



CCU Special Board Meeting
CCU Conference Room, Gloria B. Nelson Public Service Building
3:00 p.m., Wednesday, April 26, 2023

MINUTES

1. CALL TO ORDER

The Chairman called the special board meeting to order at 3:05 p.m. This meeting is to address the Assistant General Manager for Operations and interview the candidates for the vacant position of Board Secretary for the CCU. For the record those present are, Chairman Duenas, and Commissioners Limtiaco, Santos, and Martinez. Commissioner Sanchez is excused.

Commissioners:

Joseph T. Duenas, Chairman
Michael Limtiaco, Commissioner
Francis Santos, Vice Chairman
Pedro Roy Martinez, Secretary

Executive Management:

John Benavente, GM
John Cruz, AGMETS
Theresa Rojas, GWA Legal Counsel / GPA Interim Legal Counsel

Management and Staff:

GPA:

Jon-Rey Aguigui, PSA
Vien Wong, IT
Vlad Navasca, IT

GWA:

Ann Borja-Gallardes, MA IV

OTHER ATTENDEES:

David Castro, Guam Daily Post

2. NEW BUSINESS

2.1 Personnel Matters: Guam Power Authority Assistant General Manager of Operations – GM Benavente begins, the outgoing Assistant General Manager of Operations, Melinda Mafnas, will retire from GPA effective May 15th. That was the last day of her leave. Having served 31 years of service with GPA and their ratepayers. I've completed the recruitment process for the successor, AGMO as we call it, and I've selected Jennifer G. Sablan, P.E. Jennifer currently serves as a GPA manager of strategic planning and operations research division, SPORD. I intend to issue and employment offer to Ms. Sablan effective May 6, 2023 or approximately two weeks so there is some transition time within the SPORD area. With an annual salary of \$156,767.00 and I respectfully request for the CCU to concur with the offer compensation. Under the Authority's the Enabling Act, GCA 8, Guam Power Authority, under Operations and Distribution, "the General Manager with the consent of the Board shall appoint an Assistant General Manager of Operation and Distribution who shall serve at the pleasure of the General Manager and the Board. The Assistant General Manager of Operations and Distribution shall

be entitled to receive compensation to be determined by the General Manager with the approval of the Board.”

The policy is such where we had an open announcement and an internal announcement. Two candidates applied for the job and only one qualified which was Jennifer. We went through the process and we've concluded unanimously that Jennifer is the person for the job. She is a licensed professional engineer, mechanical. Over 20 years of experience...eight years of work experience with Guam Power Authority. After receiving her bachelor of science with a concentration in mechanical engineering from Marquette University in 1994. Ms. Sablan started her career as a junior engineer within GPA's generation division and grew within the ranks to now serve as the SPORD Manager. She was responsible for a lot of programs such as the Smart Grid, fuel administration and bid, our Integrated Resource Plan, the installations and operations bid of the energy storage for the renewable energy project, and the demand site management project. There are programs that are going out successfully over the past several years to our customers. The utility and energy service contracts has helped big organization like UOG, the US Navy, including energy efficiency programs, the rebate programs, and of course, she has been the head of Ukudu power plant contract. Her diverse work experience in the project development and management, and knowledge with GPA Integrated Resource Plan made Ms. Sablan excel within the Authority has in such areas such as Legislation, policy review, new contract development and management over the new Ukudu Power Plant. She has progressed through GPA for the past 28 years from Engineer 1 through 3, Special Project Engineer, and eventually taking the position in SPORD in 2017. In addition to having a Bachelors in Mechanical Engineering from Marquette, she is a licensed professional engineer in Guam since 2010. She is a certified Energy Manager, certified Energy Auditor.

The compensation of \$156,767.00, is considered a promotion in pay adjustment. Pursuant to CCU Resolution FY2012-049, the intended compensation is within the 35th - 40th percentile of the 2017 market grade. We did provide an indication of what the 2017 market range is and the latest 2023 market percentile is showing. Plus, as you can see the salary under 2023 falls between the 15th and 20th percentile. We're in the process to move employee to the 25th percentile during this fiscal year and this compensation you see here brings her up to the 25th percentile. With this, Commissioners, I seek your approval for Jennifer Sablan to be the new AGMO. She will be responsible for all of Generation, T&D, Transportation, facilities, and PSCC. She has also made sure the new Ukudu Power Plant continues to move smoothly.

