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*Attorney for the Guam Solid Waste Authority ("GSWA")
By and through Receiver Gershman, Brickner & Bratton, Inc. ("GBB")*

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

UNITED STATES OF AMERICA

CIVIL CASE NO. 02-00022

Plaintiff,

v.

GOVERNMENT OF GUAM,
Defendant.

**REPORT AFTER MARCH 20, 2018
HEARING**

As directed by the Court in today's March 20, 2018, the Receiver submits the attached **Exhibit 1**. The document in Exhibit 1 was submitted to the Court on March 16, 2018 by GSWA's new management team in ECF 1794. The attached Exhibit 1 contains the Receiver's notes on numerous incorrect items, provides the correct information, and offers other comments on the document. All of the information requested by the new management team was provided as well as all of the reports the Receiver routinely receives in preparation of the Receiver's Quarterly Report.

The Receiver also submits the attached **Exhibit 2** in response to the allegation made in today's hearing that the Receiver did not provide some of the financial information requested by the new management team. Exhibit 2 contains all of the requests for information Mr. Vinas submitted to Mr. Manning and Mr. Manning's responses. There was never a specific request information specific to the period July 1, 2017 to September 30, 2017. Had such a request been made the information would have been provided. Extensive information addressing each issue

1 was provided using GBB's ShareFile System in which a folder was established exclusively for
2 Mr. Vinas allowing documents to be shared with him quickly and efficiently. Where
3 communications indicate that information was placed into his folder, it is this ShareFile to which
4 is being referred.

5 Respectfully submitted this March 20, 2018.

6
7 /s/ Vanessa L. Williams
8 VANESSA L. WILLIAMS, ESQ.
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EXHIBIT

“1”

Limited Quarterly Report of the GSWA Management Team

March 16, 2018

Introduction

This report covers the period of October 1, 2017 to February 28, 2018 ("the Reporting Period") as ordered by the Court, Order Re. Status Hearing Continuation, Feb. 15, 2018, ECF 1790. The GSWA new management team ("Management") will address the following operational and financial issues herein:

1. Personnel Classification
2. Operational Rules and Regulations
3. Operations of GSWA
4. Budget and Finances
5. Layon Landfill Cells Development and Closure

Management requests it be given the opportunity to present the contents of this Report to the Court using PowerPoint. Attached hereto as Exhibit 2 is the slides of the PowerPoint presentation.

1. Personnel Classification

In its Order, the Court instructed Management to discuss the status of the employee compensation and classification plan for GSWA, including a timeline for the project's completion and implementation. In addition, the Court instructed Management to address whether any significant changes in organizational structure are anticipated, and if so, to elaborate on said changes.

Management met with both the Receiver and Pacific Human Resources Services (PHR) on multiple occasions to discuss implementing the plan already developed by the Receiver. On or about December 2017, Alicia Fejeran submitted a list of positions and job descriptions for these positions for the organizational plan that the Receiver developed which is in line with the current operations of GSWA to PHR. In addition, Chace Anderson submitted the current organizational chart of GSWA, which again, is in line with the current operations of the Agency to PHR. PHR is to review, analyze and further develop the plan. A timeline of the proposed personnel compensation and classification plan is attached hereto as Exhibit A.

Initially Management is not planning any significant changes in GSWA's organizational structure. Management will continue status quo. Management plans to operate under the current structure and does not foresee the need to create any new positions, hire or terminate any employees, or move any PHR employees to classified positions during or immediately after the Receivership ends on June 30, 2018. It would be prudent for Management to take the first few months after the Receivership ends to manage the Agency to determine where improvements can be made and the best organizational structure of that will financially sound and achieve the maximum benefits for ratepayers.

At this time, Management respectfully requests the Court order a freeze on all hiring or execution of personnel actions during the remainder of the Receivership.

Commented [DM1]: The Receiver has no such plan and never attempted to develop one. The classification/compensation is a requirement of the Government of Guam not the Receiver. The Receiver simply agreed to support its development and to make PHR available to work on it through our existing contract with PHR.

Commented [DM2]: It is actually titled Exhibit 1 not Exhibit A.

Commented [DM3]: See questions 1-10 on these highlighted issues.

2. Operational Rules and Regulations

In accordance with the provisions of 10 G.C.A. § 51A104 and pursuant to the Administrative Adjudication Law (“AAL”), 5 GCA, Chapter 9, the Guam Solid Waste Authority Board of Directors proposes the promulgation of the attached Rules regarding the GSWA’s operations and solid waste management.

Commented [DM4]: No rules are attached.

Requirements of the AAL have been satisfied. The proposed Rules are in a format approved by the Compiler of Laws as set forth in the “Guidance for Formatting Rules and Regulations (GAR)” published on the Compiler of Laws’ website, www.guamcourts.org/Compileroflaws. A public hearing was noticed on February 14, 2018 and held on March 1, 2018 at the GSWA Office at 6:00 p.m. Five (5) copies of the proposed Rules were made available for public review at the GSWA main office and the GSWA’s website beginning February 14, 2018.

The Board’s legal counsel, Georgette Bello Concepcion, conducted the public hearing on March 1, 2018 and Board Member Andrew Gayle, General Manager Greg Martin and Comptroller, Enrique Vinas were present. No other persons attended the hearing and no oral or written comments were received either prior to, at or after the public hearing. Thus, no changes were made to the proposed rules.

A certified copy of the agency record which includes, *inter alia*, the proposed Rules, the Economic Impact Statement (“EIS”) and other required supporting documents were forwarded to the Office of the Attorney General of Guam on March 6, 2018 for her review and approval.

After the Attorney General approves the proposed Rules, the Rules, the EIS, and other required supporting documents will be forwarded to the Office of the Governor for review and approval.

The approved proposed Rules should be filed with the Legislative Secretary no later than March 29, 2018. If no action is taken within 90 days of March 30, 2018 (or an earlier date if the Governor’s approval is received before March 30, 2018), the Rules shall become “promulgated” and effective no later than June 30, 2018.

Receiver comment: These rules appear to reasonably mirror current GSWA operations with the following exceptions:

1. Article 2 (f) says “If [customer] requested a separate recycling cart [it] will be delivered...”. It is GSWA’s current practice to deliver recycling carts to all residential customers;
2. Article 5 Section 6504 deals with radioactive material found in vehicles at the Haulers-only transfer station or the Layon Landfill. The rule indicates that if such material is detected in a customer’s vehicle the rules say that the hauler may either: “1) have GSWA place the material placed in a secure container until the radiation subsides and the material can be properly disposed for a fee (which is charged by properly permitted private entities that accept such waste), or 2) leave the facility without depositing the material. Under current practice, GSWA would not actually handle or be responsible for the said material under any circumstance. The customer either agrees to have the material handled by Guahan Waste Control (the facility Operator) and compensate them directly or leave the facility and have the matter handled separately by properly trained and permitted personnel selected by the hauler owning the vehicle in which the radioactive material is detected;
3. Under the fee schedule being adopted with the rules there is a \$50 fee labeled as “COMMERCIAL ADDITIONAL CHARGE”. Under current practice GSWA has no such charge and we are unaware of how the GSWA would administer such a fee should it become effective.
4. Under the fee schedule being adopted with the rules, the fee for Government of Guam Mayor is \$0. Under current practice, Mayors receive one free load per day but must pay the Government of Guam Agency fee for any loads in excess of one load each day.

3. Operations of the GSWA

During the current reporting period, GSWA crews performed 609,030 residential trash and recycling collections with a miss rate of less than one percent.

Figure 1 illustrates the on-time collections during the reporting period.

Figure 1 – GSWA On-Time Trash Collections, October 2017 – February 2018



Also, during this period GSWA Operations received 12 new vehicles:

3-GMC 3500 Pickups (2 have been converted to Mini-Route Packers)

3-AutoCar 10yd Rear Load Packers

6-AutoCar 26 yd Rear Load Packers

These new vehicles have been incorporated into the daily collection routes of GSWA allowing Management to “retire” older vehicles and designate some of the better running inventory of “older” trucks as possible spares. The new vehicles will increase operational readiness while reducing truck maintenance and short-term tire costs.

Commented [DM5]: In addition, these vehicles are used for monitoring and missed service duty.

Commented [DM6]: While Mr. Martin did provide some helpful input in this area the work to update the fleet with the new vehicles was accomplished by Chace Anderson.

Figure 2 – GSWA New Fleet



GSWA residential crews collected 8,108.29 tons of trash from their residential customers over the five-month reporting period. Each GSWA customer-household generated an average of 47.20 pounds of trash each week (6.74 pounds per day).

