

From: committeeonrules@guamlegislature.org
Sent: Wednesday, May 3, 2023 9:16 AM
To: clerks@guamlegislature.org
Cc: 'Speaker Therese M. Terlaje'
Subject: Messages & Communications Doc. No. 37GL-23-0496 through 0500.
Attachments: 050323 COMM Doc. No. 37GL-23-0496.pdf; 050323 COMM Doc. No. 37GL-23-0497.pdf; 050323 COMM Doc. No. 37GL-23-0498.pdf; 050323 COMM Doc. No. 37GL-23-0499.pdf; 050323 COMM Doc. No. 37GL-23-0500.pdf

Håfa Adai Clerk's Office,

Please see attached, **Messages & Communications Doc. No. 37GL-23-0496 through 0500** for processing:

37GL-23-0496	Port Authority of Guam	Revenues and Expenditures Report for the month ending February 28, 2023* Revenues and Expenses Report for the month ending February 28, 2023*
37GL-23-0497	Department of Public Health and Social Services	Guam Board of Barbering and Cosmetology Virtual Board Meeting Packet for its May 1, 2023 meeting* Guam Board of Barbering and Cosmetology Virtual Board Meeting Packet for May 1, 2023*
37GL-23-0498	Guam Ethics Commission	Commission Meeting Packet for its April 28, 2023 meeting* Meeting Packet for April 28, 2023 meeting*
37GL-23-0499	Guam Council on the Arts & Humanities Agency	Notice of Prospect Payment of Prior Year Obligations to Pacific Data Systems*
37GL-23-0500	Department of Education - Office of the Superintendent	FY2023 2nd Quarter Textbooks, E-Book Readers and Collateral Classroom Instructional Materials Report. Fiscal Year 2023 - 2nd Quarter (January 1, 2023 - March 31, 2023) Textbooks, E-Book Readers and Collateral Classroom Instructional Materials Report.*

Kindly reply to this email.



si Yu'os ma'åse',
Beatrice Cruz
Committee on Rules Assistant
COMMITTEE ON RULES
Senator Chris Barnett, Chairperson

I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

Disclaimer: The content of this email is intended for the person or entity to which it is addressed only. This email may contain confidential information. If you are not the person to whom this message is addressed, be aware that any use, reproduction, or distribution of this message is strictly prohibited. If you received this in error, please contact the sender at committeeonrules@guamlegislature.org and immediately delete this email and any attachments.

Messages and Communications for 37GL-23-0498

3 messages

Speaker Therese M. Terlaje <speaker@guamlegislature.org>

Tue, May 2, 2023 at 5:40

To: 37th Committee On Rules <committeeonrules@guamlegislature.org>, Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>

Håfa Adai,

Please see attached M&C Doc. No. 37GL-23-0498*

37GL-23-0498	Guam Ethics Commission	Commission Meeting Packet for its April 28, 2023 meeting*
--------------	------------------------	---

*Si Yu'os Ma'åse',***Marie Cruz**

Community Relations Liaison

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice, and Culture

I Mina'trentai Siette na Liheslaturan Guåhan 37th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

☎ (671) 472-3586

✉ senatorterlajeguam@gmail.com

🌐 www.senatorterlaje.com

Electronic Privacy Notice: This e-mail and any attachment(s), contains information that is, or may be, covered by electronic communications privacy laws and legal privileges, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing the information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

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

From: **Reuben C. Bugarin** <Reuben.Bugarin@ethics.guam.gov>

Date: Tue, May 2, 2023 at 2:33 PM

Subject: Guam Ethics Commission Reporting Requirements for April 2023

To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>, Jean S. Taitano <jean.taitano@guam.gov>

Cc: Ethics Info <Info@ethics.guam.gov>

Håfa Adai,

On behalf of the Guam Ethics Commission, I respectfully transmit the board packet for the Commission's April meeting. If our office can provide anything further, please feel free to contact me. Thank you.

Best regards,

REUBEN C. BUGARIN

Ethics Program Coordinator

Guam Ethics Commission

Kumisión i Giniban Areklamenton Guåhan

134 W. Soledad Avenue, Suite 406 – BOH Bldg., Hagåtña Guam 96910

Tel: (671) 969-5625


Fax: (671) 969-5626

Website: <http://guamethics.com>

Confidentiality Notice: This e-mail message is for sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, distribution, or copying is prohibited. If you are not the intended recipient, please contact the sender by replying to this e-mail and destroy/delete all copies of this e-mail message.

2 attachments **Guam Ethics Commission Reporting Requirements for April 2023.pdf**

1804K

 **37GL-23-0498.pdf**

299K

Office of Senator Amanda L. Shelton <officeofsenatorshelton@guamlegislature.org>

Tue, May 2, 2023 at 5:41 PM

To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>

Cc: 37th Committee On Rules <committeeonrules@guamlegislature.org>

Hafa Adai,

Confirming receipt of M&C No. 37GL-23-0498.

Respectfully,



Renee Pope | Community Liaison

Office of the People • Senator Amanda L. Shelton

Legislative Secretary & Chairwoman, Committee on Maritime Transportation, Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth, and Senior Citizens

37th Guam Legislature

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 969-2574 • (671) 989-2572

E officeofsenatorshelton@guamlegislature.org

[Quoted text hidden]

committeeonrules@guamlegislature.org <committeeonrules@guamlegislature.org>

Wed, May 3, 2023 at 8:13 AM

To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>, Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>

Håfa Adai!