Chairman Duenas agrees with the General Manager's recommendation. And, for the record the compensation is still at the 20th percentile in the 2023 market study. Comm. Limtiaco asks, how many people applied and how many qualified? GM Benavente states, two people applied and one qualified. The job in itself requires a professional engineering license. Comm. Santos states, motion to concur with the recommendation of Mr. John Benavente on the position of the Assistant General Manager for Operations with the commencing salary of \$156,767.00; Comm. Martinez second.

Chairman: All those in favor signify by saying Aye. None opposed and unanimously approved with four ayes. [Ayes = 4, Nays = 0]

3. EXECUTIVE SESSION

3.1 Personnel Matter: Utility Board Secretary Interviews

Comm. Santos motions to rise and go into Executive Session; Comm. Limtiaco second.

Chairman: All those in favor signify by saying Aye. None opposed and unanimously approved with four ayes. [Ayes = 4, Nays = 0]

Chairman Duenas announces the meeting is back in open session. Comm. Limtiaco motions to recess the meeting to Tuesday, May 2nd at 3:00 PM; Comm. Santos second.

Chairman: All those in favor signify by saying Aye. None opposed and unanimously approved with four ayes. The meeting is recessed to May 2nd at 3:00 PM. [Ayes = 4, Nays = 0]

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3:00 p.m., Wednesday, April 26, 2023
Meeting Reconvened on Tuesday, May 2, 2023 at 3:00 PM)

MINUTES

1. CALL TO ORDER

Chairman Duenas states, this is a special meeting for the CCU. The board is conducting interviews for the CCU Board Secretary. This meeting is reconvened from April 26th. Meeting is called to order at 3:00 PM. Present is Chairman Duenas and Commissioners Limtiaco and Martinez. Commissioner Santos is running late. Commissioners Sanchez is excused.

2. EXECUTIVE SESSION

2.1. Personnel Matters: Guam Power Authority Assistant General Manager of Operations –

Chairman Duenas calls for a motion to go into Executive Session. Comm. Limtiaco motions to go into Executive Session; Comm. Martinez.

Chairman: All those in favor signify by saying Aye. None opposed and motion passes with three ayes. [Ayes = 3, Nays = 0]

3. OPEN SESSION

Chairman Duenas states, we're back in open session and commissioners, we have selected a candidate, Candidate A. So, at this point of the junction, what we need to do discuss is money. This is the open session, so I'd like to start with having Jon-Rey tell us what this position would be based on the 2017, which is the adopted market percentile, that we have right now. What the 20th percentile for the 2017 market data is, we will go from there.

- GPA HR Administrator Jon-Rey: Commissioners, if I can just pass this out so we can go over it. Commissioners, in front of you is a breakdown of the market percentiles for the 2017 that was the Board Recording Secretary and most recently we created the Utility Board Secretary. With the creation of the new duties commensurate to for the utility, the starting salary is \$45,377.00,

that's \$21.83, umm, I do want to make note that this position again was reviewed in the 2023 market and this is where we would slot them. I also want to bring to light the former incumbent, Ms. Bernadette Lou Sablan was at \$72,012.00.

