NOTICE OF REGULAR BOARD MEETING OF THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY

The Guam Housing and Urban Renewal Authority ("GHURA") will hold its Regular Meeting of the GHURA Board of Commissioners on Friday, January 8, 2021 at 12:00 PM. This Board Meeting is open to the public via teleconference.

If you would like to join the meeting, please contact Audrey Aguon at 475-1378 by Wednesday, January 6, 2021 for more information.

For special accommodations, contact Katherine Taitano at 475-1322 or TTY 472-3701.

AMENDED



BOARD OF COMMISSIONERS REGULAR SCHEDULED MEETING 12:00 P.M., January 8, 2021 GHURA's Main Office (via Zoom) 1st floor, Conference Room, Sinajana AGENDA

- I. ROLL CALL
- II. BOARD MEETING PUBLIC ANNOUNCEMENTS 1st Printing – Thursday, December 31, 2020 2nd Printing – Wednesday, January 6, 2021

III. APPROVAL OF PREVIOUS BOARD MINUTES – December 18, 2020

IV. NEW BUSINESS

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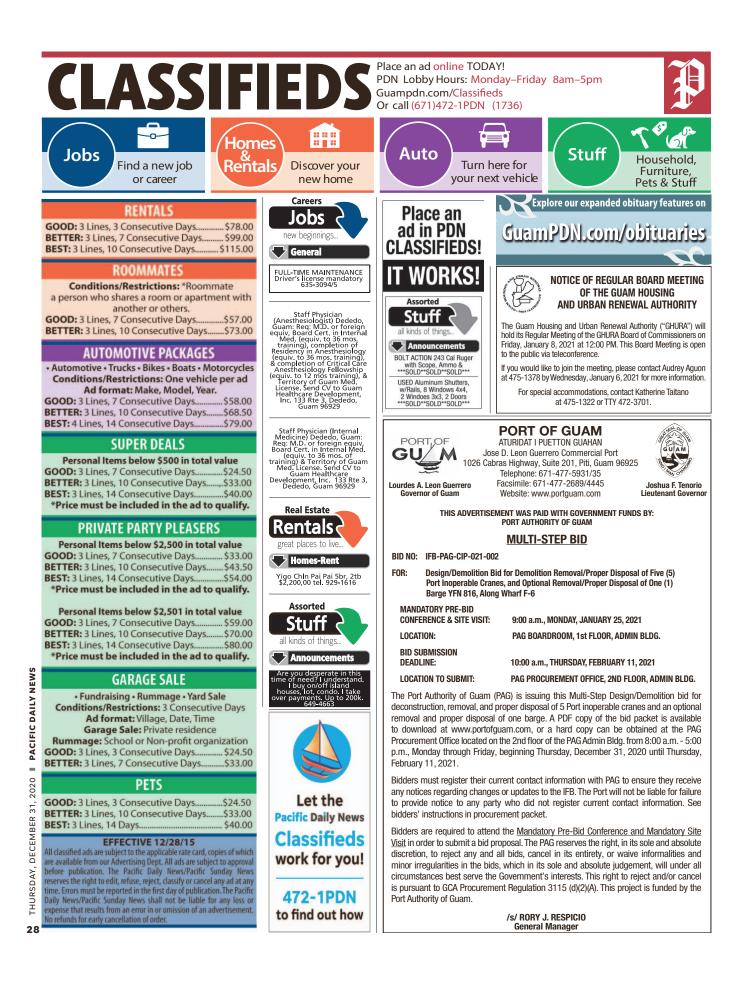
- 1. Memorandum dated January 4, 2021 referencing CDBG Section 108 1 Authorizing GHURA Management to Open a New Bank Account
- Memorandum dated January 5, 2021 referencing CDBG Section 108
 Document Custodian Services
- **4.** Summary of Executive Director, Board Evaluations 5-6 for the Performance Period of 1/11/2020 – 1/10/2021

V. GENERAL DISCUSSION / ANNOUNCEMENTS

1. Next proposed scheduled Board Meeting: Friday, February 12th @ 12:00 p.m.

VI. BOARD EXECUTIVE SESSION

VII. ADJOURNMENT







BOARD OF COMMISSIONERS REGULAR SCHEDULED MEETING 12:00 P.M. January 8, 2021 GHURA's Main Office (via Zoom Video Conference) 1st floor, Conference Room, Sinajana BOC MEETING MINUTES

I. ROLL CALL

After notice was duly given, pursuant to the Open Government Law of Guam and the Bylaws of the Authority, the Board of Commissioners' regularly scheduled board meeting was called to order at **12:00 P.M.**, Friday, January 8, 2021 at the GHURA Sinajana Main Office, 1st floor Conference room, by Chairman Flores. He indicated that 5 members of the Board of Commissioners were present, representing a quorum and that the meeting would proceed as scheduled.

