



Regular Monthly Meeting
 10 a.m. Wednesday, October 5, 2022
 Mayors' Council Conference Room
 Hagåtña, Guam

MINUTES

I. CALL TO ORDER: *President* Mayor Jesse L.G. Alig called the meeting to order at 10:18 a.m.

II. ROLL CALL:

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

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

Fourteen (14) members present at time of roll call. **No Quorum established.**
 Quorum established at 10:40 a.m.

Angel R. Sablan
Elaine RA Schaaf

Executive Director
Recording Secretary

III. NATIONAL ANTHEM/GUAM HYMN

IV. APPROVAL OF AUGUST AND SEPTEMBER MINUTES – Mayor Melissa Savares made the motion to approve and seconded by Mayor Allan Ungacta. No discussions or objections. The motion carried.

V. APPROVAL OF TREASURER'S REPORT SEPTEMBER AND OCTOBER – Mayor June Blas made the motion to approve the reports and seconded by Mayor Jessie Gogue. No discussions or objections. The motion carried.

VI. EXECUTIVE DIRECTOR'S REPORT

ETHICS TRAINING COMPLIANCE REPORT – Some Districts have started the training and others have not done so at all. ED had mentioned earlier in the year to stagger this out to get staff trained by the time mayors' fourth year comes around. As mandated by law, no one is exempted from taking this course. Those that have been hired in the last fiscal year need to get trained as soon as they can. There's a limited number of people that are being trained at any given time from all agencies; they have to accommodate over 9,000 employees in the government.

QUARTERLY BREAKFAST MEETING WITH THE GOVERNOR AND LT. GOVERNOR – Tentatively set for October 19. The governor is hosting the venue and she understands that some will be off-island or in other meetings. They are willing to reschedule this for the week after. They would need a head count.

4TH QUARTERLY FINANCIAL REPORTS – Due by October 10.

ISLANDWIDE ENVIRONMENTAL CLEANUP PROGRAM; RRF – Ten (10) days after the end of FY2022 to submit all invoices and to get with vendors to make sure those invoices are complete and submitted for payment. The legislature appropriated 1.5M from the EPA Recycling Fund to the Mayor's Council to continue recycling. The operations plan goes to the attorney general's office and then to the governor's office before Guam EPA approves it. The board will meet on the third Thursday of this month.

Mayors can jumpstart their recycling right away with their ARPA funds of \$100K. MCOG Admin. will amend purchase orders under ARPA to reflect the new expiration date of September 30, 2023 if there's a balance in those purchase orders.

RFQS TO SIX (6) VENDORS – ED communicated with Claudia Acfalle from General Services Agency. The requirement for six quotes is so that at least three positive quotations come back. If there are no three positive quotes, an attestation must be submitted.

President asked ED, "For our purpose is if we send out three requests and three come back that are complete, then we could actually just use that as opposed to sending out six. To clarify for all of you that had asked me on the side, if three are necessary to execute a requisition or purchase order, you send out six requests in order to get three positive responses.

But if you can send out three and get three positive responses, then that's sufficient to execute your financial documents." ED responded, "That's correct. If you have three positive quotes, you don't need a letter of attestation, When you get less than three positive quotes, then you have to use the letter of attestation."

MCOG FY2023 BUDGET – As discussed at the last *Special Monthly meeting*, The Body approved to equally get \$20,011.00 except for Dededo who got \$20,027.00. Total amount equaled \$380,225.00 that was evenly distributed among three entities from the Limited Gaming Fund.

Village Maintenance Beautification Public Safety Programs (VOMBPS), the Body voted again to follow as mandated by law that every municipality will get up to \$20,000 initially, and then the remaining balance would be prorated using the Road Mileage Inventory.

Carryovers for FY22 at this point in time is not yet authorized. The president is working with Senators San Agustin and Perez to see whether some language be put into statute to allow MCOG to go ahead and use our lapses and carry them over.

Lapses in prior years, FY21, FY20, and FY19, can still be used if mayors' have funds because those don't expire until it's fully expended as mentioned in previous budget bills.

VII. COMMITTEE REPORTS

1. BOARDS AND COMMISSIONS –

GUAM EDUCATION POLICY BOARD (EX-OFFICIO MEMBER) – Mayor Melissa Savares reported that there is a contractor for grass cutting that has already been selected. The contract is waiting to be signed by the acting superintendent. The funding is already secured.

