19 pandemic, GEDA desires to establish and implement a Small Businesses Rent Assistance Program, subject to the approval and allocation of funding by the Honorable Lourdes A. Leon Guerrero, *I Maga'Hågan Guåhan*; and

**WHEREAS,** in an effort to promote effective program management as well as to be proactive in devising programs and initiatives to assist local small businesses, the GEDA Board of Directors desires to adopt Standard Operating Procedures for the proposed Small Business Rent Assistance Grant Program; and

**WHEREAS,** the GEDA Board acknowledges that the Office of the Governor has been provided over one hundred seventeen million dollars in direct aid from the Coronavirus Aid, Relief, and Economic Securities (CARES) Act, of which portions have been allocated to local small business grant programs; and

**WHEREAS,** the GEDA Board believes that a rent assistance program will greatly aid local small businesses, and respectfully requests that the Honorable Lourdes A. Leon Guerrero, *I Maga'Hågan Guåhan* allocate CARES Act funds to this program, if such funds are still available and able for use.

**NOW THEREFORE BE IT:**

**RESOLVED,** that the Standard Operating Procedures for the proposed Small Business Rent Assistance Grant Program is in the form attached hereto, and that the same is hereby APPROVED, RATIFIED and CONFIRMED by the Board of Directors of the Guam Economic Development Authority; and be it further

**RESOLVED,** that the Standard Operating Procedures shall be in force and effect upon the approval and allocation of funds to the program by *I Maga'Hågan Guåhan* until December 31, 2020, unless the program period is extended by *I Maga'Hågan Guåhan* via a subsequent executive order; and be it further

**RESOLVED,** that the Chairman certify and the Secretary attest to the adoption of this resolution, and that copies of the same be provided to the Honorable Lourdes A. Leon Guerrero, *I Maga'Hågan Guåhan*.

**SO RESOLVED AND DULY AND REGULARLY ADOPTED** this tenth day of November, 2020.

David J. John
Chairman

ATTEST:

Gia Ramos
Secretary

ATTACHMENT

1. **PREFACE.** To assist the states and territories combat the economic impact of COVID-19, the federal government has directed money in direct aid to Guam under the Coronavirus Aid, Relief, and Economic Securities (CARES) Act. As part of the CARES Act, the government of Guam received $117,968,257.80 in direct aid.

   In an effort to provide relief to local small businesses during the COVID-19 pandemic, the government of Guam has established the Small Business Rent Assistance Grant Program (hereafter referred to as "program") as mandated by Executive Order (EO) 2020-__. The Office of the Governor will allocate _____dollars to this program to provide direct assistance to Guam Small Businesses.

   This direct assistance will provide rent relief to small businesses that can demonstrate a past due rent obligation caused by the COVID-19 pandemic. The Guam Economic Development Authority (hereafter referred to as the "Authority") has been delegated the responsibility of administering the program.

   **1.1. Purpose.** Pursuant to EO 2020-___, the Authority is mandated with adopting Standard Operating Procedures ("SOP") for the program. The purpose of this SOP is to provide guidance in administering the program as well as to comply with EO 2020-___. This SOP incorporates the required legal mandates and the Authority's rules and regulations relative to this program.

   **1.2. Policy.** This policy implementing this SOP shall be Resolution #21-03 (see exhibit A).

   **1.3. Definitions.**

   a) "Guam business" shall mean a person, partnership, corporation, limited liability company, association, or similar entity, which has been licensed to conduct an income producing business on Guam since at least October 1, 2019 and has entered into a commercial lease with a landlord for a physical brick and mortar facility located on a parcel of real property located in Guam that serves as the sole location wherein products and/or specific direct services are offered for purchase and use by customers;

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b) "commercial lease" shall mean a contract between a landlord and a Guam business for the use of real property to conduct an active, for profit business;
c) "common area charges" shall mean any charges assessed by a landlord to a tenant, specified in a tenant's commercial lease, for the maintenance and upkeep of the common area of a property;
d) "landlord" shall mean a person or organization that owns a building or a parcel of real property and is paid rent by a Guam business for its use;
e) "rent" shall mean the amount paid by a business that engages in a commercial lease of real property to the landlord for the use thereof. The definition of "rent" shall not include any percentages charged by a landlord on the gross income of a tenant;
f) "rent deferral" shall mean an agreement between a landlord and a tenant to delay the payment of a portion of a specific amount of rent obligations until a later date;
g) "rent forgiveness" shall mean the complete abatement of rent for a specific period of time that a business would otherwise be obligated to pay under the terms of a commercial lease. Once forgiven, the landlord forfeits any right to claim payment for any and all duly forgiven rent; and
h) "tenant" shall mean a business that occupies real property rented from a landlord.
i) "related business" is a Guam business that owns, or is owned by, another company or are both owned by a third company or that share more than a 30% common ownership.