PRESENT: (VIA ZOOM VIDEO	MANAGEMENT & STAFF:
CONFERENCE)	Ray Topasna, Executive Director
Sabino Flores, Chairman	Elizabeth Napoli, Deputy Director
Monica Guzman, Vice Chairwoman	Audrey Aguon, Special Assistant
George Pereda, Commissioner	Kimberly Bersamin, HR Administrator
Frank Ishizaki, Commissioner	Katherine Taitano, CPD/RP&E Manager
Anisia Delia, Commissioner	Sonny Perez, A/E Manager
ABSENT: Joseph Leon Guerrero, Resident Commissioner LEGAL COUNSEL: Anthony Perez Joseph B. McDonald	PUBLIC: (VIA ZOOM VIDEO CONFERENCE) Mr. Chris Odoca Mr. David Sablan Mr. Gerry Partido Mr. Pete Santos Ms. Haidee Gilbert, The Guam Daily Post

II. BOARD MEETING PUBLIC ANNOUNCEMENTS

1st Printing – Thursday, December 31, 2020 2nd Printing – Wednesday, January 6, 2021 ACKNOWLEDGED.

III. APPROVAL OF PREVIOUS BOARD MINUTES

[001/21] Chairman Flores made a motion to approve the meeting minutes of December 18, 2020 as corrected. The motion was seconded by Commissioner Pereda. With no objections by the other board members, the motion was approved.

IV. NEW BUSINESS

- 1. [002/21] Memorandum dated January 4, 2021 referencing CDBG Section 108 Authorizing GHURA Management to Open a New Bank Account:
 - Director Topasna stated that management has requested that the board authorize GHURA to open a new interest-bearing time deposit of account checking account with Bank of Guam
 - Required of the Section 108 Program processes
 - To receive and disburse the loan proceeds of the Section 108 Loan Guarantee Program

Vice Chairwoman Guzman inquired about the rate offered by the bank. Director Topasna deferred the question to Ms. Katherine Taitano. Ms. Taitano indicated that the account is a standard checking account with a standard rate, but is necessary to be set up for when proceeds are brought into the account and disbursed according to CDBG.

[003/21] Vice Chairwoman Guzman made a motion to approve the opening of the new bank account for CDBG Section 108. The motion was seconded by Commissioner Delia. There were no objections to the motion by the other board members. The motion was passed.

- [004/21] Memorandum dated January 5, 2021 referencing CDBG Section 108 Document Custodian Services:
 - A request to authorize management to engage the Bank of Guam to provide Document Custodian Services.
 - It is required for GHURA's loan with HUD relative to the Section 108 loan Guarantee Program
 - Document services will maintain records of the GHURA-HUD Section 108 funds for the duration of the 20- year compliance period.

There were no further discussions.

[005/21] Commissioner Pereda made a motion to approve the authorization of management to engage the Bank of Guam to provide Document Custodian Services for the Section 108 Loan Guarantee Program. The motion was seconded by Commissioner Ishizaki. With no objections by the other board members, the motion was passed.

- [006/21] Summary of Deputy Director, Board Evaluations for the Performance Period of 1/14/2020 – 1/13/2021:
 - Director Topasna deferred the discussion to Mrs. Kim Bersamin
 - Mrs. Bersamin indicated that on the July 8, 2019 Board meeting it was decided that each member of the board would independently evaluate the Executive Director and the Deputy Director. Completed Performance evaluations would then be submitted

to HR for compilation.