Received and thank you.



si Yu'os ma'åse',

Beatrice Cruz

Committee on Rules Assistant

COMMITTEE ON RULES

Senator Chris Barnett, Chairperson

I Mina'trentai Siette Na Liheslaturan Guåhan

37th Guam Legislature

Disclaimer: The content of this email is intended for the person or entity to which it is addressed only. This email may contain confidential information. If you are not the person to whom this message is addressed, be aware that any use, reproduction, or distribution of this message is strictly prohibited. If you received this in error, please contact the sender at committeeonrules@guamlegislature.org and immediately delete this email and any attachments.

[Quoted text hidden]



image001.png
97K

Guam Ethics Commission Reporting Requirements for April 2023

Reuben C. Bugarin <Reuben.Bugarin@ethics.guam.gov>

Tue, May 2, 2023 at 2:33 PM

To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>, "Jean S. Taitano" <jean.taitano@guam.gov>

Cc: Ethics Info <Info@ethics.guam.gov>

Håfa Adai,

On behalf of the Guam Ethics Commission, I respectfully transmit the board packet for the Commission's April meeting. If our office can provide anything further, please feel free to contact me. Thank you.

Best regards,

REUBEN C. BUGARIN

Ethics Program Coordinator

Guam Ethics Commission

*Kumisión i Giniban Areklamenton Guåhan***134 W. Soledad Avenue, Suite 406 – BOH Bldg., Hagåtña Guam 96910**

Tel: (671) 969-5625

Fax: (671) 969-5626

Website: <http://guamethics.com>

Confidentiality Notice: This e-mail message is for sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, distribution, or copying is prohibited. If you are not the intended recipient, please contact the sender by replying to this e-mail and destroy/delete all copies of this e-mail message.

**DOC NO. 37GL-23-0498
OFFICE OF THE SPEAKER****Therese M. Terlaje****Date: 5/2/2023****Time: 2:33 PM****Received:** *McCrug***Guam Ethics Commission Reporting Requirements for April 2023.pdf**

1804K



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan
Government of Guam
134 W. Soledad Ave., BOH Bldg. Ste. 406
Tel: 671-969-5625 | Telefax: 671-969-5626

Transmitted Via Electronic Mail

May 02, 2023

Honorable Lourdes A. Leon Guerrero
Governor of Guam
Office of the Governor
513 W. Marine Corps Drive
Hagåtña, Guam 96910

Honorable Therese M. Terlaje
Speaker, 37th Guam Legislature
I Mina Trentai'siete Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Reporting Requirements for Boards and Commissions – April 2023

Håfa Adai Governor Leon Guerrero and Speaker Terlaje,

On behalf of the Guam Ethics Commission, respectfully transmitted herewith is the reporting requirements of 5 GCA Chapter 8 § 8113.1 regarding the Guam Ethics Commission's regular meeting held on April 28, 2023.

If I can provide further assistance or clarification, please feel free to contact me through email at jesse.quenga@ethics.guam.gov.

Si Yu'os Ma'ase!

JESSE JOHN QUENGA, CM®
Executive Director



37GL-23-0498
Messages and Communications

RECEIVED

Committee on Rules
May 2, 2023

5:40 p.m.
Beatrice Cruz

Enclosure: Guam Ethics Commission April 28, 2023 Meeting Packet



GUAM ETHICS COMMISSION

Kumisión i Ginihån Areklåmenton Guåhån

Government of Guam

134 W. Soledad Ave., BOH Bldg. Ste. 406 Tel:

671-969-5625 * Telefax: 671-969-5626

GUAM ETHICS COMMISSION MEETING PACKET

April 28, 2023

12:30 PM



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan

Regular Meeting
Friday, April 28, 2023
12:30 PM

AGENDA

COMMISSIONERS

Christopher A. Cruz
Chairman

Margaret E.R. Tyquiengco
Vice-Chairwoman

Marilyn R. Borja

Robert S. Jack, MD

Daphne M. Leon Guerrero

Shannon J. Murphy

COMMISSION STAFF

Jesse J. Quenga
Executive Director

Pamela D. Mabazza
Ethics Program Coordinator

Reuben C. Bugarin
Ethics Program Coordinator

Arielle L. Navarro
Administrative Assistant

I. Call to Order / Roll Call of Members

II. Approval of Minutes

- a. January 31, 2023 – Regular Meeting

III. Executive Director's Report

IV. Old Business - none

V. New Business

- a. Review and Approve Amended Fiscal Year 2023 Budget and Spending Plan.
- b. Review and Approve Notice of Intent to Award IFB No. GETHC 001-23 Office Space Lease.
- c. Review and Approve Annual Performance Evaluation for Staff and Pay Adjustment
- d. Commission to Act on the following cases:
ETH-22-011-UT-203 | ETH-22-019-CI-202 | ETH-22-002-UT-201
ETH-22-001-UT-201 | ETH-22-035-UT-201
- e. Commission to Act on the following Advisory Opinions:
AO-23-001 | AO-23-002