As noted earlier the age of the fleet has had a direct correlation on GSWA's rising maintenance costs. With the addition of the new trucks GSWA's fleet we will see a decrease in future maintenance costs. The cost to maintain the larger 26yd rear-loaders in the fleet the past 5 months has been approximately \$229,097 compared to the same 5 months in the preceding year of \$245,235. Fleet Services Inc., GSWA's contractor for maintaining vehicles/trucks, has done a satisfactory job in getting trucks repaired and back on the road in a timely manner. The contractor services GSWA vehicles as early as 3 a.m. when GSWA calls for roadside repair.

Cart Repairs

During the Reporting Period, GSWA had 68 damaged and broken carts. This is an average of 14 carts per month, compared to an average of 26 carts per month the prior year that needed repair. The carts are holding up well to the work demands and Guam's inclement weather.

Bulky Item Collections

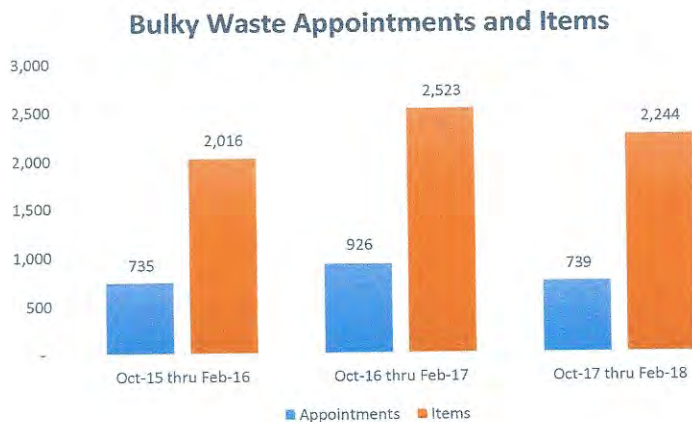
From the beginning of the Bulky Waste program in October 2011 through February 2018, customers have made 9,486 appointments with GSWA to collect 24,094 bulky items, or an average of 2.54 items per appointment. For this reporting period, as shown in Figure 3, GSWA completed 1,308 appointments, collecting 2,244 items—an average of 3.43 items per pickup. The Bulky Waste program collects items such as sofas, mattresses, and white goods which include washing machines and water heaters. These are mainly large and bulky items that customers have difficulty transporting to a disposal point. GSWA's curbside residential customers are allowed up to two free bulky item collections each calendar year. The fee for each subsequent collection during the same year is \$25. Residents who are not curbside residential customers of GSWA and are not commercial entities may make appointments for bulky item collection for \$25 per collection. Metal objects are taken to a local scrap yard to be recycled and non-metal items, such as mattresses and sofas, are disposed at the Layon Landfill.

Commented [DM7]: The number is wrong. It fails to include the residential waste (about 15% of the total residential waste) that goes directly to the Layon Landfill. This is an additional 1,426.88 tons making the correct total 9,535.17 tons.

Commented [DM8]: This number is not correct. It should be 25,755.

Commented [DM9]: These numbers are not correct. The number shown in Figure 3 correctly shows 739 appointments, making the items picked up per appointment 3.03.

Figure 3 – GSWA Bulky Waste Appointments and Items Collected, October 2017 – February 2018



Residential Transfer Stations

GSWA's three residential Transfer Stations are open to all residents of Guam to dispose of their trash and recycle items Thursday through Monday from 9 am to 5 pm. The Agat and Malojloj facilities have recently undergone significant upgrades similar to those at the Harmon facility. There has been a slight decrease in usage at both sites, Table 1 below, the sites remained open during construction. Many residents were not sure if the sites were open with all of the construction taking place. To compare the participation rate, the base period used is October 15– February 2016. Using this base period, the number of customers using these facilities during the Reporting Period from October through February 2018 is still higher (41.2% more) than the number of customers who used these facilities during the same period of the base year, October through February 2016. For this reporting period, tonnage is 35.1% higher than it was for the same months in 2015-2016. Table 1 shows historical information for the past three years of both number of customers and tonnage.

Table 1 – Residential Transfer Stations Comparison to 2015-2018

	Oct-15 thru Feb-16	Oct-16 thru Feb-17	Oct-17 thru Feb-18
Customers	4,927	10,341	14,605
Percent Change	100.0%	209.9%	141.2%
Tons	1,516	1,839	2,048
Percent Change	100.0%	121.3%	135.1%

Commented [DM10]: This is very unclear some wording appears to be missing.

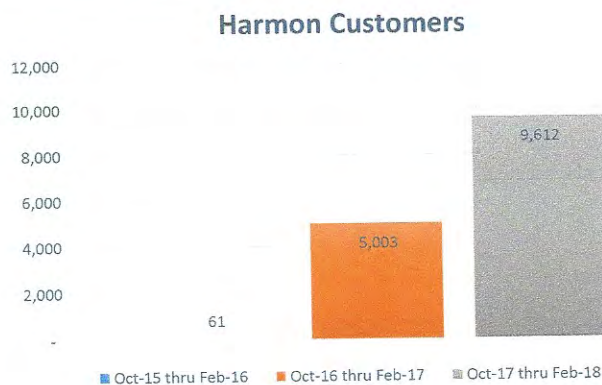
Commented [DM11]: The numbers shown for Oct-15 thru Feb 16 are wrong. The number shown for customers is 4,927. It should be 10,341. The number shown for Tons is 1,516. It should be 1,839.65.

Commented [DM12]: The numbers shown for Oct-16 thru Feb 17 are wrong. The number shown for customers is 10,341. It should be 13,184. The percentage is shown as 209.9% but should be 127.5%. The number shown for Tons is 1,839. It should be 2,079.44. The percentage is shown as 121.3% but should be 113.0%. The percent change is actually 13%.

Commented [DM13]: The numbers shown for Oct-17 thru Feb 18 are partially wrong. The number shown for Tons is 2,048. It should be 1,786.23. The percentage is shown as 135.1% but should be 97.1%. The percent change is actually -2.9%.

The number of customers using the Harmon Residential Transfer Station has increased significantly since it opened as shown in Figure 4.

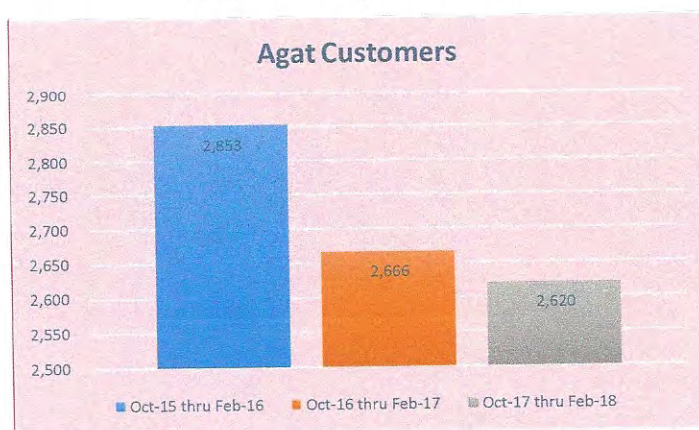
Figure 4 – Customers Using the Harmon Residential Transfer Station, October of 2015 through February 2018



Commented [DM14]: The numbers shown for Oct-15 thru Feb 16 and Oct-16 thru Feb 17 are wrong. They should be 5,003 and 7,946 respectively.

For the Reporting Period, there were 2,620 customers who used the Agat facility, although throughout much of this time construction on the new facility was taking place, causing traffic and space complications.

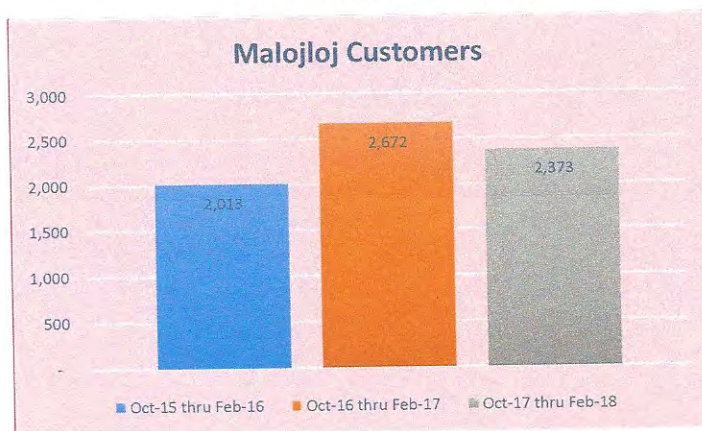
Figure 5 – Customers Using the Agat Residential Transfer Station, October 2015 through February of 2018



Commented [DM15]: The numbers shown for Oct-15 thru Feb 16 and Oct-16 thru Feb 17 are wrong. They should be 2,666 and 2,638 respectively.

