GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY Regular Board Meeting Via ZOOM July 7, 2020 – 2:00 pm A G E N D A

- I. CALL TO ORDER
- II. REVIEW AND APPROVAL OF MINUTES DATED February 4, 2020 and March 3, 2020.
- III. WELCOME TO NEW BOARD MEMBER Rolando Zepeda

IV. EXECUTIVE DIRECTOR'S REPORT

V. FINANCIAL REPORTS (Pending access provided to Director)

VI. OLD BUSINESS

- A. Percent for the Arts
- B. Master's program and policy
- C. Festpac No official notice received
- D. Bank Accounts

VII. NEW BUSINESS

- A. Code of Conduct
- B. Status and Action on Grants
 - a. Status of current grants
 - b. Ratification of GUMA vote on reprogramming request
 - c. Request to extend and reprogram funds
 - i. Pacific Historical Park
 - ii. Kent Velesrubio [Fellowship]
- C. 2021 Grant Panel Assignments:
 - a. Arts in Education
 - b. Underserved
 - c. Performing Arts
 - d. Media Arts
 - e. Visual Arts
 - f. Folk Arts
 - g. Special Projects
- D. Election of Officers:
 - a. Chairman
 - b. Vice-Chairman
 - c. Secretary

VIII. OTHER ANNOUNCEMENT & DISCUSSIONS

- A. Next Board Meeting scheduled for August 4, 2020 at 3:00pm.
- IX. ADJOURNMENT

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY Regular Board Meeting February 4, 2020

I. CALL TO ORDER

The Guam Council on the Arts and Humanities Agency's regular board meeting was called to order at 3:06 pm by Chairman of the Board, Francis Guerrero. Board members present were Vice Chair Joey Certeza, Patricia Krise, Mayor Jessy Gogue, Donna Kloppenburg, Dr. Judy Flores and Vincent Reyes. Also present were Acting Director Jacqueline Balbas, Program Coordinators Angie Taitague and Mark Duenas and Administrative Officer Sherrie Barcinas.

II. REVIEW AND APPROVAL OF MINUTES DATED January 14, 2020

Vice Chair Certeza motion to approve the minutes of January 14, 2020. Motion seconded by Dr. Flores.

UNANIMOUSLY APPROVED

III. EXECUTIVE DIRECTOR'S REPORT

Acting Director Balbas reported CAHA's collaboration with East West Center to exhibit FestPac gifts during Manny Crisostomo's exhibit later in the year in Honolulu, Hawaii. Notification was received from Annie Reynolds from East West Center who will sending a preliminary list of the objects chosen for display and plans to be on Guam in April 2020 to pack and coordinate the transportation of the objects. The exhibit will run from May 31 to September 13, 2020.

A press conference will be held on February 10, 2020 at 4:00pm at the Guam Museum Multi-Purpose Room to announce the selected delegates for the 13th Festival of Pacific Arts.

The draft of TNN contract has been sent to the Attorney General's Office for review and comments on its verbiage and is aware that the figures have not been finalized. CAHA awaits their response.

PREL workshop was conducted by Dr. Lori Phillips, Director for the Center of Arts and Humanities on Education for the Pacific Resources Education and Learning on February 1, 2020. The workshop entitled "Kids Helping Kids: Writing and Illustrating Student Created Books – Teaching Strategies for Early Childhood Readers" was held for teachers from Kindergarten to 12th grade. In attendance were 30 teachers from both public and private schools who were taught strategies and basic observational drawing, and story writing to create early childhood readers. The teachers were allowed access to the Guam Museum's permanent exhibit in which they observed certain objects to create storylines. CAHA is looking into more collaboration PREL and DCA to take the project further by producing books as educational tools for teachers to be used in the classroom.

CAHA received notification from the National Endowment for the Arts staff that Ms. Carter, Chairperson for NEA cancelled her trip to Guam due to a family emergency but still plans on visiting Guam.

Mayor Jessy Gogue recommended that due to the cancellation of NEA Chair's visit, that the Board's donated funds from the luncheon be used towards the press conference at which the board agreed.

At this time, Chairperson Guerrero requested to entertain Item D under Old Business then move onto FestPac 2020 for reporting by Ann Marie Arceo, FestPac Head of Delegation before proceeding onto regular agenda items.