Because of series of school burglaries, the president was concerned about the security and safety issues in the schools. He heard the deputy superintendent announce that they are using particular funds to address the situation.

Mayor Paul McDonald was concerned with overgrown trees. Mayor Savares will find out the status of all the schools around the island with Mr. Quichocho with the Department of Agriculture. Certain trees need to have permits in order to trim.

2. STANDING COMMITTEES –

78TH LIBERATION MEMORIALS CLOSEOUT REPORT – *Treasurer*, Mayor Kevin Susuico reported mayors' offices had submitted just a one-page report. Supporting documents need to be submitted should there be any questions that may arise from the audit and to compile all the receipts that's necessary for the money that was given for the memorials.

LEGISLATIVE AND FINANCE – *President* announced that he will be present to offer testimony in favor of Bill No. 155- 36, relative to the disposal of junk vehicles, and if the Body felt otherwise, he would like to hear from them or if they would like to offer testimony. The public hearing is this Friday at 1:30 pm.

VIII. UNFINISHED BUSINESS

1. **MCOG CHRISTMAS ACTIVITIES** – Because of the delay in planning and because of what mayors' have been doing and because MCOG has not had a Christmas party in several years, *President* suggested a motion to use the *Dues Account* from the Revolving Fund in the amount of \$15,000 to pay for the Christmas party.

Mayor Savares made the motion to use the *Dues Account* for \$15,000. Seconded by Mayor Allan Ungacta.

President commented that the committee had followed the rules and solicited six quotations and they narrowed it down. The committee met last week and they're meeting today. He is in support of them continuing to fundraise for the excess at the hotel

Mayor June Blas commented to support the committee's efforts and added that this is not only for us mayors and vice mayors but it's also for our hardworking staff.

No further discussions or objections. The motion passed.

President communicated that PBS reached out to see if MCOG would like to be a part of the Skinner Plaza display. His thoughts were to have a Mayors' Council-wide display.

Mayor Savares suggested a live nativity. The president was thinking of a *Belen*. Mayor Hofmann suggested building a giant gingerbread house or hut that they can walk through. [Inaudible] suggested Candyland.

President asked if there were any objections from any member of the Body to participate. There were no objections. He went on to say, "You are agreeing, that means you're going to help us in one way or another, and I'm okay if you're not able to because we all have our priorities.

The president gave the opportunity to the Body to think about it and will send out a survey by Monday.

2. **45TH MCOG ANNIVERSARY** – Because he overlooked distributing the survey, Mayor Hofmann asked for a postponement of the report.

IX. NEW BUSINESS

1. **MCOG BYLAWS AMENDMENT** – ED reported that because there's been a statute and other laws promulgated that were not in consonance with the current bylaws, the committee, Mayors Savares, Rivera and ED, decided to get together and amend the 2017 bylaws to make it comply with statute. The proposed amendments and current bylaws were disseminated to Council members present and virtual.

The proposed amendments are all underscored. The Body can't take action on this today because the current bylaws state that the proposed amendment shall be submitted, in writing, to the President and the Council members, one week prior to the meeting or special meeting.

The committee will submit this, if the Body approves it, to the president one week before the special meeting on October 19.

Mayor Kevin Susuico queried that if a member attended a meeting in person but later had to leave the meeting due to an emergency or some other reason, would that member still be allowed to participate in voting on matters if he connected to the meeting via video conference? Would he need to inform the chair or secretary of his intent to log on to the meeting via video conference via email or written notice even though he had already been recorded as present for the meeting prior to exiting the meeting? He requested clarification.

ED will get clarification with the AG on that. He said to avoid all of that, he thinks maybe there should be a special section in the meetings for voting; just put it down into the voting file and vote all at one time.

Vice Mayor Kevin Delgado wanted to get clarity on Article VIII – Rules of Order of what the current rules of order were before this amendment on voting on matters that required a *Yay* or *Nay* or *Abstain* vote.

Mayor Hofmann agreed with Mayor Susuico and said if a mayor starts off by physically being present and transitioned to Zoom, the council should allow that within the bylaws as an amendment to do that. The other concern is Section 5 of Article V about the excused or unexcused absence. What the purpose of this is as opposed to Title Five Chapter 40, is that it never specifies that mayors and vice mayors must be present at council meetings as part of their duties and this goes against what Title Five Chapter 40 has in terms of duties and responsibilities. Mayor said, "It's not against the law, I serve my people. They can challenge this if anything should be questioned on their participation unless we amend that to say that they have to be here, then it would say you'd have to be present."