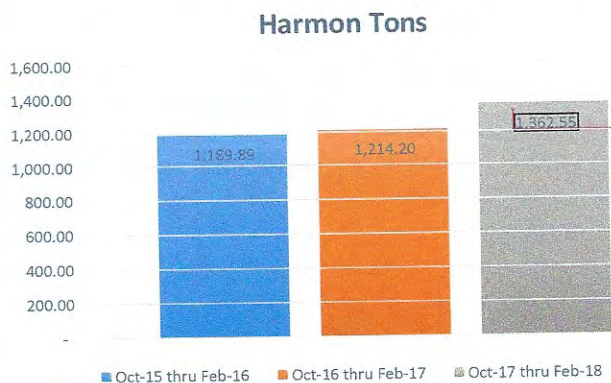
During the Reporting Period, there were 2,373 customers who used the Malojloj facility. The Malojloj facility continued to be used, although throughout much of this time, construction on the new facility was taking place, causing traffic and space complications.

**Figure 6 – Customers Using the Malojloj Residential Transfer Station,
October 2015 through February 2018**



Commented [DM16]: The numbers shown for Oct-15 thru Feb 16 and Oct-16 thru Feb 17 are wrong. They should be 2,672 and 2,600 respectively.

Figure 7 – MSW Tonnage to Harmon Residential Transfer Station



Commented [DM17]: The number shown for Oct-17 thru Feb-18 is wrong. The correct number is 1,100.34.

Figure 8 – MSW Tonnage to Agat Residential Transfer Station

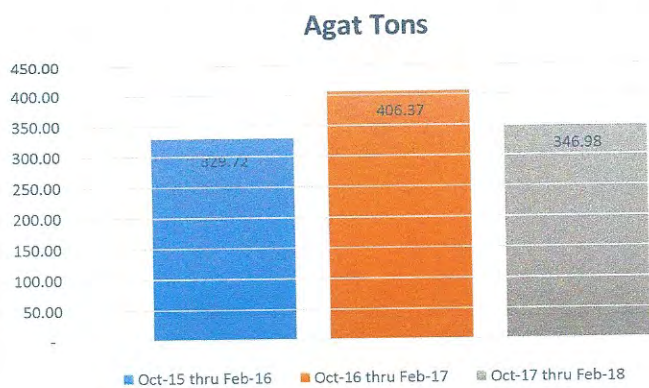
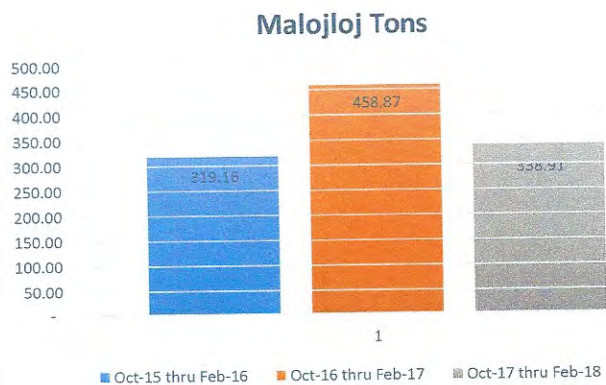


Figure 9 – MSW Tonnage to Malojloj Residential Transfer Station



Hauler-only Transfer Station

The majority of the municipal solid waste (MSW) going into the Layon Landfill is from the Hauler-only Transfer Station. Commercial haulers bring their trash to the Hauler-only Transfer Station as does GSWA, the northern Mayor's offices, the military, government agencies, and some non-profit organizations who do community clean-ups. Table 2 compares figures for the same five calendar months each year, going back to 2015, for these customers of the Hauler-only Transfer Station. The last line of Table 2 uses the October-15 through Februar-16 total tonnage into the Hauler-only Transfer Station as a base period and compares each subsequent period of time to that. In this reporting period, the tonnage decreased 4.1% compared to the same months in 2015/2016, while it increased 3.14% in 2016/2017. These comparisons to the base year allow us to state that tonnage has been fairly steady.

Commented [DM18]: This percentage is wrong. It should be -4.6%.

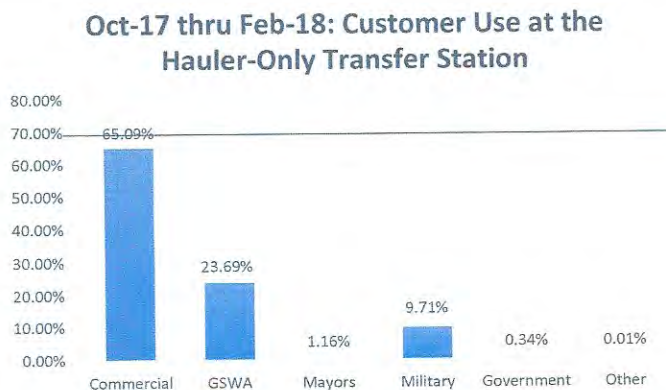
Table 2 – Customer Tonnage for Hauler-only Transfer Station

	Oct-15 thru Feb-16	Oct-16 thru Feb-17	Oct-17 thru Feb-18
Commercial	23,336.45	23,605.83	22,281.76
GSWA	7,324.73	7,921.63	8,108.29
Mayors	462.93	440.86	397.42
Military	3,243.86	3,565.72	3,323.50
Government	137.04	144.19	117.08
Other	-	-	3.95
Total	34,505.01	35,678.23	34,232.00
Percent change from previous year	100.0%	3.4%	-4.1%

Commented [DM19]: These numbers are not correct for all three years. They do not take into account the Residential Transfer Stations and the Bulky Waste Program. The correct numbers are 8,780.14, 9,320.64 and 9252.33 respectively.

Commented [DM20]: These totals are not correct due to the error shown above. The correct totals are 35,960.42, 37077.24 and 35,376.04 respectively. The percent change should be 3.1% for Oct-16 thru Feb-17 and -4.6% for Oct-17 thru Feb-18.

Figure 10 – October 2017 – February 2018 Customer Tonnage Percentage at the Hauler-only Transfer Station



GSWA employees staff the scale house and handle the customer accounts while a private contractor, Guahan Waste Control, operates the tip floor (where the trash is dumped) and the transfer trailers that transport the trash to the Layon Landfill. Once the material is dumped onto a tip floor, the operator of the facility screens it for excluded waste before loading it into a large transfer trailer for transport to the Layon Landfill. Consolidating the waste into large transfer trailers significantly reduces the amount of truck traffic to the Layon Landfill. For the reporting months from October 2017 through February 2018, there were 9,150 scale crossings bringing in 36,270.05 tons of municipal solid waste to the Hauler-only Transfer Station.

Commented [DM21]: This number is not correct. It should be 35,376.04.

Layon Landfill

The trash that is delivered to the Hauler-only Transfer Station, after excluded waste has been removed, is loaded into tractor trailers and transported to the Layon Landfill. The Layon Landfill also accepts direct deliveries from nearby mayors. Materials not appropriate for the Hauler-only Transfer Station (e.g., biosolids,) are also delivered directly to the Layon Landfill by the GWA. When GSWA collects from customers in the southern area of the island and from its two residential transfer stations also located in the south, GSWA will direct haul to the Layon Landfill. Periodically both commercial and non-profit organizations make arrangement to direct haul to the Layon Landfill as well.

Table 3 compares the same five calendar months of figures from 2016 through this reporting period for its major customers of the Layon Landfill.

Table 3 – Customer Tonnage for Layon Landfill

	Oct-15 thru Feb-16	Oct-16 thru Feb-17	Oct-17 thru Feb-18
From Hauler-only Transfer Station	34,285.35	35,415.25	33,972.04
GWA Biosolids	3,967.25	4,034.33	3,489.55
Mayors	326.39	321.39	272.47
GSWA	1,019.63	1,051.77	1,426.88
Other	-	-	-
Total	39,598.62	40,822.74	39,160.94
Percent change from previous year	100.0%	3.1%	-4.1%

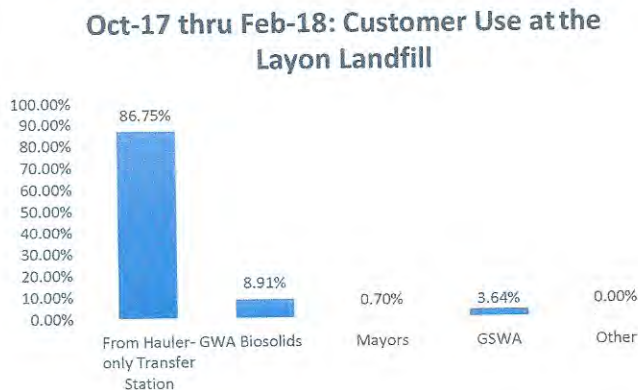
Commented [DM22]: The number is slightly off. It should be 35,450.25.

Commented [DM23]: These numbers are not correct for all three years. The correct numbers are 1,447.83, 1,810.58 and 1,794.69 respectively.

Commented [DM24]: The correct totals are 39,885.74, 41,837.82 and 40,080.58 respectively and the correct percent change for Oct-16 thru Feb-17 is 4.9% and for -4.1% for Oct-17 thru Feb-18.

Figure 11 shows the percentage of use for each category of customer listed in Table 3.