VI. Closed Proceedings 4 GCA 15 §15401

- ETH-22-011-UT-203 | ETH-22-019-CI-202 | ETH-22-002-UT-201
ETH-22-001-UT-201 | ETH-22-035-UT-201 | ETH-23-101-OT-201
ETH-22-012-COI-202 | ETH-22-004-UT-201 | ETH-22-005-COI-202
ETH-23-102-UT-202 | ETH-23-103-OT-202 | ETH-23-104-OT-202
ETH-22-201-COI-204 | ETH-23-105-OT-202 | ETH-23-106-OT-201
ETH-23-107-OT-202 | ETH-23-108-OT-201 | ETH-23-109-OT-201
ETH-23-110-OT-201 | ETH-23-111-OT-202

VII. Announcements

VIII. Adjournment

Guam Ethics Commission Board Meeting — Minutes

Date: January 31, 2023

Time: 12:33 pm

Location: Guam Ethics Commission Conference Room,
134 West Soledad Ave.
Suite 406, Bank of Hawaii Bldg.
Hagatna, Guam 96910

I. Call to Order / Roll Call of Members

a. Members Present:

- Vice-Chairperson Marilyn Borja
- Christopher Cruz, Commissioner
- Meg Tyquiengco, Commissioner
- Dr. Robert Jack, Commissioner
- Daphne Leon Guerrero, Commissioner

b. Members Absent:

- Chairperson Shannon Murphy

c. Staff Present:

- Jesse Quenga, Executive Director
- Reuben Bugarin, Ethics Program Coordinator
- Pamela Mabazza, Ethics Program Coordinator

d. Legal Prosecutor: Atty. Darleen Hiton

II. Approval of December 16, 2022 Minutes

MOTION: R. Jack

Seconded by: C. Cruz

Discussion: None

Decision: Motion Carries

III. Executive Director's Report

a. Ethics Training Update

- A total of three (3) workshops have been conducted since the launch of the FY2023 calendar: December 28th, January 3rd, and January 27th. The number of participants for the three workshops along with those who have completed the online self-paced training are depicted below.
- The first in a series of workshops tailored for appointed Boards and Commission members will be conducted on Friday, Feb. 3rd. A total of 30 participants are registered to attend the in-person workshop to be conducted in the GEthC conference room.

Month	Live Workshop	Online Workshop	TOTAL
December	42	34	76
January	104	111	215

b. Courtesy with DOA Division of Accounts

- The office received notice from various departments that payment for prior ethics training was processed and received by DOA yet remain unprocessed. This directive by DOA has affective all payments received in the final quarter of Fiscal Year 2022 with internal estimates projecting around \$54,000 in outstanding payments not processed. A courtesy meeting with the Deputy Financial Manager and DOA Controller is being arranged. If a department shares a copy of the Journal Voucher approved by their department the office honors their document and releases the respective Certificates of Completion accordingly.

c. Recruitment of an Administrative Assistant

- Following the Commission’s December meeting, the staff have concluded that the immediate recruitment of an administrative assistant was necessary to support the operational success of the Commission. Concurrence of the Commission is sought to retain a part-time administrative assistant through a limited term appointment not to exceed one (1) year. The office will prepare an update to the Commission if the initial employment period proves sufficient to meet the existing operational gap or whether further recommendations are warranted.

d. Ethics Commissioner Appointment

- After months of work to fill the final vacant seat on the Commission, notice was received that the Governor intends to Ms. Tracy Guerrero, Director of Operations for AK Guam. I had the opportunity to meet with Ms. Guerrero and find that her professional background, particularly her time working in the federal Office of Governmental Accountability will add further the compliment of members currently serving.

e. Invitation for Bid No. GETHC-001-23

- The Commission is approaching the conclusion of a full year with its lease with Prospector Retail Concepts. Ahead of the next lease period, the office has prepared its annual Invitation for Bid, opening the lease contract from April 2023 – April 2024 to all interested vendors in the Hagåtña and Tamuning areas. The bid will run until February 15, 2023, when the bid opening conference is scheduled. More information will be available and will be shared with the Commission at its February meeting, following the bid opening.

f. Account Balance Summary

BALANCE REMAINING					
Category	2021	2023	Revenue Account	ARPA	TOTAL
Salaries	\$ -	\$ 131,388.00	\$ 34,973.60	\$ -	\$ 166,361.60
Benefits	\$ -	\$ 47,552.42	\$ 10,320.48	\$ -	\$ 57,872.90
Travel	\$ -	\$ 1,878.33	\$ -	\$ -	\$ 1,878.33
Contractual	\$ 76.92	\$ -	\$ 17,115.19	\$ -	\$ 17,192.11
Rent	\$ -	\$ 0.20	\$ -	\$ -	\$ 0.20
Supplies	\$ 55.70	\$ 1,000.00	\$ -	\$ 8,943.75	\$ 9,999.45
Equipment	\$ 19.09	\$ -	\$ 10,750.00	\$ 38.88	\$ 10,807.97
Drug Testing	\$ 40.00	\$ -	\$ -	\$ -	\$ 40.00
Misc.	\$ 1,325.75	\$ 10,227.32	\$ 32,558.92	\$ -	\$ 44,111.99
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 1,517.46	\$ 192,046.27	\$ 105,718.19	\$ 8,982.63	\$ 308,264.55

*Funds do not reflect additional \$28,034 collected, but not yet loaded into the revenue fund.

