



EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

October 4, 2011

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

31-11-957  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 10/4/11  
Time 4:00 PM  
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 217-31 (COR) "AN ACT TO REQUIRE I MAGA'LAHEN GUÅHAN TO ESTABLISH A PROJECT PLAN OF ACTION FOR THE CONSTRUCTION OF THE TIYAN PARKWAY PROJECT", which was signed into law on September 30, 2011 as Public Law 31-111.

*Senseramente,*

[Signature]  
EDDIE BAZA CALVO

2011 OCT -5 PM 8:08  
[Signature]

Attachment: copy of Bill

957

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN**  
**2011 (FIRST) Regular Session**

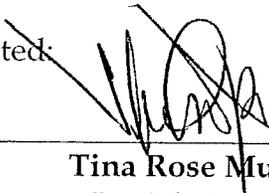
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that Substitute Bill No. 217-31 (COR), "AN ACT TO REQUIRE I MAGA'LAHEN GUÅHAN TO ESTABLISH A PROJECT PLAN OF ACTION FOR THE CONSTRUCTION OF THE TIYAN PARKWAY PROJECT," was on the 19<sup>th</sup> day of September, 2011, duly and regularly passed.



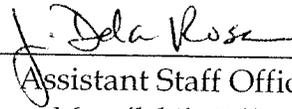
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

-----  
This Act was received by I Maga'lahaen Guåhan this 20<sup>th</sup> day of Sept., 2011, at  
4:10 o'clock P.M.



Assistant Staff Officer  
Maga'laha's Office

APPROVED:



RAYMOND S. TENORIO  
Acting Governor of Guam

**SEP 30 2011**

Date: \_\_\_\_\_

Public Law No. 31-111

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
**2011 (FIRST) Regular Session**

**Bill No. 217-31 (COR)**

As substituted by the Committee on Transportation,  
Utilities, Public Works, and Veterans Affairs;  
and amended on the Floor.

Introduced by:

T. C. Ada  
V. Anthony Ada  
F. F. Blas, Jr. \_\_\_\_\_  
B. J.F. Cruz  
Chris M. Dueñas  
Judith P. Guthertz, DPA  
Sam Mabini, Ph.D.  
T. R. Muña Barnes  
Adolpho B. Palacios, Sr.  
v. c. pangelinan  
  
Dennis G. Rodriguez, Jr.  
R. J. Respicio  
M. Silva Taijeron  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO REQUIRE *I MAGA'LAHEN GUÅHAN* TO  
ESTABLISH A PROJECT PLAN OF ACTION FOR THE  
CONSTRUCTION OF THE *TIYAN* PARKWAY  
PROJECT.**

1           **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the construction of Runway 6L by the A.B. Won Pat International Airport  
4 Authority, Guam (GIAA) will require the closure of Central Avenue in order to  
5 maintain a Runway Protection Zone, as prescribed by the U.S. Department of

1 Transportation, Federal Aviation Administration (FAA). The closure of Central  
2 Avenue is a requirement that the government of Guam had agreed to when the  
3 GIAA accepted federal funds for the runway construction. At this time, GIAA has  
4 projected the closure of Central Avenue to be during the summer of 2012.

5 *I Liheslaturan Guåhan* finds that Central Avenue provides a critical highway  
6 interconnection and relief to the traffic congestion on Guam's most heavily  
7 traveled roadways, which includes Marine Corps Drive (Route 1); Purple Heart  
8 Memorial Highway (Route 8); and Army Drive (Route 16). It is estimated that  
9 about fourteen thousand (14,000) vehicles pass through *Tiyan's* Central Avenue  
10 during each weekday. Traffic volume is expected to grow about three percent  
11 (3%) annually.

12 *I Liheslaturan Guåhan* finds that construction of the *Tiyan* Parkway project  
13 is necessary to mitigate the significant impacts of the Central Avenue closure. In  
14 order to prepare for the closure of Central Avenue, and the construction of the  
15 *Tiyan* Parkway Project, *I Liheslaturan Guåhan* finds it imperative that the  
16 Department of Public Works develop and provide a Project Plan of Action to  
17 identify a timeline and potential barriers.

18 **Section 2. Establishment of a Project Plan of Action.** *I Maga'lahaen*  
19 *Guåhan shall* develop and transmit to *I Liheslaturan Guåhan* a Project Plan of  
20 Action and timeline of critical project components for the *Tiyan* Parkway Project  
21 within ninety (90) days of the enactment of this Act.

6

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

## VOTING SHEET

SBill No. 217-31(COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15

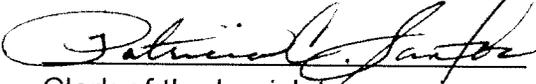
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CERTIFIED TRUE AND CORRECT:

  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina' Trentai Unu Liheslaturan Guahan

2011 AUG -2 6:10 PM 10:45

July 22, 2011

**The Honorable Judith T. Won Pat, Ed.D.**

Speaker

I Mina'trentai Unu Na Liheslaturan Guahan

155 Hesler Place

Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**  
Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 217-31 (COR) As Substituted**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 217-31 (COR) – An act to establish a Project Plan of Action for the Construction of the Tiyan Parkway Project – As Substituted by the Committee on Public Works, Transportation, Utilities and Veterans Affairs.

Committee votes are as follows:

  6   TO DO PASS  
       TO NOT PASS  
  1   TO REPORT OUT ONLY  
       TO ABSTAIN  
       TO PLACE IN INACTIVE FILE

*Si Yu'os ma'åse',*

Thomas C. Ada

**COMMITTEE REPORT  
ON**

**SUBSTITUTE  
BILL NO. 217-31 (COR)**

**AN ACT TO ESTABLISH A PROJECT PLAN OF  
ACTION FOR THE CONSTRUCTION OF THE  
TIYAN PARKWAY PROJECT**

**As Substituted by the  
Committee on Public Works,  
Transportation, Utilities and  
Veteran Affairs**



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina' Trentai Unu Liheslaturan Guahan

July 22, 2011

### MEMORANDUM

To: **All Members**  
Committee on Public Works, Transportation, Utilities and Veterans Affairs

From: **Senator Thomas C. Ada**  
Committee Chairperson 

Subject: **Committee Report on Bill No. 217-31 (COR) As Substituted**

Transmitted herewith for your consideration is the Committee Report on Bill No. 217-31 (COR) – An act to establish a Project Plan of Action for the construction of the Tiyan Parkway Project – As Substituted by the Committee on Public Works, Transportation, Utilities and Veterans Affairs.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Substitute Bill No. 217-31 (COR)
- Copy of Bill No. 217-31 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 217-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os ma'åse'!*



# Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
 31<sup>st</sup> Guam Legislature • I Mina' Trentai Unu Liheslaturan Guahan