IV. OLD BUSINESS

Ms. Kloppenburg motion to table discussions on Percent for the Arts. Motion seconded by Vice Chair Certeza.

UNANIMOUSLY APPROVED

- A. Percent for the Arts
 - 1. Update on Building Permits for % for the Arts
 - 2. Update % for the Arts Regulations & Guidelines Amendment Triple "A" Process
 - 3. Update Current Projects
 - a. GCEF TASI
 - b. GRMC
 - c. Guam Congress Building (Legislature)
 - **d. TNN Corporation** The Memorandum of Agreement is currently with the Attorney General's Office for review.
 - e. Pending: GIAA (Airport), GCC, UOG, DOE & GHURA
- B. Masters Program and Policy Mr. Rabon not present to report

C. FestPac 2020

Ann Marie Arceo reported the announcement of delegates will take place on February 10, 2020 at 4:00pm at the Guam Museum. The current budget expense is a little of \$200k with the goal of lowering the expenses. The confirmed sponsors are Matson with two shipping containers, travel insurance from AON Insurance and B&G food sponsorship for VIP Showcase. There will be two showcases, one for general admission at \$10 and VIP at \$100. The planned fundraising goal is between \$30k to \$50k from car washes, t-shirt sales and happy hour. The raffle drawing fundraiser was excluded due to the short time period to solicit prizes. It is hopeful that the other fundraisers would get the expenses down to less than \$200k so % funds are not utilized as much. Sponsorship letters have already gone out and updates will be made at the next Executive Committee Meeting on February 5, 2020.

Chairman Guerrero requested to respond to Bank of Guam inquiry on sustainability practices being used to assure an eco-friendly event both on Guam and Hawaii. At which time, Ms. Arceo stated that Senator Marsh is working on response as it relates to sustainability.

Acting Director Balbas stated that Vicky Takamine, Festival Director of the 13th Festival of Pacific Arts and Culture Organizing Committee Hawaii had officially resigned as of last week and that all questions were being forwarded to the Festival Commission.

Ms. Arceo requested CAHA Board's approval on payment to United Airlines, seed money to purchase t-shirts to begin fundraising efforts and the official uniforms. At this time, the deposit of \$21,000 had already been paid to United Airlines by the government through a government credit card. As far as the t-shirt, CAHA Staff Barcinas stated that the design is currently in the making by Ron Castro. The board had some concerns on providing seed money to purchase t-shirts as it is not guaranteed that all t-shirts would be sold to meet its goal. Members of the board recommended partnering with a t-shirt company who would design and take care of selling the t-shirts as this route could generate more sales. After some discussion, Ms. Arceo stated that the idea would be brought forth to the Executive Committee to explore as an avenue to go with. There was discussion as well on other concerns at which Ms. Arceo stated that the Executive Committee alongside her and the assistance of Senator Marsh are working closely to bring down the expenses through fundraising efforts to show its accountability.

The approval on the payment to United Airlines, seed money to purchase the t-shirts and official uniforms was tabled absent supporting documentation. Chairman Guerrero suggested that Ms. Arceo correspond with CAHA who in turn would obtain board approval via e-vote and ratified at its next scheduled board meeting.

Mayor Gogue motion to table the approval of payment to United Airlines and purchase of official uniforms until the information is provided to make the decision on what amounts to approve and to allow the board's approval via email to be ratified at the next board meeting. Motion seconded by Ms. Kloppenburg.

UNANIMOUSLY APPROVED

Although Ms. Arceo stated plans of the FestPac Committee, Chairman Guerrero requested that the CAHA Board be provided with the basic plans so they are apprised, to include meeting minute notes.

Chairman Guerrero at this time presented a letter from Senator Marsh Office addressed to Acting Director Balbas and copying Chairman Guerrero in which CAHA was congratulated as the lead agency of FestPac through the passage of Public Law No. 35-60. It further states that the authority must be determined whether the board chair or director will co-chair the FestPac Task Force and that Ann Marie Arceo, President of Department of CHamoru Affairs will continue to lead the delegation with her appointment by the Governor.

Vice Chair Certeza stated that should Acting Director Balbas become the co-chair of FestPac, to be straight forward with Ms. Arceo to keep mindset on tasks at hand as having the capacity and history on FestPac needs and its artisans.