IV. Old Business

Review and Approved FY 2024 Budget Request

MOTION: M. Tyquiengco moved to approve the amended FY2024 Budget Request for the Commission as presented.

Seconded by: C.Cruz

Discussion: None

Decision: Motion Carries

V. New Business

- a. Approval of Ethics Investigation & Compliance Officer Position Series

MOTION: M. Tyquiengco moved to adopt Resolution No. 2023-001 Relative to Approving the Creation of Positions for Ethics Investigation & Compliance Officer I, Ethics Investigation & Compliance Officer II, Senior Ethics Investigation & Compliance Officer, Chief Ethics Investigation & Compliance Officer.

Seconded by: M. Borja

Discussion: None

Decision: Motion Carries

- b. Executive Director & Commission Staff Annual Performance Evaluation and Pay Adjustment

MOTION: M. Tyquiengco moved to set the salary of Executive Director Jesse Quenga at ET-07 \$95,235 per year.

Seconded by: Dr. R. Jack

Discussion: None

Decision: Motion Carries

MOTION: C. Cruz moved to set the salary of Ethics Program Coordinator Reuben Bugarin at N-01 \$45,014 per year.

Seconded by: D. Leon Guerrero

Discussion: None

Decision: Motion Carries

- c. Election of Commission Officers

Chairperson

Nomination: D. Leon Guerrero nominated C. Cruz for the position of Chairman. C.Cruz accepted the nomination

Motion to close nomination: M.Borja

Seconded by: Dr. R. jack

Discussion: None

Decision: Motion Carries; C. Cruz was elected by majority vote to serve as Chairman.

Vice-Chairperson

Nomination: M. Borja nominated M. Tyquiengco

for Vice Chairperson. M. Tyquiengco accepted the nomination

Motion to close nomination: R. Jack

Seconded by: C.Cruz

Discussion: None

Decision: Motion Carries; M. Tyquiengco was elected by unanimous vote to serve as Vice-Chairperson.

VI. Closed Proceedings 4 GCA 15 §15401

ETH-22-021-CI-203 | ETH-22-011-UT-203 | ETH-22-019-CI-202 |
ETH-22-201-COI-204 | ETH-22-002-UT-201 | ETH-22-001-UT-201

VII. Announcements

2023 COGEL Conference Registration

VIII. Adjournment

MOTION: M. Tyquiengco at 1:56pm

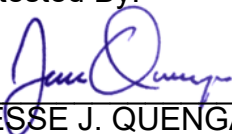
Seconded by: M. Borja

Discussion: None

Decision: Motion Carries

I certify that the record above is true and correct

Attested By:



JESSE J. QUENGA, CM
Board Secretary, Executive Director



EXECUTIVE DIRECTOR’S REPORT

Updates

a. Ethics Training Update

- A total of five workshops were held between February and April. One workshop was designed specifically for appointed boards and commission members, and another for members of the 37th Guam Legislature and their senior staff. The participation figures for both in-person and online training are shown below.

Month	Live Workshop	Online Workshop	TOTAL
February	80	57	137
March	164	37	201
April	107	81	188

b. Courtesy Meeting with DOA Division of Accounts

On February 1st, the office had a meeting with DOA Comptroller Mary Grace Edrosa to talk about the unprocessed payment requests. Due to some staff changes in the department, new points of contact have been identified to help the Commission with their requests. The office has also come up with a better process for reconciling paid invoices. The Commission has successfully processed all outstanding payments amounting to \$54,000 and continues to provide certificates of completion for settled invoices.

c. Assistance from the Bureau of Budget and Management Research

- The Commission received support from BBMR Director Lester Carlson and his staff in collecting owed payments from line agencies. This has reduced if not eliminated the number of outstanding invoices owed by several government entities. There remain around two dozen open/unpaid invoices, mostly from autonomous government of Guam entities, of the over 400 issued in fiscal year 2022. The office continues to work with the remaining agencies pending payment to close out FY2022.

d. Recruitment of Ethics Investigation and Compliance Officer II

Following the Commission’s adoption of the Ethics Investigation and Compliance Officer position series, a memorandum was transmitted to DOA Director Ed Birn formally requesting the announcement, rating, and establishment of a list of qualified applicants for the Ethics Investigation and Compliance Officer II position. The job announcement opened on March 31st and closed on April 20th. A list of persons qualified for an interview was requested on Monday. We hope to schedule interviews shortly after receiving the list. I look forward to working with all Commissioners who wish to participate in the interview process.



