

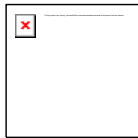
From: Committee on Rules 36GL <cor@guamlegislature.org>
Sent: Tuesday, April 12, 2022 1:20 PM
To: Clerks; Rennae Meno
Cc: Speaker Therese M. Terlaje
Subject: Messages and Communications for Doc. No. 36GL-22-1889*
Attachments: 36GL-22-1889.pdf

Håfa Adai Clerks,

Please see attached M&C Doc. No. 36GL-22-1889 for processing:

36GL-22-1889	Reporting Requirements for Boards and Commissions for March 2022*	Guam Ethics Commission
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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 Hagatña Guam 96910
Email: cor@guamlegislature.org

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

From: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Date: Mon, Apr 11, 2022 at 6:52 PM
Subject: Messages and Communications for 36GL-22-1889*
To: Legislative Secretary Amanda Shelton <officeofsenatorsshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

Håfa Adai,

Please see attached M&C Doc. No. 36GL-22-1889*

36GL-22-1889	Reporting Requirements for Boards and Commissions for March 2022*	Guam Ethics Commission
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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 Sais na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com
website: www.senatorterlaje.com

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

From: **Reuben C. Bugarin** <Reuben.Bugarin@ethics.guam.gov>
Date: Mon, Apr 11, 2022 at 4:45 PM
Subject: Guam Ethics Commission Reporting Requirements for March 2022
To: speaker@guamlegislature.org <speaker@guamlegislature.org>, Michael D. Weakley <michael.weakley@guam.gov>
Cc: Jesse Quenga <Jesse.Quenga@ethics.guam.gov>, Guam Ethics Commission <ethics@dma.guam.gov>

Håfa Adai,

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

Regards,

Reuben C. Bugarin
Ethics Program Coordinator

GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan

134 West Soledad Ave.
Suite 406, BOH Bldg.
Hagatna, Guam 96910
Phone: (671) 969- 5622
Fax: (671) 969-5626

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

Guam Ethics Commission Reporting Requirements for March 2022

Reuben C. Bugarin <Reuben.Bugarin@ethics.guam.gov> Mon, Apr 11, 2022 at 4:45 PM
To: "speaker@guamlegislature.org" <speaker@guamlegislature.org>, "Michael D. Weakley" <michael.weakley@guam.gov>
Cc: Jesse Quenga <Jesse.Quenga@ethics.guam.gov>, Guam Ethics Commission <ethics@dma.guam.gov>

Håfa Adai,

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

Doc Type: 36GL-22-1889
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

Regards,

Reuben C. Bugarin
Ethics Program Coordinator

04-11-2022
Time: 4:45pm
Received: [Signature]

GUAM ETHICS COMMISSION

Kumisión i Ginihan Areklamenton Guåhan

134 West Soledad Ave.
Suite 406, BOH Bldg.
Hagatna, Guam 96910
Phone: (671) 969- 5622
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COMMITTEE ON RULES
RECEIVED:

April 12, 2022
8:00 A.M.

[Signature]

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Guam Ethics Commission Reporting Requirements 03.2022.pdf
963K



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

April 11, 2022

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, 36th Guam Legislature
I Mina Trentai'sais Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Reporting Requirements for Boards and Commissions – March 2022

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 March 31, 2022.

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 March 31, 2022 Meeting Packet



GUAM ETHICS COMMISSION

Kumision Dinisiplina I Guåhan

Government of Guam

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

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

GUAM ETHICS COMMISSION MEETING PACKET

March 31, 2022

12:00 PM



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan

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

Reuben C. Bugarin
Ethics Program Coordinator

Shannon N. Aflague
Ethics Program Coordinator

Regular Meeting
Thursday, March 31, 2022
12:00 p.m.
AGENDA

I. Call to Order / Roll Call of Members

II. Approval of Minutes

A. February 16, 2022 – Regular Meeting

III. Executive Director's Report

IV. Old Business

a. Invitation for Bid: GETHC-001-22 Office Space Lease

V. New Business - none

VI. Confidential Matters

a. ETH-22-003-OT-202

b. ETH-22-004-UT-201

c. ETH-22-005-COI-202

d. ETH-22-007-COI -203

e. ETH-22-008-UT-203

f. ETH-22-009-UT-203

VII. Announcements

VIII. Adjournment

Guam Ethics Commission Board Meeting—Minutes

Date: February 16, 2022

Time: 12:15pm

Location: GCIC Bldg, Suite 205 - Hagåtña, Guam

I. Call to Order / Roll Call of Members

a. Members Present:

