

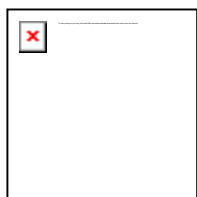
From: Committee on Rules 36GL <cor@guamlegislature.org>
Sent: Thursday, September 2, 2021 4:08 PM
To: Clerks; Rennae Meno
Cc: Speaker Therese M. Terlaje
Subject: Messages and Communications for Doc. No. 36GL-21-1030*
Attachments: 36GL-21-1030.pdf

Håfa Adai Clerks,

Please see attached M&C Doc. No. 36GL-21-1030 for processing:

36GL-21-1030	Reporting Requirements for Boards and Commissions – August 2021*	Guam Ethics Commission
--------------	------------------------------------------------------------------	------------------------

Si Yu'os Ma'åse',



COMMITTEE ON RULES

Vice Speaker Tina Rose Muña Barnes
36th Guam Legislature
I Mina'trentai Sais Na Liheslaturan Guåhan
163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org

"Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the individual responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and immediately delete any copies you may have received. Thank you."

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

From: **Speaker Therese M. Terlaje** <speaker@guamlegislature.org>
Date: Wed, Sep 1, 2021 at 6:10 PM
Subject: Messages and Communications for 36GL-21-1030
To: Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

Håfa Adai,

Please see attached M&C Doc. No. 36GL-21-1030.

36GL-21-1030	Reporting Requirements for Boards and Commissions – August 2021.*	Guam Ethics Commission
--------------	-------------------------------------------------------------------	------------------------

Si Yu'os Ma'åse',

Maria Abante
Legislative Assistant

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

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

T: (671) 472-3586 F: (671) 989-3590 Email: speaker@guamlegislature.org

website: www.senatorterlaje.com

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

From: **Jesse Quenga** <Jesse.Quenga@ethics.guam.gov>

Date: Wed, Sep 1, 2021 at 4:39 PM

Subject: Guam Ethics Commission Reporting Requirements for August 2021

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

Cc: shannonjm@gmail.com <shannonjm@gmail.com>, ethics@dma.guam.gov <ethics@dma.guam.gov>

Hafa Adai Madam Speaker,

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

Best regards,

JESSE J. QUENGA, CM[®]

Executive Director

Guam Ethics Commission

Confidentiality Notice: This e-mail message is for sole use of 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.



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

Guam Ethics Commission Reporting Requirements for August 2021

Jesse Quenga <Jesse.Quenga@ethics.guam.gov>

Wed, Sep 1, 2021 at 4:38 PM

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

Cc: "shannonjm@gmail.com" <shannonjm@gmail.com>, "ethics@dma.guam.gov" <ethics@dma.guam.gov>

Hafa Adai Madam Speaker,

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

Best regards,

JESSE J. QUENGA, CM[®]*Executive Director*


Guam Ethics Commission

Confidentiality Notice: This e-mail message is for sole use of 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.

 **Guam Ethics Commission Reporting Requirement 08.2021 - 36th GL.pdf**
515K

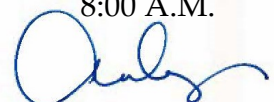
36 GL-21-1030
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

~~08-01~~ 2021

Time: 4:38pm
Received: 

COMMITTEE ON RULES
RECEIVED:

September 2, 2021
8:00 A.M.





GUAM ETHICS COMMISSION

Kumision Dinisiplina I Guåhan

Transmitted Via Electronic Mail

September 1, 2021

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

Re: Reporting Requirements for Boards and Commissions – August 2021

Håfa Adai Madam 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 August 30, 2021.