GUAM ETHICS COMMISSION

Kumisión i Ginihan Areklamenton Guåhan

e. Meeting with the Office of Finance and Budget

- I received an invitation to meet with the Office of Finance and Budget to discuss the Commission’s budget request for fiscal year 2024. During our meeting with the Office of Finance and Budget, I was joined by our Chairman Chris Cruz to advocate for the full appropriation of our budget request. We had a productive meeting with the team and emphasized the strong need for the full funding in order to achieve our organization's goals. We will continue to work closely with the Office of Finance and Budget to ensure that our request is fully understood and prioritized.

f. COGEL Connect Series

- I am pleased to inform the Board that our office participated in the first COGEL Connect session recently. COGEL Connect is a workshop series that provides additional resources and updated information for ethics-centered organizations across the COGEL member network. Representatives from across the member network attend the sessions throughout the year to stay up-to-date with the latest trends and best practices in ethics and compliance. The theme for the first session was Outreach and Training. At the session, Pam and Reuben represented our office admirably and demonstrated a strong commitment to our organization's core values. They actively engaged in discussions and shared insights regarding our policies and practices.

g. Government Ethics Fund Annual Report

- Pursuant to GETHC Resolution No. 2021-002, an annual report of performance of the Government Ethics Fund is provided in the meeting packet. This document will be referenced while discussing item “a.” under new business.

h. Guam Ethics Commission - Annual Report

- Pursuant to §15401(f), a draft annual summary of decisions and orders made by the Commission from March 2022 – March 2023 is provided for the Commission’s preliminary review.

i. Account Balance Summary

BALANCE REMAINING					
Category	2021	2023	Revenue Account	ARPA	TOTAL
Salaries	\$ -	\$ 78,837.60	\$ 34,973.60	\$ -	\$ 113,811.20
Benefits	\$ -	\$ 28,506.84	\$ 10,320.48	\$ -	\$ 38,827.32
Travel	\$ -	\$ 1,878.33	\$ -	\$ -	\$ 1,878.33
Contractual	\$ 76.92	\$ -	\$ 5,465.19	\$ -	\$ 5,542.11
Rent	\$ -	\$ 0.20	\$ -	\$ -	\$ 0.20
Supplies	\$ 55.70	\$ 914.10	\$ -	\$ 8,943.75	\$ 9,913.55
Equipment	\$ 19.09	\$ -	\$ 10,750.00	\$ 38.88	\$ 10,807.97
Drug Testing	\$ -	\$ -	\$ -	\$ -	\$ -
Misc.	\$ 493.75	\$ 9,686.30	\$ 31,118.92	\$ -	\$ 41,298.97
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 645.46	\$ 119,823.37	\$ 92,628.19	\$ 8,982.63	\$ 222,079.65

*Funds do not reflect additional \$52,000 collected, but not yet loaded into the revenue fund.

FISCAL 2023 BUDGET OVERVIEW

Account Code	Budget Act(s) Appropriations Bill No. 276-36	Anticipated Expenses to be supported by Revenue Fund	TOTAL BUDGETARY NEED Fiscal Year 2023
111 Salary	175,820	38,067	226,381
112 OT	0	0	0
113 Benefits	63,856	10,320	78,924
TOTAL PerSvs	239,676	48,387	305,305
220 Travel	17,242	0	0
230 Contract	30,948	36,711	67,659
233 Rent	65,993	0	65,993
240 Supplies	1,000	0	1,000
250 Equip.	0	10,750	10,750
271 Drug Testing	0	0	0
280 Sub.Rec.	0	0	0
290 Misc.	416	19,680	20,096
361 Power	0	0	0
362 Water	0	0	0
363 Tele.	0	4,116	4,116
450 Cap. Out.	0	0	0
TOTAL Opers	115,599	71,257	169,614
TOTALS	355,275	119,644	474,919

\$ (67,659.32)	Contractual	<i>\$ (6,711.00)</i>	<i>Copier Lease</i>
		<i>\$ (335.52)</i>	<i>Water Bottle Delivery</i>
		<i>\$ (299.80)</i>	<i>ZOOM</i>
		<i>\$ (22,000.00)</i>	<i>UOG MOA</i>
		<i>\$ (38,000.00)</i>	<i>Attorney Contracts</i>
		<i>\$ (313.00)</i>	<i>Website Maintenance</i>
\$ (65,993.00)	Rent	\$ (65,993.00)	Lease Agreement
\$ (1,000.00)	Supplies	\$ (1,000.00)	Supplies
\$ (10,750.00)	Equipment	<i>\$ (5,000.00)</i>	<i>Industrial Shredder</i>
		<i>\$ (5,750.00)</i>	<i>Boardbook Tablets</i>
\$ (20,096.00)	Misc.	<i>\$ (2,880.00)</i>	<i>Meeting Ads</i>
		<i>\$ (16,800.00)</i>	<i>Stipends</i>
		<i>\$ (416.00)</i>	<i>Procurement Training</i>
\$ (4,115.88)	Tele. / Internet	\$ (4,115.88)	<i>Telephone and Internet</i>

*Line items funded by the revenue fund are *italicized*.