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

b. Staff Present:

- Jesse Quenga, Executive Director
- Pamela Mabazza, Ethics Program Coordinator (zoom)
- Reuben Bugarin, Ethics Program Coordinator
- Shannon Aflague, Ethics Program Coordinator

c. Others present: Attorney Joseph McDonald, Legal Counsel

II. Approval of Agenda

MOTION: C. Cruz motion to approve minutes

Seconded by: D. Leon Guerrero

Discussion: None

Decision: Motion Carries

III. Approval of Minutes

December 30, 2021/January 6, 2022 – Regular Meeting

MOTION: M. Borja motions to approve minutes from December 30, 2021/January 6, 2022

Seconded by: C. Cruz

Discussion: None

Decision: Motion Carries

IV. Reports

Executive Director

Procurement Updates

a. Website & E-learning Portal

- A Request for Quotation was prepared and disseminated on January 5th to five (5) known vendors. On January 19th, three proposals were received and reviewed. NinthDesign LLC was determined to be the lowest responsive and responsible vendor. A purchase order was issued on January 21st to NinthDesign for

website development services. Work with the contracted vendor was initiated shortly thereafter, a web tree and logo design ideas have been submitted to the vendor with an update due soon to the Commission.

b. Procurement Training

- With passing scores, the Commission now has two (2) personnel who qualify as level four purchasers with authority to conduct large procurements on behalf of the Commission. There is intent to register the remaining staff for the procurement courses as they become available.

c. Lease Agreement

- Following the Commission's December meeting, the office proceeded with preparing a formal Invitation for Bid Packet. An Invitation for Bid was published on GuamPDN on January 31st with a bid opening set for February 15th. An assessment of the proposals and action by the Commission will be discussed under New Business.

d. Legal Counsel

- On December 27th, Gov. Leon Guerrero enacted Public Law 36-67 which authorizes the Commission to obtain legal services and pay for services rendered in FY21. To expedite the securing of legal counsel, the staff executed a small purchase for professional services. After soliciting a statement of qualifications from the Dept. of Administration, the staff proceeded with soliciting statements of qualifications from three (3) private firms. Two (2) provided material for consideration while one (1) vendor stated that they were not interested in submitting a proposal. The two vendors were evaluated by the evaluation committee. The selected firm was requested to provide a quote. Following the discussion, an award for legal services was awarded to McDonald Law Office, LLC. Staff intend to release a Request for Proposal for Legal Services to cover a five (5) year period starting in FY2023.

e. Ethics Training Workshops

- At the start of calendar year 2022, the Commission completed five (5) additional workshops with another 234 government officials completing the mandated training. Workshops continue to occur weekly. Registration portals are closed for all workshops scheduled in February and March due to max enrollment. The office continues to work with all departments and agencies to ensure all GovGuam employees complete the required training.

f. Recruitment Updates

- The office is pleased to introduce Mrs. Shannon Aflague & Mr. Reuben Bugarin. The two staff join the Commission as Ethics Program Coordinators. Mrs. Aflague is a graduate of the University of Guam with a background in criminal justice and public administration. She concurrently serves as a 1st Lt. in the U.S. Army Reserve as a Logistics Officer. Mr. Bugarin is also a graduate from the University of Guam with a background in International

Business, Finance and Economics. He is an active Guam Notary Public. His most recent experience has been with the General Services Agency. His procurement background will support the Commission in conducting sound purchasing.

g. CHamoru Translation

- The office provided a request with *I Kumision gi Fino CHamoru* to review the name of the Commission in Guam's native language. Two recommendations have been provided to our office to consideration. (1) *Kumisión i Ginihan Areklamenton Gubietnon Guåhan*; and (2) *Kumisión i Ginihan Areklamenton Guåhan*.
- All board members agreed on moving forward with the second CHamoru translation for the Guam Ethics Commission.