- Mrs. Bersamin reported on the Summary of the Executive Management Performance Evaluations:
- Deputy Director Elizabeth F. Napoli-

a. Review period: 1/14/2020-1/13/2021

b. Annual evaluation is also required for GHURA's Compensation Plan for the performance review of period 01/14/2020 –01/13/2021.

c. Performance evaluation was based on 13 factors: Leadership, Strategic Planning, Communicates Vision and Direction, Champions Innovation, Promotes Ethics, Builds Relationships, Decision Making, Leads Change, Inspires and Directs Action, Promotes Diversity, Accountability/Fiscal/Fiduciary Responsibility, Business Acumen, and Effective Operation & Maintenance of HUD plans and Projects.

d. HR received a total of (5) performance evaluations from the GHURA Board of Commissioners for Ms. Elizabeth Napoli.

e. Ms. Napoli earned an overall performance rating of "Highly Satisfactory."

f. As a result of Ms. Napoli's overall performance rating, the GHURA Board of Commissioners have decided to **retain** Ms. Napoli as Deputy Director of GHURA.

[007/21] With no further discussions, made a motion to approve the Summary of Executive Management Performance Evaluation (EMPE) and the overall rating of High Satisfactory of Ms. Elizabeth Napoli and also to retain her position of Deputy Director. The motion was seconded by Commissioner Ishizaki. With no objections by the other board members, the motion passed.

 [008/21] Summary of Executive Director, Board Evaluations for the Performance Period of 1/11/2020 – 1/10/2021

II. Executive Director Ray S. Topasna-

a. Review period: 01/11/2020--01/10/2021

b. Annual evaluation is also required for GHURA's Compensation Plan for the performance review period 01/11/2020-01/10/2021.

c. Performance evaluation was based on 13 factors: Leadership, Strategic Planning, Communicates Vision and Direction, Champions Innovation, Promotes Ethics, Builds Relationships, Decision Making, Leads Change, Inspires and Directs Action, Promotes Diversity, Accountability/Fiscal/Fiduciary Responsibility, Business Acumen, and Effective Operation & Maintenance of HUD plans and Projects.

d. HR received a total of (5) performance evaluations from the GHURA Board of Commissioners for Mr. Ray S. Topasna.

e. Mr. Topasna earned an overall performance rating of "Satisfactory."

f. As a result of Mr. Topasna's overall performance rating, the GHURA Board of Commissioners have decided to **retain** Mr. Topasna as Executive Director of GHURA.

Mrs. Bersamin also stated that HR is available for the board for any updates, questions or concerns regarding improving upon the overall process of the Performance Evaluations.

[009/21] With no further discussions, Chairman Flores made a motion to approve the Summary of Executive Management Performance Evaluation (EMPE) and the overall rating of Satisfactory of Mr. Ray Topasna and also to retain his position of Executive Director. The motion was seconded by Commissioner Delia. With no objections by the other board members, the motion passed.

V. GENERAL DISCUSSION / ANNOUNCEMENTS

[010/21] Next proposed scheduled Board Meeting: Friday, February 12, 2021 at 12:00 P.M.

There were no objections to the next BOC meeting date and time.

VI. BOARD EXECUTIVE SESSION

[011/21] Chairman Flores made a motion to recess for Board Executive Session. There were no objections by the other Commissioners, which Chairman Flores indicated the approval of the motion to recess for the Board Executive Session.

Chairman Flores also stated for the public that once the Executive Session had ended, the Board will reconvene the regularly scheduled board meeting, simply to adjourn.

VII. ADJOURNMENT

[012/21] With no further general discussions, Chairman Flores thanked everyone for attending the BOC meeting and made a motion to adjourn at 1:44 P.M.. Commissioner Ishizaki seconded the motion.

SEAL

Board Secretary / Executive Director



The Board of Commissioners unanimously voted to recess the regular Board meeting to go into Executive Session.

The following were in attendance: Sabino Flores, Board Chairman Monica Guzman, Vice Chairwoman George Pereda, Commissioner Frank Ishizaki, Commissioner Anisia Delia, Commissioner Ray Topasna, Executive Director Elizabeth Napoli, Deputy Director Joseph B. McDonald, Legal Counsel Lorraine Cruz, DEPO Resources (Court Reporter)

During this Executive Session topics discussed were matters relating to litigation, pending litigation, or litigation reasonably expected to occur.

The Executive Session adjourned at 1:44 PM.

AFFIDAVIT OF COUNSEL

I, JOSEPH B. McDONALD, being first duly sworn, attest and state as follows:

1. I have personal knowledge of all matters stated in this Declaration and I am competent to testify thereto.

2. I am a partner in the law firm of McDONALD LAW OFFICE, LLC (hereinafter referred to as "MLO").

3. MLO is the conflicts counsel to the GUAM HOUSING AND URBAN RENEWAL AUTHORITY ("GHURA").

4. Prior to the Board Meeting conducted on January 8, 2021, I recommend, pursuant to Guam Law, that an Executive Session be conducted for the purpose of discussing litigation that was reasonably expected to occur.