At the current structure of the Executive Committee and Fundraising Committee, CAHA Staff Barcinas requested if both committees could be combined as one and have the board chair as part of the committee to avoid repeated discussions since the members are of the same in each committee with the exception of the board chairman.

The board further discussed issues on delegates fundraising efforts and felt that there is no reason that each delegate can't make an effort to fundraise to meet their goal. CAHA Staff reiterated fundraising has always been a part of bringing a delegation to FestPac and did not always rely on government funding. Board members agreed that the delegates would need to buy into FestPac.

Mayor Gogue stated that the purpose of the letter is for CAHA to step up and be the Co-chair of the Executive Committee so CAHA can facilitate moving things forward.

Chairman Guerrero reported that the Executive Committee began issuing sponsorship letters two weeks ago with one of them being Bank of Guam who awaits a response on sustainability practices as it relates to being eco-friendly. CAHA Staff Barcinas reported that Sorensen Media Group has yet to be responded to as well and FestPac will be receiving inkind donation from the Pacific Daily News and AON Insurance. Acting Director Balbas added to say that KUAM had also expressed interest but had queries on certain components and would like exclusivity. Shelly Gibson who is part of the Committee and has media experience is currently reviewing KUAM's request.

Chairman Guerrero brought back to the table, the authority to determine the co-chair of FestPac and whether the current Acting Director is enough for a voice for CAHA or a board member. CAHA Staff suggested a board member since concerns are not being heard and a voice may be better at that level given the perspective that staff is looked upon only as staff members. In response to the letter, Chairman Guerrero will serve as the Co-chair for the FestPac Committee with the understanding that any other board will serve as an alternate in

his absence. Mayor Gogue stressed the fiduciary responsibility of the board which is the purpose of the existing board.

Board members discussed t-shirt sales and how it could be designed as a limited edition by a specific company who in turn would also market the t-shirt. This would eliminate having delegates to physically go out and sell t-shirts. A social media FestPac platform would also assist in marketing the sales of the shirts.

Ms. Kloppenburg questioned whether the board had some type of indemnification. Mayor Gogue stated that the government boards and commissions are typically covered and indemnified by the Government of Guam. Ms. Kloppenburg requested if further research could be done to ensure the board is indemnified as in the past several months, certain boards have been sued.

D. Sub-Committee updates on Gallery and Art Bank Program & Artists' Membership Program

Vice Chair Certeza reported initiating with CAHA Staff that from March 20-25, 2020 CAHA will be hosting at the Agana Shopping Center "Arts in Hagatna". The main focus of the event is to uplift and bring the community to appreciate our artists and the arts. It will be displayed within three exhibitions throughout the five days with one being offered to the FestPac committee on previous works of the delegates presenting ideas moving forward into FestPac 2020, second would be a storyteller's space working with University Press creating a series of events involving literature, poetry and theatre performances and lastly the collaboration with the GCC Early Childhood Educator with children exhibit focusing on sensory and exploration of creativity. This event is to promote the artists to come out and a way to create a membership drive. Both CAHA and Agana Shopping Center has agreed to work together in providing the spaces for the event at no cost.

It was recommended that the membership drive begin at this event at which Vice Chair Certeza plans to do so as well as taking photos to add onto the CAHA website.

V. NEW BUSINESS

VI. BUDGET REPORTS

Reporting on the following is CAHA Staff Barcinas.

A. 2020 Appropriation Accounts

Balance under the Local/Federal Match Account is approximately \$18,099.38 as of February 4, 2020 for the remaining of fiscal year. The FestPac account remains at \$10,000 and the local match account balance is approximately \$14,339.10.

B. CAHA Non-Appropriation / Revolving Accounts

Revolving Fund account balance is currently at \$3,892.88 while the % for the Arts and FestPac accounts remain status quo.

Provided to the board were the current bank statements of all non-appropriated accounts.

Ms. Kloppenburg inquired whether research had been done to place funds in a savings account. Mayor Gogue stated that the funds as allowed by law could be placed in a savings account. In addition, based on the Public Auditor at the time which the Chalan Pago Mayor's Office was audited, unobligated funds could be invested based on the intent of the law to allow to invest into TCD's. CAHA would need to accurately project was is needed to maintain funds on hand while the rest is invested. Ms. Kloppenburg requested that this item be placed on the next board meeting agenda for approval to move funds. Mayor Gogue will provide a draft resolution for board approval on fund transfer.