Figure 11 – October 2017 through February 2018 Customer Tonnage Percentage at Layon Landfill



The day-to-day operations of the Layon Landfill are managed by Green Group Holdings, LLC, (GGH), the Receiver's contracted operator, while GSWA employees manage the scale house and all accounts. The facility is open from Monday through Saturday every week and during all holidays except for Christmas Day and New Year's Day.

During the Reporting Period, the Layon Landfill had 2,943 scale crossings bringing in 40,080.58 tons or an average of 13.62 tons per load.

Commented [DM25]: This number is correct but does not agree with table 3 due to the errors in table 3.

Household Hazardous Waste

The Household Hazardous Waste Facility (HHWF) is located at the Harmon Street Residential Transfer Station and is open five days a week (Thursday through Monday) from 9:00 a.m. to 5:00 p.m. It is free to residents of Guam. Businesses and institutions cannot use the HHWF because it is designed and permitted for household hazardous waste only and providing such a "free" service to businesses and other large organizations would be cost-prohibitive. The HHWF is operated by Unlimited Services Group, whose representatives greet the customers, remove the acceptable material from the vehicle, separate the materials into the proper category, and store the material for disposal, reuse, or recycling.

From its opening to the end of February 2018, GSWA's HHWF had collected 676,258 pounds of Household Hazardous Waste. Approximately 58% of this sum was composed of electronics and 42% of it was other household hazardous waste that includes, among other things, motor oil, lead paint, and insecticides. In our last Quarterly Report to the court, the percentage of electronics was at 47%.

During the Reporting Period, 1,443 customers used the HHW facility. These customers brought in 27,605 pounds of electronics and 75,475 pounds of other HHW products such as poison, paint, motor oil, cleaners, aerosols, batteries, and other assorted HHW items. Figures 12 and 13 show the number of customers and the quantities of HHW brought to the facility during the same months for each year.

Figure 12 – Number of HHW Pounds: October – February 2016, 2017 and 2018

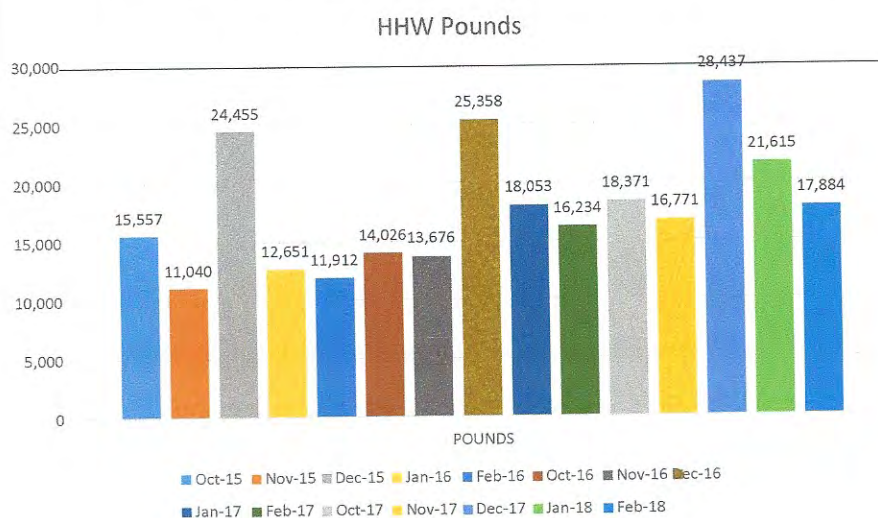
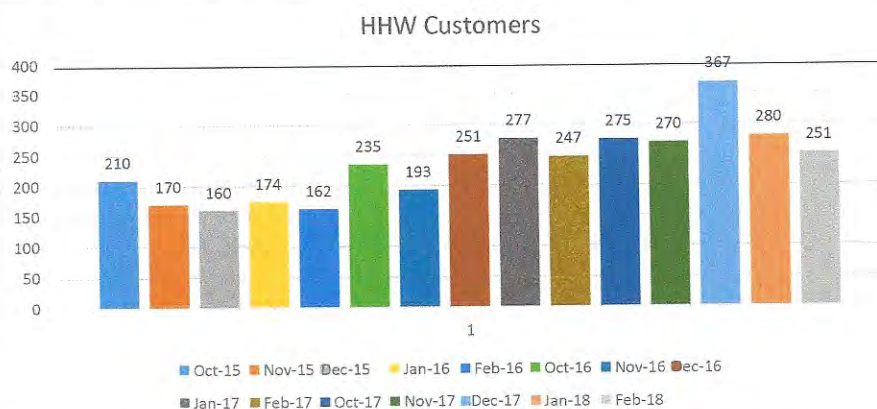


Figure 13 – Number of Monthly Customers at HHWF from October through February 2016, 2017 & 2018



Operating cost for the Household Hazardous Waste Facility is fixed by contract each month but disposal cost varies by the amounts and type of waste to be disposed. Table 4 outlines the cost of operating and waste disposal for the Reporting Period.

Table 4 – Household Hazardous Waste Facility Operating and Disposal Cost

**Household Hazardous Waste Facility
Operating and Disposal Cost
October 2017 - February 2018**

Month	Operating Cost	Disposal Cost	Total
Oct-17	\$21,912.00	\$20,762.00	\$42,674.00
Nov-17	\$21,912.00	\$19,523.00	\$41,435.00
Dec-17	\$21,912.00	\$34,128.00	\$56,040.00
Jan-18	\$21,912.00	\$27,243.00	\$49,155.00
Feb-18	\$21,912.00	\$24,957.00	\$46,869.00

Administration

GSWA Customer Service creates and maintains customer accounts, provides work orders to operations, and creates customer invoices. Customer Service works with both GSWA customers and GSWA operations to make sure that both have the proper information to assure that there are minimal service interruptions to the ratepayers. The Receiver has implemented work order and billing software and consolidated the GSWA's numerous phone numbers into one multi-line number used by GSWA's customer service representatives (CSRs). One CSR begins work at 3:00

a.m. each day to assist with operations. It is that person's responsibility to note in the customers' files such items as blocked roads that prohibited GSWA collection trucks from collecting customers' trash and or recycling. The CSR also handles notices of violation, such as when contamination is found in customers' recycling carts. Drivers will notify the CSR, who will immediately place the information into the customers' accounts and notify the other CSRs, of these situations. After 8:00 a.m., CSRs will attempt to call customers and inform them of the problem and advise them about how such problems can be resolved and avoided in the future. CSRs also notify agencies, such as Guam Power Authority or any of the telephone companies, if drivers report downed electrical/telephone wires or the appropriate Mayor's Office if, for instance, there is a tree limb blocking a secondary road.

GSWA's CSRs assisted 3,141 walk-in customers during the Reporting Period. The CSRs meet with walk-in customers to discuss their account histories, sign them up for collection service, map their service locations, and discuss which items can be recycled with GSWA.

During the Reporting Period, the CSRs sent 8,414 letters and made 7,871 courtesy calls to customers who were late paying their bills and in jeopardy of having their carts repossessed for lack of payment. When a customer falls 60 days behind in payment, GSWA Customer Service staff contact the customer by mail and telephone to provide a reminder to the customer, encouraging them to make payment to ensure that their account is restored to good standing. If the customer fails to pay and falls 90 days or more behind in payment, a work order is placed to repossess the cart and terminate service. GSWA operations staff repossessed 1,279 carts during the Reporting Period and 571, or 58%, of those customers paid their balance due plus a \$50 reinstatement fee to have GSWA's service restored. The number of carts repossessed was smaller than the number of past due accounts, because of mechanical difficulties with GSWA's vehicle fleet due to the vehicle procurement protest lodged and continued by a local company.

In GSWA's continued effort to cross-train employees, CSRs and Scale House Operators are cross-trained and rotate to different posts. GSWA has also been selecting operational employees who show a desire to learn Customer Service work activities. Two sanitation workers have been fully trained and have worked as CSRs, and one of these employees has been fully trained and has worked as a scale attendant. This allows for greater utilization of personnel and for the personnel to have a better understanding of how GSWA operates. Scale House Operators are now assigned work that normally was only performed in the GSWA main offices as they carry out their Scale House duties.

Personnel

On February 28, 2018, GSWA had the equivalent of 68 full time equivalent (FTE) positions. There were 38 FTE Government of Guam employees and 30 FTE workers employed by the Receiver through a contract with Pacific Human Resources, Inc. (PHRS). Additionally, there was one employee under direct contract with the Receiver. When the Receiver was appointed by the Court in March 2008, the Division of Solid Waste had 99 employees. The current staffing level reflects a reduction of 31%.