President said, "I see ED's point about having a voting file so that there's some kind of order but I would be inclined to get the AG's opinion on that because it's simply what we think and what might work best for us. In Mayor Hoffman's comments, I agree completely about not contradicting the GCA, but I think on the other side, I feel it is necessary to have you here because when you're not here, we make decisions and then you don't know about it or then it becomes questionable. If the issues are because of the length of the meeting, the length of time of the meeting, or if there's a particular way we conduct the meeting, then I think council wide we can address that to meet the needs of the body but there still needs to be some accountability to the body because each one of you is important."

Mayor Anthony Chargualaf said it's a good point that Mayor Kevin brought up and if it were reversed that he started from Zoom to physically be present, then his vote would still count.

ED said the roll call is a part of the minutes, therefore it will show who is present or not, and it would show Council members who have not attended a meeting even if this amendment is not approved by the body.

Article VIII – Rules of Order, a new proposed section is added because in prior meetings, some participants would simply "abstain" if the topic was contentious. To conform to Robert's Rules of Order a member cannot consistently abstain because they choose not

to cast a vote, their vote becomes a "no" if they pass or abstain three times after being called, just like the legislature does.

Mayor Gogue commented, "To make sure we have clarity in the way it reads, if we have a two-thirds vote by the body, then the motion either failed or passed based on that two-thirds decision. But if we lack two-thirds, then we're trying to establish a two-thirds vote one way or the other. So then you would go back to the members who abstained and ask them three times whether they vote yay or nay. The only time it would occur is if we lack a two-thirds vote one way or the other. We need to make sure that that is acknowledged for clarity purposes. That once two-thirds is achieved in support or in opposition to a particular motion on the floor, then there's no need to go back and ask for those abstentions to take a position."

Mayor Hofmann recalled in his Youth Congress days, there were four ways to vote, the affirmative, the negative, pass, or abstain. An abstain vote can be counted as a negative. If you pass three times, then it's considered a negative as well.

Mayor Gogue remarked that it doesn't allow the rest of the body to change its vote based on discussion that occurs after the first vote, the second vote, or potentially if there is a third vote being made for the abstentions, allowing all to potentially change their position on the third call for a vote.

ED will get further clarification from the AG's office.

Article X – Welfare, Section 1 proposed to change the amount for wreaths from \$200 to \$250 and it will be coming from the *Membership Dues* account. The part in the current bylaws that says *we shall wear an appropriate morning insignia provided consent has been obtained from the family* was deleted. *Certificate of Memorium* was added to make it even more meaningful and more personal to the family because the governor's resolution, the legislature's resolution and the council's resolution all say the same thing over and over.

In regards to state funerals, Mayor Hofmann will resurrect the state funeral plan and would need mayors' assistance gathering the appropriate data from former elected leaders in their district.

X. ANNOUNCEMENTS

➤ *President* ask for a motion to reschedule the regular November meeting to another date because the first Wednesday is a holiday, All Soul's Day. **Mayor Melissa Savares made the motion to reschedule the November Regular Monthly meeting to November 9. Seconded by Mayor Allan Ungacta. No discussions or objections. The motion carried.**

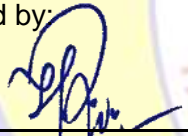
➤ Another meeting this month will be challenging for the mayors. So far there are no audience requests. *President* asked for a motion to call off the November special meeting. **Vice Mayor Kevin Delgado made the motion to cancel the November Special Meeting and seconded by Mayor Melissa Savares. No discussions or objections. The motion carried.**

- A bookshelf contest is being sponsored by the UOG Press for each District with cash prizes awarded for first, second, and third place. This will be done during Chamorro month. To make sure that every village has a bookshelf that is ready, Pedro from the UOG Press and Mayor Alig's office will be communicating and reaching out to all the Districts to make sure they're clear with the contest.
- Breast Cancer Awareness wave Friday, October 7 at the ITC intersection. T-shirts and banners for the wave are for sale.
- President said he'll share some information on Red Ribbon month and as a council, work to do something for at least the last week of October.
- Last respects for the late vice mayor Kenneth Santos will be on October 22 at Guam Memorial Funeral Home Chapel in Leyang, Barrigada. Interment to follow. Judy Santos requested assistance from the mayors and staff to coordinate giving Grab and Go food out to the people.
- The Guam Council of the Arts and Humanities Agency is hosting a gala on Saturday, October 22 at the Hilton Resort and Spa. Tickets are \$75 a person. See MCOG representative, Mayor Gogue for tickets. Funds raised from this gala is to help pay for the artists that will be representing Guam in the 2024 FestPac in Hawaii.