h. Budget

Update

II. FUND BALANCE AS OF 02.16.2022				
Category	2021	2022	Revenue Account	TOTAL
Salaries	\$ -	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -	\$ -
Travel	\$ -	\$ -	\$ -	\$ -
Contractual	\$ 1,196.28	\$ -	\$ 5,500.00	\$ 6,696.28
Rent	\$ -	\$ -	\$ -	\$ -
Supplies	\$ 100.00	\$ -	\$ -	\$ 100.00
Equipment	\$ -	\$ -	\$ -	\$ -
Drug Testing	\$ -	\$ -	\$ -	\$ -
Misc.	\$ 3,775.85	\$ 1,773.75	\$ 8,370.00	\$ 13,919.60
Telephone	\$ -	\$ -	\$ -	\$ -
<i>Subtotal</i>	<i>\$ 5,072.13</i>	<i>\$ 1,773.75</i>	<i>\$ 13,870.00</i>	<i>\$ 20,715.88</i>

*Funds do not reflect deposits received in 2022. An additional \$12,160 has been collected but not yet loaded into the revenue fund for expenditures.

V. Old Business

a. Executive Director Evaluation

- The Commission discussed the performance review of ED Quenga in open session. The Commissioners then went to answer the question of retention and pay.

MOTION: M. Borja motions to retain ED Quenga as Executive Director for the Guam Ethics Commission

Seconded by: M. Tyquiangco

Discussion: None

Decision: Motion Carries

MOTION: D. Leon Guerrero motions for a salary adjustment for ED Quenga from pay grade E-T Step 1 to pay grade E-T Step 3, effective upon the execution of the Personnel Action Request signed by Chairwoman Murphy.

Seconded by: C. Cruz

Discussion: None

Decision: Motion Carries

b. Ethics Complaint Procedures

- Attorney Joseph McDonald presented Ethics Complaint Procedures via PowerPoint. Commissioners and counsel were able to discuss questions about the process. Chairwoman Murphy advised there could be a potential need for staff to take investigation training. ED Quenga briefly went over the draft of an Ethics Complaint Form. Attorney McDonald requested to have the form sent to him prior to utilizing. Commissioner Cruz advised to have a tracking system by number for ethics complaint forms.

MOTION: C. Cruz motions for ED Quenga to begin receiving complaints following legal counsel's review of the complaint form.

Seconded by: D. Leon Guerrero

Discussion: None

Decision: Motion Carries

VI. New Business

a. Draft Policy: Election of Officers

- ED Quenga presented a draft policy to the Commission regarding the election of officers and the terms that they will be fulfilling.

MOTION: M. Borja motions to accept policy 22-1. Subject to corrections. Noting that terms shall be a one (1) year term and no commissioner is able to serve more than two consecutive terms.

Seconded by: M. Tyquiangco

Discussion: None

Decision: Motion Carries

b. Invitation for Bid: GETHC-001-22

- Invitation for Bid was conducted on Tuesday, 02/15/2022 with only one (1) submission. Staff are currently evaluating the submission to determine if offeror meets all the bid specifications. An initial meeting with the building manager is scheduled for 02/17/2022 at 2:30pm. ED Quenga advised that the Commission budget for rental is sufficient for the remaining fiscal year. Questions arose regarding the current lease with GCIC. ED Quenga advised that our current lease is month to month due to GCIC not signing or acknowledging the lease agreement or purchase order.

VII. Executive Session

a. Executive Director Evaluation

- Evaluation discussion was held in open session; therefore, the Commission did not enter into Executive Session.

VIII. Announcements

IX. Adjournment

MOTION: M. Tyquiengco moved to adjourn meeting at 1:54pm

Seconded by: C. Cruz

Discussion: None

Decision: Motion Carries



EXECUTIVE DIRECTOR'S REPORT

Updates

a. Website & E-learning Portal

- Web developer continues to make good progress towards completing the website development. Their team is currently working on the various webpages that have static information, to include the about page, resources page, and public announcement page to name a few. Upon completion, the developer will turn their attention toward building the complaint and e-learning portals.

b. Ethical Complaints and Procedures

- The Commission announced and began accepting complaints on Tuesday, March 8th. To promote the community's awareness of this new availability, a press release was disseminated to all print, radio, and tv news stations. Coverage of the press release was found on the Guam Daily POST and interviews were conducted with K57 and KUAM.