GSWA Board of Directors

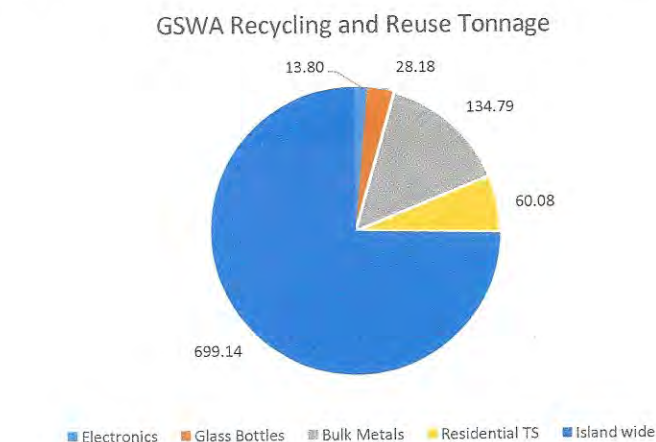
During the Reporting Period, the GSWA Board of Directors scheduled five (5) Board meetings: one of these was cancelled, and all others were attended by a quorum or more of the Board of Directors. The minutes and agenda for each meeting are posted on the GSWA website (which can be found at <http://www.guamsolidwasteauthority.com/bod.html>), and the audio of each meeting is also available online through the website of the Office of Public Accountability (OPA). The Receiver provided staffing support for the five (5) board meetings held during this reporting period and briefed the Board on GSWA activities at each meeting.

Recycling Programs

Over the course of the Reporting Period, GSWA collected for purposes of recycling or reuse 9,326 tons of materials as Figure 14 illustrates.

Commented [DM26]: The Court's Order of 2-15-2018 states the following: "With regard to GSWA's recycling program, the status report shall address how the agency intends to handle challenges going forward and whether the new management is committed to continuing the recycling program and services for GSWA's customers...." In this section the Status Report accurately discusses some aspects of GSWA's Recycling Program but does not address the areas the Court specifically directed should be included.

Figure 14 – GSWA Recycling and Reuse Tonnage October 2017- February 2018.



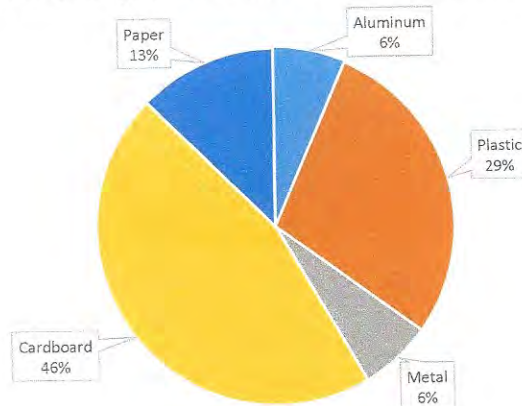
2017 GSWA's Island-wide Curbside Recycling program accounts for 699.14 tons, or 75%, of the total recycled and reused by GSWA. The majority of GSWA's residential trash customers have recycling carts. Residential customers who live on roads where the large garbage trucks cannot travel because of road conditions, low hanging wires and branches, or other reasons resulting in an inability to turn the vehicle around, receive trash collection with what GSWA refers to as Baby Packer trucks. These vehicles are essentially pickup trucks with small containers on their beds. The customers on the Baby Packer trash routes were not provided recycling carts because the Baby Packer trucks cannot efficiently serve these customers for recycling. The Authority has received

its new collection vehicles, and recycling carts which will allow the customers on Baby Packer routes to finally have recycling service.

Since it began, the Island-wide Recycling program has collected 8,034.41 tons of material for recycling at the curb, averaging 157.56 tons a month over the life of the program to date. Figure 15 shows the percentage breakdown of the recyclables collected at the curb in the Island Wide Recycling program for this reporting period.

Figure 15 – Percentage Breakdown of Curbside Recyclables Collected October 2017 through February 2018

Percentage Breakdown of Curbside Recyclables



The recycling set out rate is defined as the proportion of households that set out a recycling cart for collection on any given collection day. Some customers may set their recycling cart on each collection day but many will set them out only when it is full. Depending on their individual recycling habits they may set the carts out once a month or once every two months or twice a month. During the Reporting Period, the average was 42.16%. Figure 16 shows the Average Set-Out Rates by Month and Figure 17 shows the Average Set-Out Rates by Day.

Figure 16 – Curbside Recycling Monthly Set-Out Rates October 2017 through February 2018

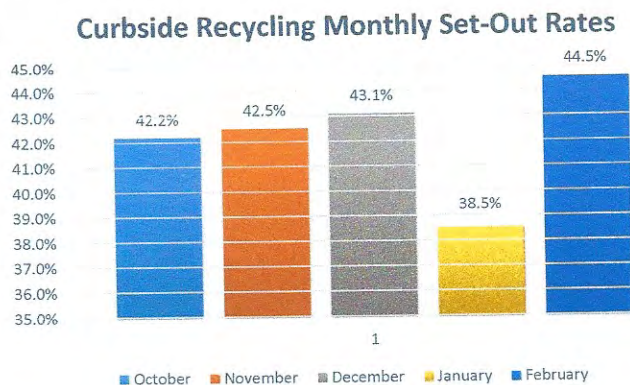
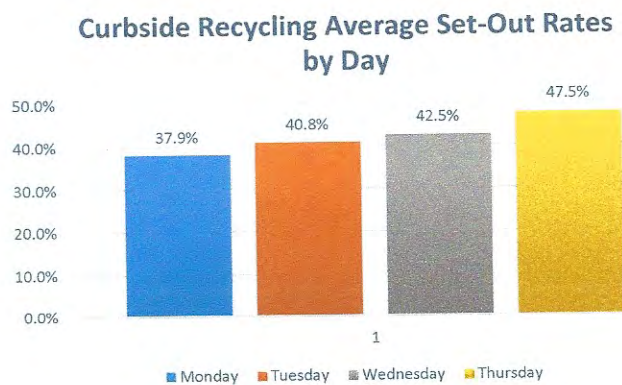


Figure 17 – Curbside Recycling Average Set-Out Rates by Day, October 2017 through February 2018



4. Budget and Finances

This section covers the proposed budget for Fiscal Year 2019, the plans for the accounting functions post-receivership, and the operating finances of GSWA for the quarter ending December 2017.

Fiscal Year 2019 Budget

The Receiver responded to the budget call from the Bureau of Budget and Management Research dated December 1, 2017, Circular 18-03. On behalf of the GSWA, the Receiver submitted the FY2019 year per the instructions contained in the circular by the deadline of December 22, 2017. It is worth noting that BBMR prepared the Governor's Executive Budget request for FY 2019¹, which was due and submitted to the Legislature by January 31, 2018¹ and included the GSWA as submitted by the Receiver.

It is the understanding of Management that the budget for FY 2019 can still be amended and presented directly to the Legislation. In conversation with William Taintingfong from the Bureau of Budget and Management Research (BBMR), Management can prepare a revised budget to better reflect the cost and anticipated revenue of the Agency for FY2019. The most significant changes have been in Personnel Services, Contractual Services and Miscellaneous.

As mentioned above, in the Personnel Classification section, Management plans to continue operating the Agency under the current structure, with 38 classified, full time government employees and to contract the services of Pacific Human Resources to supplement the workforce needed to carry out operations and maintaining the status quo.

Receiver's comment: The New Management's Report does not address the question posed by the Court in its Order dated 2-15-18 wherein the Court asked if the Board has yet made a decision about whether it will go directly to the Legislature with its budget or submit a budget to them as a part of the Executive Budget process.

With respect to Table 3 on the next page of this report, it is not correct to call this the GSWA Budget as submitted by the Receiver to BBMR. The Budgets of the Receiver have always been presented to and approved by the Court. Table 3 appears to be taken from a form the Bureau of Budget and Management Research (BBMR) sent out in its annual budget call in early December with a deadline for submission of the form that was prior to the time of the next Board meeting. To preserve the Board's option to use this method, the Receiver authorized GSWA staff to submit the required form to BBMR, in essence as a place holder, pending the Board's decision on how to proceed on the FY 2019 Budget. The Board was notified of this, but to the best of our knowledge it has taken no action.

¹ The Governor's Executive Budget for FY2019 can be found at: <http://www.ofbguam.org/governors-executive-budget-requests>.

For the FY 2019, Table 6 summarizes the Expenditures included in the budget.