## COMMITTEE VOTE SHEET

Bill 217-31 (COR) – An act to establish a Project Plan of Action for the construction of the Tiyan Parkway Project – As Substituted by the Committee on Public Works, Transportation, Utilities and Veterans Affairs.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>SENATOR THOMAS C. ADA</b> Chairperson		✓ 7/22/11				
<b>SENATOR ADOLPHO B. PALACIOS, SR.</b> Vice Chairperson		✓ 7/22/11				
<b>VICE SPEAKER BENJAMIN J.F. CRUZ</b> Member						
<b>SENATOR RORY J. RESPICIO</b> Member		7/22/11 				
<b>SENATOR TINA ROSE MUÑA BARNES</b> Member						
<b>SENATOR DENNIS G. RODRIGUEZ, JR.</b> Member						
<b>SENATOR V. ANTHONY ADA</b> Member				7/22/11 ✓		
<b>SENATOR ALINE A. YAMASHITA, PH.D.</b> Member		7/22/11 				
<b>SENATOR MANA SILVA TAIJERON</b> Member						
<b>SENATOR CHRISTOPHER M. DUEÑAS</b> Member		✓ 7/22/11				

## COMMITTEE REPORT DIGEST

### I. OVERVIEW

Bill 217-31 (COR) was introduced on May 27, 2011 by Senator Thomas C. Ada, and was subsequently referred by the Committee on Rules to the Committee on Public Works, Transportation, Utilities and Veterans Affairs on May 31, 2011.

The Committee on Public Works, Transportation, Utilities and Veterans Affairs convened a public hearing on Bill 217-31 (COR) on June 24, 2011 at 2:03 pm in *I Liheslatura's* Public Hearing Room, during which the subject of the Project Plan of Action for the construction of the Tiyan Parkway Project was discussed.

#### **Public Notice Requirements**

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on Friday, June 17, 2011 (5-Day Notice), and again on Wednesday, June 22, 2011 (48-Hour Notice).

#### **Senators Present**

Senator Thomas C. Ada	Committee Chairperson
Senator Adolpho B. Palacios, Sr.	Committee Vice-Chairperson
Vice Speaker Benjamin J. Cruz	Committee Member
Senator Mana Silva Taijeron	Committee Member
Senator Aline A. Yamashita, Ph.D.	Committee Member
Senator V. Anthony Ada	Committee Member
Senator Dennis G. Rodriguez, Jr.	Committee Member
Senator Sam Mabini, Ph.D.	Senator

#### **Individuals Present**

Ms. Joanne Brown, Director, Department of Public  
Ms. Mary Torres, Executive Director, Guam International Airport Authority  
Mr. Peter Perez, Member of the Public

### II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 2:03 pm.

#### **Mary Torres, Executive Director, Guam International Airport Authority**

*Provided both oral and written testimony.*

Ms. Torres highlights that Bill 217-31 intends to ensure that a plan of action and timeline to complete the Tiyan Roadway Project is created, recognizing that GIAA is near completing the runway extension and ultimately, the closure of Central Avenue, which is forecasted to occur Summer of 2012. She further states that closure of Central Avenue will restrict access from Route 8 to the air terminal, air cargo facilities, private residences, Route 1 and Route 16.

Ms. Torres states that through collaborative efforts with the Federal Aviation Administration and Federal Highway Administration, they have developed an alternative access road through the Tiyan property; however, it will require the FAA to release GIAA properties to

the Government of Guam. She further states that the GIAA can not proceed to obligate and commit airport property or resources without prior review and concurrence by the FAA. Furthermore, it has been expressed that the FAA will not release any airport properties or resources until the Government of Guam has shown satisfactory evidence of an obligation to re-acquire those properties necessary for Phase 2 of the Tiyan Parkway Project.

Ms. Torres states that the 31<sup>st</sup> Guam Legislature can expedite the roadway by focusing on the key impediment to the construction of the roadway project – re-acquisition of certain properties parallel to East Sunset Boulevard and along the cliff line.

Joanne Brown, Director, Department of Public Works

*Provided both oral and written testimony.*

Ms. Brown states that the Tiyan Parkway project is important to the mobility and connectivity of the people of Guam, and highlights that the roadway project was identified in the Department's 2030 Guam Transportation Plan as a "critical component to traffic flow along Guam's central roadways". She further states that a significant barrier to completing the project is the fact that DPW does not have easements required for the construction of the project, and the Federal Highway Administration funds can not be used to acquire a significant portion of the needed property, which highlights another barrier – finalizing a GARVEE bond to the fund the project.

Ms. Brown further outlines steps required to complete Phase 1 of the Tiyan Parkway Project, which include: 1) environmental clearances, 2) funding, 3) design, 4) right-of-way acquisition and 5) construction.

Furthermore, Ms. Brown states that most of the proposed right-of-way for Phase 2 was part of the original Tiyan Parkway alignment but is now deeded to ancestral owners. She further states that FHWA funds can not be used to acquire this property, and acquisition requires action by the Government of Guam for DPW to begin design and construction of the roadway. Ms. Brown states that a detailed plan of action can be finalized once there is resolution to the property acquisition issue and approval of a GARVEE bond issuance is acquired.

Lastly, Ms. Brown states that the DPW and FHWA consider the Tiyan Parkway Project as a necessary and crucial component to the 2030 Guam Transportation Plan. She further states, that DPW believes there is no real value to developing timelines or milestones without resolution to these basic barriers.

Peter Perez, Member of the Public

*Provided oral testimony.*

Mr. Perez states that he attends the hearing on behalf of several landowners who may be affected by the construction of the Tiyan Parkway Project. He states that in communications between GIAA and FAA in 2009 confirmed that the lands returned to the original ancestral owners did in fact consist of the properties to be utilized for the Tiyan Parkway Project, but were not included in the deeds provided to property owners. Lastly, he states that the landowners should be included in the planning with regard to where they will be relocated and ability to have access to property.

### **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Public Works, Transportation, Utilities and Veterans Affairs has substituted Bill No. 217-31 (COR) with the following changes:

- Amended language to Section 2 of Bill 217-31;
- Removal of Section 3 of Bill 217-31; and
- Mandates the Governor of Guam to develop and transmit a Project Plan of Action and timeline for the initiation of critical project components for the Tiyan Parkway Project.

The Committee on Public Works, Transportation, Utilities and Veterans Affairs hereby reports out Bill 217-31 (COR), As Substituted by the Committee, with the recommendation

TO REPORT.

OUT ONLY

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

2011 MAY 27  
PM 3:29  
EDM

Bill No: 217-31(COR)

Introduced by:

T.C. Ada 

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**AN ACT TO ESTABLISH A PROJECT PLAN OF  
ACTION FOR THE CONSTRUCTION OF THE  
TIYAN ROADWAY PROJECT.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Guam International Airport Authority (GIAA) expansion of cargo and  
4 passenger activities, more specifically, Runway 6L, will require the closure of Central  
5 Avenue in order to maintain a Runway Protection Zone as prescribed by U.S.  
6 Department of Transportation Federal Aviation Administration. Currently, Central  
7 Avenue provides an important regional interconnection and solution to the current  
8 congestion along Guam's most heavily traveled roadways - Route 1, Marine Drive;  
9 Route 8, Purple Heart Highway; and Route 16, Army Drive.