FISCAL 2023 BUDGET OVERVIEW

Account Code	Expenses to be supported by Revenue Fund Eff. 10/01/22	Proposed Amendment	Difference
111 Salary	38,067	38,067	0
112 OT	0	0	0
113 Benefits	10,320	10,320	0
TOTAL PerSvs	48,387	48,387	0
220 Travel	0	0	0
230 Contract	36,711	26,800	(9,911)
233 Rent	0	0	0
240 Supplies	0	13,200	13,200
250 Equip.	10,750	8,749	(2,001)
271 Drug Testing	0	0	0
280 Sub.Rec.	0	0	0
290 Misc.	19,680	18,392	(1,288)
361 Power	0	0	0
362 Water	0	0	0
363 Tele.	4,116	4,116	0
450 Cap. Out.	0	0	0
TOTAL Opers	71,257	71,257	0
TOTALS	119,644	119,644	0

\$ (16,800.00)	Contractual	\$ (15,000.00)	<i>Ethics Training Inst.</i>
		\$ (1,800.00)	<i>Website Maintenance</i>
		\$ (10,000.00)	<i>Prosecutorial Contract</i>

\$ (13,200.00)	Supplies	\$ (13,200.00)	<i>Workshop Materials</i>
-----------------------	-----------------	-----------------------	---------------------------

\$ (10,750.00)	Equipment	\$ (5,750.00)	<i>Boardbook Tablets</i>
		\$ (2,999.00)	<i>Misc. Equipment</i>

\$ (26,391.00)	Misc.	\$ (2,880.00)	<i>Meeting Ads</i>
		\$ (8,800.00)	<i>Stipends</i>
		\$ (6,711.24)	<i>Copier Lease</i>

\$ (4,115.88)	Tele. / Internet	\$ (4,115.88)	<i>Telephone & Internet</i>
----------------------	-------------------------	----------------------	---------------------------------

Guam Ethics Commission
Government Ethics Fund

For 01/14/2022 through 03/31/2023

Balance \$92,628.19

Date	Purchase Order No.	Description	Amount Deposited	Amount Charged	Requested By	Approved By
1/14/22		Establishment of Account	\$28,370.00			
2/2/22	P224600020	Legal Services Contract		\$14,500.00	RB	JQ
2/24/22	P224600027	Conf. Room Tables & Chairs		\$8,420.00	RB	JQ
4/15/22		FY22 Second Qtr. Allotment	\$36,720.00			
4/25/22	P224600042	Modesty Panel		\$647.48	RB	JQ
4/27/22		Commissioner Stipend Payment		\$1,600.00	PM	JQ
4/27/22	P224600015	FY22 Office Space Lease		\$32,996.40	RB	JQ
7/5/22		FY22 Third Qtr. Allotment	\$64,801.00			
8/2/22		Commissioner Stipend Payment		\$650.00	PM	JQ
9/30/22	P224600020	Liquidation of Purchase Order	\$2,115.19			
10/7/22	P234600002	Copier Lease Agreement		\$6,711.24	RB	JQ
10/7/22	P234600003	BPA - Meeting Ads (Post Guam)		\$1,440.00	RB	JQ
10/7/22	P234600004	BPA - Meeting Ads (GuamPDN)		\$1,440.00	RB	JQ
10/7/22	P234600006	Telephone & Internet Contract		\$4,115.88	RB	JQ
11/15/22	D234600001	UOG MOA Final Payment		\$3,600.00	RB	JQ
11/18/22		FY22 Fourth Qtr. Allotment	\$66,083.00			

Date	Purchase Order No.	Description	Amount Deposited	Amount Charged	Requested By	Approved By
12/1/22	P234600008	BPA - Ethics Training Instructor - V. Camacho		\$5,000.00	RB	JQ
12/1/22	P234600009	BPA - Ethics Training Instructor - V. Williams		\$5,000.00	RB	JQ
12/1/22	P234600010	BPA - Ethics Training Instructor - J. McDonald		\$5,000.00	RB	JQ
1/18/23		Commissioner Stipend Payment		\$1,250.00	PM	JQ
2/27/23	P234600003 Amendment	Increase PO Amount by \$720.00 (Meeting Ads)		\$720.00		
2/27/23	P234600004 Amendment	Increase PO Amount by \$720.00 (Meeting Ads)		\$720.00		
3/8/23	C220601390	Increase Award for Prosecutorial Services		\$10,000.00		
3/31/23	P234600015	Website Maintenance		\$1,650.00		
Total	17			\$198,089.19		



GUAM ETHICS COMMISSION

Kumisión i Ginihan Areklamenton Guåhan

Government of Guam

134 W. Soledad Ave., BOH Bldg. Ste. 406

Tel: 671-969-5625 * Telefax: 671-969-5626

April 28, 2023

Prospector Retail Concepts LLC

Attn: Charles McJohn II

P.O. Box 7686

Tamuning, Guam 96931

Tel: (671) 646-6825 / Fax: (671) 646-7635

Email: charles.mcjohn@itdbldg.com

RE: Notice of Intent to Award GETHC-001-23 Office Space Lease

Dear Mr. McJohn;

Buenas yan Hafa Adai! As a result of our analysis on the above reference Invitation for Bid, your offer in the total amount of **\$65,992.80** is being considered for award.

Barring any formal protest lodged, a purchase order will be issued **14 days from the date of this notice.** Should there be any formal protest received, the Guam Ethics Commission will accompany with the Stay of Procurement and there will be no further action until the protest is resolved.

Thank you for participating with the Government of Guam procurement. If you have any questions regarding this matter, please contact me at (671) 969-5625.