XI. ADJOURNMENT

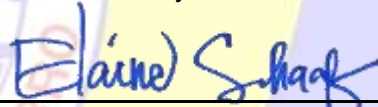
President thanked Council members and adjourned the meeting at 12:14 pm.

Attested by:



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

Transcribed by:



ELAINE RA SCHAAF
Transcriber
MCOG – Administration



ATTENDANCE SHEET

Date: Wednesday, October 5, 2022 Time: 10:00 a.m.

FILE COPY

Q-10:40 am
CTD-10:18 am
A-12:14 pm

Type of Meeting: Regular Special

PLACE OF MEETING:

MAYORS / VICE MAYORS	DISTRICT	CONTACT NOS.	SIGNATURE
ALIG, Jesse L.G.	Piti	472-1232/33	
ALVAREZ, Dale E.	Santa Rita	565-2514/4337	
BAUTISTA, Jessie P.	Barrigada	734-3859/25/34/36	
BENAVENTE, Peter John S.	Dededo	632-5203/5019-637-9014	
BLAS, June U.	Barrigada	734-3859/25/34/36	
Z CHARGUALAF, Anthony P.	Inarajan	475-2509-11	
CHARGUALAF, Ernest T.	Merizo	828-8312/2941	
CRUZ, John A.	Hagatna	477-8045/47	
DELGADO, Kevin AN	Mangilao	734-2163/5731	
FEJERAN, Christopher J.	Agat	565-4330/35/36/2524	
GOGUE, Jessy C.	Chalan Pago-Ordot	472-8302/477-1333	
HOFMANN, Robert RDC	Sinajana	472-6707/477-3323	
Z IRIARTE, Rudy D.	Sinajana	472-6707/477-3323	
LEONES, Loreto V.	Yigo	653-9446/5248	
Z MCDONALD, Paul M.	Agana Hts.	472-6393/8285/6	
PACO, Rudy A.	Mongmong-Toto-Maite	477-6758/9090	
QUENGA, Bill A.	Yona	789-4798/0012/1525/6	
QUINATA, Johnny A.	Umatac	828-2940/8258	
RIVERA, Louise C.	Tamuning-Tumon-Harmon	646-5211/8646	
SALAS, Frankie A.	Asan-Maina	472-6581/479-2726	
SANCHEZ, Anthony P.	Yigo	653-9446/5248	
SAVARES, Melissa B.	Dededo	632-5203/5019/637-9014	
SUSUICO, Kevin J.T.	H Agat	565-4330/35/36/2524	
TAITAGUE, Vicente S.	Talofoto	789-1421/3262/4821	
TOVES, Albert M.	Tamuning-Tumon-Harmon	646-5211/8646	
UNGACTA, Allan R.G.	Mangilao	734-2163/5731	
SABLAN, Angel R.	EXECUTIVE DIRECTOR		
OFFICIAL REPRESENTATIVE	DISTRICT	SIGNATURE	
Janelle Guzman	Santa Rita-Sumai		
Trinity Herrera	Yigo		
GUESTS	AGENCY/ORGANIZATION	CONTACT NO.	
David Sholing	The Guam Daily Post	671-689-8299	
Eleanor Mesa	36 Wing PAO		
Lauren Clevenger	36 WG PA	671 685 0894	
Divine Cox	36 WG IPA		
Amanda Snelton	Guam Legislature	989-2572	
Tina Rose Muniz Barnes	Guam Legislature	989-5681	
MARK PIREZ	GUAM LEGISLATURE		
Bernice Rivera	Guam Legislature	989-5681	
Mary Taitague	Guam Mayor's Office	686-4104	
Diana Quinata	Honorable Mayors Office	747-2932	

Robert R.D.C. Hofmann
Mayor

Rudy D. Iriarte
Vice Mayor



Municipality of Sinajana
Mayors' Council of Guam
Konsehelon Mahot Guåhan

Sinajana Mayor's Office
P. O. Box 786 Hagåtña, Guam 96932
Phone 671-472-6707 | 671-477-3323
Fax 671-472-5084
sinajanamayorsoffice@gmail.com

