



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

## Guam Ethics Commission: Reporting Requirements for February 2021

Jesse Quenga <Jesse.Quenga@ethics.guam.gov>  
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>  
Cc: "shannonjm@gmail.com" <shannonjm@gmail.com>

Fri, Feb 19, 2021 at 11:09 AM

Hafa Adai Madame Speaker,

Attached is the Guam Ethics Commission's formal transmittal in compliance with Board and Commission Reporting Requirements for February 2021. If I can provide further assistance please feel free to contact me.

**JESSE J. QUENGA**  
*Executive Director*  
Guam Ethics Commission

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 **Guam Ethics Commission Reporting Requirements 02.2021 36thGL.pdf**  
472K

36GL-21-0216  
**OFFICE OF THE SPEAKER**  
**THERESE M. TERLAJE**

**-02-19-2021**

Time: 11:09am  
Received: AS

**COMMITTEE ON RULES**  
**RECEIVED:**  
**FEBRUARY 19, 2021 at 3:03 P.M.**



## GUAM ETHICS COMMISSION

*Kumision Dinisiplina I Guåhan*

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Transmitted Via Electronic Mail

February 19, 2021

Hon. Therese M. Terlaje  
Speaker  
*I Mina Trentai'sais Na Liheslaturan Guåhan*  
36<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hågatña, Guam 96910

Re: Reporting Requirements for Boards and Commissions – February 2021

*Håfa Adai* Madame Speaker,

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 February 12, 2021.

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

*Si Yu'os Ma'ase!*

JESSE JOHN QUENGA  
Executive Director

Enclosure: Guam Ethics Commission February 12, 2021 Meeting Packet

Cc: Shannon J. Murphy, Chairwoman – Guam Ethics Commission



# GUAM ETHICS COMMISSION

*Kumision Dinisiplina I Guåhan*

Regular Meeting  
Friday, February 12, 2021  
12:30 p.m.  
AGENDA

## COMMISSIONERS

**Shannon J. Murphy**  
*Chairwoman*

**Marilyn R. Borja**  
*Vice-Chairwoman*

**Christopher A. Cruz**

**Robert S. Jack, MD**

**Margaret E.R. Tyquiengco**

## COMMISSION STAFF

**Jesse J. Quenga**  
*Executive Director*

**Camille Y. Quinata**  
*Administrative Assistant*

- I. Call to Order / Roll Call of Members**
- II. Approval of Agenda**
- III. Approval of Minutes**
  - A. January 26, 2021 – Regular Meeting
- IV. Reports**
  - A. Chairperson
  - B. Executive Director
- V. Old Business**
- VI. New Business**
  - A. Resolution 2021-001
  - B. GEC Policy 2021-001 “Hiring & Dismissal of the Executive Director”
- VII. Announcements**
- VIII. Executive Session**
- IX. Adjournment**

# Guam Ethics Commission Board Meeting—Minutes

**Date:** January 26, 2021

**Time:** 12:30 p.m.

**Location:** Zoom Meeting

**Attendees:** Shannon Murphy, Marilyn Borja, Margaret Tyquiengco, Christopher Cruz, present \*Robert Jack running late due to scheduling conflict

## **I. Review and adoption of the minutes from the December 21, 2020 meeting.**

- A. Margaret Tyquiengco motions to approve
- B. Christopher Cruz seconds & motion passed

## **II. Chairwoman's Report**

- A. Executive Director Search - ad placed, notice sent to GovGuam personnel, preliminary discussion with each of four candidates about what the job entails.
  - 1. Ad was placed in the Guam Daily Post, as well as sent to all required government systems
  - 2. Chairwoman spoke to all four applicants before confirming scheduled interview times
- B. Working with Camille Yanger Quinata, the newly hired Administrative Assistant, to get her properly transferred to the Ethics Commission. We are working with DOL's Administrative Assistant to get her trained.
- C. Continuation of efforts to set up an office space.