From March 8th to March 30th, the Commission assisted ten (10) individuals. Of that number, six (6) cases completed the intake process and are scheduled for discussion under New Business.

c. Grief Counseling and Suicide Prevention Training

- At the start of the office receiving complaints, there have been several complainants who arrive frustrated and who have admitted that they carry thoughts of suicide. To adequately prepare staff on how to best respond to cases like this the office has secured counseling and suicide prevention training. These will be conducted by a team at Guam Behavioral Health and Wellness Center in April.

d. Guam Comprehensive Economic Development Strategy (CEDS) Proposal

- The Commission was invited by GEDA to attend a CEDS workshop to receive an update on the report and learn what projects would be eligible for federal funding provided by the U.S. Economic Development Administration (EDA). Following this workshop a unique project that fit within the funding priorities was digitizing the ethics working on an e-learning platform. A formal proposal was submitted to GEDA for review and inclusion with the ultimate goal of securing federal funds to produce the e-learning platform.

e. Ethics Training Workshops

- The Commission continues to conduct ethics workshops weekly, with an average attendance of 50 to 60 participants each. Since the last report on Feb. 16th, an additional 273 government officials have completed their training with the Commission. Registration for workshops scheduled in April is closed due to reaching max enrollment. The Commission will also conduct a single day workshop



GUAM ETHICS COMMISSION

Kumisión i Ginihan Areklamenton Guåhan

for all employees at the Guam Community College on April 18th.

f. Budget Update

BALANCE REMAINING					
Category	2021	2022	Revenue Account	ARPA	TOTAL
Salaries	\$ -	\$ -	\$ -	\$ 754.80	\$ 754.80
Benefits	\$ -	\$ -	\$ -	\$ 2,623.26	\$ 2,623.26
Travel	\$ -	\$ -	\$ -	\$ -	\$ -
Contractual	\$ 1,196.04	\$ -	\$ -	\$ -	\$ 1,196.04
Rent	\$ 1,624.25	\$ 330.30	\$ -	\$ -	\$ 1,954.55
Supplies	\$ 24.20	\$ -	\$ -	\$ 12,921.00	\$ 12,945.20
Equipment	\$ -	\$ -	\$ 4,778.56	\$ 969.88	\$ 5,748.44
Drug Testing	\$ -	\$ -	\$ -	\$ -	\$ -
Misc.	\$ 1,275.96	\$ -	\$ 671.44	\$ -	\$ 1,947.40
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 4,120.45	\$ 330.30	\$ 5,450.00	\$ 17,268.94	\$ 27,169.69

*Funds do not reflect additional \$30,080 collected but not yet loaded into the revenue fund for expenditures.