September 29, 2022

TO: Mayor Louise C. Rivera
Municipality of Tamuning
Executive Secretary - MCOG

RE: Special Monthly Meeting Attendance
Zoom Meeting Option

RECEIVED
SEP 29 2022
MAYORS' COUNCIL
OF GUAM

Dear Madam Secretary,

Buenas, Yan Hafa Adai, please accept this correspondence as my official request to attend the October 2022 Regular monthly meeting via the Zoom Meeting option. My left leg is a prosthetic from mid shin down which makes it difficult for me to mount staircases. I appreciate your understanding of my situation and I thank you for time.

Should you require anything further regarding this request, please feel free to contact me via the information provided or you can Email me at: rudyiriarte@gmail.com

Si Yu'us Ma'ase & have a wonderful day.

Senseremente,


Rudy Iriarte
Vice Mayor

MAYORS' COUNCIL OF GUAM

From: Mayor Louise C. Rivera <mayorlrivera.tatuha@gmail.com>
Sent: Thursday, September 29, 2022 10:54 AM
To: Mayors' Council of Guam - Admin.
Subject: Fwd: Request Zoom Link - October 2022 Regular Meeting - SIN VM
Attachments: MCOG - Zoom Meeting Request - SIN VM 10.05.2022.pdf

----- Forwarded message -----

From: Sinajana Mayor's Office <sinajanamayorsoffice@gmail.com>
Date: Wed, Sep 28, 2022, 4:37 PM
Subject: Request Zoom Link - October 2022 Regular Meeting - SIN VM
To: Mayor Louise C. Rivera <mayorlrivera.tatuha@gmail.com>

RECEIVED
SEP 29 2022
MAYORS' COUNCIL
OF GUAM

Hafa Adai,
Please find the attached request for Zoom Link for the October Regular Meeting.
Thank you and have a great day!

--
Sinajana Mayor's Office
Tel: (671) 472-6707 / (671) 477-3323 | Fax: (671) 472-5084
sinajanamayorsoffice@gmail.com

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MAYORS' COUNCIL OF GUAM

From: Mayor Louise C. Rivera <mayorlrivera.tatuha@gmail.com>
Sent: Tuesday, October 4, 2022 9:43 PM
To: Mayors' Council of Guam - Admin.; Mayor Anthony Chargualaf
Subject: Fwd: MCOG Regular Monthly Meeting Request



Got it!

----- Forwarded message -----

From: **Jaeline Chargualaf** <jchargualaf90@gmail.com>
Date: Tue, Oct 4, 2022, 4:15 PM
Subject: MCOG Regular Monthly Meeting Request
To: Mayor Louise C. Rivera <mayorlrivera.tatuha@gmail.com>

Hafa Adai Mayor Louise,

Mayor Anthony Chargualaf would like to request to attend the meeting scheduled for tomorrow (October 5, 2022) virtually. Thank you!

--
Jaeline M. Chargualaf
Inaláhan Mayor's Office
Administrative Assistant
(w) 475-2509/828-2543
(e) jchargualaf90@gmail.com

MAYORS' COUNCIL OF GUAM

From: Angelica Jamanila <angjamanila@yahoo.com>
Sent: Wednesday, October 5, 2022 8:26 AM
To: Mayor Louise C. Rivera; MAYORS' COUNCIL OF GUAM; mayormcdonald@hotmail.com; Mayor Paul M. McDonald; Genedine C. Reyes; Angelica Jamanila-Gumataotao
Subject: Request for Zoom October Monthly Meeting

Hafa Adai Mayor Rivera,

Mayor McDonald is requesting to attend the October monthly meeting via Zoom.

Should you have any questions or concerns, please contact Agana Heights Mayor's Office at 472-8285/6 or Mayor McDonald at 689-4622.

Thank you,
ANGELICA N.G. JAMANILA-GUMATAOTAO, *Municipal Clerk*
Office of the Mayor ~ Municipality of Agana Heights
184 Chalan Macajna Agana Heights, Guam 96910
Tel: (671) 472-8285/6-6393/6
Fax: (671) 472-6124
Mobile:(671) 687-5779
Email: angjamanila@yahoo.com

RECEIVED
OCT 05 2022
MAYORS' COUNCIL
OF GUAM