10 *I Liheslaturan Guåhan* finds that construction of the Tiyan Roadway project is  
11 necessary to mitigate the significant impacts of the Central Avenue closure. In order  
12 to prepare for the closure of Central Avenue, and construction of the Tiyan Roadway  
13 Project, *I Liheslaturan Guåhan* finds it imperative that the Department of Public  
14 Works develop and provide a Project Plan of Action to identify a timeline and  
15 potential barriers.

1           **Section 2. Establishment of a Project Plan of Action.** It is hereby mandated  
2 that the Director of the Department of Public Works commit, in writing, to a Project  
3 Plan of Action and timeline for completion of the Tiyan Roadway Project within sixty  
4 (60) days of enactment. Such plan *shall* include timelines for milestones to be  
5 accomplished, to include, but not limited to: (1) design of roadway, (2) approval of  
6 plans for construction financing; (2) acquisition of Guam International Airport  
7 Authority (GIAA) property required for the new roadway; (3) construction of road  
8 segment on acquired GIAA property; and (4) right-of-way acquisition.

9           **Section 3. Resolution of Barriers to Project Completion.** Should the  
10 Director of the Department of Public Works determine that barriers which may  
11 impede the successful implementation of the Project Plan of Action exist, the Director  
12 *shall*, within thirty (30) days of determination, communicate in writing to the Speaker  
13 of *I Liheslaturan Guåhan*, specifying the barriers, and an action plan to resolve such  
14 impediments.

15           **Section 4. Effective Date.** This Act shall become effective upon enactment.

16           **Section 5. Severability.** If any provision of this law or its application to any  
17 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
18 not affect other provisions or applications of this law which can be given effect  
19 without the invalid provisions or application, and to this end the provisions of this law  
20 are severable.

***I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN***  
**2011 (FIRST) Regular Session**

**Bill No: 217-31**

As Substituted by the Committee on Transportation,  
Utilities, Public Works, and Veterans Affairs

Introduced by:

T.C. Ada

---

**AN ACT TO ESTABLISH A PROJECT PLAN OF  
ACTION FOR THE CONSTRUCTION OF THE  
TIYAN PARKWAY PROJECT.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the construction of Runway 6L by the A.B Won Pat International Airport Authority, Guam (GIAA), will require the closure of Central Avenue in order to maintain a Runway Protection Zone, as prescribed by the U.S. Department of Transportation, Federal Aviation Administration (FAA). The closure of Central Avenue is a requirement that the Government of Guam had agreed to when the GIAA accepted federal funds for the runway construction. At this time, GIAA has projected the closure of Central Avenue to be during the summer of 2012.

*I Liheslaturan Guåhan* finds that Central Avenue provides a critical highway interconnection and relief to the traffic congestion on Guam's most heavily traveled roadways - Marine Corps Drive (Route 1); Purple Heart Highway (Route 8); and Army Drive (Route 16). It is estimated that about 14,000 vehicles pass through Tiyan's Central Avenue during each weekday. Traffic volume is expected to grow about 3% annually.

1            *I Liheslaturan Guåhan* finds that construction of the Tiyan Parkway project is  
2 necessary to mitigate the significant impacts of the Central Avenue closure. In order  
3 to prepare for the closure of Central Avenue, and construction of the Tiyan Parkway  
4 Project, *I Liheslaturan Guåhan* finds it imperative that the Department of Public  
5 Works develop and provide a Project Plan of Action to identify a timeline and  
6 potential barriers.

7            **Section 2. Establishment of a Project Plan of Action.** The Chief Executive  
8 of the Government of Guam, *I Maga'lahaen Guahan*, shall develop and transmit to *I*  
9 *Liheslaturan Guahan*, a Project Plan of Action and timeline for the initiation of  
10 critical project components for the Tiyan Parkway Project within ninety (90) days of  
11 enactment. Such plan shall include approximate commencement and completion  
12 dates of milestones to be accomplished, to include, but not limited to:

- 13            (1) Affirmation of the Tiyan Parkway construction as an approved project  
14            in the current Territorial Transportation Improvement Plan (TTIP)  
15            within the near term,
- 16            (2) Appraisal of properties to be acquired for Right-of-Way (ROW)  
17            requirements.
- 18            (3) Identify funding source for acquisition of ROW requirements, for Phase  
19            2 (*East Sunset Blvd segment*) in particular.
- 20            (4) Initiation of ROW Acquisition procedures

21            **Section 3. Effective Date.** This Act shall become effective upon enactment.

22            **Section 4. Severability.** If any provision of this law or its application to any  
23 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
24 not affect other provisions or applications of this law which can be given effect  
25 without the invalid provisions or application, and to this end the provisions of this law  
26 are severable.





P.O. Box 8770  
Tamuning, GU 96931

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Fax (671) 646 8823

[www.guamairport.com](http://www.guamairport.com)

June 23, 2011

**VIA HAND DELIVERY**

Senator Thomas C. Ada  
Chairman, Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature – I Mina'trentai Unu Na Liheslaturan Guåhan  
Ada Plaza Center, Ste 207  
173 Aspinall Avenue  
Hagatna, Guam 96910

Re: Bill No. 217-31

Dear Senator Ada:

I am writing to express the A.B. Won Pat International Airport Authority, Guam's ("GIAA") position on Bill No. 217-31 and to provide additional comment. This bill intends to ensure that a plan of action and timeline to complete the Tiyan Roadway Project is created by the Department of Public Works ("DPW"), recognizing that GIAA is nearing completion of the extension projects for the primary runway 6L/24R and its completion drives the schedule for closure of Central Avenue , forecasted around the Summer of 2012.

Central Avenue and adjoining connector roads encroach into the Runway Safety Area ("RSA"), requiring closure and removal to meet Federal Aviation Administration ("FAA") safety requirements. Additionally, as a grant condition for the receipt of FAA Airport Improvement Program funds and as a condition for aircraft utilization of runway 6L/24R, the GIAA must be in full compliance with this federal mandate.

Once Central Avenue is closed, there will be no access from Route 8 to the air terminal, the air cargo facilities, the private residences in the former Navy officer housing area, and Route 1 and Route 16. Based on recent DPW traffic counts, approximately 14,000 vehicles use the central avenue/ East Sunset roadways on a daily basis. The transportation needs of the citizens of Guam will be adversely impacted if the construction of the Tiyan Roadway Project does not



Senator Thomas C. Ada  
Re: Bill No. 217-31  
June 23, 2011  
Page 2

occur and Central Avenue is closed, forcing additional traffic to access Tiyan thru Routes 1 and 16 and transforming the East Sunset Roadways into a cul de sac.

The GIAA has been working collaboratively with the DPW and with federal officials of the FAA and the Federal Highway Administration ("FHWA") in the plan to develop the Tiyan Parkway. In the interest of completing the construction of a new alternative access road concurrent with the closure of Central Avenue, we divided the roadway construction project into two incremental Phases. Further, GIAA proposed to DPW, FHWA and FAA an Alternative 4-A alignment that provides a permanent roadway easement on airport land between Route 8 and northwest Tiyan and permits DPW to utilize significant portions of East Sunset Avenue from its northwest corner going eastward. Construction of the Phase 1 project will require the FAA to release GIAA properties to DPW and the Government of Guam. Similarly, in order to build Phase 2 of the Parkway Project, DPW and the Government of Guam will need to re-acquire certain privately held properties parallel to East Sunset and nesting along the cliff line.