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

Enclosure: Guam Ethics Commission August 30, 2021 Meeting Packet

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



GUAM ETHICS COMMISSION

Kumision Dinisiplina I Guåhan

Regular Meeting
Monday, August 30, 2021
12:30 p.m.
AGENDA

COMMISSIONERS

Shannon J. Murphy
Chairwoman

Marilyn R. Borja
Vice-Chairwoman

Christopher A. Cruz

Robert S. Jack, MD

Daphne M. Leon Guerrero

Margaret E.R. Tyquiengco

COMMISSION STAFF

Jesse J. Quenga
Executive Director

Pamela D. Mabazza
Ethics Program Coordinator

- I. Call to Order / Roll Call of Members**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. July 23, 2021 – Regular Meeting
- IV. Reports**
- V. Old Business**
 - A. Policy No. 2021-003: Ethics Complaint Procedures
 - B. Ethics in Government Program
- VI. New Business**
- VII. Announcements**
- VIII. Executive Session**
- IX. Adjournment**

Guam Ethics Commission Board Meeting—Minutes

Date: July 23, 2021

Time: 12:34 pm.

Location: Zoom Meeting

I. Call to Order / Roll Call of Members

- a. Commissioners Present: Chairperson Shannon Murphy, Christopher Cruz, Meg Tyquiengco, Daphne Leon Guerrero, and Dr. Robert Jack
- b. Commissioners Absent: Vice-Chairperson Marilyn Borja
- c. Staff: Jesse Quenga, Executive Director, Donovan S.A. Alger, Program Coordinator, Pamela Mabazza, Program Coordinator
- d. Others present: none

II. Approval of Agenda

MOTION: M. Tyquiengco moved to approve agenda

Seconded by: R. Jack

Discussion: None

Decision: Motion Carries

III. Approval of Minutes

June 24, 2021 – Regular Meeting

MOTION: D. Leon Guerrero moved to approve the minutes of June 24, 2021.

Seconded by: M. Tyquiengco

Discussion: None

Decision: Motion Carries

IV. Reports

Executive Director

Procurement Updates

- a. Office Lease
Commission staff have referred GCIC lease agreement issue to GSA for resolution.
- b. Copier/Printer/Scanner/Fax Machine
Purchase Order has been issued to Xerox Corp. on July 17th. Xerox has provided a loaner machine until the new equipment arrives.
- c. Website & E-Learning Portal
The Commission staff met with UOG Chief Information Officer to explore the development of the e-learning portal for the Ethics Government Program. A draft of the MOA was presented to the Commissioners for review and will be further discussed under New Business.

RFQ for Website & E-Learning portal was disseminated two weeks ago; deadline was July 27th. After all proposals are received, including UOG's, ED Jesse Quenga will make a decision to move on the best path forward in securing services to develop the Commission's website and e-learning portal.

d. Phone & Internet Service

Temporary phones & internet lines have been installed and procured through GCIC's building management; Commission staff is experiencing intermittent and unreliable service. Staff is currently reviewing received RFI proposals to determine if an RFQ should be issued.

e. Procurement Training

PC Pam Mabazza & ED Jesse Quenga are currently enrolled in procurement training – Module 2 and hope to enroll in Module 3 should it become available before the end of this fiscal year. The team is still tracking to complete the procurement series by the end of next fiscal year.

Attorney Search

An RFQ was issued to two responsive bidders for legal services, after reviewing both proposals, McDonald Law Offices, LLC was the selected vendor. A Purchase Order of \$19,200 for 100 hours was issued to the law firm.

Commissioner Stipends

Most Commissioners have received their stipend Payments via Direct Deposit. Staff is working with DOA for Commission Daphne's vendor number to establish direct payment.

V. Old Business

None.

VI. New Business

A. Policy No. 2021-002: Ethics Complaint Procedures

Policy to be reviewed by legal counsel before Commissioners approve it and formally adopt it.

Commissioner D. Leon Guerrero inquired as to how the Commissioners will determine validity of cases brought forth. ED Quenga offered to arrange a meeting with legal counsel to discuss expectations and legal rights of the Commissioners. Commissioner C. Cruz, also asked if a face-to-face meeting for initial complaints be taken into consideration as the public might not have access to online appointments. ED Quenga replied that special accommodations will be available. A meeting will be scheduled with Atty. McDonald to further discuss Ethics Training and Complaint Procedures.

B. Policy No. 2021-003: Procurement Policy

Board voted to approve Procurement Policy

MOTION to Approve and Adopt Procurement Policy: Chairperson S. Murphy.