Table 6 – FY 2019 Expenditures Budget

Guam Solid Waste Authority			
Operating Budget			
FY 2019			
As presented to BBMR by Receiver			
Item	FY 2017 Expenditures & Encumbrances	FY 2018 Authorized Level	FY 2019 Governor's Request
Personnel Expenses:			
Regular Salaries	\$ 1,029,497	\$ 2,995,121	\$ 1,192,635
Overtime/Special Pay	\$ 101,883	\$ 64,879	\$ 74,611
Contract Employees	\$ -	\$ -	\$ -
Benefits	\$ 389,970	\$ 1,450,380	\$ 477,054
Sub-total	\$ 1,521,350	\$ 4,510,380	\$ 1,744,300
Non-Personnel Expenses:			
Travel	\$ -	\$ -	\$ 10,000
Contractual Services:	\$ 1,977,795	\$ 1,625,341	\$ 11,463,673
Supplies and Materials	\$ 303,320	\$ 500,000	\$ 575,000
Equipment	\$ 20,015	\$ 30,000	\$ 34,500
Utilities - Power and Water	\$ 77,195	\$ 226,500	\$ 260,475
Capital Outlay	\$ 6,833	\$ 100,000	\$ 1,100,000
Miscellaneous	\$ 6,830	\$ 13,000	\$ 359,200
Required Reserve Contributions:			
Equipment Replacement	\$ -	\$ -	\$ 680,645
Cell Closure	\$ -	\$ -	\$ 50,000
Post Closure Care	\$ -	\$ -	\$ 100,000
Future Cell Development	\$ -	\$ -	\$ 50,000
Reserve - Unfunded Expenses	\$ -	\$ -	\$ 4,497,097
Sub-total	\$ 2,391,988	\$ 2,494,841	\$ 19,180,590
Grand-total Expenditures / Reserves	\$ 3,913,338	\$ 7,005,221	\$ 20,924,890

Commented [DM27]: See Receiver's comment on previous page.

Accounting Functions Post-Receivership

Management has elected to continue with the Receiver's current practice of utilizing the services of the Department of Administration ("DOA") to perform the duties of accounting, payroll and human resources. Management negotiated a Memorandum of Understanding (MOU) with DOA for these services at a cost of \$105,000 per year, \$60,000 for accounting

and payroll and \$45,000 for human resources. This MOU will be in place once the Receivership ends and Management has oversight of the Agency.

Management will need to evaluate these areas over time and properly train employees if it determines it will be more cost-effective in the long run to have these services performed in-house; but such effort will take time and resources, it is not something that Management is prepared to take on at this time. A cost-benefit analysis will need to be conducted, which includes accounting systems, proper IT services, development of accounting procedures, qualified employees, among other factors.

Since coming on board, Management has observed that the Receiver's use of DOA during the Receivership resulted in satisfactory service. Management will look closely into how these functions are performed and how said functions can be improved or streamline the financial management of the Agency and have the ability to focus on new practices.

Operating Finances of GSWA

In this section, Management reports on the first quarter financial results as it was presented to the GSWA Board of Director by the Receiver on January 10, 2018. A summary of revenues and expenditures is shown in Table 7.

Commented [DM28]: Information presented in this section does not address the operating cash position of GSWA, its estimated fund balance and the Reserves of GSWA all information that is normally included. The Receiver provided information to the new Management Team that would have allowed them to address these issues.

Table 7 – Operating Budget FY 2018 October through December 2017

Guam Solid Waste Authority Operating Budget FY 2018 Preliminary Expenditures and Revenues As of December 31, 2017				
Item	Total Annual Budget	Budget to Date	Preliminary Spending and Revenue YTD	% over (under) Budget to Date
Personnel Expenses:				
Sub-total	\$ 2,875,000	\$ 718,750	\$ 756,530	5.3%
Non-Personnel Expenses:				
Sub-total	\$ 15,703,742	\$ 3,925,935	\$ 4,161,285	6.0%
Grand-total Expenditures / Reserves	\$ 18,578,742	\$ 4,644,685	\$ 4,917,815	5.9%
Revenue:				
Total Revenue	\$ 19,160,000	\$ 4,790,000	\$ 4,772,496	-0.4%
Surplus / (Deficit)*	\$ 581,258	\$145,315	(\$145,319)	
<small> Note: This report is based on preliminary month-end numbers from the Department of Administration and cash payments made by the Receiver through the Trust Account. It is preliminary and subject to change based on subsequent DOA updates and accounting adjustments. Amounts shown in the column GovGuam Preliminary Spending includes spending that occurred in prior months but which was not previously recorded by DOA. Revenue is based on billed amounts as reported in GSWA monthly revenue reports. * Surplus goes to reserve for future years (i.e. fund balance) and deficits are covered by the same reserve. Interest income on reserve accounts not included in operating revenue. </small>				

Commented [DM29]: This is a summary of the Receiver's Budget Report to the GSWA Board of Director's for 12-31-17.

As it can be seen, Personnel Expenses are up 5.3% or \$37,780 from budget. This is mainly due to an increase of \$15,022 in regular salaries and \$16,000 in Contract Employees. The balance is composed on overtime overage year-to-date ("YTD") of \$6,702.

Non-personnel Expenses YTD are also higher than budgeted by \$235,350 or 6.0%. The main reason for this overage is due to Layon Landfill Operations expenses that increased to \$263,569 or 30.1%. The factors that contribute to this are:

- Net excess tons of 8,620 tons at a rate of \$19.48/ton totaling \$167,919.
- Scale repairs for \$14,983.
- Credit for liquidated damages of \$145,160. The operator was charged with liquidated damages for the period 2015/2016 for not achieving the minimum effective density required per the agreement. The operator rectified the issue within a year and per the agreement the liquidated damages assessed against the operator had to be reimbursed back to the operator.

Net excess tons are built in to the budget as well as equipment repairs based on historical data, but it is difficult to estimate the correct amounts for these categories.

The higher overage in Layon Landfill Operations expenses is being offset by lower expenditures in supplies and materials, utilities charges, and other contractual services expenses.

Total revenues are slightly down by \$17,504 or -0.4%. This amount is small and revenues should normalize over the next few months. The deficit of \$145,319 is being covered from fund balance.

Cash collections for the first quarter of FY 2018 ending on December 31, 2017 are shown in the Table 8.

Table 8 – GSWA Revenue Billed / Collected 1st Quarter FY 2018

GSWA Revenue Billed / Collected			
October 1, 2017 through December 31, 2017			
Customer Class	Billed	Collected	%
Commercial	\$ 2,522,445.77	\$ 2,578,622.17	102.2%
Residential	1,774,709.91	1,831,561.02	103.2%
Government	377,071.33	589,176.08	156.3%
Total	\$ 4,674,227.01	\$ 4,999,359.27	107.0%

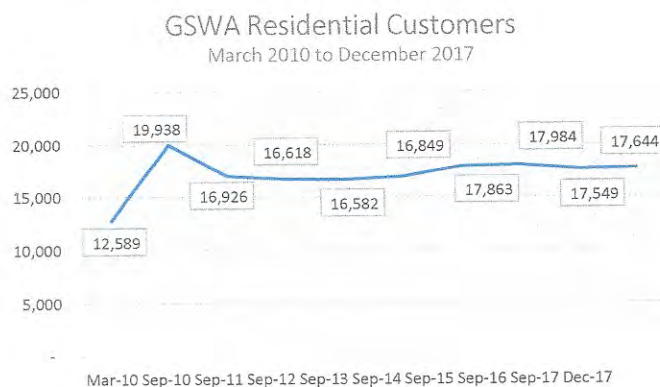
Note: Amount collected is on a cash basis.

Cash collections for the period were higher than billings by 7.0%. A big factor that contributes to this positive variance is the efforts made to bring Government account collections current. GWA cash collection exceeded billings by 43.0% and other Government agencies exceeded billings by 508.5%.

Status of Residential Customers

The number of residential customers remains consistent with prior reporting periods. In the current Reporting Period, the number of customers went up from 17,549 to 17,644 or 0.54%, as can be seen in Figure 21.

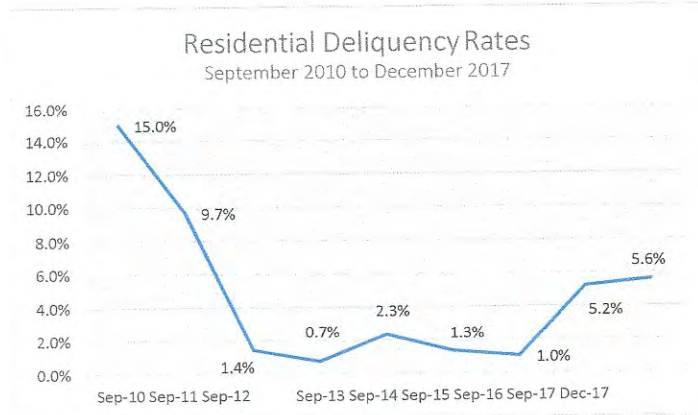
Figure 21 – GSWA Residential Customers



Delinquency rates continue to increase, going from 5.2% in September 2017 to 5.6% in December 2017, and from 1.0% at the end of the FY 2016. In the past, this has been attributed to the lack of dependable trucks to repossess carts from delinquent customers, a practice that has been proven to be highly effective to keep rates low. However, new trucks have been purchased since the last report (June, 2017) and the delinquency rates keep increasing. Further investigation will need to be conducted to get to the cause of this situation. Figure 22 depicts the residential delinquency rates since September, 2010.