VII. OTHER ANNOUNCEMENTS & DISCUSSIONS

Next Board Meeting scheduled for March 3, 2020

VIII. ADJOURNMENT

With no further discussion, Dr. Flores moved to adjourn the meeting at 4:45pm. Motion seconded by Ms. Krise.

UNANIMOUSLY APPROVED

Minutes prepared by:

Attested to be true and correct by:

Sherrie A.D. Barcinas Administrative Officer, Guam CAHA Francis Guerrero Chairperson, Guam CAHA Board of Directors

Date: _____

Date: _____

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY Regular Board Meeting March 3, 2020

I. CALL TO ORDER

The Guam Council on the Arts and Humanities Agency's regular board meeting was called to order at 3:07 pm by Chairman of the Board, Francis Guerrero. Board members present were Vice Chair Joey Certeza, Patricia Krise, Mayor Jessy Gogue, Donna Kloppenburg, Dr. Judy Flores, Frank Rabon and Vince Reyes. Also present were Acting Director Jacqueline Balbas, Program Coordinators Angie Taitague and Mark Duenas and Administrative Officer Sherrie Barcinas.

II. REVIEW AND APPROVAL OF MINUTES DATED February 4, 2020

Vice Chair Certeza motion to table meeting minutes of February 4, 2020. Motion seconded by Ms. Kloppenburg.

UNANIMOUSLY APPROVED

III. EXECUTIVE DIRECTOR'S REPORT

Acting Director Balbas reiterated CAHA's collaboration with East West Center on Manny Crisostomo's Exhibit to be held in Hawaii. Ms. Annie Reynolds from the East West Center will be on Guam from April 7-13, 2020 to pack and ship the FestPac gifts which will be showcased with Mr. Crisostomo's photographs. Ms. Reynolds requested an evaluation of the objects from CAHA for insurance purposes from the time they leave Guam and returned back.

A press release was received via email from Monte McComber, Commissioner of FestPac Hawaii Commission stating that the Festival of Pacific Arts has been postponed due to the corona virus. Hawaii will be holding a FestPac meeting this Friday and CAHA should receive more information by next week.

The agreement between CAHA and TNN dba Tsubaki Tower was approved via e-vote by the Board and shall be ratified at this meeting. Upon ratification, Mr. Morinaga will sign and return agreement to CAHA to begin the routing process to obtain necessary signatures.

IV. OLD BUSINESS

A. Percent for the Arts

- 1. Update on Building Permits for % for the Arts Status Quo
- Update % for the Arts Regulations & Guidelines Amendment Triple "A" Process
 Status Quo

Chairman Guerrero requested Committee to regroup to review current rules & regulations and update

- 3. Update Current Projects
 - a. GCEF TASI
 - b. GRMC
 - c. Guam Congress Building (Legislature)
 - d. TNN Corporation Ratification of Memorandum of Agreement
 Dr. Flores motion to approved Memorandum of Agreement between CAHA and Tsubaki. Ms. Kloppenburg seconded the motion.

UNANIMOUSLY APPROVED

- e. Pending: GIAA (Airport), GCC, UOG, DOE & GHURA
- B. Masters Program and Policy Status Quo

C. FestPac 2020

CAHA Staff Barcinas reported that at the request of Ann Marie Arceo, FestPac Head of Delegation that the following items be brought forth to the board for approval of Expenditures. There is no documentation to justify the expenditures however, items was placed on the agenda to satisfy the request made. CAHA received an invoice from United Airlines reflecting the total cost for a chartered flight less the deposit made of \$29,000 but no actual receipt of the deposit made. Due to the postponement of FestPac it is unsure whether United Airlines would refund the deposit, and if so, the reimbursement would be made to the government and not FestPac.

1. United Airlines

Ms. Kloppenburg motion to table approval of expenditure to United Airlines pending proper documentation. Motion seconded by Vice Chair Certeza.