The GIAA, however, cannot proceed to obligate and commit airport property or resources without prior review and concurrence by the FAA, its respective oversight federal agency. Furthermore, it has been made expressly clear to GIAA that the FAA will not release any airport properties or resources necessary to proceed with Phase 1 of the Tiyan Roadway Project until the Government of Guam has shown satisfactory evidence of an obligation to re-acquire those properties necessary for the Phase 2 Tiyan Roadway Project.

Therefore, GIAA believes that the good Senators of the 31<sup>st</sup> Guam Legislature can better effectuate the expeditious construction of the roadway by focusing its legislative prerogative on the key impediment to the construction of the proposed Tiyan Parkway. For the past several years, we all recognize this core impediment to be the re-acquisition of certain properties parallel to East Sunset Boulevard and nesting along the cliff line.

GIAA further suggests that any bill designed to produce a project plan of action and timeline for completion of the Tiyan Roadway project also specify the closure of Central Avenue by the summer of 2012, reference the preferred alignment of the Roadway, and prescribe a method and funding source to be used by DPW to re-acquire the properties necessary to construct the Tiyan Roadway along the preferred alignment.

We want to thank you for recognizing the urgency to resolve a highly probable transportation impediment that will result in no access to (and additional congestion on) three major

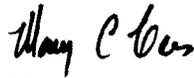
Senator Thomas C. Ada  
Re: Bill No. 217-31  
June 23, 2011  
Page 3

thoroughfares for nearly 14,000 vehicles daily. We recognize the good intention of Bill 217-31 to ensure that a plan of action and timeline to complete the Tiyan Roadway Project is in place and embrace your support of GIAA's ongoing efforts at developing an action plan.

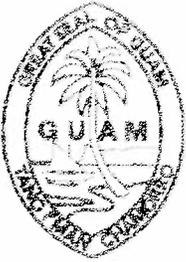
With all due respect, Senator Ada, we implore your consideration of legislation that is specific to a plan for the re-acquisition of properties that are necessary for DPW and FHWA to begin their plans to construct the proposed Tiyan Parkway. Without legislative action to address this key component, construction of the Tiyan parkway at a route acceptable to GIAA, FAA, FHWA and DPW cannot be accomplished.

Thank you for giving me the opportunity to provide GIAA's views on Bill 217-31.

Sincerely,



Mary C. Torres  
Executive Manager



*The Honorable*  
**Eddie Baza Calvo**  
*Governor*

*The Honorable*  
**Ray Tenorio**  
*Lieutenant Governor*



June 24, 2011

The Honorable Thomas C. Ada, Chairperson  
Committee on Utilities, Transportation, Public Works and Veterans Affairs  
I Mina'trentai Unu Na Liheslaturan Guåhan  
155 Hesler Place  
Hagåtña, Guam 96910

**Re: Bill 217-31, *An Act to Establish a Project Plan of Action for the Construction of the Tiyan Roadway Project***

Buenas yan Hafa Adai Mr. Chairman and Members of the Committee:

Thank you for the opportunity to provide this testimony on Bill 217-31 requiring the Department of Public Works (DPW) to provide a project plan of action for the construction of the Tiyan Roadway Project. We thank you for acknowledging the importance of this proposed parkway relative to the mobility and connectivity of the people of Guam. The proposed road connecting Route 8 to Route 10A across the Tiyan plateau, designated as the Tiyan Parkway, was identified in the Department's 2030 Guam Transportation Plan as a critical component for traffic flow along Guam's central roadways.

The average daily traffic on the existing Central Avenue and East Sunset Boulevard roadways was 13,700 vehicles per day in 2008. It has been estimated that the traffic volume in this area will continue to grow, reaching 32,300 vehicles per day by the year 2030. This volume will certainly exceed the capacity of the existing Central Avenue and East Sunset Boulevard.

To this end, DPW began planning for the proposed Tiyan Parkway in 2007, executing a Memorandum of Understanding with the Guam International Airport Authority (GIAA) towards the cooperative development of projects administered by both agencies. In 2008, an Alternatives Analysis and a Land Use Study were conducted to evaluate the feasibility and comparative advantages of various roadway alignments for the Tiyan Parkway. These alternatives were narrowed down as discussions continued between DPW and GIAA. Public outreach activities provided further input from potentially affected property owners. In late 2010, an alignment designated as Alternative 4A emerged as a feasible solution. This alignment utilizes a portion of airport properties and properties that were deeded to the original landowners.

Alternative 4A proposes a two-phased approach to the completion of the project. Phase 1 would construct a new two-lane roadway connecting East Sunset Boulevard in the vicinity of the existing Police

Station to a new intersection opposite the Cars Plus dealership on Route 8. This proposed roadway for Phase 1 will replace the existing Central Avenue connection to Route 8 and will be built on Airport Property.

Phase 2 would construct the remainder of the alignment, replacing the existing East Sunset Boulevard with a new four lane road that connects with the Phase 1 project and ends at the Home Depot intersection on Route 10A (Airport Road). Phase 2 would also widen the Phase 1 area to four lanes. This Phase would require the acquisition of a number of parcels that were deeded to the original landowners as well as portions of the property that was deeded to the Airport.

A significant barrier to completion of the project is the fact that the Department of Public Works does not have any easements required for the construction of the project, and Federal Highway Administration (FHWA) funds cannot be used to acquire a significant portion of the needed property. This also is a barrier to finalizing a GARVEE bond to fund the project.

The following represents a basic approach and rough timeframes for completing Alternative 4A:

#### **Plan for Completion of Phase 1.**

- 1) *Environmental Clearance.* Preparation of an Environmental Assessment (EA) for the entire Tiyan Parkway project (Phase 1 and Phase 2) has been partially completed but has been placed on hold pending resolution of the property acquisition issue. If the issue can be resolved such that there is a clear and feasible way forward, completion of the EA including public involvement would be accomplished within 4 – 6 months, prior to starting the final design of Phase 1.
- 2) *Funding.* We anticipate that the funding for Phase 1 will come from the issuance of a Grant Anticipation Revenue Vehicle (GARVEE) Bond Program based on our yearly FHWA highway allocations. Subject to legislative concurrence, issuance of a GARVEE could be completed in approximately 5 months.
- 3) *Design.* Selection of a design consultant has been initiated. Negotiation of the design fee, contract processing, and completion of the design for Phase 1 could be completed in approximately 15 months.
- 4) *Right-of-Way Acquisition.* The proposed right-of-way for Phase 1 is owned by GIAA and can be acquired using FHWA funds based on construction cost savings resulting from the Alternative 4A alignment versus use of the land in the southwestern segment of the road easement that was included in the original deed transferring the property to the Government of Guam. GIAA has indicated a willingness to sell the land or an easement on the land provided a plan is in place to acquire the land needed for Phase 2 from the other landowners. However, this will require a major policy decision for land acquisition and DPW has no authority to agree to this condition as it has no easement rights. However, if this condition related to the Phase 2 acquisition could be

met, preparation of the property maps, processing by the Bureau of Land Management, and conclusion of the land transfer would be accomplished concurrently with the design of Phase 1.