5. During Executive Session, the only topics discussed were matters relating to litigation, pending litigation, or litigation reasonably expected to occur.

6. Only the Members, the Executive Manager, the Deputy Executive Manager, the court reporters, and myself were present during the Executive Session.

7. A majority of the Board voted to go into Executive Session.

Further affiant sayeth naught.

EXECUTED this $\frac{Z}{2}$ day of January, 2021 JOSEPH B. McDONALD GUAM, U.S.A.) ss: City of Hagåtña SUBSCRIBED and SWORN to before me this _21st day of January 2021, by Togeth McDonald



GHURA

Guam Housing and Urban Renewal Authority Aturidat Ginima' Yan Rinueban Siudat Guahan 117 Bien Venida Avenue, Sinajana, GU 96910 Phone: (671) 477-9851 · Fax: (671) 300-7565 · TTY: (671) 472-3701 Website: www.ghura.org



Lourdes A. Leon Guerrero Governor of Guam

> Joshua F. Tenorio Lt. Governor of Guam

> > Sabino P. Flores Chairman

Monica O. Guzman Vice Chairwoman

> Anisia S. Delia Commissioner

Frank T. Ishizaki Commissioner

George F. Pereda Commissioner

Joseph M. Leon Guerrero Resident Commissioner

> Ray S. Topasna Executive Director

Elizabeth F. Napoli Deputy Director MEMORANDUM

TO

CC

FROM

Board of Commissioners

Ray S. Topasna Executive Director

Controller Chief Planner

DATE January 4, 2021

SUBJECT Authorizing GHURA Management to Open a New Bank Account

REFERENCE CDBG Section 108

Hafa Adai Chairman Flores and Commissioners:

The Bank of Guam is GHURA's current provider of banking services. Board approval is sought to authorize Management to open a new interest-bearing Time Deposit of Account (TDOA) checking account with the Bank of Guam, the purpose of which is to receive and disburse the loan proceeds of GHURA's HUD Loan relative to participation in the Section 108 Loan Guarantee Program. This account is required of the Section 108 Program processes. Bank of Guam requires written approval to open the account.

Respectfully submitted for your consideration and action.

Thank you.

Approved this day, January 08, 2021.

Sabino P. Flores, Chairman

At the Regular Board Meeting of January 8, 2021, a motion was made by Vice Chairwoman Guzman and seconded by Commissioner Delia to approve the opening of the new bank account for CDBG Section 108. Without further any discussion and objection, the motion was approved.





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Lourdes A. Leon Guerrero Governor of Guam

> Joshua F. Tenorio Lt. Governor of Guam

Sabino P. Flores Chairman

Monica O. Guzman Vice Chairwoman

> Anisia S. Delia Commissioner

Frank T. Ishizaki Commissioner

George F. Pereda Commissioner

Joseph M. Leon Guerrero Resident Commissioner

> Ray S. Topasna Executive Director

Elizabeth F. Napoli Deputy Director

MEMORANDUM

TO

CC

FROM

Board of Commissioners

Ray S. Topasna Executive Director

opasna e Director

Controller Chief Planner

DATE January 5, 2021

SUBJECT Document Custodian Services

REFERENCE CDBG Section 108

Regular Board At the Meeting of January 8, 2021, a motion was made by Commissioner Pereda and seconded by Commissioner Ishizaki to approve the authorization of management to engage the Bank of Guam to provide Document Custodian Services for the Section 108 Loan Guarantee Program. Without further any discussion and objection, the motion was approved.

Hafa Adai Chairman Flores and Commissioners:

The Bank of Guam is GHURA's current provider of banking services. Board approval is sought to authorize Management to engage the Bank of Guam to provide Document Custodian services required for GHURA's loan with HUD relative to participation in the Section 108 Loan Guarantee Program.

The Document Custodian will maintain records of the GHURA-HUD Loan of Section 108 funds for the duration of the 20-year program compliance period.

Respectfully submitted for your consideration and action.

Thank you.

Approved this day, January 08, 2021.