DATES	<u>GCIC LEASE TIMELINE HIGHLIGHTS</u>
5/17/2021	GSA ISSUES NOI OF POSSIBLE AWARD FOR GCIC IN THE TOTAL AMOUNT OF \$33,210.00
6/16/2021	GSA ISSUES PURCHASE ORDER P216A04177 @ 1,400 SF. FT. FOR FOUR MONTHS. \$2767.50/MONTH
6/29/2021	GSA BUYER SUPERVISOR SENDS GCIC CONTRACT FOR SIGNATURE AND PURCHASE ORDER.
7/1/2021	GCIC (JOE MESA) SIGNS LEASE AGREEMENT AND INFORMED OF ISSUES (AC, PHONE, INTERNET)
7/12/2021	NO RESPONSE FROM GCIC ABOUT ISSUES BROUGHT UP. GCIC PRESENTED AN AMENDED LEASE AGREEMENT TO REFLECT 1,075 SQ. FT. AND DID NOT INCLUDE THE REQUESTED 100 SQ. FT. STORAGE ROOM.
7/16/2021	MET WITH JOE AND SHEILA TO TALK ABOUT PENDING WORK TO MEET BID SPECS. JOE AND SHEILA BROUGHT UP SIGNING ADDENDUM REGARDING REDUCTION OF FOOTAGE FROM 1,400 TO 1,075 SQ. FT. ED PRESENTED COUNTER TO INSTEAD REDUCE FOOTAGE FROM 1,400 TO 1,175 (TO INCLUDE STORAGE ROOM)
8/9/2021	NONE OF THE ISSUES WERE RESOLVED. JOE AND SHEILA DISCUSSED THAT STEFFEN PROPOSED TO RENOVATE THE STORAGE ROOM AND THEN SIGN ADDENDUM TO PAY FOR ADDITIONAL SQUARE FOOTAGE. INFORMED THEM THAT OFFICE WAS FOUND NOT SECURED AFTER GCIC DID SOME WORK.
8/10/2021	MET WITH STEFFEN ABOUT ISSUES REGARDING THE LEASE. A TIMELINE WAS PROVIDED ON ALL THE EXCHANGES WITH THE STAFF AND LACK OF RESPONSE. STEFFEN APOLOGIZED AND OBTAINED COPY OF PENDING ITEMS. STEFFEN ANNOUNCED THAT HE WILL BE OFF ISLAND BUT STAFF WILL TAKE CARE OF EVERYTHING.
9/17/2021	GSA BUYER SUPERVISOR SENDS EMAIL TO FOLLOW UP ON SIGNED CONTRACT AND PURCHASE ORDER. NO RESPONSE FROM GCIC.
9/28/2021	FOLLOWED UP ON SIGNED ADDEMDUM AFTER NUMEROUS ATTEMPTS.
9/30/2021	P216A04177 EXPIRED DUE TO ENDING OF FISCAL YEAR AND TERMS ON PO.
10/6/2021	P224600002 ISSUED TO GCIC FOR FY2022
10/28/2021	GCIC SENT OVER INVOICE FOR OCTOBER. THE GUAM ETHICS COMMISSION REMINDED GCIC THAT P216A04177 & P224600002 AND LEASE CONTRACT WERE NOT ACKNOWLEDGED AND TO PROVIDE BACK THE SIGNED ACKNOWLEDGEMENTS IN ORDER TO PROCESS PAYMENT.
12/2/2021	SENT EMAIL REMINDING GCIC THAT THERE IS STILL NO ACKNOWLEDGEMENT OF LEASE CONTRACT, P216A04177, AND P224600002.
2/28/2022	GETHC ED SENDS EMAIL INFORMING GCIC THAT GETHC WILL VACATE THE ENTIRE PREMISES ON MARCH 31, 2022. OFFERED TO PAY FOR ENTIRE TENANCY FROM OCTOBER 2021 TO MARCH 2022.
3/9/2022	GCIC (STEFFEN) RESPONDS REJECTING PAYMENT OFFER & STATEMENT THAT "THERE IS NO VALID LEASE AND NO VALID BID AWARD", AND STATED THAT GETHC'S NUMEROUS FOLLOW UPS FOR LACK OF ACTION IS UNSUBSTANTIATED.
3/14/2022	GETHC RESPONDS BY STATING THAT THE OFFICE DOES NOT AGREEE WITH GCIC'S EMAIL. GETHC SENDS BID STATUS TO CANCEL THE GSA BID .
3/15/2022	GCIC (STEFFEN) RESPONDS ACCEPTING PAYMENT TERMS BUT DEMANDS A CANCELLTION FROM GSA.
3/15/2022	GETHC INFORMS GCIC THAT THEY HAVE THE AUTHORITY TO PROCURE ON THEIR OWN.



GUAM ETHICS COMMISSION
Kumisión i Ginihan Areklamenton Guåhan

Government of Guam
134 W. Soledad Ave., BOH Bldg. Ste. 406
Hagatna, Guam 96910
Tel: 671-969-5625 * Telefax: 671-969-5626

CONFIDENTIAL MATTERS
A. ETH-22-003-OT-202
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D. ETH-22-007-COI-203
E. ETH-22-008-UT-209
F. ETH-22-009-UT-203