- Chairman Duenas: Okay, so if I'm looking at this correctly, Jon-Ray, \$45,000.00, uh, I don't see the \$45,000.00. I see it on the bottom, but, uh, at the top where you have the 2017. Where's the \$45,377.00?
- GPA HR Administrator Jon-Rey: Chairman, the top is raw market percentile, once you took the raw market percentile there's a methodology to implement to encumber GPA position, so based off the implementation it brings you to \$45,377.00.
- Chairman Duenas: Okay, and that 20 percentile goes from that \$45,377.00 to \$47,219.00, is that the rate?
- GPA HR Administrator Jon-Rey: Correct, that's the rate.
- Chairman Duenas: So, the 20 percentile has a range from \$45,000.00 to \$47,000.00?
- GPA HR Administrator Jon-Rey: That's correct.
- Commissioner Limtiaco: And what would be the raw market data conversion for the 2023 board secretary position under the 20th percentile?
- GPA HR Administrator Jon-Rey: It would be around the \$64,000.00, I don't have the date right now for the implement, but the raw market usually shows the higher end.
- Chairman Duenas: So, that would be around \$64,040?
- GPA HR Administrator Jon-Rey: Yes
- Chairman Duenas: That's just a range. Now, Commissioners we can pay any pay we want to pay. In other words, the only thing is, if we slot a person higher than where the rest of the company is, then the rest of the company has to catch up to that person, so, and we can also make adjustments after the first year evaluation. Jon-Rey?
- GPA HR Administrator Jon-Rey: That's correct.
- Commissioner Santos: one-year or 6 months?
- GPA HR Administrator Jon-Rey: Um, evaluation is one year.
- Chairman Duenas: it is one year.
- Commissioner Santos: Oh, really? Well, what is our normal probation?
- GPA HR Administrator Jon-Rey: Probationary period is 6 months, but, um, this is unclassified.
- Chairman Duenas: This is unclassified.
- Commissioner Santos: Um, and it's one year or at our discretion?
- GPA HR Administrator Jon-Rey: At your discretion.
- Commissioner Santos: That's very different gentlemen, can we at least get an agreement on that, too? If traditional probationary periods for every GWA, classified employee...
- GPA HR Administrator Jon-Rey: GPA
- Commissioner Santos: Classified GPA, is 6 months?
- GPA HR Administrator Jon-Rey: That's correct.
- Chairman Duenas: We can agree to that, if we want to.
- Commissioner Limtiaco: And, um, I know that in our prior meeting we had talked about do a salary survey is currently in process or is it done?
- Commissioner Santos: It's done.
- Commissioner Limtiaco: Oh, it's done. Information to present to you.
- GPA HR Administrator Jon-Rey: It's done, in front of you is the raw market data, however we are still trying to finalize the raw market data information to present to you.

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- Chairman Duenas: It hasn't been presented to us yet, because it was this month when we were supposed to get a briefing from both GPA and GWA.
- GPA HR Administrator Jon-Rey: Correct.
- Commissioner Limtiaco: So that would be my only question, is it seems like we are in transition right now, so we need to figure out to find a happy union between the current number and the potential transition.
- Chairman Duenas: Well, you know we both can figure it out between Commissioner Santos and staff Jon-Rey, umm, we can bump the salary up 2 months from now, 10 months from now, 6 months from now, so you know if there is a market transition for the rest of the company, we can bump that up in stages.
- Commissioner Santos: I think in the discussion, Mr. Chairman, we had, between um, Mr. Benavente and Ms. Limtiaco started to present or were presenting the details of the market survey and I don't know if we are going to be doing it in May or possibly June?
- GPA HR Administrator Jon-Rey: Umm, to be determined.
- Commissioner Santos: Oh, okay.
- GPA HR Administrator Jon-Rey: I believe that our compensation consultants still needs to present to our General Manager and then to you guys as well.
- Commissioner Santos: Right, okay. And I think the discussion I had then was a concern our former legal counsel was the projected date we were looking at if we were going to approve a survey was October 1, coinciding with the budget.
- Chairman Duenas: Yes, yes.
- Commissioner Santos: Okay, so that will take us to...
- Commissioner Limtiaco: to September or August.
- Commissioner Santos: Or just about there, so Mike, if we agree to the 6 month probationary period, it could fall in line with an adjustment, that way its uh company wide as we call it, as opposed to one individual will be possibly – don't want to jump the gun.
- Commissioner Limtiaco: So, we stay at the existing.
- Commissioner Santos: the current until such time as we make the decision.
- Chairman Duenas: And in communicating this with Candidate A, I can inform the candidate that this is an initial salary, which may change
- Commissioner Limtiaco: Yeah, I would see no issue advising them of what's already public record, and we've talked about this in other sessions.
- Chairman Duenas: I need a number.
- Commissioner Martinez: So, the maximum is only \$47,000.00 for this particular position?
- Chairman Duenas: Yeah, given the range...
- Commissioner Santos: Based on our current approved scale.
- Commissioner Martinez: Yeah.
- Chairman Duenas: Market data
- Commissioner Limtiaco: And then given the information we are giving on the 2023 survey right, you could use that to help kind of make your determination whether its going to be the minimum or the maximum.
- Chairman Duenas: So, does somebody want to propose a number and we will see if there is a second.
- Commissioner Martinez: I'll go ahead and move on the \$47,219.
- Chairman Duenas: Okay, put that in a motion and we will see if there is a second.