## 1.4. Responsibilities.

a) The CEO/Administrator shall appoint a Program Manager, who shall recommend appropriate staff to run the day to day operations of the program. Such day to day activities shall include, but not be limited to, receiving inquiries, processing and verifying applications, preparing and submitting payment schedules and preparing the application files for final disposition by the GEDA CEO/Administrator. The Program Manager shall ensure that adequate staff is delegated to all aspects of the program other than compliance.

b) The Compliance Division is responsible for monitoring for the compliance of all requirements and conditions of approved grants

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under the program. The Compliance Division Manager shall ensure that adequate staff is delegated to this aspect of the program.

### 1.5. Agency Relations under the Program.

a) **Guam Department of Administration (DOA):** Upon approval of grant applications, the Authority submits regular payment schedules to DOA for check issuance.

b) **Office of the Governor:** The Authority shall maintain a schedule of reimbursable costs outside of regularly budgeted items associated with administering the program for submission to the Office of the Governor.

### 1.6. Changes to SOP

a) Recognizing that the COVID-19 pandemic is an evolving situation, any portion of this SOP which conflicts with a law, rule, regulation or directive, shall be superseded by such, until this SOP is revised and in conformance. In order to accurately account for such changes, a copy of the new law or amendments to current law will be posted with this SOP until revised.

b) The GEDA CEO/Administrator shall have the authority to revise SOP as necessary so long as ample prior written notice is provided to the GEDA Board of Directors.

## 2. GENERAL PROCESSING PROCEDURES

**2.1 Program Comprehension.** All relevant personnel must be familiar with the program requirements. This will help in conveying program benefits, expectations, and requirements to potential applicants.

**2.2 Eligibility.** The following criteria must be met for an applicant to be eligible under the program:

a) Is a Guam business as defined that is primarily a food & beverage establishment, a small retail establishment and/or personal care services establishment that was subject to closures or restrictions during the

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Governor of Guam's declaration of a public health emergency pursuant to Executive Order 2020-04 and subsequent executive orders;

b) The Applicant can provide proof of past due rent obligation during the period of April through November 2020 or can provide evidence of ongoing difficulty in paying rent during the pandemic period (i.e. GRT, audited financials, etc); and
c) The Applicant has resumed business operations, or plans to resume business operations in the same location upon the lifting of the public health emergency declaration by the Governor of Guam, or within a reasonable time thereafter.

**2.3 Ineligible Entities.** The following entities shall not be eligible to receive rental assistance under this program:

a) Government of Guam tenants;
b) United States federal government tenants;
c) Businesses that do not operate out of a brick and mortar location;
d) Any healthcare business that is eligible to apply for a Healthcare System Stabilization (HSS) grant;
e) Home based businesses; and
f) Professional service businesses, those that must obtain a professional licenses by a board or association tasked with certifying the ability of the licensee to conduct the business, such as but not limited to legal and administrative service businesses.
g) Related businesses.

**2.4 Application Period.** Funds authorized under this program are available until December 31, 2020. The Authority will begin to accept applications no later than three (3) business days after the Office of the Governor identifies funding for the program, and shall continue to receive applications for a period of 15 working days.

**2.5 Processing.** Staff shall encourage that all applications be submitted via email to rentassistance@investguam.com. Non-electronic submissions may be submitted to GEDA by appointment only in order to comply with public health guidelines. Each applicant will be evaluated based on its own merits and therefore processing time may vary. Below are the six (6) phases of the processing cycle.

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a) **Initial Inquiry.** The Authority expects initial inquiries to be minimal, with most information readily conveyed to the public via the GEDA website. In instances where direct client assistance is required, relevant staff shall provide potential applicants with general program information, clarifying program questions, providing access to a digital application package with guidelines, a checklist for additional information/supporting documents, and such other information as may be relevant and necessary.

b) **Official Submission Date.** The official date of filing of a grant application occurs when the Authority receives a complete application package via email or physical copy submitted during a scheduled appointment. Assigned staff will be responsible for ensuring that all applications are properly logged and sorted according to submission date and time.

c) **Notice to Applicant.** Assigned staff shall provide electronic notice to applicant, along with a unique application number. The applications shall be filed in the order they are received. Assigned staff shall be as expeditious as possible in assigning the application number. Notice can be provided via email and/or telephone call, and a list of all application numbers shall be posted on the GEDA website at www.investguam.com/rentassistance.