Commented [DM30]: The new trucks did not come in until well into December and were not in full service until well into January. The statement seems to suggest that the trucks are not causing the increased delinquency but that cannot be known until the trucks have been in full service for several months.

Figure 22 – Residential Delinquency Rates



GSWA customers continue to be supportive of advance technologies offered to them such as the account management and online payments tools available to them. The use of online services continues to grow in the reporting period, going from 12,583 in September to 13,071 in December, 2017. The majority of customers are using this great tool and Management continues to strive to make improvements in the future to provide customers a better experience. A graph showing the growth in online activity can be seen in Figure 23.

Figure 23 – Growth in Online Activity



We continue to offer customers the use of PayPal as a mean to make online payments as well as opting for paperless billings, this method is environmentally friendly and reduces the cost of printing, handling and mailing bills to our customers.

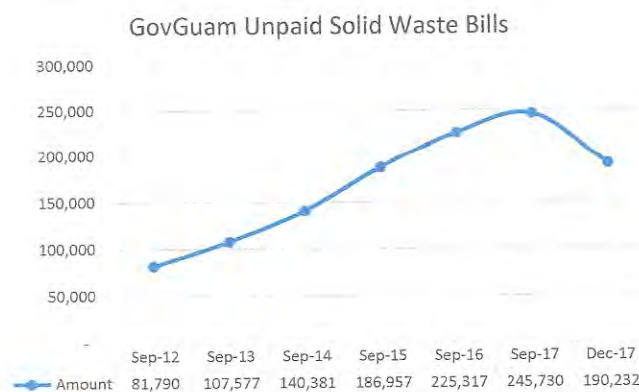
Status of Large Commercial Accounts

Large commercial haulers are the source of most of the waste managed by GSWA and, consequently, these customers also produce most of the Agency's revenue. These commercial haulers collect waste from businesses on Guam, schools, churches and other large institutions, some government agencies, the military facilities on Guam, and Guam's multi-family residential housing units (all housing facilities with more than four units are served exclusively by commercial haulers while GSWA may directly serve those with four or fewer units). At the time of preparation of this report, all major commercial accounts were in good standing during the Reporting Period.

Status of GWA and Government Accounts

With respect to GWA, when the Receiver arrived GWA was not paying its solid waste bills. After the Receiver's initial efforts to collect, GWA began making payments of the amounts currently billed but did nothing to pay down its approximately \$1.0 million unpaid balance. After further collection efforts GWA obtained a rate increase in order to pay down the old balance and remain current. GWA has been full compliance for some time. The outstanding balances for most of the Government accounts are being paid, with the exception of a couple village Mayors that continue to have high outstanding balances. The Receiver continues its efforts to bring them current. Figure 24 below depicts this effort.

Figure 24 – GovGuam Unpaid Solid Waste Bills



5. Layon Landfill Cells Development and Closure

In its February 15, 2018 Order, the Court instructed Management to begin overseeing projects to close Layon Cells #1 and #2 and to construct a new Cell #3. Management met with key personnel currently associated with Layon Landfill activities, to include but not limited to, GHD Engineering, EA Engineering, Guam EPA, Green Group Holdings, GSWA staff and the Receiver in order to allow for a smooth transition. As a result of these conversations and their direct input, the following assumptions have been made.

Current assumptions:

New Cell space needed by mid-2020

Will need to start construction by 1/19

Procurement for construction activity to start by the last half of 2018

Will continue to use the services of EA Engineering for landfill monitoring programs

Will continue to use the services of GHD Engineering for closure consulting

The 50% New Cell design has been submitted to EPA for review.

EPA is in the process of signing a consultant agreement with CH2M Engineering to conduct a review of GSWA Cell #3 50% design and provide comments. Assumptions have been made based on the information available to us in order to maintain the schedule of procurement and construction.

Commented [DM31]: We assume that the reference here is to Guam EPA since USEPA is not involved in this matter. The source of Guam EPA's funding for this is unclear to us. In February we were informed by Guam EPA that review of these technical documents was on hold pending the signing of the technical support contract. We were further advised that the technical support contract was, at that time, with BBMR pending their Director's signature. Guam EPA indicated that upon BBMR's approval, the next step is to submit the contract to the AGO for their concurrence. We were assured that Guam EPA was constantly checking on the progress of this contract on a near daily basis. We have not heard anything more.

EXHIBIT

“2”



David Manning <dmanninggbb@gmail.com>

Information Request

6 messages

Enrique Vinas <enrique.gswa@gmail.com>
To: David Manning <dmanninggbb@gmail.com>
Cc: Greg Martin <gmartin.gswa@gmail.com>

Mon, Feb 26, 2018 at 6:03 PM

Good Morning David,

I hope this email finds you well; following the order dated February 15, 2018 from the Court where the new management team is asked to present a limited status report, I'm requesting the information listed below to comply with the order:

- GSWA Revenue Billed/Collected for the Period of October 1, 2017, through December 31, 2017
- GSWA Fund Balance as of December 31, 2017
- Historical data for the Fund Balance from FY2009 to date
- Historical data for the Cash Position from FY2009 to date
- Historical data for residential customers from FY2009 to date
- Historical data for Residential Delinquency rates from FY2009 to date
- Historical data for Online Activity from FY2009 to date
- Historical data for Savings from Customers using Paperless Billing from FY2009 to date
- Historical data for Large Commercial Accounts from FY2009 to date
- Historical data for GWA and Government Accounts from FY2009 to date
- Historical data for GovGuam Unpaid Bills from FY2009 to date
- Historical data for Reserves of GSWA from FY2009 to date
- Historical data for Total Waste Disposed from FY2009 to date.

This might seem like a long list, but I'm sure you have this information readily available and can be sent quickly. Please send the information in Excel so it is more user friendly and it doesn't have to be retyped.

I would like to receive this by no later than Tuesday March 26th, 2018. If you are not able to provide the information requested by this date, please indicate the reason why and when you will be able to provide it.

Thanks in advance for your full cooperation to this request.

Best Regards,

Enrique Vinas
Comptroller

Guam Solid Waste Authority
[542 N Marine Corps Drive](#), Tumon GU 96913
Cell: 671-864-0712
E-mail: Enrique.GSWA@gmail.com

www.guamsolidwasteauthority.com

Please consider the environment before printing this email

Enrique Vinas <enrique.gswa@gmail.com>
To: David Manning <dmanninggbb@gmail.com>
Cc: Greg Martin <gmartin.gswa@gmail.com>

Mon, Feb 26, 2018 at 6:32 PM

David,

I want to clarify that it is needed by March 6th, 2018 and not March 26th, 2018.

Regards,

Enrique Vinas
GSWA Comptroller
Sent from my iPhone
[Quoted text hidden]

David Manning <dmanninggbb@gmail.com>
To: Enrique Vinas <enrique.gswa@gmail.com>
Cc: Greg Martin <gmartin.gswa@gmail.com>, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <avfejeran@gmail.com>

Sat, Mar 3, 2018 at 9:02 PM

Enrique,

My response to your information request is as follows:

1. **Request:** GSWA Revenue Billed/Collected for the Period of October 1, 2017, through December 31, 2017 – **Response:** You actually already have this report. Coleen sent it to you with the month end reports for January but I have put it into your folder for your convenience.
2. **Request:** GSWA Fund Balance as of December 31, 2017 – **Response:** Any calculation of fund balance on any date other than September 30 is an unaudited estimate since the books are not really closed except on that date. Since the audit is not complete for September 30, 2017 the audited fund balance has not yet been established by auditors. Significant portions of the fund balance are dedicated reserves for specific purposes (cell closure, new cell development, equipment replacement, post-closure care, unfunded expenses). Generally speaking, fund balance is the difference between cumulative expenditures and obligations and cumulative revenues properly adjusted for any uncollectable amounts and deferred amounts. Our preliminary estimate of the change in fund balance can be drawn from the budget reports presented to the Board for the periods ended 9/30/17 and 12/31/17 plus the change in the dedicated reserve accounts. I have placed these budget reports in the folder responding to your request. In addition, you have a folder containing all of the transactions and bank statements for the dedicated reserves.
3. **Request:** Historical data for the Fund Balance from FY2009 to date – **Response:** See August 23, 2017 - Quarterly Report of the Receiver, page 43 Figure 26 at the following web address <http://www.guamsolidwastereceiver.org/pdf/Tab1-Quarterly-Report-of-the-Receiver-8-23-17-Final.pdf>