UNANIMOUSLY APPROVED

- 2. Official T-shirt and fabric
- 3. Miscellaneous Expenses \$1500 Threshold
- 4. Needs of Artists

Ms. Kloppenburg amended her previous motion to table items under "C" section IV "FestPac 2020 – Approval of Expenditures" approval pending proper documentation and other official dates. Motion seconded by Vice Chair Certeza.

UNANIMOUSLY APPROVED

Chairman Guerrero requested to be notified of next Executive Meeting to meet with Ms. Arceo to streamline requests. Mr. Rabon questioned whether FestPac meetings as well as its fundraisers will continue knowing the festival has been postponed. It is something that CAHA would have to answer when questioned by the public. Chairman Guerrero then stated that a meeting will be held to discuss Guam's strategy moving forward as the only information at this point is that the festival is postponed. The Executive Meeting was requested to be held as soon as updated information is received by Hawaii.

CAHA Staff Barcinas provided the board with a copy of memo from Governor's Legal Counsel regarding Fundraising Activities to Support and Defray Expenses of the 13th Festival of Pacific Arts and Culture. Chairman Guerrero recommended that the FestPac Committee be made aware that CAHA Board members can not be a part any decision making per the memorandum which states that the "CAHA's Board must also act to establish a committee that enables persons who are not Board members to make decisions as it relates to FestPac activities".

Current savings on legislative funding as of February 12, 2020 is \$135,616.75 with an anticipated income/fundraisers of \$48,000 and income to date of \$1,700.

After some discussion with regards to Legal Counsel's memo, Ms. Krise motion to use existing committee to comply with memo from Governor's Legal Counsel on designating a separate committee for FestPac. Motion seconded by Mr. Reyes.

UNANIMOUSLY APPROVED

Chairman Guerrero stated that Dr. Flores who currently serves as a Programming Chair shall continue her role, however must recuse herself from voting or making any decisions as she is a CAHA Board member.

CAHA Staff Barcinas provided the board with a list of anticipated fundraisers of which Chairman Guerrero stated would not require CAHA Board approval and lies upon Fundraising Committee. However, it is the role of the board to review what may not seem kosher.

D. Sub-Committee updates on Gallery and Art Bank Program & Artists' Membership Program – Status Quo

Vice Chair Certeza reported that Artists' Membership drive is in the works and awaiting the approval from Agana Shopping Center to allow artisans to sell their artworks which is scheduled for March 20-25, 2020 entitled "Arts in Hagatna". The event is in collaboration with the Guam Community College Early Childhood Educators, University of Guam Press and FestPac Executive Committee which will each hold an exhibit as well as collaboration with Public Broadcasting System (PBS).

Sponsors are being sought for honorariums as well as in-kind contributions. Each exhibit is projected to cost \$1,000. Flyers of the event have been posted at the Agana Shopping Center. The event will not cost CAHA and is a CAHA organized event. It is anticipated to get the word out via radio spots.

V. NEW BUSINESS

A. Bank Accounts – Resolutions

Mayor Gogue handed out board notes he prepared regarding Board responsibilities, Fiscal Policies & Controls. One of the items requested at the last board meeting was the waiver of immunity and based on 5 GCA Ch.22 §22818 it states "the government of Guam hereby waives immunity from any suit or action in contract on the Loans, but does not waive sovereign immunity as to the personal liability of elected or appointed officials and employees of the government of Guam" which is how the board members are protected. There also is the management of funds with waiver of immunity of how it applies to the board and not individually of which a law exists.

Furthermore, 5 GCA CH.21 (Investments and Deposits) would apply to CAHA. What governs the investment of funds is §21103 which states "any money in the General Fund or Special Funds of the Treasury of Guam in excess of 120% of the average monthly disbursements made from the General Fund for the 12-month period immediately preceding may be declared available investment money. Money not in excess of the above percentage shall be deemed necessary for immediate use and may not be declared available investment money." This is where CAHA could review its accounts to determine how much is its expenditures and place 120% in checking or savings or combination of both while the remaining balance could be invested. As an example, the Ordot-Chalan Pago Mayor's Office manages funds over \$1 million and invests its funds in TCD's in which typically most government agencies have their funds outside of General Fund that the department controls and manages correctly. What is discouraged is investing more than \$200,000 in TCD's as they are FDIC insured. The investment is much greater in a TCD versus interest bearing account.