## **III. Executive Session to discuss personnel matters, I.e, interview of four applicants for Executive Director.**

- A. Chairwoman announces closure of meeting to the media present (Guam Daily Post & Pacific Daily News)
- B. Total of 4 interviews, each with a 15 minute allotted time limit

## **IV. Next Meeting: Date, Time and Place**

- A. Next meeting date projected for next month (approximately three weeks)

## **V. Miscellaneous**

- A. Discussion of preferred candidate
  - 1. Christopher Cruz nominates Jesse Quenga
  - 2. Marilyn Borja seconds & motion passed
- B. Assigned task for AA to start creating personal SOPs

## **VI. Adjournment**

- A. Marilyn Borja motions to adjourn
- B. Margaret Tyquienco seconds
- C. Meeting adjourned



# GUAM ETHICS COMMISSION

*Kumision Dinisiplina I Guåhan*

## RESOLUTION No. 2021 – 001

### COMMISSIONERS

**Shannon J. Murphy**  
*Chairwoman*

**Marilyn R. Borja**  
*Vice-Chairwoman*

**Christopher A. Cruz**

**Robert S. Jack, MD**

**Margaret E.R.**  
**Tyquiengco**

### **RELATIVE TO AFFIRMING THE GUAM ETHICS COMMISSION'S APPOINTMENT OF JESSE JOHN QUENGA TO SERVE AS THE EXECUTIVE DIRECTOR**

**WHEREAS**, the Guam Ethics Commission was re-established via Executive Order 2019-06, providing the Commission with resources to conduct its operations; and

**WHEREAS**, Title 4 of the Guam Code Annotated Chapter 15 §15407, provides authority for the Guam Ethics Commission to employ such persons as it deems necessary for the performance of its functions; and

**WHEREAS**, the Commission formally approved the Executive Director position on December 21, 2020 under Resolution No. 01, and electronically filed the position creation forms with the Department of Administration on January 5, 2021 as well as the Guam Legislature on January 8, 2021; and

**WHEREAS**, the Commission initiated a formal search for an Executive Director and conducted interviews during its January 26, 2021 Regular Meeting; and

**WHEREAS**, moving back to open session moved to select the candidate to serve as the Executive Director, an unclassified employee of the Guam Ethics Commission; now therefore be it

**RESOLVED**, the Commission affirms through a vote of five (5) members at a publicly announced/open meeting, its selection of Mr. Jesse John Quenga to serve as the Executive Director for the Guam Ethics Commission; and be it further

**RESOLVED**, that the appointment along with all powers of the Executive Director, granted by the Commission through Resolution No. 01, be extended to Mr. Jesse John Quenga effective February 1, 2021; and be it further

**RESOLVED**, that the Commission directs its staff to prepare and submit the necessary Personnel Action Request forms reflecting the Commission's full appointment and confirmation of Mr. Jesse John Quenga to serve as Executive Director, pursuant to 4 GCA Ch. 15 §15407, 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 the Honorable Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*, the Honorable Joshua F. Tenorio, *I Sigundu Na Maga'Låhen Guåhan*, the Honorable Therese M. Terlaje, Speaker *I Mina Trentai Sais Na Liheslaturan Guåhan*, and the Honorable Joe S. San Agustin, Senator and Chairman of the Committee on General Government Operations, Appropriations, Housing, and Office of Finance & Budget *I Mina Trentai Sais Na Liheslaturan Guåhan*..

**PASSED AND ADOPTED BY THE GUAM ETHICS COMMISSION THIS 12TH DAY OF  
FEBRUARY 2021**

Doc. No. 36GL-21-0216

**SHANNON J. MURPHY**  
**CHAIRWOMAN, GUAM ETHICS COMMISSION**

# HIRING AND DISMISSAL OF THE EXECUTIVE DIRECTOR

**POLICY NUMBER: 21-001**

Effective Date: 02/12/2021

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## I. GOVERNANCE

EXECUTIVE ORDER 2019 - 06

*Relative to providing the Guam Ethics Commission with resources to conduct its required operations.*

TITLE 4 GUAM CODE ANNOTATED CHAPTER 15 §15407

*The Guam Ethics Commission may employ such persons as it deems necessary for the performance of its functions. They shall submit an annual budget request to the Legislature for its required operations.*

## II. APPLICABILITY

This policy shall apply to the Executive Director, an unclassified employee of the Guam Ethics Commission, and shall contain the procedures for the recruitment and dismissal of said position.