d) Application Review. The application review contains the following steps:
    1) All applications are properly logged and issued a unique application number as indicated in section 2.5(c) above.
    2) Applications are then reviewed by assigned staff for completeness. If an application is missing documents or information, assigned staff shall contact the applicant and instruct them to provide the necessary documents or information. INCOMPLETE APPLICATIONS SHALL NOT PROGRESS FURTHER IN THE REVIEW PROCESS.
    3) All complete applications are then reviewed according to program parameters. The review shall consist of the following:
        i. Determining whether applicant is eligible to apply for and receive grant assistance;

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ii. Calculating total past due rent and/or common areas fees as indicated in an applicant's lease agreement and documentation that validates a past due rent obligation exists;
iii. Determining approval or disapproval of grant application; and
iv. Determining total amount of grant, if approved, based on the parameters contained in section 2.6 of this SOP.

e) **Notice to Applicant.** No more than seven (7) working days after action has been taken on an application, assigned staff shall send an official notice via mail which indicates either approval or disapproval of said application. All notices shall be signed by the employee that conducted the final review of the application prior to final signature by the CEO/Administrator. All notices shall contain the following:
   1) In the case of grant approval, notice shall include the final calculation that determined eligibility, the approved grant amount, and all other necessary information.
   2) In the case of grant disapproval, notice shall include reasons for disapproval and provide guidelines for reconsideration as detailed in section 2.6 below.

f) **Fund disbursement.** Assigned staff shall prepare regular payment schedules to the Department of Administration to ensure prompt check issuance of grant awards. This payment schedule shall first be approved by the CEO/Administrator prior to submission to DOA, and shall include the following:
   1) Applicant name;
   2) Applicant address;
   3) Applicant phone number;
   4) Applicant taxpayer ID number;
   5) Total grant award;
   6) Landlord name;
   7) Landlord address; and
   8) Landlord phone number.

## 2.6 Award Calculation.

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a) Grant awards shall be calculated based on an Applicant's lease agreement and landlord certification form that indicates that past due and/or deferred rent and/or common area charges exist;
b) Any amounts of rent that have been forgiven by a landlord to a tenant shall not be included in the grant award calculation; and
c) Grant awards shall equal to two months past due rent and/or common area charges, or twenty thousand dollars ($20,000), whichever is less.

**2.7 Reconsideration.** Applicants who have had their applications disapproved may seek reconsideration based on the following:

a) Applicants must submit a written reconsideration request, along with all necessary supporting documentation, which shall detail their reasoning as to why disapproval is not warranted. Requests shall be addressed to the GEDA CEO/Administrator and must be received no more than fifteen (15) working days after the applicant's receipt of grant disapproval notice;
b) The Program Manager shall assign appropriate staff to reevaluate the application to determine if any information was improperly evaluated. Applicant may be asked to provide additional information as needed;
c) Reevaluation shall be provided to a committee for review, whose recommendation will be presented to the CEO/Administrator for final action; and
d) Notice of final action by CEO/Administrator shall be provided to Applicant no later than five (5) working days from said action. Applications that have been reconsidered and approved for grant funding will be provided to DOA for check issuance.

**2.8 Compliance Monitoring.** Assigned staff shall perform audits of applications that have gone through the review process to ensure accountability.

a) Review application and supporting documents with an emphasis on the following:
    i. EIN Number;
    ii. Business License;
    iii. Lease Agreement;
    iv. Applicant Self-Certification;
    v. Landlord Self-Certification
    vi. Data Entry;
    vii. Eligible/Not-Eligible; and

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viii. Advise Program Manager of any discrepancies if necessary.

**2.9 Grant Application Files.** Assigned staff shall ensure that all necessary documents, both digital and physical, are properly filed and stored. Such documents shall include, but not be limited to, the following:

a) Application form;
b) All application supporting documents (lease agreement, rent forgiveness/rent deferral notices, invoices, past due billings, etc.);
c) Copies of all notices to applicant;
d) All documents related to the disbursement of funds; and
e) In the cases of a reconsideration of a disapproved application, all documents pertaining to such reconsideration.

**2.10 Grant Application Package (Contents).** Listed below are the minimum documents required to be submitted by an applicant. There may be additional information required of the applicant. Any additional documentation required must be promptly identified and communicated to the applicant and properly documented.

a) Grant application form;
b) Applicant self-certification under penalty of perjury form;
c) Applicant business license;
d) Copy of applicant's current lease agreement(s);
e) Landlord certification under penalty of perjury form detailing unpaid rent due and/or common area charges; and
f) All other information as may be required.

**2.11 Cost to be Covered by Applicant.** There are no costs to be borne by the applicant in the course of the application process.

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END