Sincerely

JESSE JOHN QUENGA
Executive Director

Acknowledgement

Received by: _____

Date: _____

Company: _____



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan

RESOLUTION No. 2023 – 002

COMMISSIONERS

Christopher A. Cruz
Chairman

Margaret E.R. Tyquiengco
Vice-Chairperson

Marilyn R. Borja

Robert S. Jack, MD

Daphne May N. Leon Guerrero

Shannon J. Murphy

RELATIVE TO APPROVING THE PAY ADJUSTMENT FOR EMPLOYEES UNDER THE ADJUSTED GENERAL PAY PLAN OF 2023.

WHEREAS, the Guam Ethics Commission was established in Chapter 15, Title 4 Guam Code Annotated, primarily to adjudicate complaints filed against elected officers, appointed officers, and public employees of the Government of Guam for violating the Ethical Code of Conduct; and

WHEREAS, in May 2021, members of the 36th Guam Legislature heard and debated Bill 85-36, relative to affirming the independence and autonomy of the Guam Ethics Commission. The bill passed unanimously by the body and was later enacted as Public Law 36-28 by Governor Lou Leon Guerrero; and

WHEREAS, in January 2022, when setting its annual strategic goals, the Commission found that it desired to establish a new series of technical and professional positions in the classified service of the government of Guam to meet its statutory mandates; and

WHEREAS, in January 2023, the Commission adopted Resolution 2023-001 relative to establishing the Ethics Investigator and Compliance Officer position series initiating the timeline to file these positions with the legislature prior to recruitment; and

WHEREAS, pursuant to §15407(a) of Chapter 15, Title 4, Guam Code Annotated the Commission recruited its employees through a merit-based system and the approved adjusted general pay plan is consistent with the Commission's plan to establish its employees in the classified service to the extent practicable; and

WHEREAS, the Commission now intends to apply the adjusted General Pay Plan of 2023 to its employees currently within the same pay plan and is acting under the advice of counsel who agrees with the governor's comments when enacting Public Law 37-03; and

WHEREAS, this action is to affirm the protections of the merit based recruited positions and shall ensure pay parity between the employees of the Guam Ethics Commission and the broader government of Guam; now therefore be it

RESOLVED, the Commission affirms through majority vote of members present at a publicly announced/open meeting, its adoption of Resolution 2023-002, formally approving the pay adjustment to its employees under the General Pay Plan by applying the new compensation levels approved in the adjusted General Pay Plan of 2023 effective April 28, 2023; and be it further

RESOLVED, the Commission directs its Executive Director to implement the adjusted General Pay Plan of 2023 as authorized by Public Law 37-03 and as implemented through DOA Circular 2023-016; and be it further

RESOLVED, that Chairperson of the Guam Ethics Commission certify and attest to the adoption hereof, and that copies of same be transmitted to Mr. Edward M. Birn, Director of the Department of Administration.

PASSED AND ADOPTED BY THE GUAM ETHICS COMMISSION THIS 28TH DAY OF APRIL 2023

CHRISTOPHER A. CRUZ
CHAIRMAN, GUAM ETHICS COMMISSION

134 W. Soledad Avenue
Suite 406, BOH Building
Hagåtña, GU 96910

Tel: (671) 969-5625

Fax: (671) 969-5626

Email: info@ethics.guam.gov



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan
Government of Guam

V. New Business

d. Commission to Act on the following cases:

ETH-22-011-UT-203 | ETH-22-019-CI-202 | ETH-22-002-UT-201

ETH-22-001-UT-201 | ETH-22-035-UT-201

Subject: Conflict of interest question

Date: Tuesday, March 28, 2023 at 5:29:43 PM Chamorro Standard Time

From: DOREEN T CRISOSTOMO

To: Ethics Info

CAUTION: This email originated from outside of the Government's Network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hafa Adai, Ethics Commission,

I am a board member of the Guam Economic Development Authority (GEDA) and requesting your advisory opinion if my participation on the resolution below is a conflict of interest. I am a professor of Accounting at the School of Business & Public Administration, University of Guam. The resolution below affects the School of Nursing at the university. I have no affiliation with the nursing program, nor make any management decisions on behalf of the university. On January 19, 2023 the board approved Resolution 23-007, which state in part:

WHEREAS, the Board of Directors of the Guam Economic Development Authority (GEDA) approved an annual allocation of one hundred fifty thousand dollars (\$150,000) of public investment funds received by GEDA pursuant to the requirements of Qualifying Certificate (QC) No. 252, issued to Guam Healthcare Development, Inc. dba Guam Regional Medical City to be apportioned at a rate of seventy percent (70%) to the University of Guam and thirty percent (30%) to the Guam Community College to support healthcare programs, contingent on the following requirements:

- 1) The first allocation to the University of Guam and the Guam Community College shall occur during calendar year 2024;
- 2) The allocation shall be made annually so long as QC No. 252 remains active and the Beneficiary, Guam Healthcare Development, Inc., continues to make all required public investment payments to GEDA pursuant to the terms and conditions of the QC; and
- 3) The allocation is subject to the availability of funds.

The original proposal above was allocating these funds 50-50 split. I requested that this resolution be allocated 70-30 because the cost of tuition at UOG is much costly than GCC. Furthermore, I shared with the board that as a member of the AGA Guam Chapter (not-for-profit organization), we allocate our scholarships in a similar manner where UOG and GCC allocations was 75-25 split due to the tuition cost. The board unanimously approved the 70-30 allocation. This same resolution is up for an amendment at our next meeting and would like to request if my participation on the original and amended resolution will cause a conflict of interest.