- 5) *Construction.* Bidding, award and construction of Phase 1 could be completed in approximately 18 months following completion of design and right-of-way acquisition.

### **Plan for Completion of Phase 2.**

Division of the project into two phases recognizes the probability of a time-consuming process to acquire the Phase 2 right-of-way. Most of the proposed right-of-way for Phase 2 was part of the original Tiyan Parkway alignment but is now deeded to ancestral owners. FHWA funds cannot be used to acquire this property. Acquisition requires action by the Government of Guam to obtain the property for the right-of-way for DPW to design and construct the Parkway. Because the Department has no means to obtain the required right-of-way, no meaningful timeline can be established for this phase of the project.

The foregoing plans for completion of Phases 1 & 2 noted above are merely a broad brush of how Alternative 4A might be realized. It is feasible to accomplish Phase 1 with some modifications as a stand-alone project that would avert the closure of Central Avenue. However, the DPW cannot make any representations or commitments to GIAA related to the acquisition of land for Phase 2 as FHWA funds cannot be utilized for land acquisition along East Sunset Boulevard.

A complete and detailed plan of action can be finalized once there is resolution of the property acquisition issues, establishment of an easement for the project and approval of a GARVEE bond issuance for funding the design and construction. These are major policy decisions that must be decided and acted on before a plan of action with appropriate timelines, funding allocations or design and construction milestones can be developed with any degree of accuracy. Resolution of these barriers requires policy decisions that are not within the authorities of the Department of Public Works.

It is important to note that the establishment of a plan of action is a natural process for any of the road projects we undertake. Each project includes critical path scheduling for the planning, funding, design and construction phases. Furthermore, this project requires an Environmental Assessment that will include an overall timeline with milestones as part of our public outreach efforts. A reasonable timeline will also be required for the issuance of the GARVEE bond. I can assure you that these timelines will include much more information than currently proposed in Section 2 of this Bill.

The Department of Public Works and the Federal Highway Administration considers the Tiyan Parkway as a necessary and crucial component of the 2030 Guam Transportation Plan. Since 2007 we have contributed an extraordinary amount of time, effort and funding - initiating numerous studies and alternatives that would accommodate the needs of the GIAA, the FAA, the FHWA and the people of Guam, including the current landowners along the proposed parkway route. Unfortunately, we can no longer prudently exert additional time or effort on this project until the land issues have been resolved,

Senator Thomas Ada  
Testimony: Bill 217-31  
June 24, 2011  
Page 4

appropriate easements have been allocated for the parkway and the funding mechanism has been approved - something that is well beyond our authorities or control.

We believe there is no real value to developing timelines or milestones without resolution to these basic barriers as we have no way of knowing what the outcomes may be or how long it will take. Consequently, the DPW is not in a position to fulfill the spirit or intent of the law as proposed.

Sincerely,

  
JOANNE M.S. BROWN  
Director



# COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

2011 MAY 31  
11:11 AM  
DWW

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

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Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
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Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

**MINORITY MEMBERS:**

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

May 31, 2011

VIA FACSIMILE  
(671) 472-2825

Ms. Benita Manglona  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Note -  
Bill Nos. 211-31 (COR through 217-31 (COR))

*Hafa Adai* Ms. Manglona:

Transmitted herewith is a listing of *I Mina'trentai Unu na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

Rory J. Respicio

Attachments

Cc: Clerk of the Legislature

MESSAGE CONFIRMATION

MAY-31-2011 11:01 AM TUE

FAX NUMBER : 4772240  
NAME : GNF

NAME/NUMBER : 4722825  
PAGE : 5  
START TIME : MAY-31-2011 11:00AM TUE  
ELAPSED TIME : 00' 48"  
MODE : STD ECM  
RESULTS : [ O.K ]



COMMITTEE ON RULES

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E-mail: [roryfor Guam@gmail.com](mailto:roryfor Guam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

May 31, 2011

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASSI. MAJORITY LEADER

VIA FACSIMILE  
(671) 472-2825

MAJORITY MEMBERS:

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muñoz Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Ms. Benita Manglona  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Note -  
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*Hafa Adai* Ms. Manglona:

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

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Senator  
Thomas C. Ada

*Si Yu'os ma'äse'* for your attention to this matter.

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

Very Truly Yours,

MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASSI. MINORITY LEADER

Rory J. Respicio

Senator  
Christopher M. Ducnas

Attachments

Cc: Clerk of the Legislature

Recd by: Jackie  
date: 5/31/11  
time: 11:19am

*I Mina Trentai Unu Na Libeslaturan Guåhan*  
**Bill Log Sheet**  
**May 27, 2011**  
 Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoeed? Overridden? Public Law?
217-31 (COR)	T. C. Ada	AN ACT TO ESTABLISH A PROJECT PLAN OF ACTION FOR THE CONSTRUCTION OF THE TIYAN ROADWAY PROJECT.	5/27/11 3:29 p.m.	5/31/11		Committee on Utilities, Transportation, Public Works and Veterans Affairs.			



# COMMITTEE ON RULES

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MAY 31 PM 3:35  
*MUR*

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

May 31, 2011

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

## MEMORANDUM

### MAJORITY MEMBERS:

Speaker  
Judith T. Won Pat

To: Pat Santos  
Clerk of the Legislature

Vice Speaker  
Benjamin J. F. Cruz

Attorney Therese M. Terlaje  
Legislative Legal Counsel

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

From: Senator Rory J. Respicio  
Chairperson, Committee on Rules

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Subject: Referral of Bill Nos. 215-31 (COR) through 217-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 215-31(COR) through 217-31 (COR).

Senator  
Thomas C. Ada

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

Should you have any questions, please feel free to contact our office at 472-7679.

### MINORITY MEMBERS:

*Si Yu'os ma'åse!*

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

(2) Attachments

Senator  
Christopher M. Duenas

*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
**Bill Log Sheet**

**May 27, 2011**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden Public Law
217-31 (COR)	T. C. Ada	AN ACT TO ESTABLISH A PROJECT PLAN OF ACTION FOR THE CONSTRUCTION OF THE TIYAN ROADWAY PROJECT.	5/27/11 3:29 p.m.	5/31/11		Committee on Utilities, Transportation, Public Works and Veterans Affairs.			