## III. POLICY

The Executive Director works under the supervision of the Commission and through the administrative guidance of the Chairperson and exercises executive and administrative authority as delegated by the Commission. The Executive Director also supervises the professional and support staff of the Commission in accordance with established duties and responsibilities, and within this context, oversees the operations, programs and activities of the Commission. The Executive Director provides technical and logistical support to the Ethics Commissioners in the performance of their duties and responsibilities.

### HIRING

In the event a vacancy occurs in the Executive Director position the Commission shall, through action at a publicly announced / open Commission meeting, announce the start of the search for an Executive Director. The Commission shall form an ad hoc search committee and identify whom among their membership shall serve as the Chairperson of the Search Committee. All Commissioners may serve on the Search Committee.

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The Chairperson of the Search Committee shall direct the Commission staff to prepare the public announcement on the opening of the search and shall set the process for which applications are to be received and reviewed by the Search Committee. The Search Committee shall make a report on progress made on the hiring of an Executive Director at each publicly announced / open Commission meeting until the search is complete.

The Chairperson of the Search Committee shall preside over all proceedings concerning the recruitment of the Executive Director and shall direct Commission staff to prepare a committee report along with a recommendation of a candidate to offer the Executive Director position to. The report of the Search Committee's recommendation shall be given at a publicly announced / open Commission meeting.

Though discussions and deliberations regarding the hiring of an Executive Director may be conducted amongst Commissioners during an executive session, the final vote on the hiring shall be made out of executive session and in an open meeting. A vote of no less than five (5) Commissioners at a publicly announced / open meeting shall be required to hire an Executive Director.

The Chairperson of the Guam Ethics Commission shall direct the Commission staff to prepare the necessary employment forms and shall sign, on behalf of the Commission, all pertinent forms formalizing the hiring of the Executive Director.

## DISMISSAL

### *Termination by the Commission with Cause*

The Guam Ethics Commission, by affirmative vote of no less than five (5) members, may terminate the employment of the Commission's Executive Director for cause. The Executive Director shall not be removed from office before a written bill of particulars is presented to the Executive Director.

### *Resignation*

The Executive Director may terminate his or her employment with the Commission provided that he or she furnish, no less than ninety (90) days, a written resignation letter to the Chairperson of the Commission. The Commission may opt to end earlier than the ninety (90) days should a replacement be identified.

## PERFORMANCE EVALUATION

The Commission shall meet annually to evaluate and discuss the performance of the Executive Director. The Commission shall conduct the evaluation based on a performance evaluation outline and process mutually agreed upon by the Commission and the Executive Director. The Executive Director shall support the Commission in the development of the evaluation tool. Following the meeting, the Executive Director shall prepare a written report which outlines the successes of the Commission in achieving its goals, as well as challenges currently being faced and the plans for improvement.



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To ensure operational effectiveness through positive and productive Commission / Executive Director relations, the Commission shall set a strategic planning retreat at least once a year to outline the goals of the Commission and key performance indicators desired from the Executive Director and all Commission staff.

#### IV. EFFECTIVE DATE

This policy shall be in effect upon the adoption of the Commission at a publicly announced / open meeting and signed by the Chairperson of the Commission

#### V. AMENDMENTS

The Commission may make any amendments to this policy as it deems necessary, provided that such action be done by an affirmative vote of no less than five (5) members at a publicly announced / open meeting.

[ ] APPROVED AND ADOPTED

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SHANNON J. MURPHY  
CHAIRWOMAN

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Date