4. **Request:** Historical data for the Cash Position from FY2009 to date - **Response:** See August 23, 2017 - Quarterly Report of the Receiver, page 44 Figure 27 at the following web address <http://www.guamsolidwastereceiver.org/pdf/Tab1-Quarterly-Report-of-the-Receiver-8-23-17-Final.pdf> As you will note from the document, this is a representation of operating cash and does not include cash in the GSWA Reserves. The accounts included are the Systems Surplus Account, the System Operations and Maintenance Account, the Tipping Fee Accounts at Bank Pacific, ANZ Bank and the Bank of Guam, the PayPal Account and the Primary Account (a.k.a. GBB, Receiver for the Guam Solid Waste Authority). Your folders include all of the bank statements for these accounts for this period (Tipping Fee Account statements are in the folder entitled "Email Request of 2-26-18").
5. **Request:** Historical data for residential customers from FY2009 to date – **Response:** GSWA tracks certain metrics including the numbers of residential customers. This data is accumulated in a spreadsheet (the spreadsheet is named "guam administration") coordinated by Alicia Fejeran. I have placed copy of that spreadsheet in your folder. Historical data is available in our quarterly reports at the web address shown in items 3 and 4 in Figure 28 on page 45.
6. **Request:** Historical data for Residential Delinquency rates from FY2009 to date – **Response:** We have calculated the residential delinquency based on the number of customers receiving a 90-day Notice of non-payment. This is when customers are scheduled to have their trash carts repossessed for non-payment. Delinquency rates are calculated based on the status of these matters at the end of the fourth week of each month. The data used to make these calculations is also from the "guam administration" spreadsheet. See Figure 29 on page 45 of the 8-23-17 Receiver Report for historical data.
7. **Request:** Historical data for Online Activity from FY2009 to date – **Response:** Historical data is available in our quarterly reports at the web address shown in items 3 and 4 in Figure 30 on page 46. Current data is drawn from the invoices for BMS technology. The invoice for December is in the folder entitled "Email Request of 2-26-18".
8. **Request:** Historical data for Savings from Customers using Paperless Billing from FY2009 to date – **Response:** Historical data is available in our quarterly reports at the web address shown in items 3 and 4 (see Figure 31 on page 47 of the 8-23-17 Receiver report). Current data is drawn from the invoices for BMS technology. The invoice for December is in the folder. Savings are based on the number of customers using paperless billing with savings calculated at \$1.81 per customer which is based on avoided cost per customer of printing and handling \$0.4298, a bank charge of \$1.00 per payment, and postage of \$0.3810.
9. **Request:** Historical data for Large Commercial Accounts from FY2009 to date - **Response:** To obtain historical data on large commercial accounts you would need to review two sets of documents. One is the Receiver's Reports back to 2009 all of which are on the Receiver website at: <http://www.guamsolidwastereceiver.org/documents.html#receiver> . To fully understand this you would need to understand the numerous collection efforts, court filings and correspondence. This is particularly true for Trashco, Lagu and Pacific Waste. The court filings are available through the District Court Website and I am sure Georgette could help you with them. All other information should be available in the GSWA files on these accounts. For current information see the monthly closings prepared by Coleen and her predecessors. Of particular relevance would be the closing for December, 2017 that she can provide you.
10. **Request:** Historical data for GWA and Government Accounts from FY2009 to date - **Response:** Same as response to item 9 to obtain full historical info. With respect to GWA, when the Receiver arrived GWA was not paying its solid waste bills. After our initial efforts to collect, they began making payments of the amounts currently billed but did nothing to pay down the approximated \$1.0 million unpaid balance. After further

collection efforts they obtained a rate increase in order to pay down the old balance and remain current. They have now been in full compliance for some time.

11. **Request:** Historical data for GovGuam Unpaid Bills from FY2009 to date - **Response:** Same as response to item 9.

12. **Request:** Historical data for Reserves of GSWA from FY2009 to date - **Response:** Same as response to item 9. I would note that these dedicated reserves began in October 2011 with the opening of the Layon Landfill. Your folder includes a folder on each reserve showing all transactions and bank statements for the period on which you are reporting.

13. **Request:** Historical data for Total Waste Disposed from FY2009 to date – **Response:** The folder entitled “Email Request 2-26-18” contains a report entitled “Tons Disposed June 2009 to March 2013”. There was no working scale system prior to June 2009. The folder also contains a spreadsheet entitled “DETAILED LOAD LISTING AND RECYCLE REPORT AS OF JAN 31, 2018” that provides this information from 2013 forward. You actually already have this report since Coleen provided it to you at the same time I received it.

I hope this information is helpful.

David

Tue, Mar 6, 2018 at 12:12 AM

To: David Manning <dmanninggbb@gmail.com>

Cc: Greg Martin <gmartin.gswa@gmail.com>, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <avfejeran@gmail.com>

Thanks David, I'll review and let you know if I need additional information.

Regards,

Enrique Vinas
Comptroller
Guam Solid Waste Authority
[542 N Marine Corps Drive](#), Tumon GU 96913
Cell: 671-864-0712
E-mail: Enrique.GSWA@gmail.com
www.guamsolidwasteauthority.com
Please consider the environment before printing this email

Enrique Vinas <enrique.gswa@gmail.com>

Wed, Mar 7, 2018 at 9:34 PM

To: David Manning <dmanninggbb@gmail.com>

Cc: Greg Martin <gmartin.gswa@gmail.com>, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <avfejeran@gmail.com>

Hi David,

Thanks for sending the information, it has been helpful to prepare the report we were ordered to present to the court. However, I'm still missing some information that was not clear to me from your explanations below regarding the outstanding balances by GovGuam agencies. In the past you have prepare a report (attached) that is used to trend the unpaid bills overtime. Is it possible to obtain the same report for the period ending Sep-30-2017 and Dec-30-2017?

Thanks in advance for your collaboration.

Regards,

Enrique Vinas
Comptroller
Guam Solid Waste Authority
542 N Marine Corps Drive, Tumon GU 96913
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E-mail: Enrique.GSWA@gmail.com
www.guamsolidwasteauthority.com
Please consider the environment before printing this email

David Manning <dmanninggbb@gmail.com>

Thu, Mar 8, 2018 at 11:11 PM

To: Enrique Vinas <enrique.gswa@gmail.com>

Cc: Greg Martin <gmartin.gswa@gmail.com>, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <avfejeran@gmail.com>

Enrique,

These data come directly from the attached spreadsheets for the two months you request. These are standard reports produced as a part of the monthly closing each month.

Hope this helps.

David

2 attachments



September 2017 Commercial Hauler Summary.xls
44K



December 2017 Commercial Hauler Summary.xls
46K



David Manning <dmanninggbb@gmail.com>

FY 2019

2 messages

Enrique Vinas <enrique.gswa@gmail.com>

Thu, Mar 8, 2018 at 10:07 PM

To: David Manning <dmanninggbb@gmail.com>

Cc: Greg Martin <gmartin.gswa@gmail.com>, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <alicia.gswa@gmail.com>

Hi David,

I would like to request the following information pertaining to the FY2019:

- Under Schedule B, detail of the line item Other totaling \$1,359,600. I would also like to have the same detail for 2018
- Projected revenue schedule for FY2019
- For FY2018 the Contractual Services Line item shows \$1,625,341, I would like to get the detail that makes this amount for comparison with requested amount of \$11,463,673 in FY2019

In speaking with Chace today, he said that you will be the person that has this information.

Thanks in advance for your cooperation.

Enrique Vinas
Comptroller
Guam Solid Waste Authority
[542 N Marine Corps Drive](#), Tumon GU 96913
Cell: 671-864-0712
E-mail: Enrique.GSWA@gmail.com
www.guamsolidwasteauthority.com
Please consider the environment before printing this email

David Manning <dmanninggbb@gmail.com>

Sat, Mar 10, 2018 at 11:33 PM

To: Enrique Vinas <enrique.gswa@gmail.com>

Cc: Greg Martin <gmartin.gswa@gmail.com>, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <alicia.gswa@gmail.com>

Enrique,

GSWA has never used the Government of Guam's budgeting system as Court is our authority for budget, not the Government of Guam. We have used GovGuam accounting categories since that is the way DOA records and reports expenditures.

The line item Contractual Other is for a variety of services from some maintenance services related to vehicles (radios, safety inspections, tires that are not included in the vehicle maintenance item, recycling services, IT services, drug testing, training, billing expenses, etc.). We simply categorize

them as "other" for the purpose of budgeting the category. There is no further breakdown from a budgeting perspective - it is simply an allowance within the broader of contractual service. Since FY17 is the most recent complete fiscal year you can peruse the attached report to gain some perspective. Since the audit is not yet complete these numbers remain subject to adjustment by the auditors. I have also attached a spreadsheet with expenditures paid by the Receiver through the Trust account that fall into the Other category. These are also subject to adjustment by the auditors.

As for FY19 revenue, we have not made any projection. It is our assumption that we will not be involved in FY19.

I am also attaching an email I sent to the Board in December that may give you some perspective on the document submitted to BBMR.

David

3 attachments



FY 2017- GSWA Expenditures as of September 2017.xlsx
183K



Other Contractural FY17 - Trust Account.xlsx
15K



12-26-18 Email to GSWA Board re FY19 Budget.pdf
406K