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

June 17, 2011

### MEMORANDUM

To: All Senators

Fr: Senator Thomas C. Ada 

Subject: **Public Hearing Notice: June 24, 2011**

Please be advised that the Committee on Public Works, Transportation, Utilities and Veterans Affairs is holding a public hearing on **June 24, 2011**. This meeting will take place in the Public Hearing Room of *Liheslatura*. The agenda is as follows:

#### 9:00 am

**Informational Briefing: Port Authority of Guam Modernization Program**

#### 2:00 pm

**Bill 233-31 (COR):** An act relative to the power service rate schedule for Guam Power Authority customers. **(Sponsor: M.S. Tajeron)**

**Bill 234-31 (COR):** An act amending Title 21 Guam Code Annotated, Chapter 26, §66202.1 Item "A", relative to including the Guam Department of Agriculture as an approving agency and to be included on the application to the Department of Public Works for the "Clearing, Grading and Construction." **(Sponsor: Sam Mabini, Ph.D.)**

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**Bill 230-31 (COR):** An act mandating new government of Guam buildings integrate sustainable design solutions and systems and to require that retrofits, renovates and alterations to existing government buildings include energy efficient and sustainable design methods by adding a new §66104.1 to Article 1, Chapter 66, Title 21, Guam Code Annotated, and a new §5011 and §5012 to Part A of Article 1, Chapter 5, Title 5, Guam Code Annotated [Guam Procurement Law]. **(Sponsor: D.G. Rodriguez, Jr.)**

Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until **July 1, 2011, 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.



Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

---

## First Notice: Informational Briefing and Public Hearing - June 24, 2011, 9:00 am

Nicole Santos <nsantos@senatorada.org>

Fri, Jun 17, 2011 at 12:08 PM

To: phnotice@guamlegislature.org

Hafa adai Senators,

Please see attached memo from Senator Ada regarding PAG Info Briefing and public hearing on Friday, June 24, 2011 beginning at 9:00 am.

Should you have any questions, please don't hesitate to contact our office at 473-3301.

Best regards,  
Nicole

--

Nicole Santos  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
I Mina'trentai Unu Na Liheslaturan Guåhan - 31st Guam Legislature  
671-473-3301



**Public Hearing - 1st Notc - June 24 - senators.pdf**

781K

## Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)

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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guahan

June 17, 2011

### MEMORANDUM

To: All Media

Fr: Senator Thomas C. Ada 

Subject: **Public Hearing Notice: June 24, 2011**

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#### 9:00 am

**Informational Briefing: Port Authority of Guam Modernization Program**

#### 2:00 pm

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Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

## First Notice: Informational Briefing and Public Hearing Notice - June 24, 2011, 9:00 am

Nicole Santos <nsantos@senatorada.org>

Fri, Jun 17, 2011 at 12:08 PM

To: Media <media@senatorada.org>

Cc: Jimmy Camacho <jcamacho@senatorada.org>, Cyrus Luhr <cyrus@senatorada.org>, Chris Borja <chris@senatorada.org>, Nicole Santos <nsantos@senatorada.org>

Hafa adai,

Please see attached memo (pdf & word file) from Senator Ada regarding PAG Info Briefing and public hearing on Friday, June 24, 2011 beginning at 9:00 am.

Should you have any questions, please don't hesitate to contact our office at 473-3301.

Best regards,  
Nicole

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Nicole Santos  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
I Mina'trentai Unu Na Liheslaturan Guåhan - 31st Guam Legislature  
671-473-3301

### 2 attachments

 **Public Hearing - 1st Notc - June 24 - media.pdf**  
775K

 **Public Hearing - 1st Notc - June 24 - media.doc**  
198K



## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guahan

June 17, 2011

### MEMORANDUM

To: All Stakeholders

Fr: Senator Thomas C. Ada 

Subject: **Public Hearing Notice: June 24, 2011**

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**Informational Briefing: Port Authority of Guam Modernization Program**

#### 2:00 pm

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**Bill 234-31 (COR):** An act amending Title 21 Guam Code Annotated, Chapter 26, §66202.1 Item "A", relative to including the Guam Department of Agriculture as an approving agency and to be included on the application to the Department of Public Works for the "Clearing, Grading and Construction." **(Sponsor: Sam Mabini, Ph.D.)**

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Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until **July 1, 2011, 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.

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## First Notice: Informational Briefing and Public Hearing Notice - June 24, 2011, 9:00 am

Nicole Santos <nsantos@senatorada.org>

Fri, Jun 17, 2011 at 12:09 PM

To: Pedro Leon Guerrero <paleonguerrero@portguam.com>, "Margret D. Katsuren" <mdkatsuren@portguam.com>, Daniel Tydingco <djtydingco@gta.net>, sblas@gpagwa.com, Kin Flores <jflores@gpagwa.com>, simon sanchez <gdcmgr@ite.net>, Lou Palomo <lpalomo@guampuc.com>, Peggy Araullo Llagas <eo@realtors.com>, doagridir@yahoo.com, beverlydavis@live.ca, Joanne Brown <joanne.brown@dpw.guam.gov>, Carl Dominguez <carl.dominguez@dpw.guam.gov>, Antoinette Cruz <antoinette.cruz@dpw.guam.gov>, "Joaquin 'Kin' Blaz Jr." <joaquin.blaz@dpw.guam.gov>, Eduardo Ordonez <eduardo.ordonez@clb.guam.gov>, Frances Cepeda <frances.cepeda@clb.guam.gov>, "Maria D. Perez" <maria.perez@clb.guam.gov>, Charlie Onedera <staff03@guamchamber.com.gu>, Liza Provido <ljprovido@guam-peals.org>, sylvia@guam-peals.org, "Mary C. Torres, GIAA Executive Manager" <marytorres@guamairport.net>, Peter Roy Martinez <peterroy@guamairport.net>, michael ysrael <michael@tanota.com>, rosieb@guamairport.net, Jean Arriola - GIAA ASM <jeana@guamairport.net>, Frank Santos <franks@guamairport.net>, dlmdir@dlim.guam.gov, James Martinez <gca@teleguam.net>, desiree.lizama@guamcontractors.org, Ivan Quinata <ivan.quinata@epa.guam.gov>, Lorilee Crisostomo <lorilee.crisostomo@epa.guam.gov>, UOG Center for Island Sustainability <cis@uguam.uog.edu>, Mary Okada <mary.okada@guamcc.edu>, NewVisionGuam@gmail.com, allison@guamsustainability.com, Mike Makio <mmakio@traguam.com>, arch@traguam.com  
Cc: Jimmy Camacho <jcamacho@senatorada.org>, Cyrus Luhr <cyrus@senatorada.org>, Chris Borja <chris@senatorada.org>, Nicole Santos <nsantos@senatorada.org>

Hafa adai,

Please see attached memo from Senator Ada regarding PAG Info Briefing and public hearing on Friday, June 24, 2011 beginning at 9:00 am.

Should you have any questions, please don't hesitate to contact our office at 473-3301.

Best regards,  
Nicole

[Quoted text hidden]



Public Hearing - 1st Notc - June 24 - stakeholders.pdf

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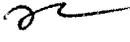
## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

June 22, 2011

### MEMORANDUM

To: All Senators

Fr: Senator Thomas C. Ada 

Subject: **Public Hearing Notice: June 24, 2011**

Please be advised that the Committee on Public Works, Transportation, Utilities and Veterans Affairs is holding a public hearing on **June 24, 2011**. This meeting will take place in the Public Hearing Room of *Liheslatura*. The agenda is as follows:

#### 9:00 am

**Informational Briefing: Port Authority of Guam Modernization Program**

#### 2:00 pm

**Bill 233-31 (COR):** An act relative to the power service rate schedule for Guam Power Authority customers. **(Sponsor: M.S. Taijeron)**

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Testimonies on bills should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to [office@senatorada.org](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until **July 1, 2011, 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Nicole Santos at 473-3301. Please feel free to contact our office at 473-3301 should you have any questions or concerns.



Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

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## Second Notice: Informational Briefing and Public Hearing - June 24, 2011, 9:00 am

Nicole Santos <nsantos@senatorada.org>  
To: phnotice@guamlegislature.org

Wed, Jun 22, 2011 at 9:12 AM

Hafa adai Senators,

Please see attached memo from Senator Ada regarding PAG Info Briefing and public hearing on Friday, June 24, 2011 beginning at 9:00 am.

Should you have any questions, please don't hesitate to contact our office at 473-3301.

Best regards,  
Nicole

--

Nicole Santos  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
I Mina'trentai Unu Na Liheslaturan Guåhan - 31st Guam Legislature  
671-473-3301

 **Public Hearing - 2nd Notc - June 24 - senators.pdf**  
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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

June 22, 2011

### MEMORANDUM

To: All Media

Fr: Senator Thomas C. Ada 

Subject: **Public Hearing Notice: June 24, 2011**

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Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

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## Second Notice: Informational Briefing and Public Hearing Notice - June 24, 2011, 9:00 am

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Nicole Santos <nsantos@senatorada.org>

Wed, Jun 22, 2011 at 9:12 AM

To: Media <media@senatorada.org>

Cc: Jimmy Camacho <jcamacho@senatorada.org>, Chris Borja <chris@senatorada.org>, Cyrus Luhr <cyrus@senatorada.org>

Hafa adai,

Please see attached memo (pdf & word file) from Senator Ada regarding PAG Info Briefing and public hearing on Friday, June 24, 2011 beginning at 9:00 am.

Should you have any questions, please don't hesitate to contact our office at 473-3301.

Best regards,  
Nicole

--

Nicole Santos  
Senior Policy Analyst  
Office of Senator Thomas C. Ada  
I Mina'trentai Unu Na Liheslaturan Guåhan - 31st Guam Legislature  
671-473-3301

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### 2 attachments



**Public Hearing - 2nd Notic - June 24 - media.pdf**

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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

June 22, 2011

### MEMORANDUM

To: All Stakeholders

Fr: Senator Thomas C. Ada 

Subject: **Public Hearing Notice: June 24, 2011**

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Senator Tom Ada

Nicole Santos <nsantos@senatorada.org>

## Second Notice: Informational Briefing and Public Hearing Notice - June 24, 2011, 9:00 am

Nicole Santos <nsantos@senatorada.org>

Wed, Jun 22, 2011 at 9:12 AM

To: Pedro Leon Guerrero <paleonguerrero@portguam.com>, "Margret D. Katsuren" <mdkatsuren@portguam.com>, Daniel Tydingco <djtydingco@gta.net>, sblas@gpagwa.com, Kin Flores <jflores@gpagwa.com>, simon sanchez <gdcmgr@ite.net>, Lou Palomo <lpalomo@guampuc.com>, Peggy Araullo Llagas <eo@guamrealtors.com>, doagridir@yahoo.com, beverlydavis@live.ca, Joanne Brown <joanne.brown@dpw.guam.gov>, Carl Dominguez <carl.dominguez@dpw.guam.gov>, Antoinette Cruz <antoinette.cruz@dpw.guam.gov>, "Joaquin 'Kin' Blaz Jr." <joaquin.blaz@dpw.guam.gov>, Eduardo Ordonez <eduardo.ordonez@clb.guam.gov>, Frances Cepeda <frances.cepeda@clb.guam.gov>, "Maria D. Perez" <maria.perez@clb.guam.gov>, Charlie Onedera <staff03@guamchamber.com.gu>, Liza Provideo <ljprovideo@guam-peals.org>, sylvia@guam-peals.org, "Mary C. Torres, GIAA Executive Manager" <marytorres@guamairport.net>, Peter Roy Martinez <peterroy@guamairport.net>, michael ysrael <michael@tanota.com>, rosieb@guamairport.net, Jean Arriola - GIAA ASM <jeana@guamairport.net>, Frank Santos <franks@guamairport.net>, dlmdir@dlm.guam.gov, James Martinez <gca@teleguam.net>, desiree.lizama@guamcontractors.org, Ivan Quinata <ivan.quinata@epa.guam.gov>, Lorilee Crisostomo <lorilee.crisostomo@epa.guam.gov>, UOG Center for Island Sustainability <cis@uguam.uog.edu>, Mary Okada <mary.okada@guamcc.edu>, NewVisionGuam@gmail.com, allison@guamsustainability.com, Mike Makio <mmakio@traguam.com>, arch@traguam.com  
Cc: Jimmy Camacho <jcamacho@senatorada.org>, Cyrus Luhr <cyrus@senatorada.org>, Chris Borja <chris@senatorada.org>, Nicole Santos <nsantos@senatorada.org>, Telo Taitague <senatortelo@gmail.com>

Hafa adai,

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Should you have any questions, please don't hesitate to contact our office at 473-3301.

Best regards,  
Nicole

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Public Hearing - 2nd Notc - June 24 - stakeholders.pdf

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## Senator Thomas C. Ada

CHAIRMAN - Committee on Utilities, Transportation, Public Works, and Veterans Affairs  
31<sup>st</sup> Guam Legislature • I Mina'trentai Unu Na Liheslaturan Guåhan

### AGENDA

#### PUBLIC HEARING

Friday, June 24, 2011

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

#### 9:00 am

**Informational Briefing: Port Authority of Guam Modernization Program**

#### 2:00 pm

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# osing arguments in Anthony Flores re-trial

Zita Y. Taltano  
@mvguam.com  
iety News Staff

BERATIONS began day afternoon in the 1 trial of Anthony C. Flores, who is charged with the murder of Sherri Lea Taylor on Nov. 12, 1999 at the Hamilton Hotel in Anigua.

Flores died several days later in the St. Joseph's Hospital on Nov. 20, 2000. What one juror said was "failure due to being an alcoholic." On Tuesday, closing arguments were heard by the defense and the prosecution.

Attorney Randy Cunliffe, who represents Flores, told the jury that the key witness Kimberly Taylor's credibility on what happened the night Taylor was eaten can be questionable. Cunliffe also brought up the

testimony of David Pocaiguo who said he went to the hotel on two occasions but did not provide any evidence for the jury.

The autopsy of Medical Examiner Dr. Aurelio Espinola was raised in Cunliffe's closing arguments, wherein the defense attorney said there were different opinions on how Taylor died. Up to six doctors indicated Taylor died a natural death, but Espinola testified that Taylor died from the injuries she sustained several days earlier.

Meanwhile, Chief Prosecutor Basil O'Mallan said Taylor was "savagely beaten." With regard to her drinking, he said people drink when they're in pain and that Taylor's pain was "caused by Anthony Flores."