Your timely opinion is greatly appreciated.

Regards,
Doreen Crisostomo-Muna



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan
Government of Guam
134 W. Soledad Ave., BOH Bldg. Ste. 406
Tel: 671-969-5625 | Telefax: 671-969-5626

ADVISORY OPINION

Sent via electronic mail

April __, 2023

TO: Doreen Crisostomo-Muna, Ph.D.
Member, Board of Directors
Guam Economic Development Authority
via Email: doreentc@triton.uog.edu

RE: Guam Ethics Commission Advisory Opinion 23-001

Dear Professor Crisostomo-Muna,

You asked whether your participation as a board member of the Guam Economic Development Authority (“GEDA”) relative to Resolution 23-007 would pose a conflict of interest with your role as a Professor at the University of Guam (“UOG”). In your request you mentioned you are not affiliated with UOG’s School of Nursing, nor do you make any management decisions for UOG.

The short answer to your question, is no. Your participation as a board member of GEDA with respect to Resolution 23-007 does not pose a conflict of interest as defined by 4 GCA § 15205 provides in pertinent part:

4 G.C.A. §15205. Conflicts of Interest.

(a) No employee shall take any official action directly affecting:

(1) business or other undertaking in which the employee has a financial interest; or

(2) private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.

A department head who is unable to be disqualified on any matter described in item (1) or (2) of this Subsection may be in violation of this Subsection even if the individual has complied with the disclosure requirements of § 15208; and a person whose position on a board, commission or committee is mandated by statute, resolution or executive order to have particular qualifications shall only be prohibited from taking official action that directly and specifically affects a business or undertaking in which such person has a financial interest; provided that the financial interest is related to the member’s particular qualifications.

(b) No employee shall acquire financial interests in any business or other undertaking which the employee has reason to believe may be directly involved in official action to be taken by the employee.

(c) No employee shall assist any person or business or act in a representative capacity before any territorial agency for any compensation in any transaction involving Guam.

(d) No employee shall assist any person or business or act in a representative capacity for a fee or other compensation to secure passage of a bill or to obtain a contract, claim, or other transaction or proposal in which the employee has participated or will participate as an employee, nor shall the employee assist any person, or business, or act in a representative capacity for a fee or other compensation on such bill, contract, claim, or other transaction or proposal before the Legislature or Guam agency of which the individual is an employee.

(e) No employee shall assist any person or business or act in a representative capacity before a Guam agency for a fee or other compensation, on any bill, contract, claim, or other transaction or proposal involving official action by the agency if the employee has official authority over that agency unless such employee has complied with the disclosure requirements of § 15208.

(f) Nothing herein shall preclude an employee from having outside business interests or employment so long as such interests or employment do not interfere with performance of official duties and is not otherwise in direct conflict with this Chapter.

(g) All employees, as defined in this Section, who know, or with reasonable investigation should know, that the employee has a financial interest in any decision pending before that employee or the agency of which the employee is a member shall not vote for or against, discuss, decide, in any way participate in considering the matter, or seek to influence the votes or decisions of others on such matter.

Prior to any determination of the matter, the employee shall verbally disclose at the meeting, if any, the nature of such interest, and shall have such disclosure placed in the official records of the agency. Should an employee be absent from that meeting or a portion of that meeting, the employee is required to verbally disclose the nature of the conflict at the next attended meeting and said disclosure shall be placed in the official records of the agency. Further, the employee must complete a Disclosure of Conflicts of Interest form with the Guam Election Commission within three (3) working days upon the employee's recognition of said conflict. ...

Based on the information provided in your request, it does not appear your participation on the GEDA Board with respect to Resolution 23-007 violates the applicable conflict of interest prohibitions listed in 4 G.C.A. §15205. In an abundance of caution, it is recommended full disclosure of your position at UOG be placed on the record prior to any discussion by GEDA on Resolution 23-007.

PASSED AND ADOPTED BY THE GUAM ETHICS COMMISSION THIS ____ DAY OF

Christopher A. Cruz
Chairwoman

Margaret E.R. Tyquiengco
Vice-Chairwoman

Marilyn R. Borja
Commissioner

Robert S. Jack, MD
Commissioner

Daphne May N. Leon Guerrero
Commissioner

Shannon J. Murphy
Commissioner

DRAFT



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan
Government of Guam

Closed Proceedings-4 GCA 15 §15401

ETH-22-011-UT-203 | ETH-22-019-CI-202 | ETH-22-002-UT-201
ETH-22-001-UT-201 | ETH-22-035-UT-201 | ETH-23-101-OT-201
ETH-22-012-COI-202 | ETH-22-004-UT-201 | ETH-22-005-COI-202
ETH-23-102-UT-202 | ETH-23-103-OT-202 | ETH-23-104-OT-202
ETH-22-201-COI-204 | ETH-23-105-OT-202 | ETH-23-106-OT-201
ETH-23-107-OT-202 | ETH-23-108-OT-201 | ETH-23-109-OT-201
ETH-23-110-OT-201 | ETH-23-111-OT-202