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- Commissioner Martinez: I propose a motion of \$47,219.00
- Commissioner Santos: Second
- Chairman Duenas: So, there's a motion before the Commission to make an offer to Candidate A for a salary of \$47,219.00. Any further discussion?
- Commissioner Limtiaco: No.
- Chairman Duenas: Are we ready for the questions: All those in favor say Aye: 4 ayes, nay? Motion carries with 4 votes.
- Commissioner Santos: I want to make a motion Mr. Chair that for the purposes of this specific position, that the probationary period be for six months from the date of hire. The day she accepts when she wants to start. Again, that's to fall in line with...
- Chairman Duenas: So, what we will do is we will get recessed so that I can contact candidate A and come back to you. So, umm, when are we going to meet?
- Commissioner Limtiaco: Uh, I don't leave until the 14th.
- Chairman Duenas: So, umm can we pick a date for the end of this week, or...
- Commissioner Santos: We just have to pick a date?
- Chairman Duenas: Yeah, we just have to pick a date.
- Commissioner Santos: It's up to you guys.
- Commissioner Limtiaco: Umm, I have a pretty tough schedule the rest of the week, so early Monday.
- Chairman Duenas: Monday is good? 3:00 o'clock?
- Commissioner Limtiaco: Umm, a little later would be better.
- Chairman Duenas: so, 4 or 5?
- Commissioner Limtiaco: 4:00 p.m.
- Chairman Duenas: 4:00 p.m.? Okay, so we are going to recess until Monday, May 8, 2023 at 4:00 p.m. Please inform Commissioner Sanchez.
- Chairman Duenas: Motion to recess.
- Commissioner Santos: Are we okay with the 6 months? I made the motion.
- Commissioner Limtiaco: Second.
- Chairman Duenas: Okay second, further discussion?

Chairman Duenas: All those in favor signify by saying Aye. None opposed. Motion carries with four ayes.
[Ayes = 4, Nays = 0]

- Chairman Duenas: Now we need a motion to recess.
- Commissioner Santos: Motion to recess until Monday, May 8th at 4:00 p.m.
- Commissioner Martinez: 2nd

Chairman Duenas: All those in favor signify by saying Aye. None opposed. Motion carries with four ayes.
[Ayes = 4, Nays = 0]

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3:00 p.m., Wednesday, April 26, 2023
Meeting Recessed on Tuesday, May 2, 2023 at 3:00 PM
Meeting Reconvened on Monday, May 8, 2023 at 4:00 PM**

MINUTES

1. CALL TO ORDER

Chairman Duenas states, this is a meeting that reconvened from a meeting that started on April 26, 2023, and was recessed and reconvened. Meeting called to order at 4:15 PM. So, today we are in Open Session, I communicated with Candidate A that we selected at our last meeting and went through everything with her. She wants to come work for us but has a counter-offer on the salary part. So, Jon-Rey, can you give us what that salary is?