Following the closing arguments, jurors were given their instructions before being excused to deliberate and come up with a verdict on the case.



Anthony Flores

# OA director seeks clarity on Bill 212

Janela Buhalan  
@mvguam.com  
iety News Staff

OUGH generally support a measure that seeks to provide protection from sexual harassment to all government employees, Department of Administration acting

Director Benita Manglona said yesterday's public hearing that she wanted more clarification on the

reduced by Governor Tony Ada. If enacted, Bill 212, if enacted, will expand sexual

harassment protections to all unclassified and contractual employees, and require that DOA and the Civil Service Commission routinely review the handling of such complaints by government administrators.

Manglona also raised several questions of clarification, including whether the bill alleviates the

Current Guam law also does not provide a means to effectively audit the handling of such complaints.

Deputy Attorney General Phil Tydingco said he supports the measure but also wants to ensure that technical adjustments are made to the policy and procedures that DOA has in place for classified employees, and how



Benita Manglona

# Won Pat eyeing more doctors through medical student loans

By Janela Buhalan  
janela@mvguam.com  
Variety News Staff

SPEAKER Judi Won Pat is proposing a measure that would help recruit and retain more physicians on-island through a debt repayment program.

Bill 236, or the Physician Recruitment and Retention Act, seeks to offer a medical school debt repayment to eligible physicians to attract them to practice or continue practicing on Guam.

The bill states that while there is a need for medical specialists on Guam, the island's current economic shortfall hampers the ability to attract and recruit medical specialists to the island.

"The government cannot afford to pay close to the national average of medical specialists. American College of Emergency Physicians reports that physician incomes are higher than most occupations in order to allow for the repayment of high levels of debt," the bill states.

The bill cites a steady increase in medical school expenses, climbing 6 percent annually in school

tuition and other expenses. This has resulted in medical students seeking high paying medical jobs elsewhere to help repay educational losses.

By offering a debt repayment program for eligible medical specialists, Won Pat hopes to entice residents and former residents of Guam who have left the island to pursue a medical degree to come back home and serve the community.

## Loan

Eligible specialists accepted into the program will receive up to \$300,000 to pay for expenses and loan indebtedness incurred during medical education and training.

The physician must agree to a contract of practicing for two years on Guam for every \$50,000 awarded to the physician and must begin practicing within three months of being accepted into the program.

Won Pat seeks to fund the program through the Healthy Futures Fund (HFF) by transferring \$2 million annually from HFF to a separate account, entitled the "Physician Education Debt Repayment Fund."

In addition, the Guam Economic Development

Authority board of directors will be required to administer the program, while an evaluation committee will determine areas of medical specialty the island needs due to shortages.

The committee will be comprised of the directors of Department of Public Health and Social Services and the Department of Mental Health and Substance Abuse; the Guam Memorial Hospital Authority administrator; a doctor selected by the GMHA board; and a member selected through community-at-large by the committee.



Judi Won Pat



Senator Thomas C. Ada  
Chairman - Committee on Utilities, Transportation, Public Works and Veteran Affairs  
31<sup>st</sup> Guam Legislature - 1 Mina Trentai Unu Na Liheslaturan Guahan

## PUBLIC HEARING NOTICE

Friday, June 24, 2011, Public Hearing Room, Guam Legislature

### Agenda:

#### 9:00 am: Informational Briefing: Port Authority of Guam Modernization Program

1. Situational Changes and Their Implications, e.g. Military Buildup Program Re-set and Other Issues?
2. Program Financing Status and Issues
3. Gantry Crane Procurement
4. Stakeholder Alignment Efforts

#### 2:00 pm: Public Hearing

**Bill 233 - 31 (COR):** An Act relative to the power service rate schedule for GPA customers.

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**Bill 196 - 31 (COR):** An act to require DPW to consider and perform, when deemed feasible, night time construction work on Guam's roads; and to require the inclusion of quotations or estimations for the cost of night time construction, when soliciting for contracts on road construction projects.

**Bill 230 - 31 (COR):** An act mandating new government of Guam buildings integrate sustainable design solutions and systems and to require that retrofits, renovates and alterations to existing government buildings include energy efficient and sustainable design methods.

The Committee will continue to accept written or electronic testimonies until July 01, 2011, 5:00pm. Testimonies should be submitted via email to [office@senatorada.org](mailto:office@senatorada.org), via facsimile to (671) 473-3303 or to the office at 173 Aspinall Avenue, Suite 207 Hagatna, Guam. Individuals requiring special accommodations should contact and submit their request to Mr. Jimmy Camacho at 473-3301

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) Regular Session

2011 MAY 27 PM 3:29 EDW

Bill No: 217-31(COR)

Introduced by:

T.C. Ada 

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**AN ACT TO ESTABLISH A PROJECT PLAN OF  
ACTION FOR THE CONSTRUCTION OF THE  
TIYAN ROADWAY PROJECT.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the Guam International Airport Authority (GIAA) expansion of cargo and passenger activities, more specifically, Runway 6L, will require the closure of Central Avenue in order to maintain a Runway Protection Zone as prescribed by U.S. Department of Transportation Federal Aviation Administration. Currently, Central Avenue provides an important regional interconnection and solution to the current congestion along Guam's most heavily traveled roadways - Route 1, Marine Drive; Route 8, Purple Heart Highway; and Route 16, Army Drive.

*I Liheslaturan Guåhan* finds that construction of the Tiyan Roadway project is necessary to mitigate the significant impacts of the Central Avenue closure. In order to prepare for the closure of Central Avenue, and construction of the Tiyan Roadway Project, *I Liheslaturan Guåhan* finds it imperative that the Department of Public Works develop and provide a Project Plan of Action to identify a timeline and potential barriers.

1           **Section 2. Establishment of a Project Plan of Action.** It is hereby mandated  
2 that the Director of the Department of Public Works commit, in writing, to a Project  
3 Plan of Action and timeline for completion of the Tiyan Roadway Project within sixty  
4 (60) days of enactment. Such plan *shall* include timelines for milestones to be  
5 accomplished, to include, but not limited to: (1) design of roadway, (2) approval of  
6 plans for construction financing; (2) acquisition of Guam International Airport  
7 Authority (GIAA) property required for the new roadway; (3) construction of road  
8 segment on acquired GIAA property; and (4) right-of-way acquisition.

9           **Section 3. Resolution of Barriers to Project Completion.** Should the  
10 Director of the Department of Public Works determine that barriers which may  
11 impede the successful implementation of the Project Plan of Action exist, the Director  
12 *shall*, within thirty (30) days of determination, communicate in writing to the Speaker  
13 of *I Liheslaturan Guåhan*, specifying the barriers, and an action plan to resolve such  
14 impediments.

15           **Section 4. Effective Date.** This Act shall become effective upon enactment.

16           **Section 5. Severability.** If any provision of this law or its application to any  
17 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
18 not affect other provisions or applications of this law which can be given effect  
19 without the invalid provisions or application, and to this end the provisions of this law  
20 are severable.