Seconded by: M. Tyquiengco

Discussion: Policy to be reviewed by legal counsel to be presented to the Commissioners at the next board meeting should there be any amendments.

Decision: Motion Carries

C. Ethics in Government Program

Program presented to the Commissioners for review, to be discussed at the next board meeting.

VII. Announcements

VIII. Executive Session

IX. Adjournment

MOTION: M. Tyquiengco moved to adjourn the meeting at 1:40pm.

Seconded by: D. Leon Guerrero

Discussion: None

Decision: Motion Carries



GUAM ETHICS COMMISSION

Kumision Dinisiplina I Guåhan

EXECUTIVE DIRECTOR'S REPORT

Procurement Updates

a. Office Lease:

- On August 10, 2021, Commission staff meet with Mr. Steffen Niu, President of Guam Capitol Investment Corporation (GCIC) to discuss the outstanding issues concerning the Commission's lease. This included finding the office door left unsecure after building staff entered to perform maintenance work. Mr. Niu apologized for these failures and provided personal assurance that this would be addressed. There have been some minor improvements to the suite to include replacing all lights in the suite to be uniform as well as marking off the two reserved parking stall for the Commission.

b. Copier / Printer / Scanner / Fax Machine:

- Xerox machine arrived on island and was delivered on August 11th. The machine is operable but pending full installation following the completed work by the internet provider to install services.

c. Website & E-learning Portal

- Upon completion of the RFQ process, a purchase order was awarded to JBriosas Creative. Vendor met all specification found within the RFQ and was the lowest price of the three (3) submission reviewed. Temporary landing page has been created with some content. OTECH also confirmed that 'ethics.guam.gov' will be available and will assist when the page is ready to be launched.

Following the meeting with the University of Guam, we are awaiting submission of an amended MOA to supply the e-learning portal for the Ethics in Government Program. This will be provided to the Commissioners once received for their advance review.

d. Phone and Internet Services

- After completing the RFQ process, the contract for Phone and Internet services were awarded to Docomo Pacific. Internet and Phone services were installed in the past week and connection has been stable. We continue to maintain the current phone system while we await the complete installation of the VoIP solution from Docomo Pacific.

e. Procurement Training

- At the last meeting it was reported that Commission staff were attending Procurement Module 2. Since then, the team has successfully passed the course exam and have obtained certification as level 2 buyers. Commission staff are currently enrolled in a newly established procurement module, Module 5 centered



GUAM ETHICS COMMISSION

Kumision Dinisiplina I Guåhan

on Ethics in Procurement. The course is offered every Tuesday and Thursday from 5:30pm to 6:50pm and is anticipated to conclude in mid-September.

The team is currently tracking to complete Module 3 in September prior to the start of the new fiscal year, pending the availability of the course.

Conducting Workplace Investigations – Society for Human Resource Management (SHRM)

- a. A big thank you to Commissioner Daphne Leon Guerrero for sharing information about a workshop being offered by SHRM – Guam Chapter on how to conduct workplace investigations. This full day workshop was attended by all staff and provided additional tools to support the office's function of conducting investigations.

Meeting with Legal Counsel

- a. The Commission staff along with Chairwoman Shannon Murphy met with Atty. Joe McDonald. The introductory meeting covered the establishment of the Commission, recent public laws which expanded the role of the Commission, and on-going projects. Atty. McDonald received a copy of the draft policy on Ethics Hearing Procedures and provided notes for his review. At a follow up meeting held on August 25th, Atty. McDonald requested an opportunity to prepare and present a procedural system at the Commission's September meeting.

Commissioner Stipends

- a. Following the successful processing of Commissioner Daphne's vendor information. All Commissioner stipends have been processed and are current to the July 23rd Regular Meeting. If any Commissioner requires assistance or would need additional information regarding stipends, I remain available to assist.

Commission FY2022 Budget Appropriation

- a. The portion of the Fiscal Year 2022 Budget earmarked for the Guam Ethics Commission has been adjusted from the current appropriation level of \$194,000 to \$267,017. This increase will support fully funding personnel expenses for the Executive Director position as well as three (3) Ethics Program Coordinators.