Mayor Gogue would draft resolution to establish interest bearing savings accounts given information on CAHA's expenditures in excess of 120%. Only 120% of one month's expenditures should remain in a checking account, and one year worth of expenses should be in a savings account and anything above that shall be invested. The investments could be staggered where something is earned every six (6) months.

CAHA Staff Barcinas stated that at this time this process would apply to the % for the Arts account.

Chairman Guerrero requested Ad Hoc Committee to regroup and to obtain from Senator Marsh's Office the timeline on the adoption of new rules and regulations and to change the law to allow for more flexibility on funding process.

Mayor Gogue stated that as a governing board, in order to legally bind CAHA in placing funds in interest bearing account(s), a resolution must be adopted. In addition, to solicit information on what banks offer to include interest rate on interest bearing account, FDIC insured and its amount and bank fees. Based on the information obtained, CAHA would go with the bank that offers the best interest rates.

The bank accounts are still governed by government procurement laws and the governing board has a fiduciary responsibility that funds are managed properly.

After some discussion relative in establishing accounts and moving funds to interest bearing savings account, TCD, etc., Ms. Krise motion for CAHA to begin research to at least move the % for the Arts account into an interest bearing savings account. Motion seconded by Vice Chair Certeza.

UNANIMOUSLY APPROVED

B. Board Appointment of Director

Governor Lourdes Leon Guerrero nominated Ms. Jillette Leon Guerrero to serve as the Director for the Guam Council on the Arts and Humanities Agency.

Dr. Flores motion to approve the appointment of CAHA Director Jillette Leon Guerrero. Ms. Kloppenburg seconded the motion.

UNANIMOUSLY APPROVED

Dr. Flores officially thanked Jackie Balbas for her efficiency and guidance as the Acting Director of CAHA.

VI. BUDGET REPORTS

Reporting on the following is CAHA Staff Barcinas.

A. 2020 Appropriation Accounts

Accounts have minimal adjustments from last reporting due to updated projection on anticipated date of Director coming on board. Available funds to date on federal account is \$19,100.04 with anticipated expenditures for equipment and other department needs.

CAHA still awaits the announcement of Office Space Lease which was since submitted in November 2019 and due to months that have gone by, the matter will be taken up to the next level between Directors to resolve.

Vice Chair Certeza acknowledged and recognized funds in the areas of Arts in Education -\$10,200, Underserved - \$14,100 and others of \$11,140 that need to be expended by the end of the fiscal year and that Request for Proposals be sent out immediately. Acting Director Balbas along with CAHA Staff Taitague had stated the process had begun.

B. CAHA Non-Appropriation / Revolving Accounts – Status Quo

VII. OTHER ANNOUNCEMENTS & DISCUSSIONS

Mayor Gogue announced the development of a Mayor's Complex which required two things 1) relocate Mayor's Office and; 2) construction of a multipurpose center for events and performances which will be managed by the Mayor's Office. Shuttle spaces is inclusive of construction for parking. Information relative to the complex will be sent to the board via email. The announcement is to gain Letters of Support for the project from the board, as an individual or personal capacity as an artist as the current cost to build the complex is \$5.6million and would continue to rise as time lapses. If interested, Letters of Support is requested by March 30, 2020 to integrate into narrative of grant application which is due April 6, 2020.

CAHA Staff Barcinas announced the Women's Art Exhibit scheduled for April 17, 2020 at the Nissan Infiniti Showroom.

Acting Director Balbas commented that the film making project by Cara Mays was well worth CAHA funds as the island does not have many film makers and should continue to support projects like these. More information on the official screening Ms. Mays film will be made

available to the board. Vice Chair Certeza highly encourages the board to be present as it takes film to a whole new level.

Next Board Meeting scheduled for April 7, 2020

VIII. ADJOURNMENT

With no further discussion, Dr. Flores moved to adjourn the meeting at 4:52pm. Motion seconded by Ms. Kloppenburg.

UNANIMOUSLY APPROVED

Minutes prepared by:

Attested to be true and correct by:

Sherrie A.D. Barcinas Administrative Officer, Guam CAHA

Date: _____

Francis Guerrero Chairperson, Guam CAHA Board of Directors

Date: _____