- Jon-Rey: So the salary can we did offer Candidate A was \$47,219.00, that's \$22.70 per hour, based on Candidate A's skills, to reflect her current skills and past experience, she isa asking for \$50,000.00 annual salary.
- Chairman: Now, we don't do \$50,000.00 right on the money, so give us the exact closet pay to that.
- Jon-Rey: Som the closest pay on the high side would be \$50,124, that's \$24.10 an hour.
- Chairman: So, It's \$24.10 an hour as opposed to?
- Jon-Rey: \$22.70 an hour.
- Chairman: \$22.70
- Commissioner Limtiaco: And, I know we briefly discussed the 2023 survey and where does that put her percentile wise...
- Chairman: the \$50,100.
- Commissioner Limtiaco: the proposed counter. Chairman: her counter-offer, where would she be on the 23
- Commissioner Santos: scale
- Jon-Rey: it will be below the 5th
- Commissioner Santos: below the 5th? Assuming we approve it, right?
- Jon-Rey: Correct.
- Chairman: she's below the 5th again?
- Jon-Rey: That's correct.
- Commissioner Limtiaco: and it was discussed, the time period, the probationary period.
- Chairman: Oh, yes. We gave her the information that we are looking at 6 months as the initial period and then we would make any adjustments at that point. I also told her we do evaluations annually in November. I informed Candidate A that if we did arrive at a consensus, an agreement, a whole agreement, that we would evaluate her in 6 months and then that would put us close to where we are for the next regular evaluation. If we got the date when she actually starts, she also has to give notice. That if it was in November, then she would just start at the next November. If that part was in December, then she would be in the next regular review.
- Commissioner Limtiaco: Okay.
- Chairman: So, given that, what are the thoughts of the board?
- Jon-Rey: we offered at \$22.70 and the closest on the counter would be at \$24.10

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- Chairman: It's a difference of what Jon-Rey?
- Limtiaco: Less than 5%
- Chairman: Less than 5%
- Jon-Rey: Correct. A little over \$2,000.
- Limtiaco: If there is no discretion, I'll make the motion to accept the counter-offer at \$50,124.00. That would be our offer, right?
- Chairman: Right.

Commissioner Limtiaco made a motion to offer the Candidate \$50,124.00. Commissioner Martinez seconded the motion.

- Chairman: Any further discussion?
- Commissioner Santos: Yes, just to make sure that she understands that there is a 6-month probationary period, at which time she serves the duties.
- Chairman: Well, she serves at the pleasure. I told her.
- Commissioner Santos: Well, she's an at will employee, right?
- Chairman: Yes, she's an at will. But, we told her that we will, after her 6-months, we would kind of and I did tell the Candidate also that we would do a meet and greet. The only other thing is we can't announce the Candidate's name yet until she finishes the pre-employment. We started on the pre-employment, you know the drug test and all that stuff.
- Commissioner Santos: Right.
- Chairman: Once she completes that portion, then we will make the announcement, the formal announcement, but we will have an agreement if we adopt this motion.
- Commissioner Santos: When is her availability if accepted? She will have to give two weeks notice?
- Jon-Rey: Correct. That's what she was looking at. She did want to provide ample notice to her employer.
- Chairman: And that's fine. The other thing is we have to wait for the pre-employment screening that they have to go through. Court clearance, police clearance..
- Commissioner Santos: and a drug test
- Chairman: Yes and drug test, too.
- Limtiaco: Yeah, but none of that stuff takes very long.
- Chairman: No. what's the drug test?
- Jon-Rey: We give her at least 10 days to submit the clearances, but we get the results in a quick turn around.
- Chairman and Commissioner Santos: Oh, okay.
- Chairman: It's a short time.
- Jon-Rey: correct.
- Chairman: any further questions?

Chairman: All those in favor signify by saying Aye. None opposed and unanimously approved. [Ayes = 4, Nays = 0]

2. ADJOURNMENT

Chairman Duenas call for motion to adjourn? Comm. Limtiaco motions to adjourn. Comm. Santos asks, no, she will accept? Jon-Rey responds, yes. Comm. Limtiaco replies, yes, that was the contingent. Comm. Limtiaco again states, motion to adjourn; Comm. Martinez second. Meeting is adjourned at 4:20 PM.

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Attested:



JOSEPH T. DUENAS, Chairman



PEDRO ROY MARTINEZ, Secretary

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