In addition to the funding levels shared, we've requested for two amendments which have been filed and are pending action by the Legislature. The first is a continuing appropriation for any unexpended funds allocated in FY2021. The second amendment would give authorization for the Commission to utilize revenue funds to support its operations. The authorization may be necessary so that any revenue generated by the Commission may be used to make up for the budget shortfall anticipated in FY22.

In support of this requested action, the process to establish a special revenue fund was initiated and completed with the Department of Administration. A new account category, named the Fines and Fees Special Account is now active within the Commission.



GUAM ETHICS COMMISSION

Kumision Dinisiplina I Guåhan

Formal Procedures for Processing GG1 Requests

- a. On August 19th, the Commission office received guidance from the Dept. of Administration's Personnel Division to transmit a memo to the Division via DOA Director Edward Birn to inform them that following the enactment of P.L. 36-28, the Guam Ethics Commission has been established as an independent agency and that all personnel action requests are not subject to the review and control of the Bureau of Budget and Management Research (BBMR). All official contacts have been established as well as the procedures for requesting personnel actions in the future.

Meeting Schedule with GovGuam Agency Heads – Ethics Compliance Report

- a. Staff have started to arrange meetings with GovGuam agency heads to discuss the reporting requirement mandated by P.L. 36-25. To date there have been six (6) agencies contacted and three (3) meetings held with the Office of the Governor, the Guam International Airport Authority, and the Department of Agriculture.

Ethics in Government Program

- a. Information to be discussed under new business



UNIVERSITY OF GUAM
UNIBETSEDĀT GUAHAN

Office of the President
Global Learning and Engagement

August 27, 2021

Jesse J. Quenga, CM
Executive Director
Guam Ethics Commission

RE: Request for Approval as a Provider of the Ethics in Government Program

Buenas yan Hafa Adai!

The University of Guam through the Center for Global Learning and Engagement requests the Guam Ethics Commission's approval to be a provider of the Ethics in Government Program.

The University of Guam has years of experience providing the Ethics in Government Program training in line with the standards set forth by the Public Auditor. In the last year alone, the University has provided ethics training for more than 15 Government of Guam organizations and more than 200 individuals, including, but not limited to, elected and appointed officials; Government of Guam commission, board, and council members; and public auditors.

The University of Guam's Ethics in Government Program curriculum is approved by the University's Provost and Senior Vice President of Academic and Student Affairs, which ensures the training meets the academic standards to qualify as a course through the University of Guam. With that said, all the participants of the University's Ethics in Government Program training qualify for continuing education units, or CEUs, which provides a permanent record of their training and is recorded as part of their official transcript. Additionally, the University's Ethics in Government Program is taught by a pool of qualified instructors including Vince Camacho; Vanessa Williams; Ron Aguon; Robert Cruz; Dr. Ron McNinch; Dr. Judy Guthertz; Dr. John Rivera; and Larry Gamboa. These individuals' professional and educational experience contribute to the effectiveness of the program.

UOG Station, Mangilao, Guam 96923
Telephone: (671) 735-2600/1 Fax: (671) 734-1233
A U.S. Land Grant Institution Accredited by the Western Association of Schools and Colleges
The University of Guam is an Equal Opportunity Employer and Provider

Considering University of Guam's experience in administering the program and the increased scope of the Ethics in Government Program to include all Government of Guam employees, the University requests the Guam Ethics Commission's approval to continue serving as a provider of the Ethics in Government Program training. This will assist the Guam Ethics Commission in ensuring all GovGuam employees attend an Ethics in Government Program as required by Public Law 36-25.

Thank you for your consideration. Should you have any additional questions, please do not hesitate to contact me via email at ctaitano@triton.uog.edu or by phone at 671.735.2600.

Senseramente,



CARLOS R. TAITANO

Director

Global Learning and Engagement

University of Guam

UOG Station, Mangilao, Guam 96923

Telephone: (671) 735-2600/1 Fax: (671) 734-1233

A U.S. Land Grant Institution Accredited by the Western Association of Schools and Colleges

The University of Guam is an Equal Opportunity Employer and Provider