Sabino P. Flores, Chairman





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Summary of Executive Management Performance Evaluation (EMPE) for

Elizabeth F. Napoli - Deputy Director

Review Period: 01/14/2020 - 01/13/2021 (Annual Requirement-GHURA Comp Plan)

Pursuant to 5GCA §43202, the GHURA Board of Commissioners decided at their 07/08/19, regularly scheduled board meeting that each Commissioner independently evaluate both the Executive Director and Deputy Director, and submit their completed evaluations directly to the Human Resources Division for compilation.

This annual evaluation is also required for GHURA's Compensation Plan for the performance review period of 01/14/2020 - 01/13/2021.

By the close of business on 01/06/2021, HR received a total of five (5) evaluations. Of the five (5) Commissioners who submitted their evaluations, Ms. Elizabeth F. Napoli earned an overall <u>"Highly Satisfactory"</u> performance rating as the Deputy Director for the period of 01/14/2020 – 01/13/2021. The performance evaluation was based on the following factors:

Expectation of Executives:

- 1. Leadership
- 2. Strategic Planning
- 3. Communicates Vision and Direction
- 4. Champions Innovation
- 5. Promotes Ethics
- 6. Builds Relationships
- 7. Decision Making
- 8. Leads Change
- 9. Inspires and Directs Action
- 10. Promotes Diversity
- 11. Accountability/Fiscal/Fiduciary Responsibility
- 12. Business Acumen
- 13. Effective Operation & Maintenance of HUD Plans and Projects

Standards

- Customer Focus
- Adherence to Policy and Federal HUD Regulations

As a result of the overall rating of <u>"Highly Satisfactory</u>", the GHURA Board of Commissioners will <u>retain</u> Ms. Elizabeth F. Napoli as the Deputy Director of the Guam Housing and Urban Renewal Authority.

Prepared by: K.K. Bersamin, Personnel Services Administrator, DBA, SPHR, SHRM-SCP Date: 1/7/2081

At the Regular Board Meeting of January 8, 2021, a motion was made by Chairman Flores and seconded by Commissioner Ishizaki to approve the Summary of Executive Management Performance Evaluation (EMPE) and the overall rating of Highly Satisfactory of Ms. Elizabeth Napoli and to retain her position of Deputy Director. Without any further discussion and objection, the motion was approved.





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Summary of Executive Management Performance Evaluation (EMPE) for

Ray S. Topasna - Executive Director

Review Period: 01/11/2020 - 01/10/2021 (Annual Requirement-GHURA Comp Plan)

Pursuant to 5GCA §43202, the GHURA Board of Commissioners decided at their 07/08/2019, regularly scheduled board meeting that each Commissioner independently evaluate both the Executive Director and Deputy Director, and submit their completed evaluations directly to the Human Resources Division for compilation.

This annual evaluation is also required for GHURA's Compensation Plan for the performance review period of 01/11/2020 – 01/10/2021.

By the close of business on 01/06/2021, HR received a total of five (5) evaluations. Of the five (5) Commissioners who submitted their evaluations, Mr. Ray S. Topasna earned an overall <u>"Satisfactory"</u> performance rating as the Executive Director for the period of 01/11/2020 – 01/10/2021. The performance evaluation was based on the following factors:

Expectation of Executives:

- 1. Leadership
- 2. Strategic Planning
- 3. Communicates Vision and Direction
- 4. Champions Innovation
- 5. Promotes Ethics
- 6. Builds Relationships
- 7. Decision Making
- 8. Leads Change
- 9. Inspires and Directs Action
- 10. Promotes Diversity
- 11. Accountability/Fiscal/Fiduciary Responsibility
- 12. Business Acumen
- 13. Effective Operation & Maintenance of HUD Plans and Projects

Standards

- **Customer Focus**
- Adherence to Policy and Federal HUD Regulations -

As a result of the overall rating of "Satisfactory", the GHURA Board of Commissioners will retain Mr. Ray S. Topasna as the Executive Director of the Guam Housing and Urban Renewal Authority.

Prepared by: K.K. Bersanin, Personnel Services Administrator, DBA, SPHR, SHRM-SCP Date: 1/1/2051

At the Regular Board Meeting of January 8, 2021, a motion was made by Chairman Flores and seconded by Commissioner Delia to approve the Summary of Executive Management Performance Evaluation (EMPE) and the overall rating of Satisfactory of MR. Ray Topasna and to retain his position of Executive Director of GHURA. Without any further discussion and objection, the motion was approved.